January 10, 2022

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

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on January 10, 2022.

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

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

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

On the motion of Mr. VanDermark and seconded by Mr. Sigmon it was moved to accept the Minutes of the Meeting of December 20, 2021.

Yes: Dunne, Rios, Sigmon and VanDermark
Abstain: Albertson and Paltjon, not members of the 2021 Council

On the motion of Mr. Sigmon and seconded by Dr. Dunne it was moved to accept the Minutes of the Meeting of January 1, 2022.

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

At this point, a Proclamation was read designating April 29, 2022 as Arbor Day in Dunellen:

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
Whereas, Arbor Day is now observed throughout the nation and the world, and
Whereas, trees can reduce the erosion of our precious topsoil by wind and water,
cut heating and cooling costs, moderate the temperature, clean the air, produce life-
giving oxygen, and provide habitat for wildlife, and
Whereas, trees are a renewable resource giving us paper, wood for our homes,
fuel for our fires and countless other wood products, and
Whereas, trees in our city increase property values, enhance the economic vitality of
business areas, and beautify our community, and
Whereas, trees, wherever they are planted, are a source of joy and spiritual
renewal.

Now, Therefore, I, Jason F. Cilento, Mayor of the City of the Borough of Dunellen
do hereby proclaim Friday, April 29, 2022 as

Arbor Day

In the Borough of Dunellen, and I urge all citizens to celebrate Arbor Day and to support efforts
to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this
and future generations.

Municipal Attorney John E. Bruder explained to the Council and public the procedure for
introducing and adopting ordinances, including opportunities to ask questions and to speak to the
substance of the ordinance.

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

Ordinance 2022-01

This ordinance is an amended Dunellen Sign Ordinance. For the text of this ordinance, go to:

Gabe Baile of DMR architects explained the purpose for amending
the Sign Ordinance (to make it for enforceable, clearer, and
understandable) and touched upon some of the fifty-five changes.

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

On the motion of Dr. Dunne and seconded by Mrs. Rios it was moved to accept the following:
Ordinance 2022-02

BOROUGH OF DUNELLEN

The following Amendment to Dunellen Municipal Code, Chapter 115, Zoning, is being Introduced for first reading on January 10, 2022. It will be presented for Public Hearing and Adoption on February 7, 2022 at 7:00 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey, or at an appropriate time thereafter subject to Dunellen Planning Board review. Notice will be given in advance of the date for the Public Hearing and Adoption. Copies of this ordinance will be posted on the Municipal Bulletin Board, and will be available at the Office of the Borough Clerk for any interested members of the public.

Dunellen Municipal Code, Chapter 115, Zoning, is amended to read as follows:


BREWPUB

A brewpub means an establishment licensed as a restricted brewery by the State under N.J.S.A. 33:1-10, where malt alcoholic beverages are brewed and manufactured, served and consumed on the premises, and which is operated in conjunction with a restaurant use that possesses a plenary retail consumption license. Such uses shall be used principally for the purpose of providing meals to its customers with adequate kitchen and dining room facilities immediately adjoining licensed brewery facilities. A brewpub may provide outdoor seating in accordance with Chapter 237 “Sidewalk Cafes” of the Dunellen Code.

CIDER AND MEADERY

A cider and meadery shall mean an establishment licensed by the State as a cider and meadery under N.J.S.A. 33:1-10, producing hard cider and/or mead, including the sale and distribution of the product to licensed wholesalers and retailers, and including the retail sale of the product at retail to consumers on the licensed premises for consumption on or off the premises, and the offering of samples for consumption on the premises. A cider and meadery may provide outdoor seating in accordance with Chapter 237 “Sidewalk Cafes” of the Dunellen Code.

CRAFT BREWERY

A craft brewery shall mean an establishment licensed by the State as a limited brewery under N.J.S.A 33:1-10, to manufacture malt alcoholic beverages to sell and distribute the products to licensed wholesalers and retailers. The craft brewery may sell and serve the product at retail to consumers on the licensed premises for consumption on the premises but only in connection with tours of the brewery, or for consumption off premises, and to offer samples for sampling purposes only pursuant to an annual permit issued by the State. A craft brewery shall not sell food or operate a restaurant on the licensed premises. A craft brewery may provide outdoor seating in accordance with Chapter 237 “Sidewalk Cafes” of the Dunellen Code.
CRAFT DISTILLERY

A craft distillery shall mean an establishment licensed by the State as a craft distillery under N.J.S.A 33:1-10, to manufacture distilled alcoholic beverages to rectify, blend, treat and mix distilled alcoholic beverages, and to sell and distribute the products to licensed wholesalers and retailers. The distillery may sell the product at retail to consumers on the licensed premises for consumption off the premises or, in connection with a tour of the distillery, the retail sale or offering of samples for consumption on the premises. A craft distillery may provide outdoor seating in accordance with Chapter 237 “Sidewalk Cafes” of the Dunellen Code.

