

May 1, 2023

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 May 1, 2023.

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 [Mr. Sigmon attended remotely.]

On the motion of Mrs. Rios and seconded by Dr. Dunne it was moved to accept the Minutes of the Meeting of April 17, 2023.

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

At this point, a Proclamation Recognizing the significance of Asian American, Native Hawaiian and Pacific Islander Heritage Month was read by Mrs. Albertson, who said, "I am privileged to read this proclamation in honor of my granddaughter Skye Noel Persechino. She was born in the Hunan Province of China in October of 2008. In July of 2009 she was adopted by my daughter and son in law. We are blessed to have this precious girl in our family."

Recognizing the significance of Asian American, Native Hawaiian and Pacific Islander (AANHPI) Heritage Month as an important time to celebrate the significant contributions of Asian Americans, Native Hawaiians and Pacific Islanders to the history of the United States.

Whereas the people of the United States join together each May to pay tribute to the contributions of generations of Asian Americans, Native Hawaiians and Pacific Islanders who have enriched the history of the United States; and

Whereas the history of Asian Americans, Native Hawaiians and Pacific Islanders in the United States is inextricably tied to the story of the United States; and

Whereas the Asian-American, Native Hawaiian and Pacific Islander community is an inherently diverse population, composed of more than 45 distinct ethnicities and more than 100 language dialects; and

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first Japanese immigrants arrived in the United States on May 7, 1843, and the first

transcontinental railroad was completed on May 10, 1869, with substantial contributions from Chinese immigrants; and

Whereas the theme for the observance of Asian American, Native Hawaiian and Pacific Islander Heritage Month in May 2023 is Advancing Leaders Through Opportunity.

Whereas, Opportunity is defined as “a set of circumstances that make it possible to do something.” Opportunity can be built, it can be accessed, it can be achieved, or it can be given. It has been the foundation of our great Nation and thus America is known to be the land of opportunity. Each year, thousands of immigrants from all over the world come to the United States to gain access to these opportunities. No matter who you are, you can achieve anything in this country if you put your mind to it. To keep the Nation moving forward, the capable ones must lend a hand to those in need and provide an opportunity for them to advance, as well.

Now, Therefore, be it Proclaimed, by the Mayor and Council of the Borough of Dunellen, that in the Month of May we recognize the history, achievements, and diversity of Asian Americans, Native Hawaiians and Pacific Islanders, and further acknowledge the substantial contribution to the American experience brought by our Asian-American, Native Hawaiian, and Pacific Islander community.

Proclaimed this 1st Day of May, 2023

Jason F. Cilento, Mayor
Borough of Dunellen

At this point, a Proclamation was read by Dr. Dunne Declaring May as Water Safety Month:

Borough of Dunellen
Water Safety Month Proclamation
May 2023

WHEREAS, residents of Dunellen welcome the warm weather season that offers a variety of outdoor activities and opportunities for water recreation and sports in backyard and public pools, coastal vacations, camping trips and outdoor excursions to the many beaches, lakes and rivers in our area; and

WHEREAS, we recognize the vital role that swimming and water-related activities relate to good physical and mental health and enhance the quality of life for all; and

WHEREAS, during this time of year, it is especially important to exercise safely and responsibly – along with common sense – when it comes to swimming, water sports, and other aquatic-related activities, in order to prevent injuries and drownings; and

WHEREAS, the Borough of Dunellen recognizes the importance of safety education for people actively engaged in any form of outdoor water recreation, and reminds water enthusiasts to become

informed about safety issues and to learn the rules of the water by participating in programs offered by trained certified professionals that can help prevent drownings and other water-related injuries and deaths; and

WHEREAS, water safety is a responsibility we all share, and people of all ages are encouraged to be proactive in learning about water safety to take advantage of local resources that improve their knowledge, skills, and abilities to ensure safety at outdoor water resources, swimming pools, and water recreation facilities. We join in support of the goals of National Water Safety Month, recognizing that it is critical for all people to think “safety first” and become “water aware” whenever planning water-related activities;

NOW, THEREFORE, I, Mayor Jason F. Cilento, along with the Dunellen Borough Council, do hereby proclaim May 2023 as Water Safety Month in the Borough of Dunellen, and encourage all residents to celebrate in our community.

