

February 19, 2019

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on February 19, 2019.

Mayor Robert J. Seader 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: Robert Seader, Kenneth Bayer, April Burke, Jason Cilento, Stacy Narvesen, and Joseph Petracca

Absent: Jessica Dunne

For tonight's meeting, due to the absence of John E. Bruder, Esq., Carl Taylor served as Municipal Attorney.

On the motion of Mr. Bayer and seconded by Mr. Cilento it was moved to accept the Minutes of February 4, 2019:

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

MAYOR'S APPOINTMENTS TO BOARDS AND COMMISSIONS

Accept resignation of Glenn White from the Dunellen Parking Authority
Appoint Robert Seader, Jr., to the Dunellen Parking Authority

Appoint Julie Grof as the Mayor's Representative to the Middlesex County Transportation Coordinating Committee

Community Development Block Grant

At this point, Municipal Clerk Robins gave some background to the Council and public on the CDBG. He presented the following information summary:

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION 2019

The Community Development Block Grant program is an important funding tool for implementing community plans. Municipalities can regularly apply for funding for qualifying activities and projects.

The Community Development Block Grant (CDBG) program is federally funded through the United States Department of Housing and Urban Development (HUD). The program awards grants in order to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services. The CDBG program is an important tool in helping local governments tackle the most serious challenges facing their communities.

CDBG funds are to be used for activities that benefit low- and moderate-income persons, Senior Citizens, carry out activities which aid in the prevention or elimination of slums and blight, or address existing conditions that pose a serious and immediate threat to the welfare of the community where other financial resources are not available to meet these needs.

CDBG funds may be used for activities that include, but are not limited to:

- **Acquisition of Real Property**
- **Relocation and Demolition**
- **Rehabilitation of Residential and Non-Residential Structures**
- **Construction of Public Facilities and Improvements, such as Water and Sewer Facilities, Streets, Neighborhood Centers, and the Conversion of Schools for Eligible Purposes**
- **Public Services (within certain limits)**
- **Restore Historic sites**
- **Improve housing for low-income and disabled persons**
- **Repair and rehabilitate Senior related facilities**

It has been determined that the areas in Dunellen that are frequented by Senior Citizens or the services that address the needs of Senior Citizens, as well as low-income residents in general, are geographic specific sites to receive CDBG funds, especially the area including and around the Senior Center in Columbia Park.

In 2018, we applied for and received funds for these activities (as noted):

Code Enforcement	\$8,000.00
Senior Citizen Coordinator	\$6,000.00
Senior Citizen Van Driver	\$8,000.00
Tree Planting	\$3,000.00
Park and Open Space Repair and Landscaping	<u>11,518.00</u>
	\$36,518.00.

Dunellen’s grant amount for 2019 will be \$44,772.00.

We are considering applying for funds for these activities:

Code Enforcement	\$6,000.00
Senior Citizen Coordinator	\$6,000.00
Senior Citizen Van Driver	\$6,000.00
Tree Planting	\$2,000.00
Park and Open Space Repair and Landscaping	\$11,000.00

Senior Citizen Building Repair and Upgrade	\$13,772.00
	<u> </u>
	\$44,772.00

The purpose of the public hearing is to elicit suggestions for CDBG 2019 allocations from community and civic groups.

At this point, Mayor Seader opened the meeting for public comment on the 2019 CDBG Application. No one from the public spoke. This portion was closed.

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

ORDINANCE 2019-02

BOROUGH OF DUNELLEN

The following ordinance is 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 19, 2019. 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 March 4, 2019 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 members of the general public who shall request the same.

AN ORDINANCE ESTABLISHING PAVEMENT RESTORATION REQUIREMENTS
FOR STREET EXCAVATIONS

WHEREAS, the Governing Body of the Borough of Dunellen is charged with establishing and maintaining safe passage and safe conditions on streets within the Borough; and

WHEREAS, a great deal of extensive utility work has been undertaken throughout the Borough which has left streets with only partial trench repairs or, at best, half-width repaving; and

WHEREAS, this situation has left numerous streets in an unsightly and unsafe condition.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Dunellen, County of Middlesex, State of New Jersey, that Chapter 256, Streets and Sidewalks, be amended as follows:

Add: new Chapter 256, Article III, Street Repair, Section 256-9, Restoration of Surfaces.

The permittee shall restore the surface of all streets, broken into or damaged as a result of excavation of work, to its original condition in accordance with the specifications of the Department of Public Works.

In the case of utility work undertaken by a public or private utility, which work involves placing new or replacing, or repairing of existing utility infrastructure, such as gas lines, water lines, electrical lines, and sewer lines, where the area to be trenched is greater than 50 linear feet, upon completion or within a reasonable amount of time as determined by the Borough Engineer, the permittee shall mill and repave the entire pavement surface from edge to edge, or curb to curb for the full length of the excavation in accordance with the specifications of the Department of Public Works.

This ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

ORDINANCE 2019-03

BOROUGH OF DUNELLEN

The following ordinance is 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 19, 2019. 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 March 4, 2019 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 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 first day of April and 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 first day of April and 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 pay 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 will be billed at a flat rate of \$350.00 to be paid in equal installments semi-annually, and the sewer fee for the commercial parts of a mixed-use commercial/residential, or of a solely non-residential property, shall be \$4.25 per 1,000 gallons of water used at the property, whether determined by meter or estimate. 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 first day of April and September, following each period for which sewer service has been provided.

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.