WINERY SALESROOM

A winery salesroom shall mean an establishment licensed by the State as a winery sales room under N.J.S.A 33:1-15, that is owned and operated by the holder of a plenary winery license or out of state winery license issued by the State under N.J.S.A. 33:1-10, where wine produced by the licensee is sold at retail in original packages for consumption on or off the premises, and for the offering of samples. A winery salesroom may provide outdoor seating in accordance with Chapter 237 “Sidewalk Cafes” of the Dunellen Code.

Gabe Bailer of DMR Architects explained that we added definitions to Chapter 115, and these will correspond to provisions being added to the Dunellen Downtown Redevelopment Plan.

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

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

**Ordinance 2022-03**

BOROUGH OF DUNELLEN

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 January 10, 2022. 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 Monday, February 7, 2022 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance have been available at no cost and during regular business hours, at the Clerk’s office for members of the general public who shall request the same.

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

Section 233-37. Sewer rates.
The sanitary sewer rates shall be as follows:

A. Owners of single family residential properties 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 be in accordance with the requirements set forth in Chapter
233-36. The Borough Sewer Utility may also in its sole discretion and upon application of a user demonstrating special circumstances adjust a user’s sewer use charges.

Dr. Robins provided background to this ordinance and reviewed the history of the Sewer Utility.

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

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

**Ordinance 2022-04**

** Borough of Dunellen**

The following revision and amendment to the Dunellen Downtown Redevelopment Plan is being Introduced for first reading on January 10, 2022. It will be presented for Public Hearing and Adoption on February 7, 2022 at 7:00 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey, or at an appropriate time thereafter subject to Dunellen Planning Board review. Notice will be given in advance of the date for the Public Hearing and Adoption. Copies of this ordinance will be posted on the Municipal Bulletin Board and will be available at the Office of the Borough Clerk for any interested members of the public.

This ordinance amends the Dunellen Downtown Redevelopment Plan, Phase One, that was adopted in February 2003 and revised on July 12, 2004, with further Amendments in June 2011, August 2013, November 2014, February 2016, November 2017, September 4, 2018, October 1, 2018 and June 7, 2021.

The following contains sections being modified and reflect the amended versions for:

### 7.4.1 **Site #1. Train Station North (Block 69/All Lots)**

**Principal Permitted Uses:**

**Commercial/Residential** - This land use designation contemplates a mixed-use development that may include commercial uses on the ground floor and office commercial and residential uses on the upper floors. The commercial uses to be limited to the ground floor include personal and business service establishments, offices, restaurants, craft breweries, craft distilleries, winery salesrooms, brewpubs, and cider and meadery establishments. Office uses also may be permitted on the upper floors.

**Building Requirements:**

2. **Building height requirements.** The maximum building height shall be three (3)stories.
3. **Minimum unit size:**

   a. Studio unit – 500 sf inclusive of balconies or other outdoor seating areas.

   b. One (1) bedroom unit – 700 sf inclusive of balconies or other outdoor seating areas.

   c. Two (2) bedroom unit – 800 sf inclusive of balconies or other outdoor seating areas.

   d. Three (3) bedroom unit – 1,000 sf inclusive of balconies or other outdoor seating areas.

7.4.2 **Site #2. Train Station South (Block 70/Lot 13 and 13.01)**

**Principal Permitted Uses:**

**Commercial/ Parking Garage.** This land use designation contemplates a mixed-use development that may include commercial uses on the ground floor or outer edge of a parking deck, possibly mixed with residential units. The commercial uses to be primarily on the ground floor include personal and business service establishments, offices, public uses, coffee shops, craft breweries, craft distilleries, winery salesrooms, brewpubs and cider and meadery establishments and restaurants. The parking deck should be designed and utilized as shared parking for the downtown commercial district as well as for commuters utilizing the train and buses.

**Building Requirements:**

1. **Building height requirements.** The maximum building height shall be three stories.

2. **Minimum unit size:**

   a. Studio unit – 500 sf inclusive of balconies or other outdoor seating areas.

   b. One (1) bedroom unit – 700 sf inclusive of balconies or other outdoor seating areas.

   c. Two (2) bedroom unit – 800 sf inclusive of balconies or other outdoor seating areas.

   d. Three (3) bedroom unit – 1,000 sf inclusive of balconies or other outdoor seating areas.

