

December 19, 2011

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on December 19, 2011.

Mayor Robert J. Seader called the meeting to order at 7:30 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, Council President Baudendistel, Kenneth Bayer, Mark Bieniek, Joseph Petracca, and Jason Cilento

Absent Anthony Aversa

On the motion of Mr. Cilento and seconded by Mr. Bieniek it was moved to accept the minutes of December 5, 2011.

Yes: Baudendistel, Bieniek, Cilento and Petracca

Abstain: Bayer

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

ORDINANCE 2011-12

BOROUGH OF DUNELLEN

DUNELLEN MUNICIPAL ORDINANCE 2011-06, DUNELLEN SALARY ORDINANCE, is hereby amended. This amended ordinance is being Introduced for first reading on December 19, 2011. It will be presented for Public Hearing and Adoption on January 9, 2012, at 7:30 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey. Copies of this ordinance will be posted on the Municipal Bulletin Board, and will be available at the Office of the Borough Clerk for any interested members of the public.

The following are base salaries, without longevity or benefits:

Step	Minimum	Maximum
11	\$100,000.00	\$125,000.00
10	\$70,000.00	\$99,999.00
9	\$60,000.00	\$69,999.00
8	\$45,000.00	\$59,999.00
7	\$35,000.00	\$50,000.00
6	\$30,000.00	\$39,999.00
5	\$20,000.00	\$35,000.00
4	\$15,000.00	\$25,000.00

3	\$10,000.00	\$19,999.00
2	\$2,000.00	\$12,000.00
1	\$1,000.00	\$4,999.00

Full-Time Positions

	<u>Step</u>
Chief of Police	11
Administrator/Clerk	10
Court Administrator	8
Recreation Director	7
Tax Collector/Treasurer	7
Finance/Payroll Clerk	7
Deputy Clerk/Registrar	5
Registrar	5
Deputy Court Administrator	5

Part-Time Salary Positions

Municipal Attorney	7
Construction Code Official	6
Municipal Judge	5
Chief Financial Officer	5
Public Works Superintendent	3
Tax Assessor	3
Municipal Prosecutor	3
Property Maintenance/Code Enf.	3
Sewer Inspector	3
Property Maintenance Officer	3
Public Defender	2
Office of Emergency Management	2

Part Time – Hourly

	<u>Minimum</u>	<u>Maximum</u>
Sewer Inspector - Additional Hourly	\$30.00	\$48.00
Substitute Deputy Clerk (Court)	\$25.00	\$35.00
Sub Code Official (Electrical, Fire, Plumbing)	\$25.00	\$33.00
Interpreter	\$20.00	\$25.00
Planning Board Secretary	\$12.00	\$18.00
Tax Clerk	\$12.00	\$18.00
Head School Crossing Guard	\$12.00	\$16.00
Police Administrative Assistant	\$12.00	\$16.00
Violations Clerk (Court)	\$10.00	\$15.00
Laborer	\$10.00	\$14.00
Senior Citizen Van Driver	\$10.00	\$14.00
School Crossing Guard	\$10.00	\$14.00
Janitor	\$9.00	\$13.00
Clerk's Administrative Assistant	\$9.00	\$13.00

Subtotal: \$3,600.00

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #3

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

Whereas, there exists a need for improvements to Dunellen Avenue; and

Whereas, the Local Public Contracts Law (NJSA 40A:11-1 et. seq.) requires that the resolution authorizing the award of the contract for Professional Services without competitive bidding must be publicly advertised.

Now therefore be it resolved by the Governing Body of the Borough of Dunellen as follows:

1. The cost of said services is not to exceed \$32,000.00.
2. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with CME Associates, 3141 Bordentown Road, Parlin, New Jersey 08859, for survey and base mapping services, design phase services, final design, coordination with NJDOT, preparation of bid documents, and bid phase services.
3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contract Law because the services rendered are professional services of a recognized profession whose practice is regulated by law.
4. A copy of this resolution shall be published in The Courier as required by law within ten days of its passage.

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #4

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

Lizandra DeAngelis is hired as a Spanish language interpreter for the Dunellen Municipal Court, effective November 10, 2011, at a salary of \$25.00 per hour.

This is a position without benefits.