Mayor Seader noted that this amended ordinance changes some of the rates for commercial properties and multi-unit residential properties, but has no effect on single-family homes.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

2019-01

BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, is being presented for public hearing and adoption by the Borough of Dunellen, in the County of Middlesex, State of New Jersey on February 19, 2019 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, will begin to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR SEWER MAIN REPLACEMENT IN AND BY THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,475 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Purpose: The replacement of the sewer main under South Orange Street from South Washington Avenue to New Market Road, including all work and materials necessary therefor and incidental thereto

Appropriation: \$200,000

Bonds/Notes Authorized: \$190,475

Grant Appropriated: N/A

Section 20 Costs: \$50,000

Useful Life: 40 years

At this point, Mayor Seader opened the meeting for public comment on the ordinance.

Harold Van der Mark, 130 Kline Place, asked about other sewers around the borough. Mayor Seader responded that this bond ordinance was specific to Orange Street and invited Mr. Van der Mark to speak during the public portion later in the meeting.

Rebecca Christian, 329 Orange Street, asked if this was related to the notice she had received on her door? Mayor Seader responded that it was, and that job was more complicated than we had originally thought which pushed back the timing a week or so.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

02-19-2019: #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: Bayer, Burke, Cilento, Narvesen and Petracca

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

02-19-2019: #2

RESOLUTION AUTHORIZING ACCEPTANCE OF AN ADDITIONAL AMOUNT OF \$50,000.00 FROM THE MIDDLESEX COUNTY URBAN COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

WHEREAS, the Borough of Dunellen is a participating municipality in the Urban County designation formed with 19 municipalities within Middlesex County for the purpose of receiving federal funding from the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) program; and

WHEREAS, the Borough of Dunellen has made application to the Middlesex County Division of Housing, Community Development, and Social Services for reallocated Community Development Block Grant (CDBG) funds; and

WHEREAS, Middlesex County has awarded the Borough of Dunellen \$50,000.00 in reallocated CDBG funds for its Park and Open Space Repair and Landscaping project based on adherence to the timely expenditure and vouchering to Middlesex County of these funds as indicated on their submitted application.

NOW, THEREFORE, BE IT RESOLVED THAT the Borough of Dunellen accept the additional \$50,000.00 in reallocated CDBG funds from Middlesex County for its Park and Open Space Repair and Landscaping project and direct appropriate municipal staff to take necessary measures to complete the project and submit vouchers and required project documentation to Middlesex County based its submitted application; and

BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to the Middlesex County Division of Housing, Community Development, and Social Services.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

02-19-2019: #3

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

The following persons are hired as part-time seasonal employees of the Recreation Department for the 2019 Basketball Season:

Kerry Johnson	Director/Coach	\$15.00 per hour
Kelly Seader	Director/Coach	\$15.00 per hour
Skylar Staats	Assistant	\$12.00 per hour
Elizabeth Renavitz	Assistant	\$10.00 per hour

Approx. 10 -- 15 hours per week, January 2019 through February 2019

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

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

02-19-2019: #4

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

Approval is granted for the Municipal Clerk to make application for the 2019 Community Development Block Grant, for the projects and amounts as listed below:

Code Enforcement	\$6,000.00
Senior Citizen Coordinator	\$8,000.00
Senior Citizen Van Driver	\$4,000.00
Tree Planting	\$2,000.00
Park and Open Space Repair and Landscaping	\$11,000.00
Senior Citizen Building Repair and Upgrade	\$13,772.00
	<u>\$44,772.00</u>

Yes: Bayer, Burke, Cilento, Narvesen and Petracca

Reports:

Mr. Petracca: we started working on this year's Budget and began to look over the preliminary numbers and will be looking to see how we can improve it and keep the taxes as low as possible.

Mrs. Burke: no report.

Mr. Bayer: no report.

Mr. Cilento: 1) we conducted Lieutenant and Sergeant interviews. We had great candidates; 2) on Saturday we had the Transit Hub Walk which was very interesting and productive. We were joined by some of the Bloustein students who are working on the Business Improvement District study. We had a great turn-out and talked about the Art Color project and the benefits to the town; 3) *Dunellen Report* copy is due March 1st; 4) he and Heidi Heleniak went to the Art Color demolition site and were able to obtain three emblems and some bricks. The redeveloper did keep his promise to save them for us.

Mrs. Narvesen: 1) for Buildings and Grounds, the Department of Public Works has been working on the landscape outside the library; 2) the Playground Committee would like to pursue a number of grants and they would also like to have a community day on April 28th; 3) she attended a meeting of the Greenbrook Flood Control Commission and she shared their concern of the effect on the various projects of another federal government shut-down.

Mayor Seader: 1) asked Ron Safar about Gertrude Terrace. Ron responded that we are awaiting an engineering report from CME; 2) reported that the lights are now on with the streetscape projects; 3) Mayor Seader noted that some of the poles on these decorative lights are crooked. The DPW will have a look.

PUBLIC PORTION

Mayor Seader recognized Alex Christian, 329 Orange Street. Mr. Christian is attending the Council Meeting in order to get a merit badge for Troop 119.

Tremaine Reed, Walnut Street, asked about the Playground Committee Community Day, where and when they would be meeting? He was informed that that would be announced on Face Book and other Social Media and Web Sites when decided, but the different possible parks in town were noted. He also asked about the added funds from the reallocated CDBG grant (\$50,000) and expressed an interest in attending a Dunellen Downtown Management Organization meeting. Mr. Robins will get his email and send him notice of the next meeting. Mr. Robins also informed Mr. Reed that the CDBG extra monies were requested in order to help pay for the new gazebo adjacent to the Senior Center in Columbia Park.

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

02-19-2019: #5

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

The Dunellen Borough Council Meeting of February 19, 2019 is adjourned.

Yes: Bayer, Burke, Cilento, Narvesen and Petracca