7.4.3 **Site #3. South Washington Avenue (Block 85/Lot 1)**

**Principal Permitted Uses:**
Commercial/Retail/Residential/Recreational. This land use designation contemplates a mixed-use development not exceeding four (4) stories that may include residential, commercial/retail, office, craft breweries, craft distilleries, winery salesrooms, brewpubs and cider and meadery establishments and recreational uses. Only retail and commercial uses shall be permitted on the ground floor of a building(s) ("First Floor Commercial/Retail") that immediately fronts or faces South Washington Avenue. Office and residential uses shall be permitted on the floors above the ground floor of said buildings. Residential development shall be permitted on all floors in any building that does not immediately front on South Washington Avenue, with the maximum number of residential units in all buildings not to exceed 382 in number. The residential development may include an activity center and other typical uses and structures accessory to residential uses. To facilitate this mixed-use development, the property may be subdivided into two or more parcels but shall be subject to a unified development plan. Notwithstanding any subdivision of the property, density shall be calculated based upon the total land area in the unified plan. Ground Floor Commercial/Retail uses may include (but is not limited to) personal and business service establishments, restaurants, retail stores, bakeries, delicatessens, drug stores, beauty parlors, food stores and supermarkets, all of which may include drive-through facilities. Any residential development may be for sale or rental, or a combination thereof, at the option of the developer, except as may be otherwise provided in a redevelopment agreement.

7.4.4 Remainder Properties Designated as Next Phase(s) Redevelopment Areas

Principal Permitted Uses:

Commercial/Residential. This land use designation contemplates a mixed-use development that may include commercial uses on the ground floor and office commercial and residential uses on the upper floors. The commercial uses to be limited to the ground floor include personal and business service establishments, offices, restaurants, craft breweries, craft distilleries, winery salesrooms, brewpubs and cider and meadery establishments. Office uses also may be permitted on the upper floors.

Building Requirements:

1. Building height requirements. The maximum building height shall be three stories.

2. Minimum Unit Size:

   a. Studio unit – 500 sf inclusive of balconies or other outdoor seating areas.

   b. One (1) bedroom unit – 700 sf inclusive of balconies or other outdoor seating areas.

   c. Two (2) bedroom unit – 800 sf inclusive of balconies or other outdoor seating areas.

   d. Three (3) bedroom unit – 1,000 sf inclusive of balconies or other outdoor seating areas.
8.12 Transit Supportive Architectural Design Guidelines

Transit supportive architectural design guidelines are important for insuring, among other goals, appropriate building massing, orientation, scale, entries, windows, facades and roofs. Buildings fronting on a public street shall be designed to have attractive, finished appearances from all public spaces and shall comply with the following guidelines.

1. Facades
   a. Buildings should have a well-defined front facade with primary entrances facing the street.
   b. Buildings should be aligned so that the dominant lines of their facades parallel the line of the street and create a well-defined edge.
   c. The primary façade(s) (viewable by the public from streets and parking lots) of buildings of 60 feet or greater in width should be articulated into smaller increments through the following or similar techniques:
      1. Stepping back or extending forward abut compatible materials.
      2. Division into storefronts with separate display windows and entrances.
      3. Arcades, awnings, window bays, balconies or similar ornamental features.
      4. Variation in rooflines to reinforce the articulation of the primary façade.
      5. Use of different buildings materials that are contextual to the building façade.

8.13 Transit Supportive Parking Requirements

Parking standards within the transit village district should reflect proximity to high-frequency transit service, pedestrian-friendly built forms, and mix of uses.

1. For new and rehabilitated sites under 20,000 sf there will be no on-site parking requirements for restaurants, commercial, retail, personal service establishment uses, theaters, bars, and nightclubs.

2. For new and rehabilitated sites, the on-site parking requirements for residential uses are as follows:
   a. Studio unit – one (1) parking space per unit
   b. One (1) bedroom unit – one (1) parking space per unit
   c. Two (2) bedroom units – one and half (1.5) parking space per unit
   d. Three (3) bedroom units – one and three quarters (1.75) parking space per unit
19. All applications are required to comply State regulation P.L. 2021, c.171 An ordinance authorizing and encouraging electric vehicle supply/service equipment (EVSE) and make ready parking spaces. For new and rehabilitated sites, each application involving a multiple dwelling with five or more units of dwelling space the developer or owner, as applicable, shall:

   a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;

   b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and

   c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.

   d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.

Each application involving a parking lot or garage not covered in 8.13.19 shall:

   a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.

   b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.

   c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.

   d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.

   e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.

   f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.

All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to Section 8.13.

A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.

