

**BOROUGH OF SPOTSWOOD
77 Summerhill Road
Spotswood, New Jersey**

**Regular Meeting
September 25, 2017
8:15 PM**

The regular meeting of the Borough Council of the Borough of Spotswood was called to order by Council President Ricci, at the Spotswood Municipal Building, 77 Summerhill Road, Spotswood, NJ.

NOTICE

The notice requirements provided for in the “Open Public Meetings Act” (N.J.S.A. 10:4-6) have been satisfied. Notice of this meeting was properly given in the new schedule of meetings of the Spotswood Borough Council on December 30, 2016. The new schedule was transmitted to The Home News Tribune and Sentinel. It was filed with the Clerk of the Borough of Spotswood and posted in the Spotswood Municipal Building, 77 Summerhill Road, Spotswood, NJ.

SALUTE TO THE FLAG

MOMENT OF SILENCE – Council President dedicated the moment of silence to those who suffered so much destruction from the recent hurricanes and to Susan Kane, former President of the Friends of the Office on Aging and wife of former Mayor Russell Kane.

ATTENDANCE

The Clerk called the roll:

Councilman Stollen	Present
Councilwoman Drozd	Present
Councilman Melillo	Present
Councilman Rivera	Present
Council President Ricci	Present

Also present were Mayor Seely, Business Administrator McDonald, Borough Attorney Diegnan was absent and David Lonski stepped in for him, and Borough Engineer Koch was absent and Mayla Patel filled in for him.

MINUTES – No minutes

ORDINANCE – 1st READING - PUBLIC HEARING- OCTOBER 11, 2017
BOND ORDINANCE NO. 2017-11

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO MADIE AVENUE - PHASE III, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$225,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SPOTSWOOD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

Councilman Stollen made a motion to Ordinance 2017-11, which was seconded by Councilwoman Drozd.

The Clerk called the roll:

Councilman Stollen	yes
Councilwoman Drozd	yes
Councilman Melillo	yes
Councilman Rivera	yes
Council President Ricci	yes, and ordinance 2017-11 was adopted on first reading.

ORDINANCE – 1st READING – PUBLIC HEARING - OCTOBER 11, 2017
BOND ORDINANCE NO. 2017-12

BOND ORDINANCE PROVIDING FOR VARIOUS WATER MAIN IMPROVEMENTS AT VARIOUS LOCATIONS, INCLUDING LETTAU DRIVE, ELMER AVENUE AND CLARK STREET, APPROPRIATING \$850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$807,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SPOTSWOOD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

Councilman Stollen made a motion to open the meeting to the public, which was seconded by Councilman Rivera.

The Clerk called the roll:

Councilman Stollen	yes
Councilwoman Drozd	yes
Councilman Melillo	yes
Councilman Rivera	yes
Council President Ricci	abstain and Ordinance 2017-12 was adopted on first reading.

RESOLUTIONS UNDER CONSENT AGENDA

Copies of the resolutions under consent agenda are available for perusal only on the table. Anyone desiring a copy may contact the Clerk after the meeting.

RES: 2017-142

RESOLUTION

WHEREAS, resolution authorizing the Mayor to enter into a Cooperative Community Development Activities Agreement between the County of Middlesex, a municipal corporation of the State of New Jersey and the Borough of Spotswood; and

WHEREAS, HUD’S legal department has notified the County of Middlesex that the current Cooperation Agreements governing the CDBG, HOME and ESG programs in effect need several amendments; and

WHEREAS, this Agreement covers the 2018, 2019 and 2020 program year activities in conformance with N.J.S.A. 40A:65-1 et seq, Uniform Shared Services and Consolidation Act, shall be known as the Cooperative Community Development Activities Agreement among the parties; and

WHEREAS, the Agreement shall supplement any previous agreements on this subject and shall replace and supersede any previously agreed upon provisions only to the extent of conflict of purpose; and

WHEREAS, the terms of this Agreement shall be governed by, construed, interpreted, and enforced in accordance with the law of the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED that Mayor Edward T. Seely be authorized by the Spotswood Borough Council to execute a Cooperative Community Development Activities Agreement between the County of Middlesex and the Borough of Spotswood for a period which covers the 2018, 2019 and 2020 program year activities and that the Municipal Clerk to attest to the signing of said agreement and affix the municipal Seal thereto.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this resolution shall become effective immediately and copy of Addendum referenced herein shall be kept on file and made available for public inspection at the Borough Clerk’s Office during normal business hours.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a certified copy of this resolution, together with a copy of the Addendum to the Agreements, shall be forwarded to the County of Middlesex Board of Chosen Freeholders, and to Paul Buckley, Division Head, County of Middlesex Public Housing Agency, Division of Housing, Community Development and Social Services.

