

December 7, 2020

Note: This meeting was held by teleconference for the public with all Council members in person.

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on December 7, 2020.

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

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

Present: Jason Cilento, Kenneth Bayer, April Burke, Jessica Dunne, Stacy Narvesen, Trina Rios and Daniel Sigmon

Frederick Rubenstein, Esq., served as Legal Counsel in the absence of John E. Bruder, Esq.

On the motion of Mrs. Burke and seconded by Mrs. Rios it was moved to accept the Minutes of the Meeting of November 16, 2020.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

At this point, the following Proclamation was read into the record:

**Proclamation Supporting the
*Drive Sober or Get Pulled Over 2020 Year End Holiday
Crackdown***

WHEREAS, approximately one-third of all fatal traffic crashes in the United States involve impaired drivers; and

WHEREAS, impaired drivers on our nation's roads killed 10,551 people in 2018; and

WHEREAS, impaired driving crashes cost the United States almost \$44 Billion a year; and

WHEREAS, during the past five years New Jersey's roadways experienced 36,049 crashes and 648 fatalities involving impaired drivers; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and
WHEREAS, the year-end holiday season is traditionally a time for social gatherings which include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2020 Year End Holiday Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 4, 2020 through January 1, 2021; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Dunellen declares its support for the *Drive Sober or Get Pulled Over 2020 Year End Holiday Crackdown* from December 4, 2020 through January 1, 2021 and pledges to increase awareness of the dangers of drinking and driving.

Mayor's Appointments to Boards, Commissions and Authorities:

Accept the resignation of Jen Desmelyk from the Dunellen Parks and Recreation Commission

Appoint Grace Cordero to fill Jen Desmelyk's unexpired term on the Dunellen Parks and Recreation Commission

Appoint Connie Jamele to the Dunellen Arts and Culture Commission

Accept the resignation of Terri Albertson as the Dunellen School District's representative to the Dunellen Library Board of Trustees

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

Ordinance 2020-17

The following ordinance is being 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 7, 2020. It will be further considered for final passage, after public hearing thereon, at a meeting of said governing body to be held in the Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on December 21, 2020 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 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 the same.

Dunellen Municipal Code Chapter 269-13 (A) is amended as follows:

Chapter 269-13 (A). Parking prohibitions.

- A. Parking is prohibited at all times on certain streets. No person shall park a vehicle at any time upon any streets or parts thereof described, except where other parking regulations have been provided for.

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Fourth Street	North	From Washington Avenue in an easterly direction to McCoy Park

Grove Street	Both	New Market Road to Gertrude Terrace
High Street	East	Entire Length During School Hours
Library	New Market Road	Parking Lot
Madison Avenue	Both	North Avenue to South Avenue
New Market Road	Both	Entire Length
Orange Street	South	South Washington Avenue to Columbia Park
Skinner Plaza	Construction Office	4 Parking Spaces so identified
South Avenue	Both	Gertrude Terrace to Madison Avenue
South Madison Avenue	West	South Avenue to Walnut Street
South Washington Avenue	Both	From North Avenue (Route 28) to New Market Road
Walnut Street	Both	West Fourth Street to New Market Road

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

ORDINANCE 2020-16

ORDINANCE STATEMENT AND SUMMARY

The ordinance, the summary terms of which are included herein, was Introduced on November 16, 2020, and is now being presented for adoption by the Borough of Dunellen, in the County of Middlesex, State of New Jersey on December 7, 2020. Copies of the full ordinance are available at no cost at the Clerk’s office for the members of the general public who shall request the same. The summary of the terms of such ordinance follows:

Title: **ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$230,000, OR SUCH OTHER AMOUNT CERTIFIED BY THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES, FOR THE PURPOSES SET FORTH**

IN N.J.S.A. 40A:4-53(L) AND/OR N.J.S.A. 40A:4-53(M), IN AND BY THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

Purpose: To provide for (i) the immediate preparation, response, recovery, and restoration of public services during such time as a public health emergency, pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), declared in response to COVID-19 remains in effect, in the amount of \$0, pursuant to N.J.S.A. 40A:4-53(l) and (ii) a deficit in operations experienced by the Borough during fiscal year 2020, in which a public health emergency pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), or a state of emergency, pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.), or both, has been declared by the Governor in response to COVID 19, in the amount of \$230,000, pursuant to N.J.S.A. 40A:4-53(m).