All parking spaces calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
Additional installation of EVSE and Make-Ready parking spaces above what is required above may be encouraged, but shall not be required in development projects.

Gabe Bailor of DMR Architects explained that we are amending the Dunellen Downtown Redevelopment Plan to allow for breweries (as set forth in 2022-02, above) in all four redevelopment areas. We are setting minimum unit sizes for studios, permitting public uses on the Train Station south location, and including provisions that comply with the NJ State requirements for electric vehicle charging stations.

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

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

01-10-2022: #1

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

The bills, as per the attached list, are hereby authorized for payment.

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

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

01-10-2022: #2

AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR INFORMATION TECHNOLOGY SERVICES

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

WHEREAS, the Borough of Dunellen has a need to acquire Information Technology services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Dunellen Municipal Clerk has determined and certified in writing that the value of the service will exceed $17,500; and,

WHEREAS, the anticipated term of this contract is one year; and
WHEREAS, the firm of Maestro Technologies, Inc., has submitted a proposal indicating they will provide the services; and

WHEREAS, the firm of Maestro Technologies, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Maestro Technologies, Inc., has not made any reportable contributions to a political or candidate committee in the Borough of Dunellen in the previous one year, and that the contract will prohibit the firm of Maestro Technologies, Inc., from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer of the Borough of Dunellen has certified as to the availability of funds.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Dunellen authorizes the Mayor and Borough Administrator to enter into a contract with the firm of Maestro Technologies, Inc., as described herein, at an amount not to exceed $18,000.00; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

A copy of this resolution shall be published in the Courier News or other paper of record as required by law within ten days of its passage.

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

__________

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

01-10-2022: #3

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

Whereas, emergent conditions have arisen with respect to either funds being needed for salaries and wages and/or payments being due to various vendors; and

Whereas, adequate provisions were not made in the 2022 Temporary Budget, and N.J.S.A. 40A:4-20 provides for creation of emergency temporary appropriations; and

Whereas, the total emergency temporary appropriations adopted in the year 2022 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951 as amended) including this resolution total $0 for the Current Fund and $0 for the Sewer Utility,

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Dunellen (not less than two-thirds of all the members thereof affirmingly concurring):

Then, in accordance with N.J.S.A. 40A:4-20:
1. The emergency temporary appropriations listed below will be provided for in the 2022 budget under the titles shown and for the amounts given be and the same are hereby made as follows:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account</th>
<th>Salaries &amp; Wages</th>
<th>Other Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire</td>
<td>25-265-000-240</td>
<td>1,500,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Subtotal: $0.00 $1,500,000.00

Grand Total Current Fund: $1,500,000.00

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

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

01-10-2022: #4

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

Christopher Hess is hired as an Operator Class F, Probationary Employee, in the Dunellen Department of Public Works, at a salary per the current contract, effective January 10, 2022.

Mr. Sigmon asked if we were now going to hire a part-time person? Dr. Robins replied that that is desired but will be done only after discussion with the DPW Committee and the Finance Committee.

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

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

01-10-2022: #5

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

The Mayor and Municipal Clerk are authorized to sign an Agreement with Middlesex County for the milling and paving of certain Dunellen Streets wherein the County will furnish and perform design and engineering work and the Borough will be responsible for material costs.

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

On the motion of Mr. Paltjon and seconded by Mrs. Rios it was moved to accept the following:
01-10-2022: #6

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

The following persons are hired for employment in the Recreation Department’s Basketball K-6th Grade Program. Employment will be between January 22, 2022, and February 26, 2022. These wages will be taken from the program fees.

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

Kelly Seader  Director  $25.00 per hour
Kerry Johnson  Assistant Director  $20.00 per hour
Drew Johnson  Referee  $15.00 per hour
Tyler Mayer  Referee  $12.00 per hour

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

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

01-10-2022: #7

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

Dawn Hutchison is appointed Dunellen Tax Collector for a four-year term effective January 1, 2022.

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

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

01-10-2022: #8

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

The computer firm of RJH Solutions is hired as an information technology vendor for the Borough of Dunellen, at a rate of $60.00 per hour, for an amount not to exceed $5,000.00.

Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark
On the motion of Dr. Dunne and seconded by Mr. Sigmon it was moved to accept the following:

01-10-2022: #9

Whereas, on January 10, 2022, the Dunellen Borough Council introduced for first reading Ordinance 2022-01, revising the Dunellen Sign Ordinance and amending Section 238 of the Borough of Dunellen Municipal Code.

Whereas, the entirety of this revision is contained in the attached Plan document.

