

December 19, 2022

Note: This meeting was in a hybrid format, with limited seating in the Council Chambers supplemented by teleconference for the public who could not attend.

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on December 19, 2022.

Mayor Jason F. Cilento called the meeting to order at 7:00 p.m. and he led the Pledge of Allegiance.

Municipal Clerk William M. Robins read the Sunshine Statement and called the Roll.

Present: Jason Cilento, Trina Rios, Teresa Albertson, Jessica Dunne, Joseph Paltjon, Daniel Cole Sigmon and Harold VanDermark

Mayor Cilento asked for a moment of silence in memory of Laura Ruskuski, long-time member of the Dunellen Recreation Commission and an ardent volunteer in many Dunellen activities.

On the motion of Dr. Dunne and seconded by Mrs. Rios it was moved to accept the Minutes of the Meeting of December 5, 2022.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

On the motion of Mrs. Rios and seconded by Mr. Sigmon it was moved to accept the following:

ORDINANCE 2022-30

BOROUGH OF DUNELLEN

The following ordinance was Introduced for first reading at a meeting of the Governing Body of the Borough of Dunellen, in the County of Middlesex, State of New Jersey, on December 5, 2022. It is now being further considered for final passage, after public hearing thereon, at a meeting of said governing body being held in the Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on Monday, December 19, 2022 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance have been available at no cost and during regular business hours, at the Clerk's office for members of the general public who shall request the same.

Dunellen Municipal Code, Chapter 233-37, Sewer Rates is amended to read as follows:

Section 233-37. Sewer rates.

The sanitary sewer rates shall be as follows:

A. Owners of single-family residential properties, including existing townhouses or those created through redevelopment projects that are connected to the Borough sanitary sewer system, shall pay a flat annual rate in the amount of \$350.00 to be paid in equal installments semi-annually to the Dunellen Borough Sanitary Sewer Utility on the 15th day of April and the 1st day of September, following each period for which sewer service has been provided.

B. Owners of multi-family residential properties (properties with two, three or four residential units) connected to the Borough sanitary sewer system shall pay a flat annual rate for each residential unit in the amount of \$350.00 to be paid in equal installments semi-annually to the Dunellen Borough Sanitary Sewer Utility on the 15th day of April and the 1st day of September, following each period for which sewer service has been provided.

C. Owners of non-residential properties, including residential properties with five or more units and mixed residential/commercial properties connected to the Borough sanitary sewer system, shall be charged, except as otherwise stated herein, for sewer service based upon the amount of water supplied to the commercial property as determined by meter readings supplied by New Jersey American Water of the previous year, payable semi-annually. The apartments or rental units above or adjacent to the commercial property shall be billed at a flat rate of \$350.00 per apartment or rental unit to be paid in equal installments semi-annually. The sewer fee for the commercial parts of a mixed-use commercial/residential property, or of an entirely non-residential property, shall be \$4.25 per 1,000 gallons of water used at the property (whether determined by meter or estimate), but no less than the minimum annual usage charge of \$350.00. Where water usage cannot be determined by meter reading, the Sewer Utility fee shall be based on the property's estimated water usage, which estimate shall be calculated using best engineering practices for the property in question. Sewer user fees are to be paid to the Dunellen Borough Sanitary Sewer Utility on the 15th day of April and 1st day of September, following each period for which sewer service has been provided or available.

D. There shall be an annual sewer Administrative/Facility charge for all non-residential improved properties, residential properties with five or more units, and mixed residential/commercial properties, of \$150.00 in addition to the above rates described in Subsection C above. This charge is payable semi-annually in the amount of \$75.00 and is to be paid in concert with the sewer service charges.

E. Any single-family residential property that qualifies for the senior citizen tax deduction shall also be afforded a discount of \$100.00 from the residential property fee set forth in Subsection A above.

F. The foregoing rates and charges have been calculated in accordance with Chapter 230-7 and shall be subject to annual revision based upon the Borough and its Sewer Utility's financial obligation to PARSA and/or MCUA. In addition, separate fees or charges may be imposed by the Borough's Sewer Utility upon specific users or one or more categories of users to defray fines, penalties or other extraordinary charges that may be imposed by PARSA and/or MCUA. Payment of such separate fees or charges shall be in accordance with the requirements set forth in Chapter

233-36. The Borough Sewer Utility may also in its sole discretion and upon application of a user demonstrating special circumstances adjust a user's sewer use charges.

PUBLIC: no one from the public spoke.

Council: Dr. Dunne asked what are the changes? Dr. Robins explained that the only change is the inclusion of the following: "including existing townhouses or those created through redevelopment projects that are connected to the Borough sanitary sewer system" so there will no ambiguity regarding whether new townhomes are to be considered single-family units.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

On the motion of Mrs. Rios and seconded by Mr. Sigmon it was moved to accept the following:

ORDINANCE 2022-31

BOROUGH OF DUNELLEN

The following Ordinance was introduced for first reading at a meeting of the Governing Body of the Borough of Dunellen, in the County of Middlesex, State of New Jersey, on December 5, 2022. It is now being presented for Second Reading, Public Hearing and Adoption at a meeting of said governing body being held in Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on December 19, 2022 at 7:30 p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who have requested same.

BE IT ORDAINED by the Borough Council of the Borough of Dunellen, County of Middlesex, State of New Jersey, that various fees as set forth in the Municipal Code of the Borough of Dunellen are hereby amended.

Chapter 168. Food-Handling Establishments

Article I. Licensing

§ 168-2. License required; fee; expiration.

B.

The annual license fee to be paid for conducting a retail food establishment shall be the sum of \$175.00. The fee for a temporary, one-day retail food establishment is set at \$25 per day. The annual fee for a mobile retail food establishment shall be in the sum of \$275.00.

D.

All new food establishments licensed on or after January 1, but before the expiration date of June 30th, shall pay half of the annual fee, \$87.50.

E.

There will be a reinspection fee of \$35.00 for each and every reinspection that results in a rating other than satisfactory.

§ 168-3. Violations and penalties.

