

July 5, 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 July 5, 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, Trina Rios, Teresa Albertson, Jessica Dunne, Joseph Paltjon, Daniel Cole Sigmon and Harold VanDermark

On the motion of Mr. Sigmon and seconded by Mrs. Rios it was moved to accept the Minutes of the Meeting of June 20, 2022.

Dr. Dunne recommended that the Minutes be supplemented by additional comments from Council members. On the motion of Mr. Sigmon and seconded by Dr. Dunne it was moved to table the adoption of the Minutes.

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:

## **2022-18**

### **ORDINANCE OF THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY APPROVING APPLICATION FOR A LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH 120 - 126 NORTH AVENUE URBAN RENEWAL, LLC IN CONNECTION WITH BLOCK 1, LOTS 19, 20 AND 21 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF DUNELLEN**

**WHEREAS**, the Borough of Dunellen, in the County of Middlesex (the “**Borough**”), a public body corporate and politic of the State of New Jersey (the “**State**”) is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”), to determine whether certain parcels of land within the Borough constitute an area in need of redevelopment; and

**WHEREAS**, pursuant to the Redevelopment Law, improvements to property located within an area in need of redevelopment may qualify for long term tax exemptions under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “**Exemption Law**”); and

**WHEREAS**, on May 5, 2003, the Borough Council in accordance with provisions of the Redevelopment Law and based upon the report and recommendation of the Planning Board, designated, among others, certain property identified on the official Tax Maps of the Borough as Block 1, Lots 19, 20, and 21 (the “**Project Area**”) as a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “**Redevelopment Law**”); and

**WHEREAS**, on August 9, 2004, the Borough Council adopted an ordinance adopting a Redevelopment Plan, prepared by CME Associates (Michael J. McClelland, P.E., P.P., C.M.E., and Bruce J. Rydel, P.P., AICP) entitled “Dunellen Downtown Redevelopment Plan” and dated July 12, 2004 (the “**Initial Redevelopment Plan**”); and

**WHEREAS**, the Initial Redevelopment Plan was subsequently amended by ordinance on June 6, 2011, August 5, 2013, and November 3, 2014; and

**WHEREAS**, the Borough Council duly adopted an ordinance adopting an amended redevelopment plan, for the Project Area, along with other properties, entitled “Dunellen Downtown Redevelopment Plan Phase 1”, dated May 16, 2016, and most recently amended June 7, 2021 pursuant to Borough Ordinance 2021-10, and entitled “Amended and Restated Dunellen Downtown Redevelopment Plan Phase 1” (as the same may be amended and supplemented from time to time, the “**Redevelopment Plan**”); and

**WHEREAS**, an affiliated entity of 120 - 126 North Avenue Urban Renewal, LLC (the “**Entity**”) is the owner of the Project Area and shall convey the Project Area to the Entity; and

**WHEREAS**, the Entity is a New Jersey corporation qualified to do business under the provisions of the Exemption Law with offices at 5 Corporate Drive, Suite 100, Central Valley, New York 10917; and

**WHEREAS**, simultaneously herewith, the Borough and the Entity are entering into a redevelopment agreement (the “**Redevelopment Agreement**”) in order to implement the development, design, financing, and construction of a mixed-use development including one, three-story building containing a total of thirty-three (33) residential, rental units, including twenty-eight market-rate units and five (5) units affordable to very low-, low- and moderate-income households, along with 2,192 square feet of ground floor commercial space, together with thirty-five (35) on-site parking spaces, all in accordance with the provisions of the Redevelopment Plan (the “**Project**”); and

**WHEREAS**, in order to enhance the economic viability of and opportunity for a successful project, the Entity submitted to the Mayor an application (the “**Application**”), which is on file with the Borough Clerk, seeking a tax exemption in connection with the Project pursuant to the Exemption Law in exchange for which the Entity proposes to make payments to the Borough in lieu of taxes; and

**WHEREAS**, the Entity also submitted to the Mayor a form of financial agreement attached to the Application, establishing the rights, responsibilities, and obligations of the Entity; and

**WHEREAS**, the Mayor submitted the Application and the financial agreement attached hereto as Exhibit A (the “**Financial Agreement**”) to the Borough Council with his recommendation for approval, a copy of which recommendation is on file with the Borough Clerk; and

**WHEREAS**, the Borough Council has determined that the Project represents an undertaking permitted by the Exemption Law.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE BOROUGH OF DUNELLEN, NEW JERSEY AS FOLLOWS:**

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Application for tax exemption and Financial Agreement are hereby approved.

**Section 3.** The Mayor is hereby authorized and directed to execute the Financial Agreement substantially in the form attached as Exhibit A together with such additions, deletions and other modifications deemed necessary upon consultation with counsel to the Borough, and prepare, amend or execute any other agreements necessary to effectuate this ordinance, subject to modification or revisions, as deemed necessary and appropriate.

**Section 4.** The Clerk of the Borough is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Borough upon such document.

**Section 5.** The Borough Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Borough in accordance with Section 12 of the Exemption Law.

**Section 6.** In accordance with P.L. 2015, c. 247, within ten (10) calendar days following the later of the effective date of this Ordinance or the execution of the Financial Agreement by the Entity, the Borough Clerk also shall transmit a certified copy of this Ordinance and the Financial Agreement to the chief financial officer of Middlesex County and to the Middlesex County Counsel for informational purposes.

**Section 7.** The Mayor and Borough Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the Borough, in consultation with Borough counsel, as is necessary to effectuate the terms of the Financial Agreement.

**Section 8.** If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

**Section 9.** This ordinance shall take effect in accordance with all applicable laws.

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

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

## **Ordinance 2022-15**

### **Borough of Dunellen**

The following revision and amendment to the Dunellen Downtown Redevelopment Plan was Introduced for first reading on June 6, 2022. It was reviewed by the Dunellen Planning Board on June 27, 2022. It is now being presented for public hearing and adoption on July 5, 2022 at 7:00 p.m. in the Dunellen Borough Municipal Building, 355 North Avenue, Dunellen, New Jersey, with non-substantive changes incorporated based upon Planning Board suggestions and Dunellen Borough Council agreement. Copies of this ordinance have been posted on the Municipal Bulletin Board and have been 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, June 7, 2021, and February 7, 2022.

