

January 1, 2017

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on January 1, 2017.

Mayor Robert J. Seader called the meeting to order at 12:00 noon and he led the Pledge of Allegiance.

Municipal Clerk William Robins read the Sunshine Statement and called the Roll for the 2016 Council.

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

Absent: Kenneth Bayer

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

01-01-2017: #1

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL SERVICES

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

WHEREAS, the Borough of Dunellen has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5*; and,

WHEREAS, the Dunellen Municipal Clerk has determined and certified in writing that the value of the service will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one* year; and

WHEREAS, the Law Offices of John E. Bruder, Esq., has submitted a proposal indicating they will provide the services for the amount set forth in the 2016 Municipal Salary Ordinance; and

WHEREAS, the Law Offices of John E. Bruder has completed and submitted a Business Entity Disclosure Certification which certifies that John E. Bruder has not made any reportable contributions to a political or candidate committee in the Borough of Dunellen in the previous one year, and that the contract will prohibit John E. Bruder from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer of the Borough of Dunellen has certified as to the availability of funds.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Dunellen authorizes the Mayor and Borough Administrator to enter into a contract with the Law Offices of John E. Bruder as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

A copy of this resolution shall be published in The Courier or other paper of record as required by law within ten days of its passage.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

The Oath of Office for John E. Bruder was administered by Municipal Clerk William M. Robins

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

01-01-2017: #2

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

The 2016 Dunellen Borough Council is hereby adjourned.

Yes: Baudendistel, Bachorik, Cilento and Petracca

The Oath of Office for Councilman Joseph Petracca was administered by Municipal Attorney John E. Bruder.

The Oath of Office for Councilman Jason Cilento was administered by Municipal Attorney John E. Bruder.

Mr. Cilento shared his grandfather's hat, as a memory and tribute to the man who inspired him to public service.

Mayor Robert J. Seader called to order the 2017 Borough Council. The Roll Call was taken by Municipal Clerk William M. Robins:

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

Absent: Kenneth Bayer

At this point, nominations for Dunellen Borough Council President were made. Mr. Kenneth Baudendistel was nominated.

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

01-01-2017: #3

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

Kenneth Baudendistel is hereby appointed Dunellen Borough Council President for Year 2017.

Yes: Baudendistel, Bachorik, Petracca, Cilento and Lowder

At this point, the following appointments were made:

1. Mayor's appointments to the Planning Board: Scott Luthman and Kenneth Bayer
2. Mayor's appointments to the Library Board: Hanem Baudendistel, Candy Harshaney and Michelle Klastava
3. Mayor's appointments to the Dunellen Shade Tree Commission: Susan Butterworth, Erica Grun, James Devine and Enrique Lainez
4. Mayor's appointments to the Dunellen Recreation Commission: James Brennan, Jennifer Desmelyk and Laura Ruskuski
5. Mayor's appointments to the Dunellen Parking Authority: Theodore Treffinger
6. Mayor's appointments to the Dunellen Downtown Management Organization: William Robins, Kenneth Baudendistel, Jason Cilento, Adam Gordon, Margaret Lockwood, Heidi Heleniak and Martha Morse
7. Mayor's appointments to the Architectural Review Committee: Randee Staats, Roger Dornbierer, Karen Seader, Robert Tunison, Kenneth Bayer

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

01-01-2017: #4

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

William M. Robins is hereby appointed Public Agency Compliance Officer for the Borough of Dunellen.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #5

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

The following is the list of the Official Borough Council Meeting dates for the year 2017:

Sunday, January 1, 2017 -- Reorganization Meeting -- Noon
Monday, January 9, 2017
Monday, January 23, 2017
Monday, February 6, 2017
Tuesday, February 21, 2017
Monday, March 6, 2017
Monday, March 20, 2017
Monday, April 3, 2017
Monday, April 17, 2017
Monday, May 1, 2017
Monday, May 15, 2017
Monday, June 5, 2017
Monday, June 19, 2017
Monday, July 3, 2017
Monday, August 7, 2017
Tuesday, September 5, 2017
Monday, September 18, 2017
Monday, October 2, 2017
Monday, October 16, 2017
Monday, November 6, 2017
Monday, November 20, 2017
Monday, December 4, 2017
Monday, December 18, 2017
Monday, January 1, 2018 -- Reorganization Meeting – Noon