Any person who violates any provision of or order promulgated under this article or code shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment for a term not exceeding 90 days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. If any fee is not paid within 30 days of its due date a late fee surcharge of \$75.00 will be assessed for each calendar month or any part thereof following the due date of such fee.

Chapter 99. Amusement Devices

§ 99-4. Fees.

The annual fee for an operator of any amusement game, machine, or device, which shall include the premises where the game or games are located, shall be as follows:

A.

For the first six machines: \$60.

B.

For each additional machine over six: \$40.

C.

If any fee is not paid within 30 days of its due date a late fee surcharge of \$75.00 will be assessed for each calendar month or any part thereof following the due date of such fee.

D. License term.

The annual term for an amusement device is January 1st through December 31st and the license fee is due by December 31st.

Chapter 96. Alcoholic Beverages

§ 96-5. Plenary retail consumption licenses; fee.

The fee for a plenary retail consumption license shall be \$1,000.00 and the holder of such license shall be entitled, subject to rules and regulations, to sell for consumption on the licensed premises any alcoholic beverages by the glass or other open receptacle and also to sell all alcoholic beverages in original containers for consumption off the licensed premises.

If any fee is not paid within 30 days of its due date a late fee surcharge of \$75.00 will be assessed for each calendar month or any part thereof following the due date of such fee. The term for a plenary retail consumption license is July 1st through June 30th.

§ 96-7. Plenary retail distribution licenses; fee.

The fee for a plenary retail consumption license shall be \$1,000.00, and the holder of such license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption off the licensed premises, but only in original containers.

If any fee is not paid within 30 days of its due date, a late fee surcharge of \$75.00 will be assessed for each calendar month or any part thereof following the due date of such fee. The term for a plenary retail distribution license is July 1st through June 30th.

§ 96-8. Club licenses; fee.

A.

The fee for a club license shall be in the sum of \$80.00, and the holder of such license shall be entitled, subject to rules and regulations, to sell to only bona fide club members and their bona fide guests, alcoholic beverages intended for immediate consumption on the licensed premises.

If any fee is not paid within 30 days of its due date a late fee surcharge of \$75.00 will be assessed for each calendar month or any part thereof following the due date of such fee. The term for a Club license is July 1st through June 30th.

Chapter 130. Clothing Bins

§ 130-1. Permit required.

In accordance with N.J.S.A. 40:48-2.61, notwithstanding any other provision of law to the contrary, no person or entity shall place, use, or employ a donation clothing bin, for solicitation purposes, within the Borough of Dunellen unless the person or entity shall obtain a permit, valid for a period of one year, issued by the Borough Clerk, upon approval of the Borough Council, in accordance with this Chapter 130. Such a permit will be valid for one year, beginning January 1 of any new year and ending on December 31 of that year.

§ 130-3. Renewal of permit.

An expiring permit for a donation clothing bin may be renewed upon application for renewal and payment of \$150.00 per bin fee for such renewal, to offset the costs involved in enforcing this chapter and N.J.S.A. 40:48-2.60 et seq. Such application shall include:

A.

The location where the bin is situated, as precisely as possible, and, if the person intends to move it, the new location where the bin would be situated after the renewal is granted and written consent from the property owner to place the bin on his property;

B.

The manner in which the person has used, sold, or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates it may make in these processes during the period covered by the renewal; and

C.

The name, and telephone number of the bona fide office required pursuant to § 130-2D of this chapter of any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal.

§ 130-6. Violations and penalties.

In addition to any other penalties or remedies authorized by the laws of this state, any person who violates any provision of N.J.S.A. 40:48-2.60 *et seq.* which results in seizure of the donation clothing bin shall be: if any fee is not paid within 30 days of its due date a late fee surcharge of \$75.00 per bin will be assessed for each calendar month or any part thereof following the due date of such fee.

Ordinance 2021-04, "Sale of Electronic Smoking Devices and Electronic Smoking Device Products."

Section 3. Licensing Fees.

I.

If any fee is not paid within 30 days of its due date a late fee surcharge of \$75.00 will be assessed for each calendar month or any part thereof following the due date of such fee.

Public: no one from the public spoke.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

At this point, the Maurer House Committee presented donations to Dunellen Emergency Services Agencies: Dunellen PBA, Dunellen Fire Company, Dunellen Rescue Squad and the Dunellen Office of Emergency Management. Presentations were made by Karen Seader, Kelly Seader, and former Mayor Robert Seader in gratitude for their assistance during the Haunted Trail fund raiser. Mayor Seader praised the hard work of the members of the Maurer House Committee and all their volunteers, especially Charlie Ponti of Weather-Tek on materials, Mario of Avellino's who donated pizza, and Tropical Supermarket. This year the Haunted Trail raised over \$31,000.

On the motion of Mr. Sigmon and seconded by Mrs. Albertson it was moved to accept the following:

12-19-2022: #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: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

On the motion of Dr. Dunne and seconded by Mrs. Rios it was moved to accept the following:

12-19-2022: #2

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

The resignation of Joseph Green, Dunellen Police Officer, is hereby accepted effective December 11, 2022.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

On the motion of Mr. VanDermark and seconded by Dr. Dunne it was moved to accept the following:

12-19-2022: #3

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

Homer Mosley, Jr. is reappointed Coordinator of the Dunellen Office of Emergency Management for the term 1 January 2023 through 31 December 2025. William Carlson is appointed Deputy Coordinator of the Dunellen Office of Emergency Management for the term 1 January 2023 through 31 December 2025.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

Mayor Cilento administered the Oath of Allegiance to Homer Mosley, Jr. and to William Carlson. He also praised Mr. Mosley for his accomplishments and leadership in the OEM.

On the motion of Mrs. Albertson and seconded by Mr. Sigmon it was moved to accept the following:

12-19-2022: #4

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

The Mayor of Dunellen and the Office of Emergency Management Coordinator are authorized to sign a Memorandum of Understanding for the use of specialized equipment owned and maintained by the Middlesex County Prosecutor's Office or the County Office of Emergency Management that fall under the umbrella of the Middlesex Department of Public Safety and Health for the duration of the 2023 calendar year.

