

February 16, 2021

Note: This meeting was held by teleconference for the public.

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on February 16, 2021.

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, April Burke, Jessica Dunne, Stacy Narvesen, Tremayne Reid, Trina Rios and Daniel Sigmon

On the motion of Mrs. Rios and seconded by Mrs. Narvesen it was moved to accept the Minutes of the Meeting of February 1, 2021.

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

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

ORDINANCE 2021-01

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 February 1, 2021. 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 Tuesday, February 16, 2021 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 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 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 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.

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

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

Ordinance 2021-02

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, 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 February 1, 2021. It is now being further considered for final passage, after public hearing thereon, at a meeting of the governing body being held in the Dunellen Council Chambers and accessible remotely via YouTube [http://www.dunellen-nj.gov/municipal_news/municipal_news_2/index.php] on February 16, 2021 at 7:00 p.m. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost at the Municipal Clerk's Office, 355 North Avenue, Dunellen, NJ 08812, or email the Municipal Clerk at wrobins@dunellen-nj.gov for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO LINCOLN AVENUE IN AND BY THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,400,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

Purpose: Improvements to Lincoln Avenue, including, but not limited to, milling, curbs, gutters, sidewalks, and the construction of ADA accessible curb ramps where necessary and further including all work and materials necessary therefor and incidental thereto

Appropriation: \$1,400,000

Bonds/Notes Authorized: \$1,400,000

Grants Appropriated: grants in the amount of \$525,000 and \$504,550 from the State of New Jersey Department of Transportation

Section 20 Costs: \$280,000

Useful Life: 10 years

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

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

ORDINANCE 2021-03

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 February 1, 2021. 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 February 15, 2021 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 115, Zoning, is amended to read as follows:

115-7. Definitions.

BUILDING HEIGHT – The vertical distance measured from the average grade of the corners of the structure to the highest point of the structure. The building height in all residential districts shall not be greater than thirty-five (35 ft.). The building height in all Commercial Zones shall not be greater than forty feet (40 ft.). All exceptions as set forth in Chapter 115-27 remain in full force and effect.

FLAG LOT – Any lot that does not meet the required lot width and/or any lot on which the principal structure does not front directly on a public road.

115-10. Compliance Required.

F. Flag lots are prohibited in all zones.

115-14. Principal Buildings.

B. Location of improved street. All principal buildings shall be built upon a lot with frontage upon a public street improved in accordance with Borough requirements or for which such improvements have been insured by the posting of a performance guaranty.

115-15. Accessory Structures.

E. Height restrictions. In any residential district, no accessory shall exceed fifteen (15) feet in height to the highest point of the structure.

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

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

02-16-2021: #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: Burke, Dunne, Narvesen, Reid, Rios and Sigmon

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

02-16-2021: #2

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

WHEREAS, Michael Lowder has successfully completed his one-year probationary period in the Dunellen Police Department.

NOW, THEREFORE, BE IT RESOLVED, that Michael Lowder is appointed as a full-time member of the Dunellen Police Department as of February 16, 2021, salary as determined by the current PBA contract.

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

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

02-16-2021: #3

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

WHEREAS, there is a need to repair the bucket truck in the Dunellen Department of Public Works; and

WHEREAS, the following quotes were received for this repair:

DieselKraft,
34 Federal Road, Monroe Township, NJ \$8,598.10

Fullerton Ford
US Highway 22, PO Box 718, Somerville, NJ \$8,563.66

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that a contract be awarded to DieselKraft, based upon price and other factors, for the repair of the bucket truck in the Department of Public Works building, at a cost not to exceed \$8,598.10.

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

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

02-16-2021: #3-A

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

Patricia Boutot is hired as a part-time Accounts Payable Clerk at a salary of \$27.00 per hour, for an amount not to exceed \$3,000.00, effective February 16, 2021. This is a position without benefits.