DATED: September 25, 2017

TED RICCI
Council President

ATTEST:

PATRICIA DESTEFANO, RMC
Municipal Clerk

RES: 2017-143

RESOLUTION

WHEREAS, The Borough of Spotswood, County of Middlesex, State of New Jersey received a request from the Recreation Commission to donate profits from their 5K race which took place on September 9, 2017 to the Spotswood High School Band Program and Spotswood Drama Program.

NOW, THEREFORE BE IT RESOLVED that the Spotswood Borough Council authorize the approval of said donations to the SHS Band Program in the amount of \$974.00 and SHS Drama Program in the amount of \$650.00 from the Spotswood Recreation Commission in the total amount of \$1,624.00 and authorize the CFO to prepare the payment of these donations.

DATED: September 25, 2017

TED RICCI
Council President

ATTEST:

PATRICIA DESTEFANO, RMC
Municipal Clerk

RES: 2017-144

RES: 2017-145 Was adopted as amended

RESOLUTION

WHEREAS, The Borough of Spotswood has a need for a proposal for Professional Engineering Services associated with Cleaning, Cement Lining & Replacement of Water Mains within the Cottage Street Area under the USDA Application; and

WHEREAS, CME Associates has submitted a Professional Engineering and Surveying Services costs estimates for the project and can provide the necessary USDA Project Design Services in the amount of \$54,600.00, Bid Services in the amount of \$4,120.00 and Construction Phase Services in the amount of \$76,550.00 for a total of \$135,270.00; and

WHEREAS, the Chief Financial Officer of the Borough of Spotswood has provided a certification in writing as to the availability of adequate funds for the awarding of the contract described herein; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the governing body of the Borough of Spotswood as follows:

1. That CME Associates is hereby authorized to perform the aforementioned Professional Engineering Services, for a total not to exceed \$135,270.00.
2. This contract is awarded without competitive bidding as a professional service contract under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1) (1) since this contract is for services performed by a person authorized by law to practice a recognized profession and it was not possible to obtain competitive bidding.
3. A copy of this Resolution shall be published in the official newspaper of the Borough of Spotswood within ten (10) days of its passage.

Dated: September 25, 2017

TED RICCI
COUNCIL PRESIDENT

ATTEST:

PATRICIA DeSTEFANO, RMC
MUNICIPAL CLERK

AS CHIEF FINANCIAL OFFICER OF THE BOROUGH OF SPOTSWOOD, I CERTIFY THAT FUNDS FOR RESOLUTION 2017-145 ARE IN ACCOUNT U-06-55-018-101.

JOE ZANGA
CHIEF FINANCIAL OFFICER

RES: 2017-146

RESOLUTION

WHEREAS, The Borough of Spotswood has a need for a proposal for Professional Engineering Services associated with Roadway Improvements, USDA Application – “Cottage Streets Area; and

WHEREAS, CME Associates has submitted a Professional Engineering and Surveying Services costs estimates for the project and can provide the necessary USDA Project Design Services in the amount of \$154,400.00 and Bid Services in the amount of \$4,120.00 for a total of \$158,250.00; and

WHEREAS, the Chief Financial Officer of the Borough of Spotswood has provided a certification in writing as to the availability of adequate funds for the awarding of the contract described herein; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the governing body of the Borough of Spotswood as follows:

4. That CME Associates is hereby authorized to perform the aforementioned Professional Engineering Services for a total not to exceed \$158,250.00
5. This contract is awarded without competitive bidding as a professional service contract under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1) (1) since this contract is for services performed by a person authorized by law to practice a recognized profession and it was not possible to obtain competitive bidding.
6. A copy of this Resolution shall be published in the official newspaper of the Borough of Spotswood within ten (10) days of its passage.