Dr. Dunne asked what specialized equipment entailed? Chief Smith replied that was material that the department does not ordinarily have and this makes borrowing from the County simple.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

On the motion of Dr. Dunne and seconded by Mrs. Rios it was moved to accept the following:

12-19-2022: #5

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

The following persons are hired for employment in the Recreation Department's Basketball K-6th Grade Program. Employment will be between January 7, 2023, and February 25, 2023. These wages will be taken from the program fees.

All wages are per hour, except where noted, and there are no benefits.

Kelly Seader	\$25.00 per hour
Kate Ruskuski	\$20.00 per hour
Sulayman Kahn	\$13.00 per hour
Deryn Watts	\$13.00 per hour
Tyler Mayer	\$13.00 per hour

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

On the motion of Mr. Sigmon and seconded by Mrs. Rios it was moved to accept the following:

12-19-2022: #6

Resolution 11-07-2022: #9 is amended as follows:

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

The Performance Guarantee provided to the Borough of Dunellen by Brudner Redevelopment Partners Urban Renewal, LLC., for work associated with Block 85, Lots 1.01 and 1.02 (10% Cash Portion: \$316,404.00; 90% Bond Portion: \$2,847,636.00; total: \$3,164,040.00) is hereby reduced

to 75% of the originally calculated performance guarantee:

The bond is hereby reduced to \$1,516,812.00 of which 10% (\$151,681.20) will be held as cash with the remainder (\$1,365,130.80) held as a performance bond until such time that the remaining improvements at the site have been completed.

Dr. Robins explained that the original resolution was based on incorrect data and that with new information he is presenting an amended resolution. The purpose of the resolution is to refund guarantees (bonds and cash) made by the developer which have now been partially fulfilled.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

On the motion of Mrs. Rios and seconded by Mrs. Albertson it was moved to accept the following:

12-19-2022: #7

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

Lexipol, LLC., is awarded a contract for consulting work to assist the Dunellen Police Department in developing a customized policy manual, at a cost not to exceed \$27,500.00. Funds for this award are to come from Account C-04-22-028-000-604.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

On the motion of Dr. Dunne and seconded by Mrs. Rios it was moved to accept the following:

12-19-2022: #8

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

Stalker Radar is awarded a contract for the purchase of DSR 2 Antenna Radar and ancillary equipment for the Dunellen Police Department at a cost not to exceed \$19,137.00. Funds for this award are to come from Account C-04-22-028-000-604.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

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

12-19-2022: #9

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

Major Police and Fire Supply is awarded a contract for the purchase of an Automated License Plate Recognition system (ALPR) for the Dunellen Police Department at a cost not to exceed \$34,211.00. Funds for this award are to come from Account C-04-22-028-000-604.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

On the motion of Mrs. Rios and seconded by Mrs. Albertson it was moved to accept the following:

12-19-2022: #10

RESOLUTION OF THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, NAMING A CONDITIONAL REDEVELOPER FOR THE PROPERTY KNOWN AS BLOCK 70, LOTS 13 AND 13.01 ON THE TAX MAPS OF THE BOROUGH AND AUTHORIZING THE EXECUTION OF A CONDITIONAL REDEVELOPER'S AGREEMENT WITH RESPECT THERETO

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the Borough identified and designated various property within the downtown area, including specifically the properties identified as Block 70, Lots 13 and 13.01, commonly known as the South Side Train Station Parking Lot and Borough Library, as set forth on the tax maps of the Borough as an "area in need of redevelopment" (together, the "Redevelopment Area") and adopted a redevelopment plan for the Redevelopment Area entitled the "Amended and Restated Dunellen Downtown Redevelopment Plan Phase 1" as amended and supplemented, and as the same may be further amended and supplemented from time to time (the "Redevelopment Plan"); and

WHEREAS, the Borough has determined to act as the "redevelopment entity" for the Redevelopment Area; and

WHEREAS, the Redevelopment Law authorizes the redevelopment entity to arrange or contract for the planning, construction or undertaking of any development project or redevelopment work in an area designated as an "area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-8, including, but not limited to, the selection and designation of a "redeveloper" and the entering into a contract with same; and

WHEREAS, the Conditional Redeveloper is a developer with resources and a team of experts in planning, redevelopment, law, engineering, environmental issues, architecture, design, finance, and real estate development with experience suitable for the proposed redevelopment of the Redevelopment Area; and

WHEREAS, the Borough determined that in order to coordinate the redevelopment of the Redevelopment Area in the most timely and efficient manner, it was in the best interests of the Borough to designate the Conditional Redeveloper as the conditional "redeveloper" of the Redevelopment Area, pending the negotiation and execution of, among other agreements, a redevelopment agreement with the Borough and satisfaction of other obligations of the Conditional Redeveloper; and

WHEREAS, on March 1, 2021, the Borough adopted Resolution 03-01-2021: #5A, authorizing the Borough to enter into a conditional redeveloper's agreement with the Conditional Redeveloper for the purpose of creating a framework for the negotiation and execution of, among other things, a redevelopment agreement and to memorialize related obligations of the Conditional Redeveloper and Borough set forth therein; and

WHEREAS, on March 10, 2021, the Entity and the Borough entered into a conditional redeveloper's agreement (the "2021 Conditional Redeveloper's Agreement"); and

WHEREAS, pursuant to Section 2.01(d) of the 2021 Conditional Redeveloper's Agreement, the Conditional Redeveloper had 120 days from the dated date of the 2021 Conditional Redeveloper's Agreement (or July 8, 2021) to complete certain due diligence activities within the Redevelopment Area (the "Due Diligence Period"); and

WHEREAS, pursuant to Section 2.01(a) of the 2021 Conditional Redeveloper's Agreement, the Conditional Redeveloper had 120 days from the end of the Due Diligence Period (or November 5, 2021) (the "Original Term") to undertake and complete the activities set forth therein; and