Jason F. Cilento, Mayor

At this point, a Proclamation was read by Janna Best, Dunellen Rescue Squad, Designating the Week of May 21-27, 2023, as Emergency Medical Services Week:

**Designating the Week of May 21 - 27, 2023, as
Emergency Medical Services Week**

Emergency Medical Services Week Proclamation

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide life-saving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their life-saving skills; and

WHEREAS, this year we celebrate the 90th Anniversary of the beginning of the Dunellen Rescue Squad and honor their many years of devoted service to the residents of Dunellen; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of all emergency medical services providers by designating Emergency Medical Services Week.

NOW THEREFORE I, Jason F. Cilento, Mayor of the Borough of Dunellen, in recognition of this event do hereby proclaim the week of May 21 - 27, 2023, as EMERGENCY MEDICAL SERVICES WEEK; and

With the EMS Strong theme, *EMS WEEK: Where Emergency Care Begins*, I encourage the community to observe this week with appropriate programs, ceremonies, and activities.

Jason F. Cilento, Mayor
Borough of Dunellen

Mayor Cilento thanked the Dunellen Rescue Squad for all their efforts and he encouraged people to donate to the Squad as well as volunteer for the Squad.

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

05-01-2023: #1

RESOLUTION AUTHORIZING THE CY 2023 MUNICIPAL BUDGET AND SEWER UTILITY BUDGET TO BE READ BY TITLE ONLY

BE IT RESOLVED, that the Borough Council of the Borough of Dunellen, in the County of Middlesex, *by majority vote of the full membership*, does hereby determine that the **CY 2023 Municipal Budget and Sewer Utility Budget** shall be read by its title only, and we further declare that the conditions set forth in **N.J.S.A. 40A:4-8(1A & 1B)** of said section have been met.

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

At this point, Mayor Cilento opened the meeting for a public hearing on CY 2023 Municipal and Sewer Budget:

No one from the public spoke.

This portion of the meeting was closed.

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

Resolution 05-01-2023: #2

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

RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2023 was approved on the 3rd day of April, 2023; and

WHEREAS, the public hearing on said budget has been held as advertised; and,

WHEREAS, it is desired to amend said approved budget;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Dunellen, County of Middlesex, that the following amendments to the approved budget of 2023 be made:

	<u>Ayes</u>		<u>Nays</u>		<u>Abstained</u>
Recorded Vote	(((((
(Insert last names)	(((((
	(<u>Absent</u>
	((
	((

CURRENT FUND - ANTICIPATED REVENUES

	<u>From</u>	<u>To</u>	<u>Difference</u>
1. Surplus Anticipated	<u>675,000.00</u>	<u>755,000.00</u>	<u>80,000.00</u>
5. Subtotal General Revenues	<u>3,460,531.86</u>	<u>3,540,531.86</u>	<u>80,000.00</u>
6. Amount to be Raised by Taxes for Support of Municipal Budget:			
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	5,949,293.74	5,969,293.74	20,000.00
Total Amount to be Raised by Taxes for Support of Municipal Budget	<u>6,231,631.74</u>	<u>6,251,631.74</u>	<u>20,000.00</u>
7. Total General Revenues	<u>9,692,163.60</u>	<u>9,792,163.60</u>	<u>100,000.00</u>

CURRENT FUND APPROPRIATIONS

	<u>From</u>	<u>To</u>	
(A) Operations - Excluded from "CAPS"			
Shared Service Agreements			
Intergovernmental - County of Middlesex			
Recycling - Other Expenses	215,000.00	315,000.00	100,000.00
Total Shared Services Agreements	<u>391,100.00</u>	<u>491,100.00</u>	<u>100,000.00</u>
Total Operations Excluded from "CAPS"	<u>997,147.60</u>	<u>1,097,147.60</u>	<u>100,000.00</u>
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	<u>2,227,096.60</u>	<u>2,327,096.60</u>	<u>100,000.00</u>
(O) Total General Appropriations-Excluded from "CAPS"	<u>2,227,096.60</u>	<u>2,327,096.60</u>	<u>100,000.00</u>
(L) Subtotal General Appropriations {Items (H-1) and (O)}	<u>9,152,163.60</u>	<u>9,252,163.60</u>	<u>100,000.00</u>
9. Total General Appropriations	<u>9,692,163.60</u>	<u>9,792,163.60</u>	<u>100,000.00</u>