All meetings are in the Municipal Council Chambers, 355 North Avenue, Dunellen, and begin at 7:00 PM, unless otherwise noted.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #6

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

The following newspapers be and are hereby officially declared to be the official newspapers for the purpose of publishing official advertisements for the Borough of Dunellen:

Courier News, Home News Tribune, Star-Ledger

provided, however, that the listing of said newspaper herein shall not preclude additional advertising in other newspapers not eligible as official newspapers.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #7

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

Whereas, the Borough of Dunellen is required to appoint banks in good standing as depositories for Borough funds; and

Whereas, The Provident Bank, Investors Savings Bank, Bank of America, TD Bank, Valley National Bank, Crown Bank, and PNC Bank are located within or near the Borough of Dunellen; and

Whereas, all of the above mentioned are in good standing.

Now therefore be it resolved that The Provident Bank, Investors Savings Bank, Bank of America, TD Bank, Valley National Bank, Crown Bank, and PNC Bank are hereby designated as the official depositories of the Borough of Dunellen for the year 2017.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #8

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

Robert Spengler is hereby appointed Public Defender for the year 2017 at a salary set forth in the Borough Salary Ordinance.

Be it further resolved that health benefits are not provided as part of the position.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #9

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

In the absence of the designated Public Defender, or during times when a second Public Defender is needed, Daniel Frascella is hereby appointed Alternate Public Defender for the year 2017 at a salary set forth in the Borough Salary Ordinance.

Be it further resolved that health benefits are not provided as part of the position.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #10

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

The following calendar of employee holidays for the year 2017 be adopted:

January 1	New Year's Day (Sunday)
January 16	Martin Luther King Day (Monday)
February 12	Lincoln's Birthday (Sunday) (Offices closed on Monday, February 13th)
February 20	Presidents' Day (Monday)
April 14	Good Friday (Friday)
May 29	Memorial Day (Monday)
July 4	Independence Day (Tuesday)
September 4	Labor Day (Monday)
October 9	Columbus Day (Monday)
November 7	Election Day (Tuesday)

November 11	Veteran's Day (Saturday) (Offices closed on Friday, November 10th)
November 23	Thanksgiving (Thursday)
December 25	Christmas Day (Monday)
January 1, 2018	New Year's Day, 2018. To be included in the Employees' Holidays for 2018.

Be it further resolved that any day designated by the Governor of the State of New Jersey or the President of the United States be also designated a holiday. Those holidays falling on Saturday will be observed on Friday and those holidays falling on Sunday will be observed on Monday, except where noted otherwise.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #11

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR AUDITING SERVICES

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

WHEREAS, the Borough of Dunellen has a need to acquire the services of a Registered Municipal Accountant to conduct an audit of the Borough of Dunellen and the Dunellen Sewer Utility for CY 2016 ending December 31, 2016, as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5*; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the firm of Hodulik and Morrison has submitted a proposal indicating they will provide the services; and

WHEREAS, the amount of the services is not to exceed \$40,800; and

WHEREAS, the firm of Hodulik and Morrison has completed and submitted a Business Entity Disclosure Certification which certifies that Hodulik and Morrison has not made any reportable contributions to a political or candidate committee in the Borough of Dunellen in the previous one year, and that the contract will prohibit Hodulik and Morrison from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer of the Borough of Dunellen has certified as to the availability of funds.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Dunellen authorizes the Mayor and Borough Administrator to enter into a contract with the firm of Hodulik and Morrison as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

A copy of this resolution shall be published in the Courier News or other paper of record as required by law within ten days of its passage.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #12

AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR BOND COUNSEL

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

WHEREAS, the Borough of Dunellen has a need to acquire Bond Counsel as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5*; and,

WHEREAS, the Dunellen Municipal Clerk has determined and certified in writing that the value of the service will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one* year; and

WHEREAS, the Law Office of McManimon, Scotland, Baumann has submitted a proposal indicating they will provide the services; and