WHEREAS, notwithstanding the expiration of the Original Term, the Conditional Redeveloper continued to diligently perform the activities set forth in the 2021 Conditional Redeveloper's Agreement beyond such Original Term and the Parties continued to work in good faith to satisfy the conditions set forth in the 2021 Conditional Redeveloper's Agreement beyond expiration of such Original Term; and

WHEREAS, on December 6, 2021, the Borough adopted Resolution 12-06-2021: #4, extending the conditional designation of the Entity an additional 180 days from the end of the Original Term (or May 4, 2022) (the "Extended Term"); and

WHEREAS, notwithstanding the expiration of the Extended Term, the Conditional Redeveloper continued to diligently perform the activities set forth in the 2021 Conditional Redeveloper's Agreement beyond such Extended Term and the Parties continued to work in good faith to satisfy the conditions set forth in the 2021 Conditional Redeveloper's Agreement beyond expiration of such Extended Term; and

WHEREAS, the Parties have jointly and in good faith developed a concept plan for the Redevelopment Area that revitalizes the Redevelopment Area through transit-oriented development, improves and grows the Borough's Library, provides a framework for improvement to additional Borough facilities, assists the Borough in providing housing to people of very low, low and moderate incomes and continues to grow the vibrancy of the Borough's downtown; and

WHEREAS, the Parties desire to enter into a new conditional redeveloper's agreement with the Conditional Redeveloper (in the form attached hereto as Exhibit A, the "Conditional Redeveloper's Agreement") to memorialize the terms of the proposed redevelopment project, provide a framework for the negotiation and development of a redevelopment agreement and financial agreement, if any, with the Conditional Redeveloper, and identify certain Borough improvements as goals of the proposed redevelopment project.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Dunellen, in the County of Middlesex, New Jersey, as follows:

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The Borough hereby designates MAS Development Group as the conditional "redeveloper" of the Redevelopment Area, pending the execution of a redevelopment agreement with the Borough and satisfaction of the obligations set forth in the Conditional Redeveloper's Agreement.

Section 3. The Mayor of the Borough is hereby authorized and directed to execute the Conditional Redeveloper's Agreement, with such changes, omissions, or amendments as the Mayor deems appropriate in consultation with the Borough's redevelopment counsel, Borough counsel, consultants, and other professionals. The Borough Clerk is hereby authorized and directed to attest to the Mayor's signature to the Conditional Redeveloper's Agreement, to apply the seal of the Borough to the Conditional Redeveloper's Agreement and to deliver a copy of same to the other Party thereto.

Section 4. The Mayor of the Borough and Borough Clerk are each hereby authorized and directed to take any additional action and execute any additional document, certificate, agreement or other instrument necessary to effectuate the transaction contemplated by this resolution.

Section 5. This resolution shall take effect immediately.

Mayor Cilento provided background on this developer and its plans for Skinner Plaza. He noted that we are under a deadline imposed by the NJ DEP, so action by us and the developer is necessary. Dr. Dunne inquired of the timeline. The developer has 180 days to fulfill certain requirements set forth in the Agreement and the NJ DEP will be raising the flood level at that site two feet.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

On the motion of Mrs. Rios and seconded by Mr. VanDermark it was moved to accept the following:

12-19-2022: #11

**RESOLUTION OF THE BOROUGH OF DUNELLEN
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
CONDITIONALLY DESIGNATING 1879 MORRIS ASSOCIATES, LLC AS THE
REDEVELOPER OF CERTAIN PROPERTY DESIGNATED ON THE BOROUGH TAX
MAP AS BLOCK 66, LOT 17, MORE COMMONLY KNOWN AS 435 NORTH AVENUE
AND LOT 17.01, MORE COMMONLY KNOWN AS 441 NORTH AVENUE AND
AUTHORIZING ENTRY OF INTERIM COST AGREEMENT**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended from time to time (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land in a municipality constitute areas in need of redevelopment or rehabilitation, and to adopt a redevelopment plan for such areas, pursuant to which redevelopment projects are to be undertaken; and

WHEREAS, on or about May 5, 2003, the Borough Council (the “Borough Council”) of the Borough of Dunellen (the “Borough”). acting as the Borough’s redevelopment entity pursuant to N.J.S.A. 40A:12A-4, designated certain properties identified on the Borough’s tax map as Block 69, Lots 1, 1.01, 2, 2.01 and 3; Block 70, Lots 13 and 13.01; Block 85, Lots 1 and 2; Block 83, Lot 1; Block 1, Lots 14, 15.01, 15.02, 16, 17, 18, 19, 20, 21, 22 and 23; Block 2, Lots 10, 11.01, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20; Block 32, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14.01, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24.01, 25, 26, 27 and 28; Block 33, Lots 14, 14.01, 15, 16, 17, 18, 19, 20, 21, 22 and 23; Block 34, Lots 10.01, 22, 23, 24, 24.01, 25, 26, 27.01, 27.02, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 38.01 and 38.02; Block 48, Lots 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28; Block 49, Lots 25, 26, 27.01, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39.01, 39.02, 40, 41, 43 and 44; Block 50, Lots 1, 2, 3, 4, 5 and 6; Block 51, Lots 1, 2 and 3 (NJ Transit Property); Block 65, Lot 1; Block 66, Lots 1, 2, 3, 4, 5, 6.01, 7, 8, 9, 10.01, 10.02, 11, 12, 13, 14, 15.01, 15.02, 16, 17, 17.01, 18, 19 and 20; and Block 86, Lots 1, 2, 3, 4, 4.02, 4.03 and 5 as an area in need of redevelopment under N.J.S.A. 40A:12A-5 (collectively, the “Redevelopment Area”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Borough Council adopted by ordinance on August 9, 2004, the Restated and Amended Dunellen Downtown Redevelopment Plan, Phase 1, pursuant to the Redevelopment Law, which was thereafter amended, most recently on July 5, 2022, pursuant to Ordinance #2022-15 (the “Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, 1879 Morris Associates, LLC (“Redeveloper”) is the owner of, or is under contract to acquire, certain property designated on the Borough’s tax map as Block 66, Lot 17 and 17.01, more commonly known as 435 North Avenue and 441 North Avenue, respectively (the “**Project Site**”); and