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

CONSENT AGENDA:

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

02-16-2021: #4

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 Trade Money LLC

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
18-5	31	2	Javier Sheehan 219 Lincoln Avenue	1223.31	80.67	1100.00	2403.98

TOTAL REFUNDED \$2403.98

02-16-2021: #5

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 US Bank as Cust for Actlien Holding

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
18-21	61	26	Lazaro & Noel Diaz 506 Center St			1200.00	2400.00
18-22	62	12	Jose Trujillo 352 New Market Ave			1200.00	

TOTAL REFUNDED \$2400.00

02-16-2021: #6

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 FIG CUST FIGNJ19LLC & SEC PTY

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
19-04	26	15	Mann, Victoria 410 Madison Ave	810.33	24.91	1100.00	1935.24

TOTAL REFUNDED \$1935.24

02-16-2021: #7

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 ATCF II NJ, TAXSERV AS CUST

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
20-01	2	13	SAI SHIV LLC 252-256 NORTH AVE	3,265.11	.00	132,100.00	135,365.11

TOTAL REFUNDED \$135365.11

02-16-2021: #8

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 ATCF II NJ, TAXSERV AS CUST

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
20-08	20	19	MR CAPITAL PROPERTIES 426 FOURTH ST	15,348.26	184.43	62,300.00	77,832.69

TOTAL REFUNDED \$77,832.69

02-16-2021: #9

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 US Bank Cust for Pro Cap 8

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
20-32	63	18	Hamilton, Jason 508 Walnut St	804.76	2.59	1400.00	2207.35

TOTAL REFUNDED \$2207.35

02-16-2021: #10

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 FEDIGAN LLC

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
18-13	47	25	Maciejewski, Michael J 728 Front St	39,926.10	10,268.95	33,500.00	83,695.05

TOTAL REFUNDED \$83,695.05

02-16-2021: #11

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 LSG TL HOLDINGS LLC

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
20-10	21	23.01	Wilmington Savings Fund Society FSB 314 Third St	915.72	16.97	14,600.00	15,532.69

TOTAL REFUNDED \$15,532.69

02-16-2021: #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 checks to CME Associates, from the Dunellen Planning Board Escrow Account(s) listed below, for engineering work towards the following applications:

376 NORTH AVENUE ASSOCIATES

<u>CME Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
274739	PB170	Engineering Review	\$134.25

BRUDNER REDEVELOPMENT – FORCE MAINS

274740	PE016	Construction Observation	\$1,979.25
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STORM BYPASS SITE OBSERVATION

274741

PE017

Site Observation

\$176.00

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

REPORTS:

Mrs. Rios: 1) welcomed Anthony Lowenberg as the Dunellen Board of Education liaison to the Dunellen Public Library; 2) the next meeting of the Dunellen Library Board of Trustees will be next Thursday, 2/18, at 7:00 pm; 3) the Dunellen Downtown Management Organization is putting together a Business Directory, so if you own a business in Dunellen, please feel free to reach out to us on our Face Book page; 4) the Dunellen Municipal Alliance is still looking for input for the Town Hall event that will be in April.

Mrs. Burke: 1) more than two dozen requests were received for the Dunellen Police Speedometers. They are being placed around the borough at hotspots. They function for about a week and then need to be taken down and recharged and then they are relocated; 2) wants to commend our Police Department which is issuing citations 2-4 times the frequency of some neighboring towns; 3) wants to remind residents to clear fire hydrants of snow that are on or near your property; 4) please provide copy for the next edition of *The Dunellen Report* by March 20th.

Mr. Reid: 1) the Buildings and Grounds Committee had its monthly meeting yesterday and discussed budget and plans for year 2022. They also coordinated with the Finance Committee and met with Alex Miller.