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

1. The foregoing recitals are incorporated herein by reference as if fully set forth at length; and
2. That Dunellen Municipal Code Section 238 is hereby revised and amended per the attached document; and
3. This Ordinance shall take effect in accordance with applicable law following final adoption and publication thereof.

Now, Therefore, be it Resolved, by the Mayor and Council of the Borough of Dunellen, that Ordinance 2022-01 be forwarded to the Dunellen Planning Board for review and a report containing its recommendation regarding the proposed revised and amended ordinance.

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

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

01-10-2022: #10

Whereas, on January 10, 2022, the Dunellen Borough Council introduced for first reading Ordinance 2022-02, amending Chapter 115 of the Dunellen Municipal Code.

Whereas, the entirety of this revision is contained below.

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

1. The foregoing recitals are incorporated herein by reference as if fully set forth at length; and
2. That Dunellen Municipal Code Section 115 is hereby amended to permit brewpubs, cider and meadery establishments, craft breweries, craft distilleries, and winery salesrooms; and
3. This Ordinance shall take effect in accordance with applicable law following final adoption and publication thereof.

Dunellen Municipal Code, Chapter 115, Zoning, is amended to read as follows:

BREWPUB

A brewpub means an establishment licensed as a restricted brewery by the State under N.J.S.A. 33:1-10, where malt alcoholic beverages are brewed and manufactured, served and consumed on the premises, and which is operated in conjunction with a restaurant use that possesses a plenary retail consumption license. Such uses shall be used principally for the purpose of providing meals to its customers with adequate kitchen and dining room facilities immediately adjoining licensed brewery facilities. A brewpub may provide outdoor seating in accordance with Chapter 237 “Sidewalk Cafes” of the Dunellen Code.

CIDER AND MEADERY

A cider and meadery shall mean an establishment licensed by the State as a cider and meadery under N.J.S.A. 33:1-10, producing hard cider and/or mead, including the sale and distribution of the product to licensed wholesalers and retailers, and including the retail sale of the product at retail to consumers on the licensed premises for consumption on or off the premises, and the offering of samples for consumption on the premises. A cider and meadery may provide outdoor seating in accordance with Chapter 237 “Sidewalk Cafes” of the Dunellen Code.

CRAFT BREWERY

A craft brewery shall mean an establishment licensed by the State as a limited brewery under N.J.S.A. 33:1-10, to manufacture malt alcoholic beverages to sell and distribute the products to licensed wholesalers and retailers. The craft brewery may sell and serve the product at retail to consumers on the licensed premises for consumption on the premises but only in connection with tours of the brewery, or for consumption off premises, and to offer samples for sampling purposes only pursuant to an annual permit issued by the State. A craft brewery shall not sell food or operate a restaurant on the licensed premises. A craft brewery may provide outdoor seating in accordance with Chapter 237 “Sidewalk Cafes” of the Dunellen Code.

CRAFT DISTILLERY

A craft distillery shall mean an establishment licensed by the State as a craft distillery under N.J.S.A 33:1-10, to manufacture distilled alcoholic beverages to rectify, blend, treat and mix distilled alcoholic beverages, and to sell and distribute the products to licensed wholesalers and retailers. The distillery may sell the product at retail to consumers on the licensed premises for consumption off the premises or, in connection with a tour of the distillery, the retail sale or offering of samples for consumption on the premises. A craft distillery may provide outdoor seating in accordance with Chapter 237 “Sidewalk Cafes” of the Dunellen Code.

WINERY SALESROOM
A winery salesroom shall mean an establishment licensed by the State as a winery sales room under N.J.S.A 33:1-15, that is owned and operated by the holder of a plenary winery license or out of state winery license issued by the State under N.J.S.A. 33:1-10, where wine produced by the licensee is sold at retail in original packages for consumption on or off the premises, and for the offering of samples. A winery salesroom may provide outdoor seating in accordance with Chapter 237 “Sidewalk Cafes” of the Dunellen Code.

Now, Therefore, be it Resolved, by the Mayor and Council of the Borough of Dunellen, that Ordinance 2022-02 be forwarded to the Dunellen Planning Board for review and a report containing its recommendation regarding the proposed revised and amended ordinance.

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

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

01-10-2022: #11

Whereas, the Dunellen Downtown Redevelopment Plan, Phase One, was adopted in February 2003 and revised on July 12, 2004, with further Amendments in June 2011, August 2013, November 2014, February 22, 2016, November 2017, September 4, 2018, October 1, 2018, and June 7, 2021; and

Whereas, on January 10, 2022, the Dunellen Borough Council introduced for first reading Ordinance 2022-04, an Amended and Restated Dunellen Downtown Redevelopment Plan, Phase I; and

Whereas, the entirety of this revision is contained in the attached document.