WHEREAS, Redeveloper proposes to construct a mixed-use building with two (2) commercial units, forty-eight (48) one-bedroom residential units and fourteen (14) two-bedroom residential units with amenity spaces and related improvements (collectively, the “Project”) on the Project Site; and

WHEREAS, the Borough Council, acting as the Borough’s redevelopment entity pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-8, may exercise all powers, duties and functions relating to redevelopment in the manner of a redevelopment entity under the Redevelopment Law, which powers include contracting with redevelopers for the planning, re-planning, construction, or undertaking of any redevelopment project or redevelopment work under N.J.S.A. 40A:12A-8(f); and

WHEREAS, the Borough now desires to conditionally designate Redeveloper as the redeveloper of the Project Site and to authorize the execution of an interim cost agreement, whereby Redeveloper shall agree to pay the reasonable costs that have been and will be incurred by the Borough while the Borough conducts its due diligence and the parties negotiate a formal redevelopment agreement as required under the Redevelopment Plan. The account will be initially funded with a deposit of \$10,000.00, and replenished when the balance falls below \$1,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Dunellen, acting as redevelopment entity for the Borough of Dunellen, as follows:

Section 1. 1879 Morris Associates, LLC is hereby conditionally designated as the redeveloper of the Project Site and has, at the sole and exclusive discretion of the Borough, the option to enter into preliminary negotiations for a redevelopment agreement with the Borough in connection with the Project Site. The designation is contingent upon the Redeveloper entering into a redevelopment agreement with the Borough.

Section 2. The within designation is hereby made for a limited period of one hundred twenty (120) days, and if the Redeveloper has not entered into a redevelopment agreement with the Borough within said time period (which may be extended in writing by the parties), the conditional designation as redeveloper shall be rescinded. The within designation is further contingent upon Redeveloper providing any additional project-related information as may be requested by the Borough.

Section 3. The within designation is further contingent upon Redeveloper agreeing to reimburse the Borough for any and all costs associated with the Borough’s review of said additional material and any efforts involved in conditionally designating Redeveloper as the redeveloper of the Project Site and negotiating a formal redevelopment agreement between the Borough and Redeveloper. Said Costs shall include, but not be limited to, the cost of any and all professional consultants retained by the Borough to review said material and/or assist the Borough in negotiations of a formal redevelopment agreement, including such costs incurred prior to the adoption of this resolution.

Section 4. The Mayor and the Clerk of the Borough are hereby authorized to execute and attest to, respectively, an interim cost agreement, in substantially the same form attached hereto, with any revisions that the Mayor may deem necessary or desirable upon consultation with the Borough’s professionals.

Section 5. This resolution shall take effect immediately.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

CONSENT AGENDA

On the motion of Mrs. Rios and seconded by Mr. Sigmon it was moved to accept the following:

12-19-2022: #12

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 for CY 2023 to:

Ambitrans, LLC.
634 Bound Brook Road
Dunellen, NJ

All fees and requirements of said license have been met.

12-19-2022: #13

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

The Treasurer is hereby authorized to issue the following proceeds for tax sale redemption(s):

Payable to Evolve Bank & Trust

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
22-17	68	6	Garcia, Danilo J & Garcia-Garzon, C 124 Prospect Ave	\$803.42	\$16.07	\$3700.00	\$4519.49

TOTAL REFUNDED \$ 4519.49

12-19-2022: #14

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 PROCAP8 FBO FIRSTTRUST BANK

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
22-06	31	2	Sheehan, Javier 219 Lincoln Ave	\$434.22	\$8.68	\$2100.00	\$2542.90

TOTAL REFUNDED \$ 2542.90

12-19-2022: #15

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 PROCAP8 FBO FIRSTTRUST BANK

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
22-19	72	5	Caliber Home Loans 325 Orange Street	\$415.08	\$8.30	\$2100.00	\$2523.38

TOTAL REFUNDED \$ 2523.38

12-19-2022: #16

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 he 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 \$6,681,349.00 from January 1, 2023 to June 30, 2023

<u>Date</u>	<u>Amount</u>
January 9, 2023	1,052,575.00
February 6, 2023	1,235,525.00
March 6, 2023	1,052,575.00
April 3, 2023	1,052,575.00
May 1, 2023	1,235,525.00
June 5, 2023	<u>1,052,574.00</u>
Total	<u>\$6,681,349.00</u>

12-19-2022: #17

CANCEL OUTSTANDING CHECKS

WHEREAS, there exists outstanding checks on the reconciliation of the Current and Payroll Funds, 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 check(s) in the amount of \$606.78 be and are hereby canceled:

<u>ACCOUNT</u>	<u>CHECK #</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>VENDOR</u>
Current	36834	\$304.61	1/15/21	Heidi Heleniak
	37524	100.00	6/21/21	Middlesex Cty Tr Off
	38172	202.17	12/6/21	Elizabethtown Water

Total – Current	\$606.78
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12-19-2022: #18

CANCEL ACCOUNTS PAYABLE BALANCES

WHEREAS, it is necessary, from time to time, to formally cancel Accounts Payable balances from the balance sheet from 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 \$10,316.77 are hereby cancelled:

Accounts Payable (2010)	1,206.77
Accounts Payable (2019)	<u>9,110.00</u>
<u>Total</u>	\$10,316.77

12-19-2022: #19

TRANSFER 2021 APPROPRIATION RESERVES TO ACCOUNTS PAYABLE

WHEREAS, the 2021 Appropriation Reserves contains unexpended balances of certain appropriations that will not be paid in 2022.