Appropriation: \$230,000

At this point, Mayor Cilento opened the meeting for public comment on the ordinance. No one from the public spoke. This portion was closed.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

12-07-2020: #1

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

Mayor Jason F. Cilento is authorized to sign on behalf of the Borough of Dunellen the attached Shared Services Agreement with the Dunellen School District regarding the provision, maintenance and cost sharing of park and recreation facilities in the borough.

Mrs. Burke asked what facilities are included? Mayor Cilento responded that it covers Columbia Park, Gavornick Park, McCoy Park, Morecraft Park, port-o-potties, and the ball field at John P. Faber School. He noted that this is a substantial shared services Agreement and he thanked Alex Miller, Ken Bayer, Stacy Narvesen and Dr. Robins. This agreement will enhance our relationship with the School District significantly.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

12-07-2020: #2

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: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

On the motion of Mrs. Burke and seconded by Mrs. Narvesen was moved to accept the following:

12-07-2020: #3

**BOROUGH OF DUNELLEN
MIDDLESEX COUNTY, NEW JERSEY**

RESOLUTION IN SUPPORT OF NEW JERSEY SENATE BILL NO. S-2964 AND NEW JERSEY ASSEMBLY BILL A-4925 WHICH ESTABLISHES A RESTRICTED ALCOHOLIC BEVERAGE LICENSE THAT ALLOWS THE SALE OF BEER, WINE, AND CIDER BY THE GLASS ON THE PREMISES OF A RESTAURANT WITH A FULL SERVICE KITCHEN.

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

WHEREAS, the State of New Jersey's liquor license laws date back to the 1950s and 1960s; and

WHEREAS, under current law, a municipality may issue plenary retail consumption licenses until the combined total number in the municipality is fewer than one license for each 3,000 municipal residents and this restriction creates a shortage of these licenses in some municipalities; and

WHEREAS, the State of New Jersey's liquor license laws has caused an extreme supply imbalance that the statewide average cost of an individual liquor license is \$300,000, an exorbitant amount causing an inequitable landscape among current and potential restaurateurs; and

WHEREAS, the restaurant liquor license standards of other states in the Northeast region enable restaurateurs to join the market at a significantly lower price point than the State of New Jersey, thus giving them a competitive advantage; and

WHEREAS, the COVID-19 pandemic has put additional burden on New Jersey's small businesses, particularly the restaurant industry; and

WHEREAS, Senate Bill No. S-2964 and Assembly Bill No. A-4925, attached hereto, addresses this shortage by allowing a municipality to issue these limited beer, wine, and cider licenses; and

WHEREAS, Senate Bill No. S-2964 and Assembly Bill No. A-4925 also allows the licensee to charge a service or corkage fee to patrons who bring their own beer, wine, or cider for consumption on the licensed premises and removes the prohibition on advertising that a restaurant is “BYOB;” and

WHEREAS, in addition to other details related to taxation and application, Senate Bill No. S-2964 and Assembly Bill No. A-4925 also provides a tax credit against the corporation business tax and gross income tax to compensate license holders for the expected loss in value resulting from the creation of the new restricted licenses.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Dunellen, Middlesex County, that it supports S-2964 and A-4925 as a means to address the limited availability of plenary retail consumption licenses and the resulting escalating retail/transactional price associated with the acquisition of such licenses; and

BE IT FURTHER RESOLVED that the Clerk be and hereby is authorized to distribute copies of this Resolution to all appropriate officials and agencies including our Legislative Representatives, Senator Vin Gopal, Assemblyman Brian Bergen, the Governor, the Lieutenant Governor and the New Jersey State League of Municipalities.