Dr. Dunne: 1) she and Mrs. Narvesen attended the Board of Education meeting last week. Congratulations to our students for making it back to school for in-class instruction; 2) Mr. Santiago, the AP Computer Science teacher, won an award for making computer science more accessible for girls; 3) this Friday is Senior night for Girls Basketball; 4) the Diversity and Inclusion Committee is currently accepting volunteer applications. Please go to the volunteer sign-up page on the web site; 5) the Finance Committee has been meeting and reviewing department budget submissions and will be reaching out in the next week or so to individual departments; 6) she noted that there has been some consternation about the tax assessment letters that had gone out. Rest assured that if your assessment went up 25%, like hers did, your taxes are not going up 25%. The Finance Committee is working hard to keep the tax increase low as possible while continuing to provide services; 7) thanks to Councilwomen Burke and Narvesen and Recreation Director Miller for coordinating with her on the delivery of Valentine's Day cards to Senior Citizens. The local scout troops assisted: Cub Scout Pack 26, Boy Scout Troop 127, Daisy Troop 65300 and Girl Scout Troop 65248. They are hoping to make this an annual event.

Mr. Sigmon: 1) Recreation Commission elected Jim Brennan as Commission Chair and Laura Ruskuski as Co-Chair; 2) Baseball and Softball registration is open and Tennis registration will begin this coming week; 3) an Easter Bunny event will have a couple of options: on March 28th there will be either a "Meet the Easter Bunny" at Washington Memorial Park or an Easter Bunny Around Town similar to Santa Around Town.

Mrs. Narvesen: 1) DPW report, compiled with the assistance of Ron Safar and Alex Miller:

Over the past 2 weeks we have been hit with 3 snow events accounting for approximately 32 inches of snow.

We appreciate the crew working tirelessly through the storm keeping our roads open along with tending to the Police & Rescue Squad lots to assure that those departments can get out when called upon.

Snow Plowing Process:

- Plow all our streets & salt where needed.
- Plow Rescue Squad, Borough Hall/Police lot, clear walks & salt walks.
- Plow: Columbia Park, McCoy Park, Gavornik Park, Washington Memorial Park, Parking lots and walkways.
- Widen our heavily driven streets.
- Clean out dead-end streets with large piles of snow.
- Thursday, we started to remove snow from our busier crosswalks, and we will continue to do so.

2) for the Green Brook Flood Control Commission, the work is still progressing in Middlesex Borough. Their next meeting is April 7th at 7:30 pm; 3) the next meeting of the Dunellen Board of Education is Tuesday, February 23 at 7:00 pm.

Mayor Cilento:

Please consider joining us at Council Meetings where comments, questions and concerns can be addressed with the governing body. I have personally made it known that I have an open-door policy. You can email me at jcilento@dunellen-nj.gov or call me at (732) 882-4551. I will reach back out and make myself available for a phone conversation or a socially distant meeting.

Covid-19 Update:

Since my last report on 1/31/2021, we have been made aware of two more new cases added to Dunellen's cumulative total of 594. Dunellen's cumulative death total remains at eleven.

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

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

To sign up for the COVID-19 vaccination: <https://covid19.nj.gov/pages/vaccine>

The state went live with its Vaccination Helpline. The number is (855) 568-0545. Middlesex County has also set up a Call Center at (732) 745-3100. If you know someone who does not have access to the Internet or a computer, please assist them with signing up for the vaccine and/or making a phone call to the above contact information. Middlesex County is looking for volunteers to assist with COVID-19 vaccination in medical and non-medical roles. For more information, please visit www.middlesexcountynj.gov/covid19

If you are in need of assistance due to a mental health crisis because of the impact of COVID-19, please text the crisis line by texting “NJ” to 741741, call the family helpline at 1-800-843-5437 or call the mental health line at 1-866-202-4357.

Our numbers are rising and we must remain vigilant in our efforts to prevent further spread of COVID-19. Please remember to continue to practice social distancing, wearing of a mask and limiting social gatherings.

Department of Public Works: DPW Supervisor Ron Safar has just celebrated 20 years with Dunellen.