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 amounts set forth below:

21-140-000-299	Information Technology	\$2,850.00
25-240-000-233	Police	4,002.46
25-265-000-200	Fire	<u>94.12</u>
	Total	\$7,188.53
55-500-000-211	Sewer Equipment	\$3,000.00
	Total	\$3,000.00

12-19-2022: #20

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

WHEREAS, the last council meeting of the year 2022 is December 19, 2022, and

WHEREAS, the final payroll of 2022 and the first payroll of 2023 are December 30, 2022 and January 13, 2023, respectively and the last check run is December 31, 2022, and

WHEREAS, some payments are owing and due prior to the first regular meeting in 2023, 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 30, 2022 and January 13, 2023 payrolls, December 31, 2022 check run and all subsequent payments that are owed and due prior to the first regular meeting in January, 2023 are properly funded.

FURTHER RESOLVED that an itemized list of appropriation transfers be provided to the Mayor and Council members by the first regular meeting in January 2023.

12-19-2022: #21

CANCEL RESERVE BALANCES

WHEREAS, there exists various grant reserves on the balance sheet of the Current Fund, and

WHEREAS, the funds creating these reserves have been investigated and it has been determined that these reserves should be canceled.

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

That the following reserves in the amount of \$4,990.00 are hereby canceled:

Distracted Driving grant	\$350.00
Pedestrian Safety	<u>4,640.00</u>
Total	\$4,990.00

12-19-2022: #22

CANCEL GRANT RECEIVABLE BALANCES

WHEREAS, it is necessary to formally cancel receivable balances from the balance sheet for grants that have expired, and

WHEREAS, the Borough CFO 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 receivable balances be canceled:

Distracted Driving grant	\$350.00
Pedestrian Safety grant	<u>4,640.00</u>
Total	\$4,990.00

12-19-2022: #23

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

Whereas, there appears to be a surplus in the following 2022 Operating Accounts over and above the demands to be necessary, and

Whereas, N.J.S.A. 40A:4-58 provides for the transfer of unexpended balances in those appropriations having an excess over the amount required to those deemed to be insufficient.

Now, therefore be it resolved that the following “Transfer of Appropriations” be made:

From

Account	Title	Salaries &Wages	Other Expenses
23-210-299	Group Insurance		\$66,400
36-477-298	Defined Contribution Retirement		1,200
	Subtotal		\$67,600
	Total		<u>\$67,600</u>

Whereas, there appears to be insufficient funds in the following 2022 Operating Accounts over and above the demands to be necessary; viz:

To:

Account	Title	Salaries &Wages	Other Expenses
20-100-001	Postage		\$2,000
20-100-003	Legal Advertising		2,000
20-120-299	Borough Clerk		2,000
20-155-221	Legal Services		5,000
20-165-299	Engineering Services		25,000
26-290-101	Road Repairs	\$18,000	
26-310-111	Public Buildings & Grounds	1,000	
31-460-299	Gasoline		5,000
36-472-299	Social Security		6,000
42-305-002	Intergovt/Mid.County Recycling		1,600
	Subtotal	\$19,100	\$48,600
	Total		<u>\$67,600</u>

12-19-2022: #24

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

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Dunellen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of Calendar Year 2022 in the sum of \$6,791.09, which is now available from Alcohol Education and Rehabilitation grant, and

BE IT FURTHER RESOLVED, that the like sum of \$6,791.09 is hereby appropriated under the caption Alcohol Education and Rehabilitation grant.

12-19-2022: #25

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

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Dunellen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of Calendar Year 2022 in the sum of \$6,666.13, which is now available from Solid Waste Administration – Recycling Tonnage grant, and

BE IT FURTHER RESOLVED, that the like sum of \$6,666.13 is hereby appropriated under the caption Recycling Tonnage grant.

12-19-2022: #26

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

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or

municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and
WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Dunellen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of two items of revenue in the budget of Calendar Year 2022 in the sum of \$1,189.95 and \$1,520.63, which are now available from the NJ State Division of Highway Traffic Safety, Law and Public Safety Agency, 2021 and 2022 Body Armor Program, and

BE IT FURTHER RESOLVED, that the like sums of \$1,189.95 and \$1,520.63 are hereby appropriated under the caption Law & Public Safety, Body Armor Program as follows:

2021 Body Armor Program	\$1,189.95
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12-19-2022: #27

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

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Dunellen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of Calendar Year 2022 in the sum of \$12,081.36, which is now available from Clean Communities grant, and

BE IT FURTHER RESOLVED, that the like sum of \$12,081.36 is hereby appropriated under the caption Clean Communities grant.

12-19-2022: #28

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

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or

municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Dunellen in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of Calendar Year 2022 in the sums of \$47,665.00, which is now available from the 2022 Middlesex County Community Development Block (CDBG) Grant, and

BE IT FURTHER RESOLVED, that the like sum of \$47,665.00 is hereby appropriated under the caption 2022 Middlesex County CDBG

12-19-2022: #29

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

AUTHORIZE 2023 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 year 2023 be and the same are hereby appropriated as follows:

Municipal Debt Service

Principal – Middlesex County Improvement Authority (2022)	\$274,068.11
Interest – Middlesex County Improvement Authority (2022)	229,599.64
Total	\$503,667.75
Principal – Middlesex County Improvement Authority (2017)	\$111,468.30
Interest – Middlesex County Improvement Authority (2017)	30,254.32
Principal – Middlesex County Improvement Authority (2017 Sewer)	32,008.80
Interest – Middlesex County Improvement Authority (2017 Sewer)	6,694.81
Total	\$180,426.23
Bond Anticipation Note	\$175,400.00
Interest on Bond Anticipation Note	59,155.30
Sewer Bond Anticipation Note	50,800.00
Interest on Sewer Note	9,269.82
Total	\$294,625.12
Grand Total	<u>\$978,719.10</u>

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

Reports:

Mrs. Albertson: 1) Fire Department--Engine #2 is home and back in service. The engine loaned to us by Chester, PA has been returned. Many thanks to them for their assistance. Greenbrook's engine is still in use in Dunellen. We are grateful for their continued support; 2) Senior Club--we ended this year with our annual potluck lunch with music, great food and wonderful friends. Our next meeting is January 6th at 10:30 am in the Senior Club. I'd like to wish everyone a happy, healthy holiday season.