Dated: September 25, 2017

TED RICCI
COUNCIL PRESIDENT

ATTEST:

PATRICIA DeSTEFANO, RMC
MUNICIPAL CLERK

AS CHIEF FINANCIAL OFFICER OF THE BOROUGH OF SPOTSWOOD, I CERTIFY THAT FUNDS FOR THIS RESOLUTION ARE IN ACCOUNT C-01-55-938-101

JOE ZANGA
CHIEF FINANCIAL OFFICER

RES: 2017-147

RESOLUTION

WHEREAS, in the past, the Borough of Spotswood, Middlesex County has availed itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey pursuant to N.J.S.A. 40A:11-10; and

WHEREAS, it is desirable from time to time to obtain materials, supplies and equipment under contracts for such items through the State of New Jersey without the necessity of advertising for bids, or in the cases where no bids have been received; and

WHEREAS the Borough of Spotswood, Middlesex County, desires to purchase Eventide 40 Port Analog/IP System with 8 Concurrent Playback Licenses, Instant Recall and Enhanced Reporting (Phone Recorders), under NJ State Contract # 83908, from Value Added Voice Solutions, LLC, 1111 Shore Drive, Brielle, NJ 08730 for a cost of \$22,868.00; and

WHEREAS, 40 Port Eventide System includes five (5) Year Warranty, Installation and Onsite Training in the amount of \$15,178.00 which will be prepaid at time of purchase.

NOW, THEREFORE, BE IT AND IT HEREBY RESOLVED by the governing body of the Borough of Spotswood in the County of Middlesex, the State of New Jersey, that the purchase of Eventide 40 Port Analog/IP System with 8 Concurrent Playback Licenses, Instant Recall and Enhanced Reporting from Value Added Voice Solutions, LLC, 1111 Shore Drive, Brielle, NJ 08730 for a total cost of \$38,046.00 under State Contract # 83908.

BE IT FURTHER RESOLVED that the appropriate officers of the Borough be and they are hereby authorized and directed to execute all instruments necessary to complete the above stated transaction with Value Added Voice Solutions, LLC.

DATED: September 25, 2017

TED RICCI
Council President

ATTEST:

PATRICIA DeSTEFANO, RMC
Municipal Clerk

AS CHIEF FINANCIAL OFFICER OF THE BOROUGH OF SPOTSWOOD, I CERTIFY THAT FUNDS FOR THIS RESOLUTION ARE AVAILABLE IN ACCOUNT C-04-55-930-103

JOSEPH ZANGA, CFO

RES: 2017-148

RESOLUTION

WHEREAS, the Borough of Spotswood Police Department, 77 Summerhill Road, Spotswood, proposed in their 2017 budget workshop adding an additional \$8,000 to the police budget for an estimated purchase of four (4) Tasers; and

WHEREAS, the Chief of Police has investigated quotes for the purchase of four (4) Tasers and for the leasing of twenty (20) Tasers, for five (5) years cost rather than purchase from Axon Enterprise, Inc. who is the sole proprietor that manufactures the Taser and the total cost of the contract exceeds the bid threshold pursuant to (N.J.S.A. 40A:11-5dd; and

WHEREAS, the 2017 budget has sufficient funds to cover the first year of lease agreement and the borough would commit to include subsequent lease payments of \$8,848.80 in the police budget for the next four (4) budget cycles and the purchase of four (4) Tasers would have budgetary requirements for the next four (4) budget cycles for the maintenance plan (\$1,268.80 per yr.). The maintenance plan is included in the lease price.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Spotswood that the Chief of Police be authorized to lease twenty (20) Tasers for five (5) years cost rather than purchase, from Axon Enterprise, Inc., 17800 N 85yh St., Scottsdale, Arizona 85255, who is the sole proprietor that manufactures the Taser, for a one (1) year lease payment of \$8,848.80 and for four (4) budget cycles in the amount of \$8,848.80 per year.

DATED: September 25, 2017

TED RICCI
Council President

ATTEST:

PATRICIA DeSTEFANO, RMC
Municipal Clerk

AS CHIEF FINANCIAL OFFICER OF THE BOROUGH OF SPOTSWOOD, I CERTIFY THAT FUNDS FOR THIS RESOLUTION ARE AVAILABLE IN ACCOUNT 7-01-25-240-131 FOR YEAR NUMBER ONE (1)

JOSEPH ZANGA
CFO

RES: 2017-149 BILL LIST

Councilwoman Drozd made a motion to adopt Resolutions 2017-142 through 2017-149, which was seconded by Councilman Rivera.