Capital Improvements:

Dunellen Stations (Art Color) Development Update: We had hoped that the project would have broken ground in the summer of 2020 and all indications pointed to the fact that it would. Unfortunately, COVID-19 hit us early on in March of last year and everything again slowed down or was significantly delayed. For example, the developer was unable to obtain needed quantities of fill. This helps explain why the project has had the appearance of being stalled, though I assure you that much activity was going on behind the scenes such as planning and engineering for the new force main and rebuilt pumping station off North Washington Avenue. Likewise, most State and County offices were closed and their staff working remotely. This caused disruption in workflow and further delayed inter-local agreements such as the traffic light at the intersection of New Market Road and South Washington Avenue. We worked assertively with all multi-stakeholders to ensure the project moved forward, but truth be told, things were slowed down because all levels of government had to adjust to COVID-19.

In addition, there has been rumor on the street that the project is stalled currently due to contamination. This information is false. The site was tested for contamination. Any and all contamination that was discovered has been environmentally remediated. This report, along with a traffic study report and a school age student impact study can be found on our redevelopment section of our website. In addition, you may find a Redevelopment FAQ sheet on the same page of our website that may answer any and all questions you may have. It has been placed there since 2018 and has been frequently updated and is current to date. You can find it here: <http://www.dunellen-nj.gov/redevelopment/index.php>

Last week, I had a meeting with the developers and various stakeholders. The most recent information for the Dunellen Station project is that work is estimated to begin the Spring of this year with the force main being constructed along North Washington Avenue. Residents and business owners will be directly notified by the developer about when this construction will begin and alternate means of parking, pedestrian traffic and vehicle traffic will be addressed with the public prior to any work commencing.

Today I had another meeting with the developers and work should follow shortly after the force main work begins. Long story short, you will begin seeing Dunellen Stations start construction this year. The timeline is that the project will take two to three years to be fully completed. The Borough will begin to see the benefits of the development economically based on the construction

beginning not only through added revenue, but through the revitalization of our downtown. The Mayor and Borough Council will seek means to use these funds to stabilize tax burdens and make needed improvements throughout the town. I have been working with our Borough Administrator to revise our Redevelopment section of the website. We plan to make the landing page for redevelopment be more general redevelopment information and create separate tabs for each redevelopment project in Dunellen that provide images and brief descriptions of each project.

Please consult our web site for correct and up-to-date information before you go to social media, which might have incorrect or false information.

South Madison Avenue – Work continues and as weather breaks and snow melts, mill and pave will begin. Our estimated timeline is by spring the project will be completed.

Lincoln Avenue Roadway Improvement – This evening we passed a \$1.4M bond ordinance for the road improvements to Lincoln Avenue. However, it should be noted that the Borough received \$1,029,550.00 in NJDOT grants between 2019 & 2020 for this road project, which will assist in paying down the debt service of the bond.

Annual Reassessment Program: As a reminder to the public, we are in year two of a five year program for annual reassessment. We implemented this program last year as an effort to ensure fair property tax bills. It calls for 20% of properties be inspected each year and all properties to be revalued through an analysis of the real estate market. Inspectors will follow all CDC guidelines. The annual reassessment program helps to preserve values of properties in town close to 100% of market value ensuring equality of taxation throughout the town. This will prevent the Borough from being in a position it was in 2016 when the State mandated a town-wide revaluation, which proves to be expensive, and impactful to taxpayers who are not appropriately assessed in a program such as the one the Borough has structured. In addition, if you're an honorably discharged veteran who served in the line of duty or time of peace, you qualify for a property tax deduction. For more information on the property reassessment or the veterans property tax deduction program please email our Tax Assessor, Dawn Guttschall at: dguttschall@dunellenborough.com or call (732) 968-3323. In addition, a FAQ sheet of the five-year program and additional information can be found on under the Tax Assessors section of our website. Visit here: http://www.dunellen-nj.gov/departments/tax_assessor.php

Ordinance Updates: I have been working with our Borough Administrator Bill Robins on enhancing our ordinance on snow removal. The ordinance needs enhanced language for ADA compliance and corner lot removal. In addition, DPW will work to make progress in removing high piles of snow at intersections to make it easier for residents to clear out after storms. We are also working on language to strengthen our littering ordinance to better enforce individuals who may be throwing whole bags of garbage into downtown garbage receptacles. More information to come at a future meeting.