Mrs. Rios: 1) Dunellen Public Library is having their free bag of books event this week. Please stop by and select an assortment of children's and young reader books for free. Please visit our Facebook page and website for regular programs this week; 2) the Dunellen Arts and Culture Commission will continue painting the festive winter themed windows. Volunteers are needed, so please consider filling out the volunteer application to join one of our wonderful organizations, communities and or commissions. I would like to wish everyone a joyous holiday season and hoping that this new year brings everyone much happiness.

Mr. VanDermark: 1) a friendly reminder that one of Dunellen's greatest traditions takes place on Christmas Eve (Saturday, December 24th), "Santa Around Town." Santa will be escorted around town by our awesome Fire Department, Police Department, and Rescue Squad. The event will start off at 9:30 am. The first stop will be at the Winter House Decoration Contest Winner. This year, Santa will start off on the South Side of town; 2) Senior Holiday Party--reminder that the holiday party will be on January 8th at 1:30 pm at St. John's Auditorium. Any Seniors interested in attending can RSVP to the Recreation Department by calling 732-968-3033x8 or emailing Alex Miller; 3) Recreation winter programs start soon--Saturday Recreation Basketball starts January 7th, and at this time we have 86 children registered (grades K-6th). Also, our new adult program winter pickleball starts January 3rd. This program takes place on Tuesdays and Wednesdays in January & February at DHS (7:30-9:00 pm). Right now, we have 32 people registered; 4) the Recreation Department mourns the loss of an amazing lifelong resident and long-time Recreation Commission Member, Laura Ruskuski. Besides being a wonderful, kind-hearted person, Laura was the ultimate volunteer on the Recreation Commission. Laura would step up and volunteer to help out at every Recreation program or event. At all the upcoming Recreation events, we feel emptiness in our hearts that our dear friend Laura is not there with us. The Recreation Commission is also very thankful to Mayor Cilento and Council for making Laura a Perpetual Commission Member; 5) the following is the Cannabis Task Force anticipated Timeline for 2023 and Report to Mayor and Council:

Mayor's Cannabis Task Force Timeline 2023

Quarter 1

- Task force Zoom meeting with Ronald M. Mondello Esq.
- Visit facilities
- Talk with other municipalities

Quarter 2

- Town Hall meeting
- Follow up on meeting results

Quarter 3

- Look at ordinances from other municipalities

Quarter 4

- Formulate recommendation
- Present recommendation to Council
- Target date November 2023

Mayor's Cannabis Task Force
355 North Avenue
Dunellen, New Jersey 08812

Mayor Jason F. Cilento and Dunellen Council
355 North Avenue
Dunellen, New Jersey 08812

14 December 2022

Dear Mayor Cilento and Council Members,

It's an honor for us to be on The Mayor's Cannabis Task Force. As we have worked and bonded together we are constantly aware of the impact our recommendation will make. This process has allowed us to be transparent with our residents. This of course is a very important part of what makes Dunellen so unique.

Are you aware that we are one of only a few municipalities to have reached out to our constituents to get additional opinions beyond the 2020 referendum by the State of New Jersey about cannabis in our community? Our Town Hall meeting was a wonderful opportunity to have a conversation with the residents. The sharing of information and the data from the survey allowed the attendees to voice their concerns and give us an understanding of how they feel about the cannabis issue. It also made us realize that at least another meeting was needed to address these concerns.

At the League of Municipalities we were able to learn more about the process for developing applications and choosing **candidates** for businesses in town. We met a resource who will do an informative presentation for us.

We have accomplished a lot but we have much more work to do. Our responsibility to the community is foremost on our minds. The enormity of this endeavor has made us realize that we owe it to the people of Dunellen to do a complete and competent job. As a task force, we believe this cannot be done if we stay with the original timeline.

With this in mind we would like to change the timeline to allow us time to make the most competent recommendation to the Mayor and Borough Council. The Mayor's Cannabis Task Force hopes to work into the New Year with the knowledge gained during 2022 and seek to review ordinances from other municipalities, speak with municipalities who approved cannabis and ask their reactions, visit cannabis businesses, as well as speak with additional professionals in the field. We have attached a timeline to this letter which we hope will give you a better idea of when we plan to take all of this information and data, gather it together, and make recommendations to the Mayor and Council on what type of ordinance should be considered for Dunellen, and if the Mayor and Council choose to move to make commercial cannabis legal in Dunellen, what a fair application process could look like for Dunellen.

Thank you,



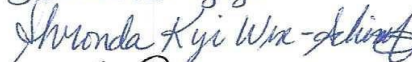
Isaac Noel Gendrano III







Jane Duggan







Dr. Dunne: 1) the Police Department is looking for Crossing Guards. Please contact Sgt. DelBuono if interested. The Dunellen Police Department was very productive, as always, in November, with 320 tickets. Thank you to Patrolman Green for his service and we wish him well in his new endeavor. With his resignation, the Department is accepting applications for the position of probationary police officer. Please direct inquiries to admin@dunellenpd.com; 2) the next Board of Education meeting is Tuesday, January 3, 2023, for their reorganization meeting. Wishing all our students and faculty and staff a much-needed restful holiday break; 3) the Parking Authority will hold its Reorganization meeting on January 11, 2023. Thanks to the Parking Authority for offering free parking in our downtown throughout the holidays.

Mr. Sigmon: 1) DPW crew has been cleaning the downtown daily and all our Borough Properties & Parks.

- Crew will continue picking up leaf bags throughout the Borough. Bag pick-up will take place through December. Residents can always bring their leaf bags all year round to the DPW yard.
- Continuing leaf clean-up in the parks and Borough properties.
- Crew walked the stream and removed any branches from the streams and near the headwalls.
- Cleared a clogged stormwater line at Third and Lincoln.
- Maintenance on the big salter, John Deer Backhoe, serviced the leaf vac and serviced police cars #507 and #509.