WHEREAS, the Law Office of McManimon, Scotland, Baumann has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Office of McManimon, Scotland, Baumann has not made any reportable contributions to a political or candidate committee in the Borough of Dunellen in the previous one year, and that the contract will prohibit the Law Office of McManimon, Scotland, Baumann from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer of the Borough of Dunellen has certified as to the availability of funds.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Dunellen authorizes the Mayor and Borough Administrator to enter into a contract with the Law Office of McManimon, Scotland, Baumann as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

A copy of this resolution shall be published in the Courier News or other paper of record as required by law within ten days of its passage.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #13

AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR MUNICIPAL ENGINEER

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

WHEREAS, the Borough of Dunellen has a need to acquire municipal engineering services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5*; and,

WHEREAS, the Dunellen Municipal Clerk has determined and certified in writing that the value of the service will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one* year; and

WHEREAS, the firm of CME Associates has submitted a proposal indicating they will provide the services; and

WHEREAS, the firm of CME Associates has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of CME Associates has not made any reportable contributions to a political or candidate committee in the Borough of Dunellen in the previous one year, and that the contract will prohibit the firm of CME Associates from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer of the Borough of Dunellen has certified as to the availability of funds.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Dunellen authorizes the Mayor and Borough Administrator to enter into a contract with the firm of CME Associates as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

A copy of this resolution shall be published in the Courier News or other paper of record as required by law within ten days of its passage.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #14

AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR SEWER UTILITY LEGAL COUNSEL

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

WHEREAS, the Borough of Dunellen has a need to acquire Sewer Utility Special Council as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5*; and,

WHEREAS, the Dunellen Municipal Clerk has determined and certified in writing that the value of the service will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one* year; and

WHEREAS, the Law Firm of Murphy McKeon, P.C., has submitted a proposal indicating they will provide the services; and

WHEREAS, the Law Firm of Murphy McKeon, P.C., has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Firm of Murphy McKeon, P.C., has not made any reportable contributions to a political or candidate committee in the Borough of Dunellen in the previous one year, and that the contract will prohibit the Law Firm of Murphy McKeon, P.C., from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer of the Borough of Dunellen has certified as to the availability of funds.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Dunellen authorizes the Mayor and Borough Administrator to enter into a contract with the Law Firm of Murphy McKeon, P.C., as described herein, at an amount not to exceed \$20,000.00; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

A copy of this resolution shall be published in the Courier News or other paper of record as required by law within ten days of its passage.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #15

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

The Mayor, Municipal Clerk, Chief Financial Officer, Tax Collector and/or Acting Tax Collector are authorized to be signatories on Borough financial documents and instruments.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #16

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

1. That pursuant to N.J.S.A. 54:4-67 the interest rate to be charged on delinquent improvement assessments for the year 2015 is hereby fixed at 8% up to \$1,500 and 18% over \$1,500 per annum.
2. That an additional 6% penalty be charged for a delinquency in excess of \$10,000.00 when same is not paid by the end of the year mentioned above.
3. That the Collector of Taxes and be and is authorized and directed to provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became due. The interest is to be calculated from the date the tax was due until the date of the actual payment.

BE IT FURTHER RESOLVED, that the Municipal Clerk provide a certified copy of this resolution to the Tax Collector.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #17

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

WHEREAS, the Municipal Council of the Borough of Dunellen finds and declares that N.J.S.A. 40A:5-17-1 empowers authorized municipal employees to process the cancellation of tax refunds and/or delinquencies of less than Ten Dollars (\$10.00), and

WHEREAS, the Municipal Council of the Borough of Dunellen further finds and declares that the Municipal Tax Collector is qualified to process the cancellation of tax refunds and/or delinquencies of less than Ten Dollars (\$10.00), and

WHEREAS, the Municipal Council of the Borough of Dunellen further finds and declares that it is in the best interest of the citizens of the Borough of Dunellen for the Municipal Tax Collector to be authorized to process the cancellation of tax refunds and/or delinquencies of less than Ten Dollars (\$10.00) in accordance with N.J.S.A. 40A:5-17-1.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF DUNELLEN:

That the Municipal Tax Collector of the Borough of Dunellen is hereby authorized to process the cancellation of tax refunds or delinquencies of less than Ten Dollars (\$10.00) during the calendar year 2017, in accordance with N.J.S.A. 40A:5-17-1.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #18

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

The officially elected 2017 Line Officers and Executive Officers for the Dunellen Fire Department are as follows:

LINE OFFICERS

Chief Jeremy Lowder
Deputy Chief Ben Garnecki
Captain Mark Crawford
Captain Dan Fort

EXECUTIVE OFFICERS

President Benjamin Garnecki
Vice President Bryan Cashin
Treasurer Mark Crawford
Statistical Secretary Mike Shiminsky

Sergeant-at-Arms Rich Feyrer
Historian Jack Green
Exempt Trustee Dave Morgan
Non-Exempt Trustee Bryan Cashin

Yes: Baudendistel, Bachorik, Cilento and Petracca
Abstain: Lowder, due to his affiliation with the Fire Department

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

01-01-2017: #19

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

Whereas, NJSA 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the CY 2017 Dunellen Municipal Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

Whereas, the date of this resolution is within the first thirty days of January, 2017.

Now therefore be it resolved that the attached CY 2017 Temporary Dunellen Municipal Budget is hereby adopted.

TEMPORARY BUDGET - 2017

Title	Salaries and Wages	Other Expenses
Administration	12,650	1,000
Legal Advertising		1,000
Telephone		10,000
Financial Administration	20,000	2,000
Assessment of Taxes	4,000	1,000
Collection of Taxes	9,500	5,000
Legal Services	13,500	3,000
Borough Clerk	12,650	2,000
Engineering Services		5,000
Public Buildings & Grounds	2,500	15,000
Electric & Gas		46,000
Planning Board	2,500	2,500
Group Insurance		225,000
Other Insurance		135,000
Mayor & Council	5,500	2,000
Gasoline		16,000
Water		1,500
Postage		2,000
Information Technology		5,000
Fire		10,000
Fire Hydrant Service		19,000

Rescue Squad Contribution		10,000
Police	450,500	25,000
School Crossing Guards	16,500	
Dispatcher Services		30,000
Emergency Management	2,000	
Emergency Vehicle Lease		16,000
Road Repairs	115,000	13,500
Tree Maintenance		10,000
Shade Tree		500
Garbage & Trash		6,000
Green Brook Flood Control Commission		500
Board of Health	8,000	4,000
Recreation Commission	10,500	4,000
Senior Citizen Activities		700
Construction Code Official	18,000	1,000
Social Security		40,000
Defined Contribution Retirement Plan		1,000
Municipal Court	32,000	4,000
Free Public Library	52,000	10,000
Municipal Prosecutor	5,000	
*Payment on MCIA Bonds		278,400
*Payment of BAN		57,800
*Interest on MCIA Bonds		54,350
*Interest on Notes		26,490
*Infrastructure Trust Fund		121,700
Intergovernmental/Middlesex County Recycling		21,000
Intergovernmental/Middlesex County Health Services		9,000
<hr/>		
Subtotal	792,300	1,253,940
Total Appropriations, before Debt Service		2,046,240
Less: *Debt Service		<u>(538,740)</u>
TOTAL TEMPORARY APPROPRIATIONS		<u>1,507,500</u>
Total Appropriations, CY 2016, less Capital Improvement Fund and Debt Service		6,313,465
26.25% of Appropriations, less Capital Improvement Fund and Debt Service		<u>1,657,285</u>
TOTAL TEMPORARY APPROPRIATIONS are less than 26.25% prior year appropriations?		<u>TRUE</u>

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #20

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

Whereas, NJSA 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the CY 2017 Dunellen Sewer Utility budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

Whereas, the date of this resolution is within the first thirty days of January, 2017.

Now therefore be it resolved that the attached CY 2017 Temporary Dunellen Sewer Utility Budget is hereby adopted.

2017 Temporary Sewer Budget

<u>Account Title</u>	<u>Salaries</u>	<u>Other Expenses</u>
Overtime	2,500	
Telephone		250
Equipment		5,000
Stationery		1,000
Postage		1,200
Water		250
Billing Costs		500
Legal Fees		1,000
Plainfield Area Regional Sewerage Authority		143,000
Electricity		7,500
<hr/> Subtotal	2,500	159,700
Grand Total		<u>162,200</u>
Total Appropriations, 2016 Budget		790,100
Less: Capital Improvement Fund		-30,000
Capital Outlay		<u>-60,000</u>
Adjusted Total Appropriations, 2016		700,100
26.25% of appropriations, less Capital Improvement Fund and Capital Outlay:		<u>183,776</u>

Total Temporary Appropriations are less than

26.25% prior year appropriations?