SEWER UTILITY FUND - ANTICIPATED REVENUES

	<u>From</u>	<u>To</u>	
10. Dedicated Revenues from Sewer Utility			
Operating Surplus Anticipated	180,710.00	227,096.00	46,386.00
Total Operating Surplus Anticipated	<u>180,710.00</u>	<u>227,096.00</u>	46,386.00
Total Sewer Utility Revenues	<u>1,082,310.00</u>	<u>1,128,696.00</u>	46,386.00

SEWER UTILITY FUND - APPROPRIATIONS

	<u>From</u>	<u>To</u>	
11. APPROPRIATIONS FOR SEWER UTILITY			
Operating			
Other Expenses	705,800.00	735,800.00	30,000.00
Debt Service			
Interest on Notes	9,270.00	25,656.00	16,386.00
TOTAL SEWER UTILITY APPROPRIATIONS	<u>1,082,310.00</u>	<u>1,128,696.00</u>	46,386.00

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

At this point, Francis Reiner from DMR Architects made a presentation on the proposed Master Plan Re-examination and the Climate Resiliency Plan.

The YouTube video of this Council Meeting can be found:

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

--the presentation is from minute 18 through minute 45.

DMR's PowerPoint presentation and the Masterplan Re-examination and the Climate Resiliency Plan can be found on the Borough's website: https://www.dunellen-nj.gov/news_detail_T30_R49.php

On the motion of Mr. VanDermark and seconded by Mrs. Rios it was moved to accept the Introduction of Ordinance 2023-12, Film Industry. After some discussion, a section of the ordinance was revised, with Mr. VanDermark making the motion and Mrs. Rios seconding:

Ordinance 2023-12

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 May 1, 2023. It will be presented for Second Reading, Public Hearing and Adoption at a meeting of said governing body to be held in the Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on May 15, 2023 at 7:00 p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's Office for the members of the general public who have requested same.

An Ordinance of the Borough of Dunellen Adding a New Chapter 152 to the Borough Code Entitled "Film Industry" Pursuant to N.J.S.A. 40A:10A-2"

152-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FILMING

The taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the municipality.

MAJOR MOTION PICTURE

Any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following:

- A. Universal Pictures.
- B. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and Bel-Aire.
- C. Paramount, including MTV Films and Nickelodeon Movie.
- D. 20th Century Fox, including Fox Searchlight.
- E. Sony/Columbia.
- F. Disney/Miramax.
- G. MGM/United Artists.
- H. Dreamworks.
- I. Any major streaming service, such as Netflix, Hulu, or Amazon Prime Video.
- J. Any film for which the budget is at least \$5,000,000.
- K. Recurrent weekly television series programming.

PUBLIC LANDS

Any and every public street, highway, sidewalk, square, public park or playground or any other public place within the municipality which is within the jurisdiction and control of the municipality.

152-2. Permit required.

A. No person or organization shall film or permit filming on public or on private property where such filming involves the use of public property for the operation, placement or temporary storage of vehicles or equipment utilized in such filming, including, but not limited to, any temporary structure, barricade or device intended to restrict or block off pedestrian or vehicular traffic, without first having obtained a permit from the office of the Municipal Clerk, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference to day or dates. Said permit must be readily available for inspection by municipal officials at all times at the site of the filming.

B. All permits shall be applied for and obtained from the office of the Municipal Clerk during normal business hours. Applications for such permits shall be in a form approved by the Municipal Clerk and be accompanied by a permit fee in the amount established by this chapter in Section 10 herein.

C. If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Municipal Clerk may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

152-3. Issuance of permits.

A. No permits will be issued by the Municipal Clerk unless applied for prior to seven days before the requested shooting date; provided, however, that the Municipal Clerk may waive the seven-day period if, in the Clerk's judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

B. No permit shall be issued for filming upon public lands unless the applicant shall provide the municipality with satisfactory proof of the following:

(1) Proof of insurance coverage as follows:

(a) For bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000.

(b) For property damage for each occurrence in the aggregate amount of \$300,000.

(2) An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the municipality from any and all liability, expense, claim or damages resulting from the use of public lands.

(3) The hiring of an off-duty police officer as selected by the Chief of Police or his designee for the times indicated on the permit.

C. The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

152-4. Interference with public activity; notice of filming.

A. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets.

B. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least five days prior to the requested shooting date and be informed that objections may be filed with the Municipal Clerk, said objections to form a part of applicant's application and

be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Municipal Clerk within three days of the requested shooting date.