Now, Therefore, Be it Resolved, by the Mayor and Council of the Borough of Dunellen, that Ordinance 2022-04 be forwarded to the Dunellen Planning Board for review and a report containing its recommendation regarding the proposed amended ordinance.

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

Resolution 01-10-2022: #12 was removed

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

01-10-2022: #13

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:
Rapid Recovery Services, LLC., is awarded a contract for demolition work at the Dunellen Fire House, at a cost not to exceed $462,049.60.

Dr. Dunne inquired of the funding source for this. It is coming from insurance reimbursement. Scott Luthman noted that there is a standard 10% hold back on all capital expenditures.

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

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

01-10-2022: #14

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

Wireless Communications and Electronics is awarded a contract for radio and telecommunications review and configuration at the Dunellen Fire House, at a cost not to exceed $5,600.00.

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

CONSENT AGENDA:

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

01-10-2022: #14-A

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

The Municipal Clerk is hereby authorized to issue a Limousine License for CY 2022 to:

Ambitrans, LLC.
634 Bound Brook Road
Dunellen, NJ

All fees and requirements of said license have been met.

01-10-2022: #15

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:
The following establishments be issued an Amusement Games License by the Municipal Clerk as they have met the requirements and paid the proper fee:

American Legion
Avellino’s
Eight-on-the-Break
Maggie Murray’s Pub House
Columbian Club
N Avenue Liquors
Zupko’s Tavern

01-10-2022: #16

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

The Mayor and Borough Council of the Borough of Dunellen hereby appoint Lawrence J. Miller as a Probationary Firefighter, in the Dunellen Fire Department, said probation period to be one year, effective 10 January 2022.

01-10-2022: #17

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

Whereas, application was made in accordance with the State Regulations for a license to be issued, and

Whereas, after proper investigation it was deemed that all requirements of the State Regulations have been met.

Now therefore be it resolved that the Governing Body authorize the issuance of an Instant Raffle License to the American Legion Post #119.

Further be it resolved that these licenses will be issued pending final approval by New Jersey State Legalized Games of Chance Commission.

01-10-2022: #18

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 legal work towards the following application(s):
BRUDNER APARTMENTS – Dunellen Prism

<table>
<thead>
<tr>
<th>Inv.</th>
<th>P.O. Number</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>293644</td>
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<td>Site Observation</td>
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<td></td>
<td>Site Observation</td>
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<tr>
<td>295351</td>
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<td>$8,341.25</td>
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100 SOUTH WASHINGTON AVE BL 85 L1.02 & 2– KHovnanian

<table>
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BRUDNER REDEVELOPMENT - FORCE MAIN

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440 NORTH AVENUE (CHELSEA BUILDERS)

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<tr>
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<tbody>
<tr>
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150 NORTH AVENUE (COMMUNIPAW)

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745 BOUND BROOK ROAD (SRV)

<table>
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<tr>
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MOOREHOUSE 390, LLC

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545 FOURTH STREET (SWITZER)

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</table>
BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

The Treasurer is hereby authorized to issue checks to King Moench Hirniak & Mehta LLP, from the Dunellen Planning Board Escrow Account(s) listed below, for legal work towards the following application(s):

**440 NORTH AVENUE – CHELSEA BUILDERS**

<table>
<thead>
<tr>
<th>Inv.</th>
<th>P.O. Number</th>
<th>Purpose</th>
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<tbody>
<tr>
<td>92274</td>
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**01-10-2022: #19**

**DUNELLEN STATIONS**

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**150 NORTH AVENUE (COMMUNIPA W)**

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**440 NORTH AVENUE (CHELSEA BUILDERS)**

<table>
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<tr>
<td>66298</td>
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316 NORTH AVENUE (YIOS Gym)

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745 BOUND BROOK ROAD (SRV)

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<tr>
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01-10-2022: #21

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

The Treasurer is hereby authorized to issue checks to DMR Architects, from the Dunellen Planning Board Escrow Account(s) listed below, for architectural work towards the following application(s):

DOWNTOWN VISION

<table>
<thead>
<tr>
<th>Inv.</th>
<th>P.O. Number</th>
<th>Purpose</th>
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<tbody>
<tr>
<td>20211260</td>
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SOUTH SIDE TRAIN STATION

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<tr>
<td>20211170</td>
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390 NORTH AVENUE (MOOREHOUSE 390, LLC)

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<tr>
<td>20210696</td>
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370-372 NORTH AVENUE (Lily Yip)

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150 NORTH AVENUE (COMMUNIPAW)