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #5

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

WHEREAS, Gerard Cappella is retiring from the Dunellen Police Department after twenty-six years of service; and

WHEREAS, Gerard Cappella is retiring with the rank of Chief of Police; and

WHEREAS, though it is customary for the retiring chief to receive 3 months terminal leave, Gerard Cappella has generously declined this benefit; and

WHEREAS, in recognition of Gerard Cappella's long and devoted service to the Borough of Dunellen, and in compensation for his declining his terminal leave, Gerard Cappella will be granted the following benefits that would have been accorded him in Calendar Year 2012; and

WHEREAS, Gerard Cappella will be granted the following benefits: thirty vacation days at a cost of \$13,892.40; five personal days at a cost of \$2,315.40; and thirteen paid holidays at a cost of \$6,018.48, for a total of \$22,226.29.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that retiring Chief Gerard Cappella receive a total of \$22,226.29 for the benefits noted above.

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #6

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

The following establishments be issued an Amusement Games License by the Municipal Clerk as they have met the requirements and paid the proper fee:

Eight on the Break
Diane's O'Matic Wash
Waterway Holdings (North Tavern)

Veterans of Foreign Wars
Avellino's
Zupko's Tavern
Knights of Columbus
American Legion Post #119
Kisko's Tavern

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #7

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

The Municipal Clerk is hereby authorized to issue a Taxi License to:

City Limo Transportation, LLC
116 North Washington Avenue, Dunellen, NJ

All fees and requirements of said license have been met.

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #8

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

The Municipal Clerk is hereby authorized to issue a Limousine License to:

Ambitrans, LLC.
634 Bound Brook Road
Dunellen, NJ

All fees and requirements of said license have been met.

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #9

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

WHEREAS, there are certain improvement authorizations that were funded in total or in part by proceeds of bonds issued, utilization of the Capital Improvement Fund, or Capital Surplus; and

WHEREAS, there are unexpended balances of aforementioned improvement authorizations in the form of debt authorized but not issued and no further expenditures will be disbursed from said authorizations; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen:

That the attached unexpended balances of improvement authorizations be cancelled and be credited to Deferred Charges to Future Taxation—Unfunded, Capital Improvement Fund or Capital Surplus.

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #10

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

AUTHORIZE CY 2012 MUNICIPAL DEBT SERVICE PAYMENTS

That, in accordance with the provisions of N.J.S.A.40A:4-19, the following appropriations for Interest and Debt Redemption charges for the Calendar Year 2012 be and the same are hereby appropriated as follows:

Municipal Debt Service

Bond Anticipation Notes	\$174,700.00
<u>Interest on Notes</u>	<u>50,000.00</u>
Total	\$224,700.00
NJ Environmental Infrastructure – Trust Loan	\$76,100.00
<u>NJ Environmental Infrastructure – Fund Loan</u>	<u>48,000.00</u>
Total	\$124,100.00
Principal - Middlesex County Improvement Authority	\$39,400.00
<u>Interest – Middlesex County Improvement Authority</u>	<u>11,400.00</u>
Total	\$50,800.00

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #11

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

CANCEL OUTSTANDING CHECKS

WHEREAS, there exists outstanding checks on the reconciliation of the Current Fund, and

WHEREAS, these checks have been investigated and it has been determined that these checks should now be canceled.

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

That the following outstanding checks in the amount of \$ be and are hereby canceled:

<u>ACCOUNT</u>	<u>CHECK #</u>	<u>AMOUNT</u>	<u>DATE</u>
Current	11488	\$45.00	11/2/09
	11584	18.50	12/7/09
	12751	410.00	10/4/10
	13236	50.00	2/21/11
Subtotal - Current		\$523.50	
Payroll	XXXXX	\$00.00	
		<u>00.00</u>	
Subtotal - Payroll		\$0.00	
Grand Total		\$523.50	

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #12

TRANSFER CY 2010 APPROPRIATION RESERVES TO ACCOUNTS PAYABLE

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

WHEREAS, the CY 2010 Appropriation Reserves contains unexpended balances of certain appropriations that will not be paid in CY 2011.