TRUE

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #21

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

William M. Robins is hereby appointed the Dunellen Commissioner to the Middlesex County Joint Insurance Fund.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #22

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR SPECIAL COUNSEL FOR REDEVELOPMENT

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

WHEREAS, the Borough of Dunellen has a need to acquire a need to acquire Special Counsel on behalf of the Borough for matters concerning Redevelopment for 2017 as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5*; and,

WHEREAS, the Dunellen Municipal Clerk has determined and certified in writing that the value of the service will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one* year; and

WHEREAS, the firm of Windels Marx Lane & Mittendorf has submitted a proposal indicating they will provide the services. This appointment is in reference to the original appointing Resolution 08-05-2013: #29, and all terms and conditions of that resolution apply.

WHEREAS, the Law firm of Windels Marx Lane & Mittendorf has completed and submitted a Business Entity Disclosure Certification which certifies that the law firm of Windels Marx Lane & Mittendorf has not made any reportable contributions to a political or candidate committee in the Borough of Dunellen in the previous one year, and that the contract will

prohibit the law firm of Windels Marx Lane & Mittendorf from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer of the Borough of Dunellen has certified as to the availability of funds.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Dunellen authorizes the Mayor and Borough Administrator to enter into a contract with the law firm of Windels Marx Lane & Mittendorf as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

A copy of this resolution shall be published in The Courier or other paper of record as required by law within ten days of its passage.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

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

01-01-2017: #23

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

NW Financial Group, LLC, Hoboken, NJ, is hired as financial experts regarding Redevelopment for the Borough of Dunellen for the year 2017 at the following rates:

Principal:	\$205.00 (hourly)
Managing Director:	\$195.00 (hourly)
Senior Vice President:	\$190.00 (hourly)
Vice President:	\$180.00 (hourly)
Associate:	\$160.00 (hourly)

Payment for these services will be from the Redevelopment Escrow Account established by the Redevelopers, Brudner Redevelopment Partners Urban Renewal, LLC.

The total amount of this certification of funds is not to exceed \$10,000.00.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca

REORGANIZATION MEETING SPEECH
MAYOR ROBERT J. SEADER
1 JANUARY 2017

"The Year in Review and a Look to the Future"

I thank you all for joining us today, this first day of a new year, and, I predict, the first day in what will prove to be a great year for the Borough of Dunellen.

2016 was an eventful year for Dunellen and I am sure that 2017 will be even more noteworthy. I tell you this because change is coming to Dunellen that will affect the future of our town and benefit all of us who live and work here.

First, I would like to congratulate Joseph Petracca on his re-election to another term as Councilman. Joe's mastery of all things financial helps keep our annual budgets lean and our spending frugal. I also congratulate Jason Cilento on his election to a third term as a Councilman. Jason has brought energy and enthusiasm to the Council, the Management Organization, and the Recreation Commission. We are all glad to see both Joe and Jason back for another three years and I look forward to working with them, and the entire Dunellen Borough Council to ensure that Dunellen is a safe, inviting, and prosperous place to work, live, and raise our families.

In 2016, we were saddened by the passing of former Mayor Larry Anzovino. Larry served as Dunellen's mayor for 26 years. He devoted his full energy to the task of helping our residents. He will be missed.

2016 began with a double whammy for Dunellen. First, we suffered through a tremendous snow storm that was so bad that New Jersey declared a state of emergency and kept the men from our Department of Public Works on the roads plowing the snow for days at a time.

Then, in a totally unexpected fashion, and with no prior communication, the New Jersey Department of Taxation notified the borough that they were considering whether to order Dunellen to undertake a property revaluation. The Governor's Office and people from Taxation held a public hearing where they refused to answer any questions from the hundreds of Dunellen residents gathered in the High School Auditorium. Then they ordered us to conduct a revaluation and imposed a strict time-line. Instead of protesting the order and filing an appeal, the Borough Council considered that a revaluation of properties might prove to be a very good thing for Dunellen by setting a new bottom line for all properties and thus promoting principles of fairness for all our residents and owners. So we immediately started work on the project and as of this day we have completed a new version of our tax map (the old one is over 35 years old and there have been

many changes since last compiled) and we are now preparing a Request for Proposals to hire a company to do the actual door-to-door evaluations. We are ahead of schedule and hope to have all this completed by early 2019.