Mayor Cilento noted that New Jersey’s liquor license law is archaic and dating from the 1950s. Two reform bills are being discussed in Trenton: they will provide for wine, beer and hard cider to be served in food establishments. We will send copies of this resolution to our legislators to indicate Dunellen’s support for this endeavor. The bills also provide tax credits for those current license holders who have been “playing by the rules.”

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

12-07-2020: #4

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

Karen Miller is hereby hired as a School Crossing Guard, effective November 9, 2020, at an hourly salary of \$12.69.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

12-07-2020: #5

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

Stilo Paving and Excavation is awarded a contract for sinkhole and manhole repair at the intersection of Third Street and Jackson Avenue, and for sanitary repairs on Penfield Place:

Sinkhole and Manhole Repair, Third Street and Jackson Avenue and Sanitary Sewer repair on Penfield Place

Jackson Avenue and Third Street, \$5,500.00 C-04-20-012-000-601

Penfield Place, \$11,500 C-08-20-130-000-601

Ordinances 2020-12 and 2020-13

For an amount not to exceed \$25,5000.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

12-07-2020: #6

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

RESOLUTION AUTHORIZING THE ISSUANCE OF SPECIAL EMERGENCY NOTES IN AN AMOUNT EQUAL TO THE SPECIAL EMERGENCY APPROPRIATION MADE FOR THE PURPOSES SET FORTH IN N.J.S.A. 40A:4-53(L) AND/OR N.J.S.A. 40A:4-53(M), IN AND BY THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. An ordinance authorizing a special emergency appropriation of \$230,000, or such other amount certified by the Director of the Division of Local Government Services (the "Authorized Amount"), by the Borough of Dunellen, in the County of Middlesex, New Jersey (the "Borough") for the purposes set forth in N.J.S.A. 40A:4-53(l) and/or N.J.S.A. 40A:4-53(m) has been finally adopted by the Borough Council of the Borough, and a copy thereof has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey (the "Director").

Section 2. (a) In order to finance the special emergency appropriation described in Section 1 of this resolution, the Borough is hereby authorized to borrow the Authorized Amount and to issue its special emergency notes (the "Notes") therefor in accordance with the Local Budget Law of New Jersey (N.J.S.A. 40A:4-55) (the "Local Budget Law").

(b) The Notes authorized by this resolution may be issued in amounts and denominations not exceeding in the aggregate the amount of Notes authorized herein, as determined by the Chief Financial Officer of the Borough pursuant to this resolution.

(c) The Borough may finance the special emergency appropriation from surplus funds available or may borrow money in a manner prescribed herein. Where an appropriation is financed from surplus funds available, at least one-fifth of the amount thereof shall be included in each annual budget until the appropriation has been fully provided for, beginning in the year after the year in which the resulting deferred charge appears in the Borough's unaudited financial statement.

Section 3. The following matters in connection with the Notes are hereby determined:

(a) All Notes issued hereunder and any renewals thereof shall mature at such time as may be determined by the Chief Financial Officer within the limitations of the Local Budget Law,

provided however, that at least one-fifth of all such Notes and the renewals thereof shall mature and be paid in each year, beginning in the year after the year in which the resulting deferred charge appears in the Borough's unaudited financial statement, so that all Notes and renewals shall have matured and have been paid not later than the last day of the sixth year following the date of this resolution;

(b) All Notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer;

(c) The Notes shall be in the form determined by the Chief Financial Officer and the Chief Financial Officer's signature upon the Notes shall be conclusive as to such determination;

(d) The Borough shall apply for any financial assistance that may be available to the Borough from the federal government, the State of New Jersey, and other sources to offset any operating deficit directly attributable to COVID-19, and any such financial assistance obtained by the Borough shall be utilized to offset any operating deficit or, if applicable, to payment of the Notes issued hereunder. The amount of Notes authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 4. The Chief Financial Officer is hereby authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and the Chief Financial Officer's signature upon the Notes shall be conclusive as to such determination.