Downtown Visual Preference Survey Results: In November 2020, the Borough of Dunellen worked with our Municipal Planner, DMR Architects, in developing and issuing the survey to residents, business-owners and visitors to better understand the community's preferences as we continue to welcome the redevelopment of Dunellen's downtown. As part of the process, we will

host a virtual public engagement session on February 25, 2021 at 7 pm to present the findings of the survey.

Please join my meeting from your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/897674269>

You can also dial in using your phone:

United States: +1 (646) 749-3122 | Access Code: 897-674-269

Council Discussion

Marijuana Use in Public:

Dunellen Police Sergeant Brian Robbins led the discussion on marijuana use in public. He has extensive background in drugs and alcohol. He is a Drug Recognition expert. Fewer than 1% of officers in NJ are DREs. He is an instructor. He distributed a statement on why the borough could benefit from an ordinance regarding smoking marijuana in public:

Statement on Why the Borough of Dunellen would need an Ordinance for smoking Marijuana in public.

With the legalization of Cannabis around the corner, we should consider putting in place a Borough Ordinance that would prohibit the smoking of Marijuana in public places. With the State of New Jersey de-criminalizing Cannabis and the legalization of recreational use, the Police Department does not want to violate the rights of the citizens from their decision to smoke Marijuana.

As an employee of the Borough for nearly 15 years, I have a vested interest in the Borough moving forward with minimal issues while maintaining order. The simplest way to look at this issue, is to relate it to Alcohol. It is legal for a person of 21 years of age to possess and use alcohol. However, there are Borough Ordinances, Motor Vehicle regulations and criminal issues concerning Alcohol. This will be the same for Marijuana.

With the legalization of Marijuana, as a Police Officer, you will not be able to stop a citizen for simply smoking Marijuana. For example, if a concerned citizen calls the police for person(s) smoking Marijuana in the Borough Parks, we would not be able to do anything about it. To take it a step further, it becomes a violation of your Constitutional Rights by stopping them for simply smoking and requesting them to leave, ask for their name, get their ID etc. If officers were to stop these person(s) there would be a certain amount of liability that would fall back on the officer and Borough.

If an Ordinance were to be put in place, liability would be removed. Not only would we be able to stop and identify persons for smoking Marijuana in public, but they could be asked to leave the area. In the state of New Jersey, Borough Ordinances fall under an officer's discretion to be issued. Therefore, it would be the goal of the Police Department to educate the public on the proper uses of it without issuing summons. In cases where an officer felt that an Ordinance should be issued, then that person would have a minimal fine and a mandatory court appearance, as required by all Dunellen Borough Ordinances.

Sgt. Robbins noted that as of this Council Meeting, the State is still working on the actual legislation. Lt. Beenders commented that he also thought it advisable that we get something ready for when the State does pass the legislation and we get something more definite. Short of that, it is speculation.

Mayor Cilento noted that there are two parts: smoking and ingesting edibles in the park. Sgt. Robbins suggested that we consult with our municipal attorney in anticipation of the legislation. One of his main concerns, as noted earlier, is to not violate anyone's rights. Mayor Cilento asked about smoking on private property. Sgt. Robbins replied that it would be similar to alcohol consumption on private property. He further advanced that he anticipates the rules and regulations will be like those constructed for alcohol use.

Dr. Dunne asked whether our current smoking ordinance covers marijuana? And, is it possible to regulate different kinds of marijuana in our parks (ex., edibles)? Further, how do you actually enforce or regulate consumption? Sgt. Robbins replied that it is difficult regarding edibles. Smoking marijuana is more visible. Relating it to alcohol, open consumption in a motor vehicle is observable. It will be up to the legislation regarding how the marijuana is packaged. Much will then depend on the ordinance that is ultimately adopted.