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<th>P.O. Number</th>
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440 NORTH AVENUE (CHELSEA BUILDERS)

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DUNELLEN STATIONS

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01-10-2022: #22

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 McManimon, Scotland & Baumann, LLC, from the Dunellen Planning Board Escrow Account(s) listed below, for legal work towards the following application(s):

120-126 NORTH AVENUE (WOODBURY PORTFOLIOS)

<table>
<thead>
<tr>
<th>Inv.</th>
<th>P.O. Number</th>
<th>Purpose</th>
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745 BOUND BROOK ROAD (SRV)

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<th>Purpose</th>
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SOUTH SIDE TRAIN STATION

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<td>$11,887.50</td>
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</table>
BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

The following Dunellen businesses are approved for a Vaping license:

- Browns Stationary 111 North Washington Avenue
- Lucky Seven Days 392 North Avenue
- North Ave Liquors 252 North Avenue
- Quick Chek 426 North Avenue
- Sun Power Gas 301 North Avenue

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

Reports:

Mrs. Albertson: 1) Diversity and Inclusion Committee held our first meeting on Saturday. Councilwoman Dunne and I were pleasantly surprised at the enthusiasm of our new members. We discussed our thoughts on what we think Diversity and Inclusion mean and how we can make our community more aware of the rich diversity in Dunellen. We discussed our mission and goal setting. We hope to set clear goals at our next meeting. We asked all members to bring their ideas to the table when we meet again; 2) Fire Department--as we all are aware there will be a lot going in this year to bring our Fire Department up to speed. We will be meeting to discuss purchasing new equipment, insurance issues and rebuilding.

Mrs. Rios: 1) the Dunellen Public Library has resumed regular hours of operation after a brief hiatus of Covid exposure among staff. Browsing and technology services are available to patrons for 30 minutes at a time. Most in person programs have been suspended or moved to a virtual format for the remainder of the month. Make and take kraft kits are available for all ages. Please call the library or visit us online for more information. The library will be upgrading computers and printing equipment thanks to the generous gift from the Friends of the Dunellen Library. The Friends of the Dunellen Library are planning for the 2022 season of the open-air market which will now be held twice a month at Washington Park. Vendor application will be available online to recruit vendors perishable goods; 2) I’m very excited to announce that a local Eagle Scout will be installing a community garden on the library grounds this spring.

Mr. VanDermark: 1) two longtime Recreation traditions took place on Christmas Eve. First was the Annual House Decoration Contest, and the winner was #715 North Washington Avenue. Second was the Annual Santa Around Town. Santa Around Town is truly a wonderful event that touches everyone. The Recreation Department is truly grateful to the Dunellen Fire Department, to Mayor Cilento, the Dunellen Rescue Squad, and Dunellen Police Department. Thank you, Councilmembers Sigmon & Rios, by pulling the DJ trailer with Joe Dudley & DJ Daren (Flashover entertainment). Thank you all for all you do and bringing many smiles to many faces today! Special Thanks goes to Mike Luthman! Thank you to Chief Crawford this past year, for all he has done along with the Fire Department has done for our community and the Recreation Department.
Dr. Dunne: 1) she and Cole will follow-up with Trina on the Community Garden so as to include an interested resident she has been speaking with; 2) the Diversity and Inclusion Committee had a space at the HarvestFest 2022 with an interactive display. Also at the last D&I meeting the idea came up to look to other interested people for additional assistance; 3) thanked the DPW for snow removal this past week; 4) the first Parking Authority meeting of the year will be this Wednesday; 5) the Police Committee, which is Mr. VanDermark and Mrs. Rios—I will be meeting with both the PBA and the Chief this week to get a lay of the land. This is my fifth year on the Council but my first year on the Police Committee and when the meetings happen I will loop you both in; 6) a reminder to the general public to follow CDC guidelines as there are vulnerable people in our community; 7) we need a broad discussion on the Social Media Policy.

Mr. Sigmon: 1) he has been discussing with Mrs. Albertson the goals and priorities of the Social Media Committee. Their goal is an archiving solution across all the social media accounts; 2) for Public Works:

DPW crew has been maintaining daily cleaning of the downtown and all our Borough Properties & Parks.

- In late December we had a few warm enough days where we were able to street sweep throughout the Borough. Removed and paved crosswalks on South Washington and Oak Pkwy and South Washington & Penfield Place.

- Last round of leaf bag pick-up throughout the Borough, reminder that residents can bring leaf bags to the DPW all year long.

- Crew took down all the holiday decorations in the Borough.

- Picking up Christmas trees and will continue doing so through January.

- Salted the roads and walks from the ice storm on January 5th.