Section 5. The Chief Financial Officer is hereby authorized to sell the Notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 6. Any instrument issued pursuant to this resolution shall be a general obligation of the Borough. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the Notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 7. The Chief Financial Officer is authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

Section 8. The Borough hereby makes the following covenants and declarations with respect to Notes to be issued by the Chief Financial Officer of the Borough on a tax-exempt basis, if any. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Notes. The Chief Financial Officer is hereby authorized to act on behalf of the Borough to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Borough hereby declares the intent of the Borough to issue Notes in the amount authorized in Section 1 of this resolution and to use the proceeds to pay or reimburse expenditures for the costs of the purpose described herein. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 9. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Notes are not exempt from the Rule and provided that the Notes are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Notes remain outstanding (unless the Notes and any renewals thereof have been wholly defeased), the Borough shall provide for the benefit of the holders of the Notes and the beneficial owners thereof:

(a) Not more than 270 days following the close of the fiscal year in which the Notes are issued, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the Securities and Exchange Commission to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Borough consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Borough and certain financial information and operating data consisting of (1) Borough indebtedness and overlapping indebtedness including a schedule of outstanding debt issued by the Borough; (2) property valuation information; and (3) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law.

(b) If any of the following events occur regarding the Notes, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;

- (5) Substitution of credit or liquidity providers or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Notes, or other material events affecting the tax status of the Notes;
- (7) Modifications to the rights of holders of the Notes, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Notes, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Borough;
- (13) The consummation of a merger, consolidation or acquisition involving the Borough or the sale of all or substantially all of the assets of the Borough, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a Financial Obligation of the Borough, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation, any of which affect holders of the Notes, if material; and
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Borough, if any such event reflects financial difficulties.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); provided, however, that the term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

(c) Notice of failure of the Borough to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of Notes prior to their offering. Such Chief Financial Officer is hereby authorized to enter into written contracts or undertakings to implement this resolution and is further authorized to amend such contracts or undertakings as needed to comply with the Rule or upon the advice of Bond Counsel.

(f) In the event that the Borough fails to comply with this resolution or the written contract or undertaking, the Borough shall not be liable for monetary damages, remedy of the holders or beneficial owners of the notes being hereby specifically limited to specific performance of the covenants contained in this resolution or the written contract or undertaking.

Section 10. A copy of this resolution as adopted shall be filed with the Director.

Section 11. This resolution shall take effect upon the latter of (i) the date determined by applicable law or (ii) the earlier of (a) the date the Director approves in writing the application submitted by the Chief Financial Officer of the Borough for approval of the special emergency being financed by the Notes (the "Application") and (b) the date that is 45 days (or the first business day following such 45th day, if applicable) following the date the Chief Financial Officer submits the Application to the Director.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

12-07-2020: #7

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 2020 in the sum of \$15,620.00, which is now available from the Division of Highway Traffic Safety Aggressive Driving Grant.

BE IT FURTHER RESOLVED, that the like sum of \$15,620.00 is hereby appropriated under the caption Division of Highway Traffic Safety Aggressive Driving Grant.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

Resolution 12-07-2020: 7-A was REMOVED

CONSENT AGENDA:

On the motion of Mrs. Burke and seconded by Mrs. Narvesen was moved to accept the following:

12-07-2020: #8

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

Whereas, there exists a need to lease a photocopier machine for the Tax Collector's Office; and

Whereas, a quote has been received from:

Wells Fargo -- \$95.00 per month, for a 60 month lease term; and

Whereas Wells Fargo has a New Jersey Business Registration 42-1074725 for the leasing of photocopier machines; and

The funds for this contract have been certified by the Chief Financial Officer, and continuation of the contract is subject to the availability of funds in future fiscal years. The funds are certified from January 1, 2021 to December 31, 2021.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that a photocopier machine be leased from Wells Fargo, for an amount not to exceed \$95.00 for 60 months.