Mr. Bruder noted that the new legislation has not yet been adopted, though there will be another legislative meeting later this week. Our current ordinance does cover smoking in public parks, but there is wisdom in beefing up the ordinance to cover marijuana to avoid the argument that the legislature's or Council's intent is to cover only tobacco. Our current smoking ordinance would not cover edibles.

Mayor Cilento asked if more DREs will be needed on our force? Sgt. Robbins responded that in time we will need a couple more. The State is creating more, but not at a "bulk rate." They are trying to keep the training and the class the "best of the best." They want people who are very elite and who know what they are talking about and can successfully testify. They have created a program a step below DRE called ARIDE [see this URL for more information: <https://www.njsp.org/division/investigations/aride.shtml>] that has more training than a regular DWI class. The State Police are trying to put forth about 1,000 ARIDE officers this year (compared to about 50-60 DREs). His goal is to get as many ARIDE officers for our department as he can.

Mr. Bruder explained that if anyone is pulled over under the suspicion of being under the influence of a narcotic, in order to properly investigate that case, you have to have a DRE evaluate that person at that time. You cannot go back and look at the videos. The DRE officer has to come into the station and conduct a whole battery of tests on that person. There are also bodily fluids drawn and compared to the officer's determination. If Sgt. Robbins is the only DRE, that means he has to be called in on overtime and be available 24 hours a day. There is going to be a large expansion for the need of DRE officers. He further noted that the incidents of driving under the influence of narcotics in other states which have legalized marijuana have proliferated. He also commented that there is currently a case before the NJ Supreme Court adjudicating the legal viability of the science behind being a DRE. Finally, he asked the Council if they might want to consider an ordinance banning the manufacture or sale of marijuana in the borough?

Mrs. Burke asked Mr. Bruder if we might want to have an ordinance regarding smoking marijuana indoors. Mr. Bruder replied that we cannot have any ordinances that supersede the State and the State has legislated a ban on indoor smoking.

Mayor Cilento suggested that the Police Committee work with Mr. Bruder and Sgt. Robbins on

a municipal ordinance. The Council agreed. Sgt. Robbins stated he would supply any information he gathers from the State Police to the Police Committee.

Dawn Guttschall, Dunellen Tax Assessor, explained our system of assessments. The Tax Assessor's page can be found here:

http://www.dunellen-nj.gov/departments/tax_assessor.php

Ms. Guttschall's presentation was in part a review of the Q&A found on her page. In order to accurately and fully present the salient facts for the public, these Minutes set forth the Q&A from the web site:

REASSESSMENT FAQs

WHAT IS A REASSESSMENT? It is the annual process of maintaining assessed values at 100% of their FAIR MARKET VALUE.

HOW WILL THE 5-YEAR ANNUAL REASSESSMENT BE CONDUCTED? As part of the effort to ensure fair and equitable property tax bills for all residents, the Borough is continuing with the second year of its five year program of revaluing all properties. The process calls for 20% of the town's properties to be inspected each year and the remaining of all properties to be revalued through an analysis of the real estate market. This year, the assessor plans to conduct the inspections around September. If your property is in the selected area, you will receive a letter in advance from our inspection company Profession Property Appraisers, Inc (PPA) notifying when they expect to be in your neighborhood. Inspectors will follow CDC guidelines when inspecting properties. The annual reassessment program helps to preserve values of properties in town close to 100% of market value ensuring equality of taxation throughout the town. This will prevent the Borough from being in a position it was in 2016 when the State mandated a town-wide revaluation, which proves to be expensive, and impactful to taxpayers who are not appropriately assessed in a program such as the one the Borough has structured.

WE JUST HAD A TOWN-WIDE RE-EVALUATION IN 2018, WHY ARE WE CONDUCTING ANNUAL REASSESSMENT NOW? The Borough has decided to enter into the annual assessment program for the reasons listed previously. Meaning, the town did not conduct any revaluations for 40+ years causing inequities in taxation and forcing the State to mandate the costly 2018 Revaluation. We are starting this program now because under the guidelines set by the State, you can only skip one year from the Revaluation to start up the program. If we did not begin in 2020 and if we wanted to reassess again in any way, we would have to begin with another Full Revaluation, which means paying for 100% of inspections again and paying to update and certify the tax map again.