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

That the following appropriation reserve balances be transferred to an Accounts Payable in the amount set forth below:

014-1016	Tax Assessor	\$37.50
014-1020	Buildings and Grounds	1206.77
014-1110	Police	<u>37.50</u>
	Total	<u>\$1,281.77</u>

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #13

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

AUTHORIZING TRANSFERS FOR
DECEMBER 23, 2011 PAYROLL AND
DECEMBER 31, 2011 CHECK RUN

WHEREAS, the last council meeting of Calendar Year (CY) 2011 is December 19, 2011, and

WHEREAS, the last payroll of CY 2011 is December 23, 2011, and the last check run is December 31, 2011, and

WHEREAS, there is no subsequent council meeting scheduled to approve the transfer of appropriations from surplus accounts to salary and wages and other expenses requiring additional funds.

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

That the Borough CFO be and is hereby authorized and directed to transfer funds as needed such that all the accounts that are charged for the December 23, 2011 payroll and December 31, 2011 check run are properly funded.

FURTHER RESOLVED that an itemized list of appropriation transfers be provided to the Mayor and Council members at the January 9, 2012 meeting.

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #14

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

SCHEDULE OF SCHOOL LEVY PAYMENTS

WHEREAS, it has been agreed to turn over to the Board of Education its total monthly allotment as close to the beginning of the month as is reasonable,

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

That the Borough Treasurer be and she is hereby authorized and directed to draw checks and issue same to the Custodian of School Monies, in accordance with the following schedule:

Levy of \$4,914,870.00 from January 1, 2012 to June 30, 2012

<u>Date</u>	<u>Amount</u>
January 1, 2012	729,510.00
February 1, 2012	998,415.00
March 1, 2012	729,510.00
April 1, 2012	729,510.00
May 1, 2012	998,415.00
June 1, 2012	<u>729,510.00</u>
Total	<u>\$4,914,870.00</u>

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

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

12-19-2011: #15

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

CANCEL ACCOUNTS PAYABLE BALANCES

WHEREAS, it is necessary to formally cancel Accounts Receivable balances from the balance sheet for which encumbrances will not be paid, and

WHEREAS, the Borough Finance Officer is hereby directed to cancel such receivables to Operations.

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

That the following Accounts Payable balances in the amount of \$38,374.36 are hereby cancelled:

Accounts Payable (2001)	\$75.00
Accounts Payable (2002)	248.61
Accounts Payable (2003)	1,986.90
Accounts Payable (2004)	936.51
Accounts Payable (2005)	3,811.28
Accounts Payable (2006)	11,431.71
Accounts Payable (2007)	5,641.09
Accounts Payable (2008)	3,396.20
Accounts Payable (2009)	10,847.06
Total	\$38,374.36

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca

REPORTS:

Mr. Petracca: 1. Asked Scott Olsen when the last payment on a fire truck was done? 2015.

Mr. Baudendistel: 1. Inquired about a for rent sign at the old Shaker Lounge. 2. Mr. Robins updated the Council on a possible liquor license transfer, Galiardi to Patel. There are some questions regarding his architectural plans in that the buyer envisions a combined convenience store and bar, which would be prohibited. 3. There will be a meeting for potential Transit Village Architectural Review Committee and Management Organization Committee members.

Mr. Bieniek: 1. Looked at Fire House roof. It is still leaking. Penyak will be contacted.

Mr. Bayer: 1. Chief Cappella submitted a transition report for his successor. 2. Towne Pharmacy will be appearing before the Planning Board. 3. The will be appointed, at the Reorganization Meeting, an Acting Police Chief, Acting Police Lieutenant, and an Acting Sergeant, paid at the old rate.

Mr. Cilento: 1. Proofs for *The Dunellen Report* are now at the printers. Some changes will be made, including adding a picture of Mayor Seader next to his article, and some additions to the section on changes in the downtown business district.

Mayor Seader: 1. Lights under the overpass are out. 2. Met with CME and Sunrise to get easements to put a pipe for the South Avenue Culvert Project. 3. CME got a report back from the company doing an environmental study of the Strip Joint property and is putting

together a report for us. 4. This is Chief Cappella's last meeting. All of us will miss you. You are a great Chief and a good friend.

PUBLIC PORTION:

No one from the public spoke.

There was no Executive Session

Council then discussed the Dunellen Citizen of the Year award, and the Life-Time Achievement Award.

It was proposed and agreed:

James Brennan, Citizen of the Year

William Mundy, Jr., Life-Time Achievement Award

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

12-19-2011: #16

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

The Dunellen Borough Council Meeting of December 19, 2011 is adjourned.

Yes: Baudendistel, Bayer, Bieniek, Cilento and Petracca