Funds for this certification are from Account #1-01-20-145-000-205.

12-07-2020: #9

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:
The Treasurer is hereby authorized to issue the following checks to Windels Marx Lane & Mittendorf, LLP., from the Interim Cost Agreement Escrow Account for work done toward **Dunellen Stations** redevelopment, subject to the refunding of the Account:

<u>Windels Marx File Number</u>	<u>Bill Number</u>	<u>Amount</u>
0305764-0000001	46526	\$19,286.81
	Total	<u>\$19,286.81</u>

12-07-2020: #10

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to CME Associates from the “Force Main Account” for engineering work done for the redevelopment at Dunellen Stations, subject to the refunding of the Account.

<u>CME Associates</u>	<u>Amount</u>
0267277	\$771.00
0269164	\$260.00

0269810	\$646.50
0270749	\$642.50
0271032	\$2,313.00
Total:	<u>\$4,633.00</u>

12-07-2020: #11

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to CME Associates from the “Storm Bypass Site Observation Account” for engineering work done for the redevelopment at Dunellen Stations, subject to the refunding of the Account.

<u>CME Associates</u>	<u>Amount</u>
0269166	\$553.50
0270751	\$84.00
0271033	\$827.00
Total:	<u>\$1,464.50</u>

12-07-2020: #12

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to CME Associates from the “Communi paw Associates, LLC. Account” for engineering work done for the redevelopment, subject to the refunding of the Account.

<u>CME Associates</u>	<u>Amount</u>
0267276	\$431.25

0269162	\$1,804.50
0269809	\$556.00
0271030	\$870.00
Total:	<u>\$3,661.75</u>

12-07-2020: #13

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to Windels Marx Lane & Mittendorf, LLP., from the Interim Cost Agreement Escrow Account for work done toward “**528 North Avenue LLC**” redevelopment, subject to the refunding of the Account:

<u>Windels Marx File Number</u>	<u>Bill Number</u>	<u>Amount</u>
0305764-0000004	47744	\$1,710.00
	Total	<u>\$1,710.00</u>

12-07-2020: #14

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to CME Associates from the “528 North Avenue, LLC. Escrow Account” for engineering work done for the redevelopment, subject to the refunding of the Account.

<u>CME Associates</u>	<u>Amount</u>
0269163	\$217.50
Total:	<u>\$217.50</u>

12-07-2020: #15

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to CME Associates from the “Duke Property, LLC” Planning Board Escrow account, for engineering work done for the redevelopment.

<u>CME Associates</u>	<u>Amount</u>
0265791	\$87.00
Total:	<u>\$87.00</u>

12-07-2020: #16

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to CME Associates from the “Chelsea Builders Escrow Account” for engineering work done for the Dunellen Planning Board:

<u>CME Associates</u>	<u>Amount</u>
0271031	\$1,893.75
Total:	<u>\$1,893.75</u>

12-07-2020: #17

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to King Moench Hirniak & Mehta, LLP., from the Interim Cost Agreement Escrow Account for legal work done toward Dunellen Stations redevelopment, subject to the refunding of the Account:

<u>King Moench</u>	<u>Purpose</u>	<u>Amount</u>
91699	Redevelopment	\$256.00
	Total	<u>\$256.00</u>

12-07-2020: #18

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to Windels Marx Lane & Mittendorf, LLP., from the Interim Cost Agreement Escrow Account for work done toward **150 North Avenue** redevelopment, subject to the refunding of the Account:

<u>Windels Marx File Number</u>	<u>Bill Number</u>	<u>Amount</u>
0305764-0000005	46527	\$3,825.00
0305764-0000005	47743	\$90.00
	Total	<u>\$3,915.00</u>

12-07-2020: #19

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

Be it resolved by the governing body of the Borough of Dunellen, New Jersey, that:

The Treasurer is hereby authorized to issue the following checks to King Moench Hirniak & Mehta, LLP., from the Dunellen Planning Board Escrow Account for legal work done toward “150 North Avenue” redevelopment:

<u>King Moench</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
91731	PB000160	Redevelopment	\$1,248.00
		Total	<u>\$1,248.00</u>

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

Council Discussion

Citizen of the Year and Lifetime Achievement Award

Mrs. Narvesen, supported by Mrs. Burke, nominated Philip McGuane for Citizen of the Year. He has been very active with the food drive. Mayor Cilento suggested we might have two awards,

noting that Bill Wagner had stepped up to head the Dunellen Parking Authority, a very big task without compensation.

Dr. Robins commented that if this year we are not going to present plaques in person, then the decision can be made on December 21st and we will have time to write suitable proclamations.

For the Lifetime Achievement Award, Mayor Cilento nominated Judith Persichilli, raised in Dunellen, and currently the Commissioner of the New Jersey Department of Health.

REPORTS:

Mrs. Rios: 1) Library remains open—check on the Library web site for hours; 2) Wi-Fi is on for users outside the building in the parking lot.

Mrs. Burke: 1) any articles for *The Dunellen Report* are due early next week; 2) the Dunellen Police had a successful fund raiser, raising money in honor of former chief Gerard Cappella with the No Shave November event; 3) the Dunellen Police in November issued over 260 summonses and had over 200 motor vehicle stops, despite the concerns regarding COVID-19; 4) thank you to Sergeant Del Buono for writing the grant that was referred to at the start of our meeting; 5) the Fire Department recently held elections and Mark Crawford will take over as Chief in 2021. Sue Connelly will become the Company President. She thanked Mr. Cashin and Mr. Lowder for their service; 6) the date for the Fire Company installation usually held in January is to be determined; 7) and again on December 24th the Fire Department will be escorting Santa Around Town; 8) she attended the online League of Municipalities Conference and thanked the borough for allowing her this opportunity.

Mr. Bayer: 1) we anticipate a Finance Committee meeting by the 15th of this month; 2) there will be a tax sale on December 17th; 3) the Construction Office has met its anticipated revenue; 4) the Maurer House Committee met and discussed options and the consensus was that the second floor would be used by the Historical Society, the first floor could be used by residents or groups for meetings. They have received three quotes on repairs and are just awaiting insurance submissions.

Mr. Sigmon: 1) the Social Media Committee will be sending out the forms to borough entities this week for them to fill out and return to us to become official borough social sites. This will help residents to differentiate official information from unofficial information. He explained that the form sets forth the rules for a social media site and how the Borough Administrator must become an Admin on those pages and it names who will be taking care of their social pages so we will know and we can help maintain a more uniform experience and be sure that the social media policy is being followed.

Dr. Dunne: 1) thanked the Department of Public Works for assisting in the Washington Park decorations. It was a very successful Tree Lighting Ceremony; 2) regarding the DPW activities:

Daily cleanup of downtown.

- The crew has been constantly picking up leaf bags throughout the town.
- Cleaned up all Parks
- Cleared the headwalls after the storm on 11/30
- Cleaned all the catch basin lids after the storm
- Street sweeper swept most of the town and will continue cleaning the streets
- Put up Holiday decorations in downtown and at Washington Memorial Park

· Borough Mechanic Rich Herkert has been prepping equipment for the snow season and worked on the Borough Loader, truck #40, and Police vehicles #503 and #508.