WHAT CAUSES INEQUITABLE ASSESSMENTS? Fluctuations in the economy, changes to the property, neighborhood changes, improvements without permits, changes in style, changes in the market, and zoning changes.

WHO WILL BE CONDUCTING THE REASSESSMENT? The reassessment program that we have selected is actually a Hybrid program by which an outside company is hired to do the inspections and our Assessor will review the sales that happen during the year and adjust the

values accordingly. The assessor will also at times rely on and consult with other experts such as Commercial Appraisers, engineers or other assessors as needed.

WHAT IS DONE DURING A REASSESSMENT? An inspector hired by the Borough conducts an exterior and interior inspection of each property. The purpose of the inspection is to maintain accurate information on each property which is important in maintaining equity and uniformity. The exterior of each structure on the property is measured and pictures will be updated and the interior inspected to determine what amenities exist, such as how many bathrooms, bedrooms, finished basements or attics and general condition. A property owner may deny the inspector access to the interior which will result in the interior amenities being estimated. The Assessor and staff then analyze market data (sales, rental rates, etc.) to determine the fair market value of each property.

WHO IS THE INSPECTION COMPANY CONDUCTING THE REASSESSMENT? Professional Property Appraisers, Inc (PPA) is a licensed revaluation company, which has been committed to serving municipalities throughout New Jersey in mass appraisal of properties for over 25 years and one of only six State approved revaluation companies. More information about this company and inspectors ID pictures can be found at <http://www.ppareval.com/>

CAN I DISCUSS THE VALUE OF MY PROPERTY WITH THE INSPECTOR? The inspector is only responsible for performing inspections and gathering information and cannot answer questions regarding the value of your property.

WHEN WILL MY PROPERTY BE INSPECTED? Property owners will be notified by letter when an inspector will be working in their neighborhood. We estimate the inspection will take place in September of 2021. If you are not home when the inspector comes to your property, a notification will be left with a contact number so an appointment may be made for him/her to return to your property to conduct the interior inspection. The inspector will carry identification.

HOW WILL THIS BE HANDLED DURING COVID-19? This past year during Covid-19, the State relaxed its regulations to allow exterior only inspections. During 2021, it has yet to be determined if interior inspections will once again be required. Therefore, we are holding off to later in the year to begin inspections again. The inspectors will follow CDC guidelines at all times and you can deny or allow access to your home as you wish but as stated before, without an actual interior inspection, your home's amenities will be estimated. Whether or not, you allow the interior inspection, it is in your best interest to speak with the inspector to ensure accurate information.

UNDER WHAT SUPERVISION AND STATE STATUTE IS THIS REASSESSMENT BEING CONDUCTED? N.J. Admin. Code - Section 18:12A-1.14 - Revaluations; reassessments, compliance plans.

HOW CAN MY ASSESSMENT OR VALUE CHANGE WHEN I HAVEN'T DONE ANYTHING TO MY PROPERTY? While a property may not have been updated and characteristics remain the same, the property value is based on what it would sell for as of the prescribed appraisal date (October 1, 2020 for 2021). Real estate values are influenced by numerous external economic, social, governmental, and physical factors.

For example, general economic conditions such as interest rates, inflation rates, supply and demand, changes in tax laws, new highways, and a number of other factors can change and affect the value of property. As property values change in the market place, those changes must be reflected on the assessment roll.

MY PROPERTY DOESN'T COMPARE TO THE EXPENSIVE HOME DOWN THE STREET THAT JUST SOLD. ARE YOU VALUING MY PROPERTY BASED ON THAT SALE?

Although location is very important in the valuation of real estate, it is not the only factor. Other characteristics to be considered in choosing good comparable sales are similarity in size, quality, style, and condition of the residential improvements.