- Plowed and salted from the snowstorm on early Friday morning January 7th. Reminder to the residents to please not park on the streets during a snowstorm, with no cars on the road, we can clear the streets better, and quicker.

- 2 Sewer calls on Saturday night January 8th.

3) he is excited to be working with Mrs. Albertson as liaisons to the Green Brook Flood Control Commission. The next meeting will be on Wednesday, February 2nd; 4) he is looking forward to working with the Maurer House Committee and a presentation will be made to the Council; 5) he is exploring Sustainable New Jersey and will be reporting to the Council on this.

Mr. Paltjon: 1) Councilwoman Dunne and I attended the Board of Education Meeting on Tuesday January 4th. First off, I would like to give a shout out to Jeff Portik to thank him for his years of Service on the Board of Education and all that he does for this town. We would like to send out congratulations to the new president, Dr. Noel Gendrano, and the new vice-president, Lisa Howard. Also, congratulations to the newest members of the Board of Education: Chiara Kupiec, Michael Duggan, Faith Thompson and Clara Safari. We look forward to working with all of you. Dr. Dunne and I are also in the process of setting up a meeting with Dr. Gendrano, Mrs. Howard and Superintendent Mosley; 2) I also wanted to note that the school is handing out free lunches to all students while virtual learning. The food can be picked up at the Dunellen HS Cafeteria back
door. Best bet is to park in the parking lot at the side of Lincoln School. The pickup time is between the hours of 11am – 2pm; 3) the Mayor and I also met with the Leadership team of the Dunellen Rescue Squad. It was an introductory meeting to learn more about their organization. I look forward to working with them and their new and young leadership team; 4) in regard to Building and Grounds, Councilman Hal has shared some files and I am currently lining up meetings with the department heads and Alex Miller to discuss and review our plan for this year.

Mayor Cilento:

Covid-19 Update:
Since my last report on 12/20/2021, we have been made aware of 332 more new cases added to Dunellen’s cumulative total of 1,463 since March 2020; 37 of these new cases have been within the last 24 hours. Dunellen’s cumulative death total is fifteen.

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


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Vault Medical Services has teamed up with the State of New Jersey to offer at-home free COVID-19 saliva testing for individuals who believe they may need to be tested. For more information on how to sign-up, please visit: https://learn.vaulthealth.com/nj/

In conjunction with the Middlesex County Department of Health, the Borough of Dunellen is coordinating a COVID-19 testing site on January 20th. More details to follow soon as we await their operation team to reach out to Dunellen OEM and Borough Officials.

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.

**Status of Fire House:**
To date, with respect to the Fire Department timeline, the temporary tent has been erected and the trailer is onsite. Abatement is being scheduled as it was postponed last week so the Borough Architect and Engineer could walk through and develop rehabilitation plans. The rehabilitation timeline varies now on what accommodations need to be made to bring the building to current code. Three vehicles were declared total losses. The antique vehicle is slated for rehab and the last remaining vehicle is currently in Florida at the manufacturer being repaired. The rig where the fire started is quarantined by the attorneys for the JIF’s excess insurance carrier. Once abatement is completed, and plans are submitted, rehabilitation of the building will proceed. The JIF and the MEL advanced monies to start mobilization of paying bills and ordering equipment lost in the fire.

**New Jersey American Water Project:**

Excavation for the NJAW project started today. NJAW is investing $1.3 million in this project that will replace water mains, some of which are from the 1930’s, along with water services and replacement of fire hydrants. The excavation phase of this project is scheduled to finish by May (weather permitting). Approximately 90 days after excavation and installation is completed, all the streets in this project will be milled and paved.

This is the list of streets in this project:

- All of Lincoln Ave.
- Madison Avenue and Washington Avenue from First Street to Mountain View Terrace.
- Mountain View Terrace (from Lincoln Avenue through 200 block).
- Fourth Street (from Third Street to 200 block).
- Third Street (from Sanford to Washington Avenue)
- North Avenue Extension
- All of Pulaski Street (both sides of the railroad embankment).
Lincoln Avenue is also a NJDOT project that will coincide with the NJAW project; that road project will start after NJAW installation is completed.

Public Comment

Liz Lopez-Velez, Madison Avenue, asked about the Acme Supermarket closing and if there was anything that could be done? Have we spoken to anyone in Middlesex, and do we know of the plans? Mayor Cilento responded that he spoke with the Middlesex mayor, and they hope another supermarket will come in, but there are no firm plans.

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

01-10-2022: #24

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

The Dunellen Borough Council Meeting of January 10, 2022 is adjourned.

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

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

https://www.youtube.com/watch?v=p058LAeLUII