3) we hope by the next meeting to have a version of the Diversity and Inclusion document for Council review and approval for next year; 4) with Councilwoman Narvesen, she attended the meeting last week of the Green Brook Flood Control Commission. They are continuing to work in Middlesex Borough and the work is expected to come to Dunellen in FY 2024 or FY 2025. The primary issue is real estate. Another issue is the Federal Budget; 5) the Dunellen Parking Authority has placed holiday bags over the meters downtown, so free parking until January 1st; 6) the Dunellen Shade Tree Commission just did a round of planting and if you are interested in getting on the list for a tree, please contact them; 7) a thank you to the Dunellen Police Department and Dunellen Fire Department for quickly responding to an event at the corner of First Street and Sanford Avenue where a telephone pole lit on fire; 8) finally, we seem to be experiencing an uptick in COVID-19 in New Jersey so please continue to wear your masks and stay safe.

Mrs. Narvesen: 1) the Annual Tree Lighting Ceremony on Sunday, December 6th was virtual. It was streamed on the Recreation Facebook page. A special thanks to Santa, Mike Luthman, and Carl Geiger and other members of the Presbyterian Church for singing, and to the Fire Department and Rescue Squad for their assistance; 2) the Holiday House Decorating Contest will be held between December 16 and the 20th; 3) Santa Around Town on December 24th; 4) food drive was very successful with 21 families picking up food last Saturday; 5) finally, a shout out to Julie Grof who has been helping out and filling in with different departments.

Mayor Cilento: 1) we received correspondence from Middlesex Mayor John Madden thanking our Fire Department for their assistance on a fire on November 17th:



November 19, 2020

Mayor Jason F. Cilento
355 North Avenue
Dunellen, NJ 08812

Dear Mayor Cilento,

On behalf of the Borough of Middlesex, I am writing this letter to express our deepest gratitude to the Dunellen Fire Department and the individuals that assisted us with the recent fire in Middlesex Borough. Without their assistance, there might have been a greater disaster.

On the afternoon of November 17th, 2020, the Dunellen Fire Department responded to our alarm and was on sight immediately. The teamwork that was displayed in ensuring the safety of our residents and property was remarkable. The fire caused extensive damage to a one-story building and several vehicles. Without the efficiency and effective work of Dunellen, the damage could have been much more extensive.

On behalf of the citizens of Middlesex Borough, I wish to thank your municipality. We feel extremely fortunate to have the help of Dunellen's First Responders. Please know that their actions are greatly appreciated.

With gratitude,

John L. Madden, Mayor

Cc: Fire Chief Jeremy Lowder

1200 Mountain Avenue, Middlesex, NJ 08846

Phone: 732.356.7400 | Fax: 732.356.7954 | middlesexboro-nj.gov |

2) today he met with our Tax Assessor, Dawn Guttschall, regarding a company called SDL (Spatial Data Logic) which has management software that assists municipalities decrease the gap between the municipality and its constituents by providing access between departments, streamlining work flows for staff, and enabling self-service access for residents. Basically, it automates our permits and licensing.

Covid-19 Update:

Since my last report on 12/4/2020, we have been made aware of eighteen more cases added to Dunellen's cumulative total. These added cases reflect eighteen new cases, averaging six cases per day. Since the tracking of COVID-19 in March 2020, Dunellen has a cumulative total of 405 cases to date. Dunellen's cumulative death total remains at ten.

Dunellen and Middlesex County's cumulative totals can be found at www.discovermiddlesex.com/total-cumulative-cases/

Please also visit the Middlesex County website for a schedule for free flu shots, as well as locations for COVID-19 testing.

New Jersey COVID-19 Information Hub at: www.covid19.nj.gov.

Please continue to practice social distancing and wearing of a mask. Preventing further spread is going to be a team effort and we are not out of this pandemic just yet.

Shared Services Agreement with the Dunellen School District: I want to emphasize the importance of the Agreement which has been in the works for several months. I thank our Recreation Director, Alex Miller, our Borough Administrator Bill Robins, and Council President Ken Bayer, who worked with me on this Agreement. I would also like to thank School Superintendent Gene Mosley, School Business Administrator Johnny Rosa, and School Board President Jeffrey Portik. This Agreement will allow the Borough to see cost savings on our side of the budget as both stakeholders will see savings in capital improvements we both share. We see this as a milestone in the School District's and Borough's relationship and we look forward to the enhanced relationship over the course of this year.