HOW IS ACTUAL SQUARE FOOTAGE DETERMINED? The Assessor's Office uses exterior measurements of homes and buildings, which is an appraisal industry standard. This may cause the Assessor's calculation of square footage to differ from that estimated by a builder or realtor since they frequently use interior measurements. This measuring technique is applied consistently to all improvements, which results in uniform data collection.

HOW WILL AN ASSESSMENT AFFECT TAXES? The Assessor's responsibility is to establish the total assessed value of all properties in the borough. Although a reassessment may result in an increase in the assessed value, it does not mean that all property taxes will necessarily increase. Assessments (or ratables) are a base utilized to apportion the budget (or tax burden). A tax levy is the amount your Municipality must raise for the operation of County, Open Space, Library, Local Government and support of the school system. The ratable base is multiplied by a tax rate to equal the budget.

EXAMPLE:

Prior to Revaluation(Y2020):

Total of all assessments (ratable base): \$650,278,700 Amount to be raised by Taxation (budget): \$21,120,885 Tax rate (per \$100 of assessed value): 3.248

After Revaluation(Y2021):

Total of all assessments (ratable base actual): \$695,204,400 Amount to be raised by Taxation (budget estimated): \$21,120,885 Tax rate (per \$100 of assessed value): 3.038

It would be inaccurate to calculate the current tax rate against your new assessed value. Once the new tax rate is calculated based upon the tax levy, the new tax rate would be the appropriate number to calculate with the new assessment to get a better calculation of your property taxes.

WHEN WILL PROPERTY OWNERS BE INFORMED OF THEIR NEW ASSESSMENT?

Property owners will receive an Annual Notice of Assessment during the month of February which will show the updated values.

CAN I DISCUSS THE NEW ASSESSMENT WITH THE TAX ASSESSORS OFFICE IF I

HAVE QUESTIONS OR DISAGREE WITH THE REASSESSMENT? Yes, the Assessing staff will meet with residents upon request. [Email: dguttschall@dunellenborough.com](mailto:dguttschall@dunellenborough.com) I Phone: (732) 968-3323.

PUBLIC PORTION

Michael Vitale, 331 First Street: asked what will be the tax rate for 2021? Mayor Cilento responded that the tax rate will not be set until some time in June. First, the municipality, the School District, and the County need to determine their budgets before the rate is set by Middlesex County. The borough's budget will be set in April. Council President Dunne noted that 26% of your taxes go toward the municipal portion. That is all the Council has control over. The Finance Committee is hard at work to ensure the residents have the proper services with that 26%. We do not have control over the School District which takes over 60% of the taxes. Mr. Vitale asked for additional information on the School Budget and was directed to dunellenschools.org.

Marsha Moore, 341 Dunellen Avenue: understands that the rate will not be set until June, but will our first and second quarter taxes be based on the 2020 rate? Ms. Guttschall responded that the first and second quarters are estimates, and the 3rd and 4th quarters are actuals. What happens is that you pay the 1st and 2nd quarters, and when the new rate is determined, in the 3rd and 4th quarters they can bill you on the actual data and you pay the difference between the estimate and the actual. Ms. Guttschall noted that because of the recent revaluation in 2018, value changes are because of changes in the market. Property values have gone up in 2020. In a down market, all the values would decrease. Finally, the town doesn't raise more taxes by raising assessments. The way they raise more taxes is by asking for more in the budget. It is not a function of saying, OK Dawn, we need to raise more taxes, so you need to raise assessments. Mrs. Moore noted a discrepancy between the tax rate recommended by the revaluation company in 2018 and the tax rate the was finally determined. Ms. Guttschall again stated that the Council does not decide that they want a certain tax rate. The tax rate is a function of the budget (all the money that needs to be raised by taxes) divided by the value of the town. The County sets the rate, which is then sent to the Department of Community Affairs to be certified.

dguttschall@dunellenborough.com

908-541-5725

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

02-16-2020: #13

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

The Dunellen Borough Council Meeting of February 16, 2021 is adjourned.

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

The YouTube presentation of this Council Meeting can be found here:

<https://www.youtube.com/watch?v=lt05qoCvflU>