2) Winter is here--snow reminder about Parking Restrictions During Snow Emergencies: in order to permit snowplows to operate freely and unimpeded for the purpose of keeping the Borough streets and highways open for essential and emergency functions, during the period of time commencing one hour after the snow has been continuously falling and ending 12 hours after snow ceases to fall, no person shall park, stop, stand or leave abandoned a vehicle on any streets within the Borough of Dunellen. Also, please do not shoot snow from your snowblower onto plowed streets, it will just ice up.

Alternate off-street parking during snow emergencies is available at:

- * American Legion Post 119, 137 New Market Road
- * McCoy Park, North Washington Avenue
- * Columbia Park, Orange Street

Mr. Sigmon will be presenting a plan on Maurer House renovations later in 2023.

Mr. Paltjon: 1) Buildings and Grounds Report--Santa you are CLEARED for landing. The Borough Hall roof has been completed. The contractor just needs to replace the roof access door and the ladder in the access shaft. The final warranty inspection of the roof, based on the manufacturer's availability, will likely be around January 6th; 2) Dunellen Rescue Squad--please check out the Squad's new website DunellenRescue.org for all new information and more importantly to see how you can help and get information on how to sign up to volunteer. There are many exciting things upcoming with the Squad and they welcome all new members to come be a

part of it. Now, I just want to Wish Everyone the Happiest of Holiday Seasons, Merry Christmas and Cheers to a Happy and Healthy New Year. As Tiny Tim put it best, God Bless Us Everyone!

Mayor Cilento:

Recognized the Cannabis Task Force for the work they have done and will be doing. He recognizes the enormity of the task and he is aware that we must move cautiously. He appreciates they are working cohesively on behalf of the town.

Road Improvement and Striping: The striping along the NJAW paved roads is almost completed. In addition, along with the striping plans occurring on newly paved roads, an assessment of old signage has been conducted and will be replaced, as well as adding more for pedestrian and traffic safety measures.

Culvert Cleaning Project:

National Water Main Cleaning Company has continued the culvert clean-out project. This should help with water flow during severe rainstorms. To date the contractor has cleared the following culverts of silt and debris:

- South Washington Avenue
- South Avenue
- Prospect Avenue & Grove Street towards Gertrude Terrace

The contractor has two crews working simultaneously in Dunellen. The stormwater pipe between South Madison Avenue and Lehigh Street to High Street was 60% clogged, as was the Prospect Avenue Culvert. The crews are continuing to work at these two locations.

Remaining culverts to be cleaned out are:

- Gertrude Terrace Culvert
- New Market Road & Whittier Avenue Culvert

Please note that the Pulaski Street Culvert is not listed as we are working to coordinate with Middlesex County a replacement of this culvert soon. This project schedule is currently being worked out and from start to finish should take around a month to complete.

PSE&G Road Pavement: since my last report, we can confirm that the scheduled road improvements for the following blocks in Dunellen may be delayed until spring 2023: 800 block of First Street; 700 & 800 blocks of Dunellen Avenue; and 700 & 800 blocks of Front Street. The approved contractor for the project had experienced an unanticipated delay on a project that had been scheduled prior to contracting the work in Dunellen. The delay is pushing us into the winter months and the low temperatures are not ideal for paving roads.

Dunellen Station Development: work continues on the Dunellen Station Redevelopment sitework and off-site sanitary sewerage system improvements.

Sustainable New Jersey: earlier in the fall, I applied Dunellen for a grant for Sustainable Jersey's Technical Assistance for Advancing Equity Pilot program. I was recently informed that Dunellen will be the recipient of this technical assistance grant to help develop a Community Equity and Diversity Profile. The goal of the technical assistance grant will be to get a better understanding of vulnerable communities in Dunellen and how the Borough may better meet communication needs. I will be leading a focus group that will be created in the new year with a diverse group of community stakeholders. More information to come in the near future.

Happy Holidays! As we conclude the year, I would like to wish all the residents and businesses of Dunellen a happy and pleasant holiday season. Whether you celebrate Christmas, Chanukah or Kwanza, I hope you are able to enjoy time with your family and friends. I hope we are able to move into the New Year with optimism and good faith for what work may lay ahead. Don't forget about Santa around Town on Christmas Eve as he is escorted around town by the Dunellen Fire Department. Be sure to follow him on the tracker that can be found on the Dunellen Fire Department's Facebook page. Please remember to join us on January 1st at noon for our reorganization meeting. Deputy Minority Leader Assemblywoman Nancy Munoz of LD21 will be present to swear-in Council Members Trina Rios, Daniel Cole Sigmon and Hal VanDermark. We will also be recognizing former mayor Robert J. Seader for a Lifetime Achievement Award and Bill Wagner as Volunteer Citizen of the Year. More information on how to join will be made available soon. I look forward to this day to address the Borough of Dunellen about our accomplishments in 2022 and the look ahead to our 2023 agenda.

Department Heads reports:

Homer Mosley, Office of Emergency Management: on Tuesday, December 13th, William Carlson received a service award from the New Jersey Emergency Management Organization. What is significant is that this is the second year that the Dunellen OEM has received such a service award. Also, OEM had its last CERT meeting last Thursday. He is delighted to say that what was originally a celebration turned into a discussion of our homeless population. That consciousness in the minds of the CERT team is very gratifying. A local church has offered to be a warming station. Mayor Cilento applauded OEM and the CERT team for Project Care.

Public Portion:

Georgette Mosley, 113 Pearl Place, noted the recent movie making in town and wondered what would be happening in the future? Mayor Cilento replied that Dunellen is in the catalog of New Jersey's Motion Picture and Film Commission and we were able to attract David Duchovny for "Bucky Dent." There is a link on the Commission website to Dunellen.

On the motion of Mrs. Rios and seconded by Dr. Dunne it was moved to accept the following:

12-19-2022: #30

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

The Dunellen Borough Council Meeting of December 19, 2022 is adjourned.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

The YouTube presentation of this Council meeting can be found at:

<https://www.youtube.com/watch?v=4sjxprmfmVI>