Last May, the sewer line beneath the 800 block of North Washington Avenue collapsed under the weight of heavy truck traffic. The road was closed for over a month while repairs were made. This event was an unpleasant reminder that much of our infrastructure, which includes sewer pipes, water pipes, roadways, culverts, and the walls shoring up our brooks, is over 100 years old and in constant need of rehabilitation. This is the main reason we created the Dunellen Sewer Utility four years ago: so that we could find new and better ways of paying for needed sewer and pumping station improvements. A good example of how we are monitoring and upgrading our infrastructure is the Rail Road Culvert Project that will rebuild the pipe that carries the Bonygut Brook under the train tracks off South Avenue. The new and wider pipe is designed to make the water flow quicker out of town. After this project and a few other culvert projects on South Avenue, South Madison Avenue, and Pulaski Street scheduled for the next few years, we will be notifying FEMA that it is time to come back to Dunellen and revise the flawed flood maps imposed on our town in 2010.

As you are all aware, the Borough Council has been working with the owners of the old Art Color industrial complex to create an attractive mixed use development in the 19 acres just off South Washington Avenue. We are nearing an Agreement to build 130 townhouses and 252 luxury apartments, 58 of which will be designated as Affordable Housing. There will also be a train-station style retail center facing South Washington Avenue. If all goes as planned, then you might all see construction as soon as 2019.

And speaking of Affordable Housing, through the very hard work of our Municipal Attorney, John Bruder, and the planners at our engineers, CME Associates, Dunellen is the very first town in Middlesex County to receive approval of a plan to satisfy the order from the New Jersey Supreme Court to develop a blueprint to provide affordable housing in each of our state's 565 municipalities. Our prompt attention to this was not only the right thing to do, but it has saved us potentially hundreds of hours of time and countless thousands of dollars in legal fees.

Now I would like to acknowledge some of the accomplishments of our municipal departments. The transition to our new Dispatch System, hosted by Somerset County, has gone flawlessly. The Police Department has also upgraded to a state of the art computer assisted dispatch system that greatly enhances their investigation effectiveness and Sergeant Doherty and Officer Neirodzik were honored by the State PBA with a life-saving award for rescuing trapped people from a burning structure.

The Dunellen Fire Department did an outstanding job, coming out in all kinds of weathers and participating in many events including the Memorial Day Parade, Veterans Day, the Haunted Trail, and the National Night Out. Likewise, the Dunellen Rescue Squad did a fine job in our moments of need and logged many thousands of volunteer hours.

Under the leadership of Alex Miller, the Recreation Department had a momentous year. He and the Recreation Commission oversaw many popular activities such as the Easter Egg Hunt, the Memorial Day Parade, Summer Camp, the Halloween Parade, and the annual Tree Lighting in Washington Park. The baseball and Basketball Travel Teams won Championships. Finally, one of the highlights of our athletic year, not to mention any year in the history of Dunellen, was the fantastic performance of Dunellen's own Sydney McLaughlin who not only became a Gatorade Athlete of the Year, but reached the semi-finals in the 400 meter hurdles at the Olympic Games in Rio de Janeiro. Sydney really makes us all very proud.

If you look out our Chamber windows you might see passing by a new vehicle added to the police fleet this last year, or a new dump truck for the Department of Public Works, or the new fire truck pumper for the Fire Department, or the new asphalt hot box for street pothole patching driven by our new DPW Supervisor, Ron Safar; you will definitely see the decorated Christmas Trees in containers provided by the Downtown Management Organization and 21 new trees planted in our parks by the Dunellen Shade Tree Commission.

As I look around this crowded room, a room that is not only the Council Chambers but also serves as the meeting place of the Planning Board and the Municipal Court, I am grateful to our Municipal Court Judge, Dennis Fackelman, who oversees a smoothly running and productive court, to Terry Crisafulli our Court Administrator, and her Assistant, Lauren Colletti.