The Clerk called the roll:

Councilman Stollen	yes
Councilwoman Drozd	yes
Councilman Melillo	yes
Councilman Rivera	yes
Council President Ricci	yes, and resolutions 2017-142 through 2017-149 were adopted.

PROCLAMATIONS

WHEREAS, the Borough of Spotswood is committed to ensuring the safety and security of all those living in and visiting Spotswood; and

WHEREAS, U.S. fire departments responded to 365,500 home fires in 2015, according to the National Fire Protection Association (NFPA); and

WHEREAS, U.S. home fires resulted in 2,560 civilian deaths in 2015, representing the majority (78 percent) of all U.S. fire deaths; and

WHEREAS, newer homes are built with lightweight materials that burn faster than older home constructions; and

WHEREAS, many of today's products and furnishings produce toxic gases and smoke when burned, making it impossible to see and breathe within moments; and these conditions contribute to a much smaller window of time for people to escape a home fire safely, with people having as little as one to two minutes to escape from the time the smoke alarm sounds; and



WHEREAS, a home fire escape plan provides the skill set and know-how to quickly and safely escape a home fire situation, and includes two exits from every room in the home; a path to the outside from each exit; smoke alarms in all required locations; and a meeting place outside where everyone in the home

will meet upon exiting; and

WHEREAS, home fire escape plans should be developed by all members of the household; and practicing a home fire escape plan twice a year ensures that everyone in the household knows what to do in a real fire situation;

WHEREAS, Spotswood's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Spotswood's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2017 Fire Prevention Week theme, "Every Second Counts: Plan 2 Ways Out!" effectively serves to educate the public about the vital importance of developing a home fire escape plan with all members of the household and practicing it twice a year;

NOW, THEREFORE, I, Ed Seely, Mayor of the Borough of Spotswood, do hereby proclaim October 8-14, 2017, as **Fire Prevention Week** throughout this community, and, together with the Governing Body and on behalf of our Residents, offer heartfelt appreciation for the protection of our Volunteer Firefighters, led by Chief Peter Genthe. I urge all the people of Spotswood to develop a home fire escape plan with all members of the household and practice it twice a year, and to participate in the many public safety activities and efforts of Spotswood's Fire Department during Fire Prevention Week 2017.

DATED: September 25, 2017

ATTEST:

Ed Seely
Mayor

Patricia DeStefano
Municipal Clerk



PROCLAMATION



WHEREAS, Eagle Scout is the highest rank that can be achieved within the Boy Scouts of America, a milestone reached by only 5% of Boy Scouts since 1912, and achieving this rank involves a lengthy process which includes earning 21 badges in a number of disciplines, as well as completing an Eagle Scout Service Project; and

WHEREAS, Matthew John Chludzinski, of 140 Brooklyn Avenue in the Borough of Spotswood, is a member of Boy Scout Troop 35 and has been rewarded for his dedication and hard work by attaining the rank of Eagle Scout, and, as the ninth member of his family to achieve this honor, has continued this impressive family tradition; and,

WHEREAS, Matthew's service project involved the restoration of the lych gate to the cemetery of historic St. Peter's Episcopal Church here in Spotswood, having organized a team of 20 volunteers that spent a total of 367 hours on the restoration; a restoration that included replacing the cedar shakes, repairing the rotted wood, and painting the refurbished structure, and, additionally, the team replaced the roof over the entrance to the church hall; and,

WHEREAS, in addition to his Boy Scout service, Matthew plays soccer and tennis at Spotswood High School, and is a member of the Jazz Band, Pep Band, Honors Wind Ensemble, and Festivus Players, and participates in the Heroes and Cool Kids program. Matthew's other accomplishments include being a peer mentor, a member of the Human Relations Committee, TEAMS, and the National Honor Society; and,

WHEREAS, Matthew has earned the respect and admiration of the Boy Scouts throughout New Jersey for his sense of commitment, perseverance, and willingness to strive for excellence, and has demonstrated leadership qualities and a community; and,

WHEREAS, Matthew was welcomed into the Eagle Scout Court of Honor on April 25,



welcomed into the Eagle Scout 2017;

NOW, THEREFORE, I, Ed Spotswood, together with the behalf of our Residents, do **Chludzinski** on the significant **Eagle Scout**, and wish him much luck and success in all his future endeavors.