Streetlight Outages:

Thank you to DPW Supervisor Ron Safar for working on a list of street light outages I provided to him from my observations around town. I frequently walk or drive around to see if there are any streetlights out. Ron Safar has worked with me to make a significant impact on reporting the ones I have noted to PSE&G to fix them. I encourage residents to report any streetlight outages to PSE&G at 1-800-436-7734. It's always best to give PSE&G the pole number, street, and nearest cross street.

Capital Improvements:

RAILROAD AVENUE – Test pits of existing utilities were performed today and are under review. Work is tentatively scheduled to commence on December 14th. Notifications will be sent to the residences on Railroad Avenue regarding access and where their cars can be parked.

GROVE STREET – The bulk of the work has been completed with the exception of signage and striping.

SOUTH MADISON – The work has commenced. The contractor is presently installing the proposed storm drainage improvements.

Cable and Internet Issues:

We know this continues to be an issue and I am in contact with our representatives at Optimum regarding our dissatisfaction with their quality of services and their customer service.

If you are having issues, here are the contact points for Optimum:

- Visit optimum.net/support/outage
- Message Optimum at optimum.net/chat
- Send Tweet to @Optimumhelp
- Call (866) 950-3278

As previously reported, Optimum has been working to split nodes in Dunellen which will give greater capacity to residents. They have completed the split of two nodes and work is now being conducted on splitting two additional nodes near the Fire House and Dunellen High School. This work should be completed by the end of December. It should increase capacity to 200-400 households per node.

Community Visual Preference Survey:

The survey is completed, and we had 438 respondents. Our next steps are to meet with DMR Architects to go over the data and decide on a presentation date. More information to follow.

Small Business Saturday:

It was great to participate in Small Business Saturday on November 28th. The businesses downtown were really excited about celebrating the day and we hope we can make the event bigger next year. It was really nice to walk the downtown and see the decorated Christmas Trees placed out by the Dunellen Downtown Management Organization, as well as the Winter Scene displays painted on storefront windows by the Dunellen Arts & Culture Commission.

Dunellen Arts & Culture Commission (DACC):

DACC conducted their first live-stream art demo class on how to make a holiday wreath. This was in partnership with our sister city, Val Tidone, Italy. The video will be posted online at some point this week so members of the public may watch and join in on wreath decorating. If you register with DACC a kit will be provided to your house to make a wreath. The program was made possible through a grant by the Middlesex County Board of Chosen Freeholders and the Middlesex County Cultural & Arts Trust Fund. DACC had 30 businesses participate in the storefront Winter Scene paintings, led by DACC member Hal VanDermark.

Tree Lighting Ceremony:

Thank you to Recreation Director Alex Miller & the Dunellen Parks and Recreation Commission for making sure we still had a tree lighting ceremony this year. Although not the same as years past, when we could be in-person together, the event was still special, and I applaud Mr. Miller for making sure the event still happened and for decorating the gazebo so nicely. Thanks to the Girl Scouts Service Unit 62 of Dunellen and Green Brook for decorating the Christmas tree, and thanks to the Dunellen Fire Department for donating the tree. Thank you to the Dunellen DPW for decorating Washington Memorial Park along North Washington Avenue with the holiday characters. It is a wonderful Dunellen tradition started by former Mayor Larry Anzovino. I want to extend thanks to Hal VanderMark and Pete Albertson Sr. for the cutting out and painting of a few more cut-outs this year that included other holidays in our display. Again, Dunellen during the

holidays is a special place to be, and I am thankful to all who help make it such as a special time of year.

Alexander Miller, Recreation Department, thanked Ken Bayer for all the help he has extended over the years.

PUBLIC PORTION

No one from the public spoke.

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

12-07-2020: #20

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

The Dunellen Borough Council Meeting of December 7, 2020 is adjourned.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon