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

1. Section 4.1- Added Transition Areas with the identified Block and Lots. Do note these Block and Lots were in the originally in Remainder Parcels Redevelopment Area.
2. Section 4.1 – Removed Block and Lots that are now in Transition Area from the Remainder Parcels Redevelopment Areas.
3. Section 4.1 – Added new Transition Areas map. See attached
4. Section 6.1.5 – Added description of the new Transition Area.
5. Section 7.4.1.5 – Added “Landscaped area is required to be native species of New Jersey, with the exception of nonnative Cherry trees. If possible, depending on site constraints, and approvals, rain gardens located adjacent to subject property upon which a development is proposed, counts towards the ten (10) percent landscaping requirement.”
6. Section 7.4.1.7 – Added “pervious pavers are strongly recommended”.
7. Section 7.4.2.5 – Added “Landscaped area is required to be native species of New Jersey, with the exception of nonnative Cherry trees. If possible, depending on site constraints, and approvals, rain gardens located adjacent to subject property upon which a development is proposed, counts towards the ten (10) percent landscaping requirement.”
8. Section 7.4.2.7 – Added “pervious pavers are strongly recommended”.
9. Section 7.4.4.5 – Added “Landscaped area is required to be native species of New Jersey, with the exception of nonnative Cherry trees. If possible, depending on site constraints, and approvals,

rain gardens located adjacent to subject property upon which a development is proposed, counts towards the ten (10) percent landscaping requirement.”

10. Section 7.4.4.7 - Added “pervious pavers are strongly recommended”.

11. Section 7.4.5- Added new Transition Areas:

#### Principal Permitted Uses:

Residential/Commercial/Office: This land use designation contemplates a mixed-use development that may include commercial, office and residential on the ground floor and office and residential 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. As noted, 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 exclusive 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.

3. Materials: Materials used shall be conducive to creating a Railroad Town (Transit Village) environment encouraging the use of brick, awnings, planters and wrought iron railings.

4. Front, side, and rear Setback Requirements. Front yard setback is a minimum of 16 feet measured from the face of the curb. Front yard setback does not include building overhangs such as awnings and balconies. There shall be no side yard or rear yard setback requirements.

5. Landscape Requirements. The minimum area devoted to landscaped open space shall be ten (10) percent of the total lot area. Landscaped area is required to be native species of New Jersey, with the exception of nonnative Cherry trees. If possible, depending on site constraints, and approvals, rain gardens located adjacent to subject property upon which a development is proposed, counts towards the ten (10) percent landscaping requirement.

6. Lighting. Decorative lighting in accordance with Borough specifications shall be used. The specifications are in the process of being developed.

7. Walkways: All walkways shall use decorative pavers. Pervious pavers are strongly recommended.

8. Trash receptacles and benches. Both trash receptacles and benches are required and shall be of materials complementing the buildings and the Railroad Town theme.
9. Ground Floor Uses: When residential uses are proposed on the ground floor within the transition areas, the design of the ground floor facing a public street is strongly encouraged to include a storefront design with accessory residential uses such as the lobby, amenity, fitness, or other similar type of accessory use.

Any redevelopment project containing a residential component shall be subject to the affordable housing requirements in Section 6 of this Plan and the provisions of the plans, agreements, statutes and codes referenced therein.

12. Section 8.2.iii- Added “Native shrubs, decorative trees and ground cover of New Jersey. Nonnative Cherry trees are permitted to be planted”.

13. Section 8.2.iV – Added “Pervious pavers are strongly recommended”.

14. Section 8.3 – Added “decorative trees”. “Nonnative Cherry trees are permitted to be planted.”

15. Section 8.4 - Added “decorative trees”. “Nonnative Cherry trees are permitted to be planted.”

16. Section 8.5.3 – Added “native shrubbery”, “native decorative trees”, “Nonnative Cherry trees are permitted to be planted”.

17. Section 8.5.4 – Added “native landscaping”.

18. 8.5.7 – Added “native landscaping”.

19. 8.5.9 – Added “native landscaping”.

20. 8.5.10 – Added with “native species of New Jersey”. “Nonnative Cherry trees are permitted to be planted.”

For the complete text of the Introduced ordinance, go to:

<https://cms1.revize.com/revize/dunellennj/redevelopment/index.php>

Mayor Cilento noted that this amended Redevelopment Plan addresses landscaping in the redevelopment area, as well as defining a transitional area between Sanford Avenue and the Middlesex border for full residential and/or mixed use. This amendment was introduced on June 6th and was then reviewed by the Dunellen Planning Board.

Mayor Cilento opened this portion up to the public. No one from the public spoke.

Mr. Sigmon and Dr. Dunne asked about the exception to non-native cherry trees. Mayor Cilento noted that cherry trees have historically been the borough’s choice for streetscape.

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

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

**Ordinance 2022-16**

**AN ORDINANCE OF THE BOROUGH OF DUNELLEN,  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
PROVIDING FOR THE IMPLEMENTATION OF THE “FIVE  
YEAR TAX EXEMPTION AND ABATEMENT LAW”  
PURSUANT TO N.J.S.A. 40A:21-1, ET SEQ.**

**WHEREAS**, the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq. (the “**Exemption Law**”) enables municipalities which contain an area that has been designated as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”), to provide for the short term exemption or abatement of local property taxes imposed upon eligible dwellings, commercial, and industrial structures within such rehabilitation area; and

**WHEREAS**, on May 5, 2003, the Borough of Dunellen (the “**Borough**”) adopted a Resolution, which designated certain properties on the Tax Maps of the Borough as an area in need of redevelopment in accordance with the Redevelopment Law (the “**Redevelopment Area**”); and

**WHEREAS**, the Borough has determined that the authorization of tax exemptions for improvements to dwellings, multiple dwellings, commercial structures, and industrial structures, and for new construction of the same, is in the best interests of the Borough and shall facilitate the rehabilitation and redevelopment of the Borough for productive use; and

**WHEREAS**, the Borough desires to amend the ordinances of the Borough to implement the Exemption Law in the Borough as specifically provided herein,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AS FOLLOWS:**

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** Part II, General Legislation, of the Borough Code is hereby supplemented with the addition of Chapter 115B, Five Year Tax Exemptions, which shall read as follows:

**§115B-1 Intent.**

The Borough of Dunellen hereby determines to utilize the authority granted pursuant to the Five Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq. (the “**Exemption Law**”) to establish the eligibility of certain dwellings, multiple dwellings, commercial structures, and industrial structures for exemption throughout the Redevelopment Area as provided in this ordinance.

**§115B-2 Definitions.**

Terms used as defined terms herein shall have the meaning assigned to such terms in the Exemption Law or as set forth below:

**ASSESSOR** shall mean the tax assessor of the Borough of Dunellen.

**BOROUGH** shall mean the Borough of Dunellen.

**EXEMPTION LAW** shall mean the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq.

**REDEVELOPMENT AREA** shall mean the portions of the Borough of Dunellen, which have been determined to be an area in need of rehabilitation, as designated by the May 5, 2003 Resolution or any amendments thereto or as such properties have been modified, subdivided, or consolidated, pursuant to the Redevelopment Law.

**REDEVELOPMENT LAW** shall mean the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

**§115B-3 Tax Exemptions and Abatements Authorized.**

The Borough hereby authorizes the utilization of an Exemption in accordance with the Exemption Law and establishes the eligibility of five-year tax Exemptions within the Redevelopment Area as set forth herein. Improvements and Conversions to, and new Construction of, Dwellings shall be eligible for Exemptions as set forth herein. Improvements and Conversions to, and Construction and new Construction of, Multiple Dwellings shall be eligible for Exemptions as set forth herein. Improvements to, and Construction and new Construction of, Commercial Structures shall be eligible for Exemptions as set forth herein. Improvements to, and Construction and new Construction of, Industrial Structures shall be eligible for Exemptions as set forth herein.

**§115B-4 Application, Fee, Escrow and Approval.**

**A.** No Exemption for Improvements or Conversions of Dwellings, Multiple Dwellings, Commercial Structures, or Industrial Structures, or new Construction of Dwellings shall be granted except upon written application filed with and approved by the Assessor. Every application shall be on a form prescribed by the Director of the Division of Taxation in the Department of the Treasury and shall be filed with the Assessor within thirty (30) days, including Saturdays and Sundays, following the completion of the Improvement, Construction or Conversion.

(1) An application fee of Five Hundred Dollars (\$500.00) shall be submitted by the applicant with every application for an Exemption at the time of filing the application with the Assessor. The application fee covers the costs of the administrative services to be undertaken by the Assessor, and any other Borough



official, in order to render a determination on the applicant's eligibility for an Exemption.

- (2) Every application for an Exemption, which is filed within the time specified shall be approved and allowed by the Assessor to the degree that the application is consistent with the provisions of this ordinance, provided that the improvement, construction or conversion for which the application is made qualifies as an improvement, construction or conversion pursuant to the Exemption Law.
- (3) The granting of an Exemption shall relate back to, and take effect as of, the date of completion of the project, or portion or stage of the project for which the Exemption is granted, and shall continue for five (5) annual periods from that date.
- (4) All Exemptions shall be recorded and made a permanent part of the official tax records of the Borough, which record shall contain a notice of the termination date thereof.

**B.** No Exemption for Construction or new Construction of Multiple Dwellings, Commercial Structures, or Industrial Structures shall be granted except upon written application filed with and approved by the Borough Council. The application shall contain the requirements set forth in N.J.S.A. 40A:21-9. Applications for Construction or new Construction of Multiple Dwellings, Commercial Structures, or Industrial Structures shall be submitted prior to the commencement of Construction or prior to a change in circumstance necessitating the need for the tax exemption.

- (1) An application fee of Five Hundred Dollars (\$500.00) shall be submitted by the applicant with every application for an Exemption at the time of filing the application with the Borough Council. The application fee covers the costs of the administrative services to be undertaken by the Assessor and any other Borough official, in order to render a determination on the applicant's eligibility for an Exemption.
- (2) An escrow deposit of One Thousand Five Hundred Dollars (\$1,500.00) shall be submitted by the applicant with every application for an Exemption at the time of filing the application with the Borough Council. The escrow deposit covers the actual costs of Borough professionals' review of the application and preparation of a tax agreement in connection therewith.
- (3) Exemptions for Construction or new Construction of Multiple Dwellings, Commercial Structures, or Industrial Structures shall be granted or denied on an

individual basis after review and evaluation of each application and recommendation by the Assessor to the Borough Council.

- (4) Exemptions for Construction or new Construction of Multiple Dwellings, Commercial Structures, or Industrial Structures shall be granted or denied via the adoption of an ordinance by the Borough Council. Ordinances approving an Exemption for Construction or new Construction of Multiple Dwellings, Commercial Structures, or Industrial Structures shall also authorize the execution of a tax agreement between the Borough and the applicant on a form provided by the Borough and reviewed and approved by the applicant. The tax agreement shall set forth which one of the formulas provided in N.J.S.A. 40A:21-10 shall be used to calculate the annual payment to the Borough in lieu of full property tax payments and shall comply with the requirements of N.J.S.A. 40A:21-10 through 12.
- (5) All Exemptions shall be recorded and made a permanent part of the official tax records of the Borough, which record shall contain a notice of the termination date thereof.

#### **§115B-5 Exemptions and Abatements.**

##### **A. Dwellings**

- (1) For Improvements to Dwellings, in determining the value of real property for an Exemption, the Borough shall regard the first Twenty-Five Thousand Dollars (\$25,000.00) in Assessor's full and true value of Improvements for each dwelling unit primarily and directly affected by the Improvement in any Dwelling more than twenty (20) years old, as not increasing the value of the property for a period of five (5) years, notwithstanding that the value of the property to which the Improvements are made is increased thereby. During the Exemption period, the assessment on the property shall not be less than the assessment thereon existing immediately prior to the Improvements, unless there is damage to the Dwelling through action of the elements sufficient to warrant a reduction. The total amount of the Exemption granted to any single property shall not exceed the total cost of the Improvement.
- (2) For new Construction of Dwellings and Conversions of other buildings or structures to Dwellings, the Borough shall regard thirty (30) percent of the Assessor's full and true value of the dwelling constructed or conversion made, as not increasing the value of the property for a period of five (5) years, notwithstanding that the value of the property to which the new Construction or Conversion are made is increased thereby.

## **B. Multiple Dwellings**

- (1) For Improvements to Multiple Dwellings and Conversions of other buildings and structures to Multiple Dwellings, in determining the value of real property for an Exemption, the Borough shall regard the Assessor's full and true value of the Improvements or Conversion as not increasing the value of the property for a period of five (5) years, notwithstanding that the value of the property to which the Improvements or Conversion are made is increased thereby. During the Exemption period, the assessment on the property shall not be less than the assessment thereon existing immediately prior to the Improvements or Conversion, unless there is damage to the Multiple Dwelling through action of the elements sufficient to warrant a reduction.
- (2) For Construction or new Construction of Multiple Dwellings, the tax agreement between the Borough and the applicant shall specify which one of the formulas provided in N.J.S.A. 40A:21-10 shall be used to calculate the annual payment to the Borough in lieu of full property tax payments.

## **C. Commercial Structures and Industrial Structures**

- (1) For Improvements to Commercial Structures and Industrial Structures, in determining the value of real property for an Exemption, the Borough shall regard the Assessor's full and true value of the Improvements as not increasing the value of the property for a period of five (5) years, notwithstanding that the value of the property to which the Improvements are made is increased thereby. During the Exemption period, the assessment on the property shall not be less than the assessment thereon existing immediately prior to the Improvements, unless there is damage to the Commercial Structure or Industrial Structure through action of the elements sufficient to warrant a reduction.
- (2) For Construction or new Construction of Commercial Structures or Industrial Structures, the tax agreement between the Borough and the applicant shall specify which one of the formulas provided in N.J.S.A. 40A:21-10 shall be used to calculate the annual payment to the Borough in lieu of full property tax payments.

## **D. Additional Improvements**

Additional Improvements completed during a period in which a property is subject to a previously granted Exemption shall qualify for additional Exemptions just as if such property had not received a previous Exemption. The additional Improvement, Conversion or Construction shall be considered as separate for the purposes of calculating Exemptions.

## **§115B-6 Tax Delinquency.**

No Exemption shall be granted pursuant to this ordinance with respect to any property for which real estate taxes or other municipal charges are delinquent or remain unpaid, or for which penalties and interest for non-payment of taxes are due.

**§115B-7 Revaluation During Exemption Period.**

In the event that the Borough implements a revaluation or reassessment during the exemption period for any property, any Exemptions granted hereunder shall continue to apply but at a valuation level consistent with the revaluation or reassessment.

**§115B-8 Revision of Base Assessment During Exemption Period.**

The granting of an Exemption for a particular property shall not prejudice the right of the Borough to appropriately examine and revise the assessment during the exemption period in the event the base assessment is found to be improperly valued and assessed.

**§115B-9 Applicability of Exemption and/or Abatement to Taxes.**

The Exemption of real property taxes provided by the Borough pursuant to this ordinance shall apply to property taxes levied for municipal purposes, school purposes, county government purposes, and the purposes of funding any other property tax exemptions.

**§115B-10 Effective Date; Sunset Provision.**

Upon final passage and publication, this ordinance shall take effect as provided by law, and shall authorize the Borough to grant exemptions to commence and take effect in the 2023 tax year and thereafter for up to a five-year period in duration. This ordinance shall lapse, unless readopted, on January 1, 2033, and no exemptions shall be granted after January 1, 2033, without such readoption.

**Section 3.** If any provision of this ordinance is legally invalid or is hereafter found to be legally invalid, the remainder of the ordinance shall remain in full force and effect.

Mayor Cilento explained the advantages of this ordinance and program. It is a program for homeowners and business owners in our downtown designed to save them money on home improvements and façade improvements. The program encompasses the entirety of the downtown redevelopment zone. You can receive an exemption up to \$25,000 on the value of the improvements for the first five years. If you are a business, you can make kitchen improvements, upgrade the interior, or improve the façade. The borough will benefit because it will encourage residents and businesses in the redevelopment area to make improvements that they might not have made without such a tax incentive. It will help beautify the downtown. Furthermore, this program will not have a negative impact on the borough's property taxes because these taxes had not been collected before. Improvements that increase the property

valuation will not be taxed for five years. For example, if you own a store valued at \$500,000 and you make a façade improvement that increases the property's value to \$525,000, you will still only be taxed on that original \$500,000 for five years.

Tiena Cofoni, an attorney with McManimon, Scotland and Baumann, noted that calculation of the amount of the exemption varies depending on the type of property and whether you are doing a conversion or an improvement or new construction. So, the full value of the improvement may not be eligible for a tax exemption.

A memorandum explaining this Five-Year Tax Exemption can be found on the Tax Assessor page of the Dunellen website:  
[https://cms1.revize.com/revize/dunellennj/departments/tax\\_assessor.php](https://cms1.revize.com/revize/dunellennj/departments/tax_assessor.php)

Mayor Cilento opened this portion up to the public.

Peg Lockwood, 119 North Washington Avenue, asked for an example of how this program works. Ms. Cofoni responded: for a residential home, worth \$350,000 and you add a bathroom, which increases the assessed value to \$375,000. But if you increased the value by \$100,000, so to \$450,000, you would get an exemption for the first \$25,000 (not on the total \$100,000). It is very specific depending on the kind of improvements.

Ellen Kelly, 519 Lincoln Avenue, asked if this was the same as an assessment freeze? Ms. Cofoni responded that it is a freeze only on the improvements.

Martha Morse, 120 North Washington Avenue, asked if this program would apply to her property (120 North Washington Avenue)? Yes, as long as you are in the redevelopment area.

Dr. Dunne asked about new developments? In these cases, the developer would come before the Council and there would likely be a redeveloper's agreement.

Mayor Cilento asked if a property owner made improvements this year, 2022, would it begin now? Ms. Cofoni replied that it would begin in 2023.

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

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

**2022-17**

## BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, is being presented for public hearing and adoption on July 5, 2022. It had been previously Introduced on June 20, 2022. Copies of the full bond ordinance have been available at no cost and during regular business hours at the Clerk's office for members of the general public who requested the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,400,000 FOR THE CONSTRUCTION OF A PARALLEL AUXILIARY CULVERT UNDER THE CONRAIL RAILROAD IN AND BY THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$1,333,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Purpose: The construction of a parallel auxiliary culvert under the Conrail Railroad, as described in Bond Ordinance #06-12, finally adopted July 5, 2006, as supplemented by Bond Ordinance #2017-04, finally adopted April 17, 2017

Supplemental Appropriation: \$1,400,000

Supplemental Bonds/Notes Authorized: \$1,333,000

Grant Appropriated: N/A

Supplemental Section 20 Costs: \$280,000

Useful Life: 40 years

Mayor Cilento noted that this bond is to provide additional funding for a flood mitigation project of rebuilding culverts under the railroad tracks from South Avenue.

Mayor Cilento opened this portion up to the public.

Jack Green, North Avenue Ext., asked if this would clean up property near his street? Mayor Cilento replied that it is for culverts that carry the Bonygut Brook under the tracks and under the Pedestal Pallet property.

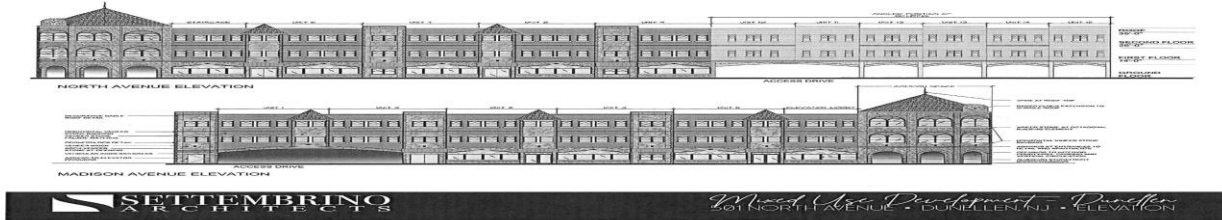
Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

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At this point, a presentation was made by the developer of 501 North Avenue.

This mixed-use development is on the corner of Bound Brook Road and Madison Avenue. It will consist of 47 rental units, including seven affordable units, plus 3,800 square feet of commercial

units on the ground floor. There will be 31 one-bedroom units, 15 two-bedroom units, and 2 three-bedroom units.



The PowerPoint and .pdf versions of this presentation can be found on the Dunellen Borough website:

[https://www.dunellen-nj.gov/redevelopment/501\\_north\\_avenue.php](https://www.dunellen-nj.gov/redevelopment/501_north_avenue.php)

The presentation can also be found on the YouTube of this Council meeting, 32 minutes – 61.5 minutes:

<https://www.youtube.com/watch?v=xvNxhbGkLcQ&t=33s>

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

**07-05-2022: #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 Mr. Sigmon and seconded by Mrs. Rios it was moved to accept the following:

**07-05-2022: #2**

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

The Dunellen salary resolution, Resolution 06-06-2022: #9, is amended as follows:

Public Works Manager (PWM): \$30,000.00 (annual) (from June 1, 2022)

Building Maintenance      Santamaria, Silvia:      \$17.00 (per hour)  
    (retroactive to January 1, 2022)  
Bus Driver      Ronald Picone      \$18.00 (per hour)  
    (retroactive to January 1, 2022)

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

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

**07-05-2022: #3**

WHEREAS, the Borough of Dunellen desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$50,000.00 to carry out a project to purchase and install a gear washer and dryer.

Be it therefore RESOLVED,

- 1) that the Borough of Dunellen does hereby authorize the application for such a grant; and
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Dunellen and the New Jersey Department of Community Affairs.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

\_\_\_\_\_  
(signature)  
  
Jason F. Cilento  
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
(signature)  
  
William M. Robins  
\_\_\_\_\_  
Municipal Clerk

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:

**07-05-2022: #4**

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



The resignation of Ronald Safar, Dunellen Department of Public Works Supervisor, due to a disability retirement, is accepted, effective April 1, 2022.

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

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

**07-05-2022: #5**

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

The following person is hired for summer employment in the Recreation Department's Good Times Summer Camp. Employment will be between June 29, 2022, and August 4, 2022. These wages will be taken from the Summer Camp Line 2-01-55-900-000-548. Hiring is subject to a "No Record" status on the criminal background investigation.

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

Tyler Mayer	Counselor	\$13.00 per hour
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Yes: Albertson, Dunne, Paltjon, Rios, Sigmon and VanDermark

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

**07-05-2022: #6**

**BOROUGH OF DUNELLEN**

**BOROUGH COUNCIL RESOLUTION PROVIDING HEALTH BENEFITS FOR CERTAIN RETIRED EMPLOYEES**

**WHEREAS**, N.J.S.A. 52:14-17.38 (Chapter 48) and N.J.S.A. 40A:10-23, permit municipalities to provide paid medical benefits to certain retirees;

**WHEREAS**, Resolution 01-14-2019: #2 and its accompanying Resolution Addendum set forth the Borough's obligations to provide retiree medical benefits consistent with Chapter 48;

**WHEREAS**, the Borough now seeks to amend said Resolution and Addendum to set forth retiree health benefits for eligible employees who retire on or after January 1, 2023;

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Dunellen, County of Middlesex, State of New Jersey, that, pursuant to N.J.S.A. §§ 52:14-17.38 (Chapter 48) and 40A:10-23 the Borough will provide, at its cost, medical insurance coverage,

excluding premiums for Medicare Part B, to any eligible employee (including his/her dependents) who has retired from a State or locally administered pension system. Retirees will be responsible for all co-pays and deductibles associated with their Plan. Eligible employees who retire on or after January 1, 2023, shall contribute to the cost of their Borough-provided retiree health benefits at the rates established by the Tier IV grid in P.L. 2011, Ch. 78.

For purposes of this resolution, “eligible employee” shall mean:

1. An employee who has retired on a Disability Pension and has served as an employee of the Borough for no fewer than 20 years at the time of Disability Retirement; or
2. An employee who has retired from a State or locally administered retirement system with 25 years or more of service credit in that system, and who has served as an employee of the Borough of Dunellen for no fewer than 25 years at the time of retirement from the State or locally administered retirement system.

**BE IT FURTHER RESOLVED** that any retiree who was not eligible to receive medical insurance coverage during his or her employment will also be ineligible to receive such benefits during retirement. This policy shall not supersede the terms of any binding collective negotiations agreement, which shall remain in force during the life of the agreement.

**BE IT FURTHER RESOLVED** that this resolution affects employees as shown on the attached Chapter 48 *Resolution Addendum*, which is effective January 1, 2023.

**BE IT FURTHER RESOLVED** that adoption of this resolution does not free the Borough of the obligation to pay for post-retirement medical benefits of eligible employees who qualified for those payments under any Chapter 88 Resolution or Chapter 48 Resolution adopted previously by Council.

**BE IT FURTHER RESOLVED** that this resolution will remain in effect until properly amended or revoked with the State Health Benefits Program (“SHBP”). Council recognizes that while the Borough participates in the SHBP, it is responsible for providing the payment for post-retirement medical coverage as listed in the attached *Chapter 48 Resolution Addendum* for all employees who qualify for this coverage while this resolution is in force.

**BE IT FURTHER RESOLVED** that Council understands that the Borough is required to provide the New Jersey Division of Pensions & Benefits (“NJDPB”) complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations it undertakes. Council also recognizes that the Borough may be required to provide the NJDPB with information needed to carry out the terms of this resolution.

Mayor Cilento noted that by this resolution, after January 1, 2023, borough employee retirees will be required to contribute to their health care.

Dr. Dunne commented that collective bargaining agreements supersede this new Chapter 78 and are not affected by it.

Art Thibault, labor counsel, summarized the resolution and noted the main change is that current eligible employees who retire before January 1, 2023 do not contribute, but those who retire after January 1, 2023 will be contributing. He confirmed Dr. Dunne's point that it does not affect collective bargaining units and their agreements.

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

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

**07-05-2022: #7**

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

WHEREAS, there are unexpended funds from prior years' Community Development Block Grant allocations; and

WHEREAS, the Borough of Dunellen would like to repurpose certain of these funds to an established category in order to further the safety and welfare of the residents of Dunellen.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that the following unexpended funds be designated for use in the Morecraft Park Improvement category:

2019	Category	Balance Remaining	Funds to be reallocated	
CD1906	Tree Planting	\$1,450.00	\$1,450.00	
CD1907	Sr. Bldg. Repair	\$14,922.41	\$14,922.41	
CD2006	Park and Open Space Repair	\$5,000.00	\$5,000.00	
CD2007	Sr. Bldg. Repair	\$5,000.00	\$5,000.00	
CD2105	Sr. Bldg. Repair	\$5,000.00	\$5,000.00	
CD2107	Park Improvements	\$2,665.00	\$2,665.00	
		<b>Total:</b>	<b>\$34,037.41</b>	

Total unexpended funds to be repurposed to Morecraft Park Improvements are \$34,037.41.

Dr. Dunne asked about other funds available for Morecraft Park improvements. Mayor Cilento noted a developer's contribution and an open bond.

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

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

**07-05-2022: #8**

**RESOLUTION OF THE BOROUGH OF DUNELLEN  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
APPROVING REDEVELOPMENT AGREEMENT BETWEEN BOROUGH AND  
SRV DUNELLEN URBAN RENEWAL LLC, PURSUANT TO THE DUNELLEN  
DOWNTOWN REDEVELOPMENT PLAN PHASE 1**

**WHEREAS**, the Borough Council on May 5, 2003, adopted a resolution designating certain properties within the Borough of the Redevelopment Plan (as hereinafter defined), in the Borough as an area in need of redevelopment in accordance with the Redevelopment Law ("Redevelopment Area"); and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-7, the Borough Council adopted by ordinance on August 9, 2004, the Dunellen Downtown Redevelopment Plan, Phase I, and subsequently amended, most recently on February 7<sup>th</sup>, 2022, pursuant to Ordinance #2022-15 (as amended, the "Redevelopment Plan"); and

**WHEREAS**, a portion of the Redevelopment Area consisting of Block 49, Lot 43, as identified on the official tax maps of the Borough, is hereby designated the "Property;" and

**WHEREAS**, the Project Site is or shall be owned by SRV Dunellen Urban Renewal LLC (the "Redeveloper"); and

**WHEREAS**, the Redeveloper proposes to construct a three-story multi-family rental residential building with (2) two-bedroom residential units, two (2) two-bedroom residential Affordable Units, one (1) three-bedroom residential Affordable Unit; fifteen (15) one-bedroom residential units and three (3) studio residential units, with amenity spaces, surface parking, lighting and related improvements (collectively, the "Project") on the Property, which is consistent with the Redevelopment Plan; and

**WHEREAS**, the Borough Council, acting as the Borough's redevelopment entity pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-8, may exercise all powers, duties and functions relating to redevelopment in the manner of a redevelopment entity under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., which powers include contracting with redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work under N.J.S.A. 40A:12A-8.f; and

**WHEREAS**, a form of the proposed Redevelopment Agreement (the “Redevelopment Agreement”) is attached to this Resolution as Exhibit A, setting forth the terms and conditions by which the Redeveloper will carry out the redevelopment of the Project at the Property, including associated infrastructure improvements; and

**WHEREAS**, the members of the Borough Council have considered the proposed form of Redevelopment Agreement, finding that the Project conforms to the Redevelopment Plan and furthers the public purposes that the Redevelopment Plan addresses.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Dunellen, acting as redevelopment entity for the Borough of Dunellen, hereby approves the proposed form of Redevelopment Agreement with Redeveloper for the Project contemplated therein, and that the Mayor and the Clerk of the Borough are hereby authorized to execute and attest to, respectively, the Redevelopment Agreement in substantially the form attached hereto, with any revisions that may be deemed necessary or desirable by the Borough Attorney, and along with other documents and/or agreements that may be necessary to implement the Redevelopment Agreement in accordance with the Redevelopment Plan.

Mayor Cilento noted the Council heard a presentation on this project earlier this year. The Agreement sets a project schedule, and offers a community benefit of \$36,000 to the borough to help with infrastructure improvement, likely to be a study of the capacity of the Gallagher’s Pumping Station.

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:

**07-05-2022: #9**

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

The Municipal Clerk is hereby authorized to issue food handler licenses to the following establishments:

Warrior Martial Arts Summer Camp, 239 North Avenue

Alice’s Crew, Inc. (trading as Bridgeville Ice Cream)  
713-C East Main Street, Bridgewater, NJ (Mobile Food Handling license)

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

**CONSENT AGENDA:**

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

**07-05-2022: #10**

**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):

**545 FOURTH STREET (SWITZER)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
20220662		Professional Services	\$288.75

**120-126 NORTH AVE (WOODBURY)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
20220541	PE148	Professional Services	\$1,118.25
20220702		Professional Services	<u>371.25</u>
			\$1,489.50

**TRAIN STATION CONCEPT PLAN (MAS GROUP)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
20220168	PE152	Professional Services	\$2,392.50

**07-05-2022: #11**

**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 REDEVELOPMENT (FORCE MAIN)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
306580		Construction Observation	\$2,398.50

**100 SOUTH WASHINGTON AVENUE (KHOVNANIAN PB 18-01K)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
306581		Site Observation	\$4,000.00

**DUNELLEN STATION – AMENDED APPLICATION #2**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
305709		Engineering Review & Report	\$1,422.00

**07-05-2022: #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 Windels Marx Lane & Mittendorf, LLP, from the Dunellen Planning Board Escrow Account(s) listed below, for legal work towards the following application(s):

**150 NORTH AVENUE (COMMUNIPAW)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
73893		Professional Services	\$699.00
77859		Professional Services	2,930.00
79337		Professional Services	<u>122.50</u>
			3,751.50

**316 NORTH AVENUE (YIOS NORTH AVENUE)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
79339		Professional Services	\$220.00

**528 NORTH AVE (KATZ)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
77861		Professional Services	\$2,741.01

**745 BOUND BROOK ROAD (SRV DUNELLEN)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
75894		Professional Services	\$765.00
77862		Professional Services	1,125.00
79343		Professional Services	<u>6,384.00</u>
			\$8,274.00

**100 S. WASHINGTON AVENUE (PRISM & KHOVNANIAN [split])**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
68627		Professional Services	\$4,866.00
73891		Professional Services	817.77
77857		Professional Services	2,806.36
79335		Professional Services	<u>3,576.00</u>
			\$12,066.13

**07-05-2022: #13**

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

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

The Treasurer is hereby authorized to issue 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)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
189424		Professional Services	\$9,525.00

**07-05-2022: #14**

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

The Treasurer is hereby authorized to issue checks to NW Financial Group, LLC, from the Dunellen Planning Board Escrow Account(s) listed below, for financial work towards the following application(s):

**GENERAL REDEVELOPMENT**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
28921		Professional Services	\$618.75
28922		Professional Services	1,995.00
29024		Professional Services	1,435.00
29114		Professional Services	415.00

**528 NORTH AVENUE – KATZ**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
29024		Professional Services	\$605.00

**120-126 NORTH AVENUE – WOODBURY PORTFOLIOS**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
29022		Professional Services	\$2,473.75

**745 BOUND BROOK ROAD – SRV DUNELLEN**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
29113		Professional Services	\$2,585.00

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

\_\_\_\_\_  
Reports:

Mrs. Albertson: 1) Fire Department--activity for June 2022: false alarms 9; EMS 4; Fire 3; HAZMAT 2; total 17



We will be meeting this week to continue moving forward with plans for the rebuild. The Fire Department is looking for new volunteer members. If you are interested, please contact Chief Scott at [chief1@dunellenfd.com](mailto:chief1@dunellenfd.com); 2) A Taste of Dunellen is planned for October 29. This is a fundraiser for the Fire Department. If you are interested in joining the fundraiser volunteer committee, please contact Liz Lopez Velez at the Dunellen Public Library; 3) the Dunellen Senior Club has a lot to offer our 55 plus residents. We meet on Fridays at 10:30 am. We have many fun activities planned including live music, crafts, bingo, informational programs and potluck lunches. Stop by the Senior Center at Columbia Park and check us out. Dues are only \$15 a year; 4) Social Media Committee--we are meeting this week to finalize our policy changes. We will also be making decisions on the updated website this month.

Mrs. Rios: 1) Dunellen Public Library's Summer Reading program is underway. Readers of all ages can earn prizes and enjoy programs throughout August. Visit the library to register or sign up online. Highlights of Special programs this month include "Teen Movie" Tuesday at 1pm, an Ocean Themed Improv workshop with "Stage a Story" on Monday, July 11th for kids ages 9-12, a visit from the Turtleback Zoo on Tuesday July 27th at 1 pm., ages 3-12. Registration is required for these events; 2) DAAC--please enjoy free music in the park this Thursday, July 7 and July 21st at Washington Park at 7:00 pm, also on July 23rd Adam's Theater will be performing *Grease*; 3) Municipal Alliance--what a wonderful time we had at Il Forno. Thank you, Mayor Cilento for joining us, and then Art at the Dunellen Library. We love being able to support local businesses; 4) We will be at National Night Out in August. Overdose awareness ceremony is August 31, 6:30 at Washington Park; 5) DDMO will have an anniversary ceremony for Weather-Tek at 11:00 on July 23rd. All are invited; 6) lastly please remember, it takes change to make change, volunteers are always needed. Our volunteer application is online. Or contact one of us.

Mr. VanDermark: 1) Recreation Summer Camp started on June 29<sup>th</sup>. Today was Science Day and the campers learned about dinosaurs. Next week the camp will take a road trip to Colonial Park (in Somerset County) for mini golf and paddle boating. We still have a few spots for camp, anyone interested can email Alex Miller at [amiller@dunellenborough.com](mailto:amiller@dunellenborough.com)

The Recreation Department is one step closer to having their new Recreation Website set up. The new website will include on-line payments, mass email blasts, and a calendar for all Recreation and Borough events. Lastly, Senior Movie Night will be on July 18<sup>th</sup> at Zupko's Cinema.

Dr. Dunne: 1) Police--the Police report for June:

- o 13 arrests (4 DWI)
- o 159 stops
- o 259 summonses

The Dunellen Police Department will once again be participating in National Night Out, set for Tuesday, August 2, 2022 at Columbia Park from 6-8 pm. If any community organizations would like to be represented at the event or if you would like to volunteer, please contact Sgt. Chris Lovell at [clovell@dunellenpd.com](mailto:clovell@dunellenpd.com) to express interest. More information will be posted as the event gets closer; 2) Diversity & Inclusion Community--our next D&I event will be on Thursday, July 21 in honor of Friendship Day. We will be hosting this in tandem with the Music in the Park that evening. We will be doing rock painting and making friendship bracelets. This event is geared toward children 4-12. We hope all will attend and stay for some R&B music by Kolor

Blynd; 3) Board of Education--want to extend a congratulations to our recent graduates and extend a happy and healthy summer to all of our students. The next BoE meeting is tomorrow evening, July 6<sup>th</sup> at 7 pm. Last week, I met with BoE President and Vice President to discuss items of mutual interest. We will be following up on a number of items and we look forward to welcoming the new superintendent to town in late August; 4) Shade Tree--if you are interested in having a tree planted in your yard, contact the DTSC. The next meeting will be held September 14<sup>th</sup> at 7 pm in the Senior Center; 5) Community Garden--the Community Garden Initiative is hoping to come to Council later this year with a proposal for a native garden in McCoy Park; 6) Parking Authority--the next Parking Authority meeting will be next Wednesday, July 13<sup>th</sup> at 7 pm.

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

- Watering plants, in the downtown and pop-up park.
- Continuing the street sweep schedule.
- Lawn maintenance to all the parks and borough properties.
- Removed brush from island planters at Columbia Park.
- Prepped Washington Memorial Park for DHS Graduation.
- Cleared catch basins throughout the Borough.
- Inspected and cleared streams.
- Ran 3 Roll off Boxes to the dump.

2) Mayor's Pedestrian and Safety Task Force is looking to start a Walking School Bus program. They want to gauge community interest and propose a survey. Who is interested and if they want to participate as a walker or a Walking School Bus Driver, if they want to volunteer to assist, how many school children they have and how many they might be walking with? All this is preliminary and in the planning stage. Survey to be distributed via social media and through the school. Council gave consent.

Mr. Paltjon: 1) Buildings and Grounds Report--the HVAC unit in the Field House for the Girl's Locker Room has an apparent leak. We had our HVAC company out to recharge the unit and added dye to help locate the location of the leak. They will follow up after unit has some time to operate to hopefully pinpoint the exact location; 2) PARSA Report--PARSA will be providing the Borough with a full report of all the sewer mains that were videoed. After reviewing this report and findings the next steps would be to address all mains that show signs of stress fractures/cracks to be scheduled to be repaired by relining those sections of the sewer main.

Mayor Cilento:

The Cannabis Survey is completed. There were no real comments, and it is now in our Planner's hands. They now have to push it out to the public. Dr. Dunne noted that she had made some comments and will send them again.

The Planning Board gave approval to Dunellen Station to have a drive-through for a bank, Blue Foundry Bank.

We have the estimated cost for the architects and it is being reviewed by the Committee. We will call a special meeting to award the architect contract.

Covid-19 Update:

COVID-19 Vaccination Statistics from New Jersey Dashboard  
([https://www.nj.gov/health/cd/topics/covid2019\\_dashboard.shtml](https://www.nj.gov/health/cd/topics/covid2019_dashboard.shtml)):

**At Least One Dose**  
**Dunellen Borough**  
Middlesex County

All Ages:	82%
5 through 11:	35%
5 and over:	90%
12 through 17:	77%
12 and over:	97%
18 and over:	99%
30 and over:	96%
65 and over:	109%

**Vaccine Courses Complete**  
**Dunellen Borough**  
Middlesex County

All Ages:	71%
5 through 11:	30%
5 and over:	78%
12 through 17:	69%
12 and over:	85%
18 and over:	86%

30 and over: 85%  
65 and over: 98%

I have been in correspondence with the Governor's office regarding the over 100% in 65 and over for "At Least One Dose." They have reached out and have informed me that they believe the increased in percentages is due to out-of-town individuals having been vaccinated in Dunellen being added to our overall vaccination rates. They are confirming this with the State Dept. of Health and will follow back up with more information.

New Jersey COVID-19 Information Hub at: [www.covid19.nj.gov](http://www.covid19.nj.gov).

**Lincoln Avenue Project:**

- Concrete work is nearly complete on first two blocks.
- Contractor is topsoiling disturbed areas and restoring driveways before he proceeds with further concrete work.
- The storm sewer pipe is installed. Waiting delivery for one precast inlet.
- Scheduling tree removal subcontractor. Will proceed this week or next week.

Replacement trees will be reviewed by Shade Tree Commission.

- The Borough is working with our engineers to make sure the contractor keeps the work area as clean as possible. If anyone feels there is an issue, please call Borough Hall at (732) 968-3033, ext. 3 so we can handle your concern as soon as possible.

**New Jersey American Water projects:**

NJAW has completed their water main, water services, and new fire hydrant installation on all the streets for this year's project. Mill & Paving is expected to start the week of July 18th for the following streets:

- Madison Avenue (from First Street to Mountainview Terrace).
- Mountainview Terrace (from Madison Avenue to North Washington Avenue)
- Fourth Street (From Third Street to Washington Avenue).
- Third Street (From Fourth Street to Washington Avenue).

The following streets in the NJAW project will be paved within the next 45 days:

- Washington Avenue (from First Street to Mountainview Terrace).
- 200 Blocks of Mountainview Terrace & Fourth Street.
- Pulaski Street (from North Avenue to Gavornik Park).
- North Avenue Extension.

**PSE&G project:**

PSE&G will continue their gas main and service to each home on Second Street from Schwartz Place to Middlesex. By September PSE&G should be paving the following blocks:

- 800 Block of First Street.
- 800 Block of Dunellen Avenue.

- 700 & 800 Blocks of Front Street.

The estimated Mill & Pave cost of the roads being paved by our utility companies is over \$1 million for approximately 3 miles of roads in the Borough at no cost to our taxpayers. We have developed a great partnership with our utility companies over the past two years, along with passing an ordinance two years ago for road restoration that has gone a long way in ensuring these roads are paved curb-to-curb.

**ADA Ramps:** We recently completed 9 new ADA ramps at various locations for streets that will be milled & paved by either a utility company or part of the County Mill & Pave projects.

**Middlesex County Mill & Pave Project:** We just received notification from Middlesex County informing us that the mill & pave project is expected to start around September 9th.

The following streets will be milled and paved:

- Schwartz Place.
- First Street (from Schwartz Place to Madison Avenue).
- Dunellen Avenue (from Schwartz Place to Madison Avenue).

**Green Brook Trash Trap:** On June 26<sup>th</sup>, we met with the Lower Raritan Watershed Project and showed them three possible locations for the Trash Traps. A key part of the location is easy access to the trash trap to remove the debris. The possible locations were Jefferson Avenue (the spot of the old bridge); Washington Avenue (before the bridge); and Madison Avenue (before the bridge). The Borough & Lower Raritan Watershed Project feel that the Jefferson Avenue location would be the best location for the project, the next step will be meeting with the DEP and the installation company to review the locations. We look forward to this initiative to assist Dunellen in keeping the Green Brook clean.

### **Dunellen Station Site:**

The traffic signal at the intersection at South Washington Avenue and New Market Road began construction last week. This project is estimated to be completed in August. In addition, “do not block the box” markings will be added shortly thereafter at the intersection of Columbia Street and South Washington Avenue.

**NJDOT grant Applications:** NJDOT grant Applications were submitted on June 30<sup>th</sup>.

### **Digital Sign:**

You may have noticed there was an improvement to the Washington Memorial Park sign at the corner of First Street and North Washington Avenue. The Borough of Dunellen improved the sign by making it digital while also respecting the aesthetics of the sign’s initial structure and to the park itself. This improvement has already been publicly praised for an enhanced form of communication. Thank you to the governing body for approving the digital sign and for bringing the Borough into the twenty-first century.

### **12<sup>th</sup> District Congressional Mobile Office:**

I have been in communication with Congresswoman Bonnie Watson Coleman's office about setting up a mobile office this year again at the Dunellen Library. More information to come as these detailed are worked out and confirmed.

**Master Plan Re-Examination Steering Committee:**

Recently I held a call with DMR and the Complete Streets and NJ Transit Friendly Planning teams from NJTPA and NJ Transit to coordinate our efforts on the Master Plan Reexam and the Climate Resiliency Plan with the NJTPA Complete Streets and NJ Transit Friendly Planning. We agreed it would be best to postpone the release of the survey for the Master Plan Reexamination report to August and schedule a Community Engagement meeting in September. This would allow us to include questions in the survey that the other planning teams would have otherwise included in their own separate surveys. The September meeting is planned to feature information relating to Complete Streets, NJ Transit Friendly Planning, the Master Plan Reexam and Climate Resiliency information prior to a final and formal presentation of all the planning initiatives to the Mayor and Council, which will occur later in the fall. Joining these efforts will not only help the public understand the connection between the Borough's planning work and transit/transportation but will also avoid survey and meeting fatigue the public might experience if there were separate surveys and meetings for each item.

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Public Portion:

Jack Green, North Avenue Extension, asked about any update on the Real Transportation situation? Mr. Bruder responded he has reached out on several occasions since you and he last spoke, and that they have not been responsive and if they continue, Council will have to consider other avenues to get their attention. He has done some research and believes that we can do something about the idling problem by utilizing a state statute that addresses idling at all hours of the night. He will be speaking to the Police Department about this and any potential enforcement issues that might arise. Mr. Green added that there are trucks parking for days on the street and in driveways, blocking sidewalk. One is at 621 North Avenue Ext.

Ellen Kelly, 519 Lincoln Avenue, commented on mayors she has known who served while she has been a resident. She praised Mayor Cilento for being very productive and for doing so much for the town.

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

**07-05-2022: #15**

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

The Dunellen Borough Council Meeting of July 5, 2022 is adjourned.

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

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

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