I would like to give recognition to our hard working volunteers who serve long hours on the Recreation Commission, which oversees our many athletic and recreational programs; the Shade Tree Commission which plants trees and shrubs in our parks and right-of-ways; the Library Board of Trustees; the Planning Board; the Dunellen Downtown Management Organization which hosts the annual HarvestFest in October; the newly created Dunellen Arts & Culture Commission; the Dunellen Municipal Alliance that helps inform our youth and their parents of the dangers of substance abuse; The Maurer House Committee which devotes innumerable hours to restoring the Maurer House on Mountainview Terrace and sponsors the annual Haunted Trail and Taste of the Towns; and the Parking Authority, which each year gifts the borough \$50,000 to help lessen the burden of property taxes. The people who serve on our boards and commissions labor at often thankless tasks, but they help create policy, serve as emissaries to the public,

often do hard physical labor maintaining vital facilities, and generally ensure that everything runs professionally in their respective departments.

I would also like to recognize the hard work of Scott in the Construction Office and his code officials Mike and Ken; George in Code Enforcement; Ray and Gail in our Tax Collection Office and Rich the Tax Assessor; Jeanne in the Office of Emergency Management; Scott Olsen in Finance, Debbie in Accounts Payable; and Lauren, our Deputy Registrar who helped prepare 54 Marriage Applications last year; and all the other people who, with dedication and good will, serve the residents of the Borough of Dunellen, day in and day out.

Finally, I must thank Karen, Bobby and Kelly Seader—my family. Without their support and understanding, I could not be sharing this day with you.

In conclusion, I predict that 2017 will be one of the most important in the history of Dunellen. The long-elusive goal of downtown Redevelopment is slowly becoming a reality. Contemporary and renovated buildings with new businesses for our residents are replacing old and tired structures. Walking the streets of our downtown, I feel energy in the air, an excitement I haven't perceived in years. Things are moving. Community spirit is on the rise. Wonderful possibilities are coming. I am pleased, grateful, and privileged to share Dunellen's great future with all of you. Thank you and Happy New Year!

At this point, the Ceremony honoring Dunellen's Volunteer of the Year was held. This year, it was decided to award John Triolo, a life-long resident of the borough who was active in the Library and is the author of *Images of America - Dunellen*. The Proclamation was read by Mr. Robins.

PROCLAMATION
On Awarding John Triolo
Dunellen's 2016 Citizen Volunteer of the Year

WHEREAS, John Triolo has been a life-long resident of Dunellen; and

WHEREAS, John has been married to Barbara for 51 years; and

WHEREAS, John has consistently demonstrated that he holds the welfare of the residents of Dunellen in deep regard; and

WHEREAS, John is now retired. His most recent employment had been as a District Manager for Drug Fair/Cost Cutter stores, a position he held for 25 years; and

WHEREAS, John has been active in the Boy Scouts of America as an Assistant Cubmaster and Den Leader for Pack 127; and

WHEREAS, John has been a member, with his grandchildren, of the Garden State Spacemodeling Society and the National Association of Rocketry; and

WHEREAS, John was a Trustee and Member of the Board of Directors of the Dunellen Public Library for six years; and

WHEREAS, John enjoys reading and researching New Jersey history, fishing, family camping, amateur archeology, mineral collecting and New Jersey postcard collecting; and

WHEREAS, John is the author of the book, *Images of America—Dunellen* and is a member of the Dunellen Historical Society.

NOW THEREFORE I, Mayor Robert J. Seader, along with the Borough Council, extend congratulations to John Triolo in awarding him the honor of being Dunellen's 2016 "Citizen Volunteer of the Year."

DATED: January 1, 2017

Mayor Seader presented outgoing Dunellen Fire Chief Jonathan Scott a plaque in honor of his long seven year service to the Department and the people of Dunellen. The mayor stated that this was the proper venue for such a presentation because, though the Department knows of his accomplishments, many residents do not, so this public presentation is more fitting in paying tribute to him.

PUBLIC PORTION:

Diana Starace, a long-time resident of Dunellen, thanked the Mayor and Council for their support of the Dunellen Municipal Alliance

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

01-01-2017: #24

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

The Dunellen Borough Council Meeting of January 1, 2017 is adjourned.

Yes: Baudendistel, Bachorik, Cilento, Lowder and Petracca