Seely, Mayor of the Borough of entire Governing Body and on commend **Matthew John** achievement of the rank of

DATED September 25, 2017

ATTEST:

Ed Seely,
Mayor

Patricia DeStefano
Municipal Clerk

COUNCIL COMMENTS AND LIAISON REPORTS

- Councilman Melillo announced that there is a Board of Education Meeting on October 3, 2017
- Councilman Stollen announced that it is one month out until the Mayor and Council Breakfast. He also talked about Statewide Truth & Accounting and that NJ is in the worse financial state per person. Monroe Township is listed as the 3rd lowest for Municipal taxes from the top. Spotswood is listed 7th from the bottom of the listing.
- Councilwoman Drozd spoke of the Director of Office on Aging and that she does a great job. There is a trip planned to Freehold Raceway on September 29th – There is 50+ Yoga, Knitting, Bingo. On October in the evening there will be a workshop on Medicare. The State Representative will be doing the workshop.
- Councilman Rivera spoke of Fire Prevention week and that will be going to all the schools, day care and Senior's giving talks on fire prevention and also about changing your batteries in all smoke detectors.
- Mayor Seely thanked Mr. Patel and Lonski for sitting in our meeting in place of the

Engineer and Borough Attorney.

- On 9/12/17 he met with NJEIT with Mr. Koch and had a good discussion.
- Saturday Mayor Seely officiated a Marriage in Matawan and attended Helmetta Day with Mayor C. On 9/20/17 he participated at ShopRite Bag for Hunger. He also announced that the discussion and findings regarding EMS will be held over until our next Council Meeting on October 11, 2017.

OPEN TO THE PUBLIC

Councilwoman Drozd made a motion to open the meeting to the public, which was seconded by Councilman Rivera. All present were in favor, and the public portion of the meeting was opened.

Cheryl Bass, 289 Main Street asked for an explanation of Bond Ordinance 2017-11 and also stated we need to watch our spending and to be sure to keep our credit rating up.

Colleen Wronko, 118 Manalapan Rd. spoke of our Animal Control Interlocal and stated why are we paying East Brunswick so much for our contract. We could get our own ACO part-time.

Ed Smith 395 Old Stage Rd., asked what the requirements are for hiring a Business Administrator. It was explained by Council President Ricci and that we also did a resolution waiving the requirements due to the fact that our Business Administrator had previous work status in Municipal Government while working in the town of Interlaken as Business Administrator/Municipal Clerk and Registrar.

Jackie Palmer Shupin Street read from her phone the Borough's Code and said the only waiver Council could do was waive the part of he/she residency.

Councilman Melillo made a motion to close the public portion, seconded by Councilman Stollen. The Clerk called the roll which was unanimous and the public portion was closed.

CLOSED SESSION – Contract Negotiations/Shared Services

RESOLUTION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Spotswood, County of Middlesex, State of New Jersey, as follows:

1. The public shall be excluded from discussion of any action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
CONTRACT NEGOTIATIONS/SHARED SERVICES
3. It is anticipated at this time that the above-stated subject matter shall be made public
When confidentiality is no longer required.
4. This resolution shall take effect immediately.

DATED: September 11, 2017

PATRICIA DeSTEFANO, RMC
Municipal Clerk

Councilman Stollen moved to adopt the Resolution on the Closed Session, seconded by Councilman Rivera.

The Clerk called the roll which was unanimous and the closed session resolution was adopted at 9:00 PM.

There being no further business in closed session, Councilman Stollen made a motion to close the Closed Session, and re-open the meeting, which was seconded by Councilwoman Drozd. The Clerk called the roll, which was unanimous, and the meeting was re-opened.

There was no action taken in the Closed Session and no further business in the Open portion of the meeting a motion was made by Councilwoman Drozd and seconded by Councilman Melillo, the meeting was closed.

The Clerk called the roll:

Councilman Stollen	yes
Councilwoman Drozd	yes
Councilman Melillo	yes
Councilman Rivera	yes
Council President Ricci	yes, and the meeting was adjourned.

Dated: September 25, 2017

PATRICIA DeSTEFANO, RMC
Municipal Clerk

ATTEST:

TED RICCI
Council President