152-5. Refusal to issue permit; employment of patrolmen and electrician.

A. The Municipal Clerk may refuse to issue a permit whenever the Clerk determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other municipal agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.

B. Further, the Borough reserves the right to require one or more on-site patrol officers in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

152-6. Appeals.

A. Any person aggrieved by a decision of the Municipal Clerk denying or revoking a permit or a person requesting relief may appeal to the Dunellen Borough Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Municipal Clerk.

B. An appeal from the decision of the Municipal Clerk shall be filed within 10 days of the Clerk's decision. Per the provisions of Dunellen Code Section 45-30, *et. seq.*, "Appointment of a Special Hearing Officer," the Mayor, with the advice and consent of the Borough Council, may appoint either the Borough Council, one or more of its members, or a Special Hearing Officer to hear the appeal. The Special Hearing Officer shall report the results of the review to the Mayor and Council within 30 days of appointment. The Dunellen Borough Council shall set forth its determination on the matter by resolution at the next following Council Meeting.

152-7. Waiver of requirements of chapter by Municipal Clerk.

The Municipal Clerk, in consultation with the Mayor and the Dunellen Chief of Police, may authorize a waiver of any of the requirements, provisions or restrictions of this chapter if the Municipal Clerk determines that a waiver thereof may be granted without endangering the public health, safety and welfare. In determining whether to issue a waiver, the Municipal Clerk shall consider the following factors:

(1) Potential traffic congestion at the location.

(2) The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.

(3) The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.

(4) The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.

(5) The extent to which the filming may affect adjoining and nearby property owners and occupants.

(6) The Borough's prior experience with the applicant, if any.

152-8. Copies of permit; inspections.

Copies of the approved permit will be sent to the Dunellen Police, Dunellen Fire Department, County Fire Marshal, Dunellen Rescue squad, the Dunellen Construction Office, the Dunellen Code Enforcement Officer, and the Health Inspector before filming takes place and to the New Jersey Film Commission. The applicant shall permit the Dunellen Fire Department and the County Fire Marshal or other inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instruction issued by the municipality, Middlesex County, or other municipal inspectors.

152-9. Reimbursement of certain costs.

In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue, such as parking meter revenue, repairs to public property or other revenues that the Borough was prevented from earning because of filming.

152-10. Fees.

The schedule of fees for the issuance of permits authorized by this chapter are as follows:

A. Basic filming permit: \$100. Where an applicant requests a waiver of the provision of 152-3 (A) requiring expedited processing of a permit application within 24 hours of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be \$150.

B. Daily filming fee payable in addition to the basic filming permit when filming entirely on public property: \$200 per day.

C. Daily filming fee payable for major motion picture when filming entirely on public property: \$300 per day.

D. Filming permit for nonprofit applicants filming for educational purposes, including student films (no daily rate required): \$25.

E. Filming on private property: no daily filming fee will be imposed.

152-11. Violations and penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000.00, imprisonment in the county/municipal jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day on which a violation of an ordinance exists shall be considered a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine.

152-12. Liaison with Municipality.

The Office of the Mayor of the Borough of Dunellen or their designee and the Dunellen Borough Administrator shall serve as Liaisons to any organization or business issued a permit under this ordinance.

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:

05-01-2023: #3

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:

05-01-2023: #4

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

2023 Summer hours for employees of the Municipal Clerk’s Office, Tax Office, Construction Office, Recreation Department, and Municipal Court will be as follows, for the term beginning May 26, 2023 to September 1, 2023:

Monday through Thursday – 8:30 a.m. to 4:30 p.m., with a one-hour lunch break

Friday – 8:30 a.m. to 1:00 p.m.

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

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

05-01-2023: #5

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

WHEREAS, on April 17, 2023, the Maurer House Restoration Committee presented to the Dunellen Borough Council a history of Edward Maurer, his family, and the house he built on 500 Mountainview Terrace in 1897; and

WHEREAS, the presentation related how in 2011 former Mayor Robert J. Seader, with the assistance of an Open Space grant from Middlesex County, purchased the land in order to preserve it for recreation purposes and the Maurer House for future municipal use; and

WHEREAS, Council was informed of the fundraising work undertaken by the Maurer House Restoration Committee, most notably the annual Haunted Trail in Columbia Park, said events raising to date over \$138,000.00; and

WHEREAS, Council was also apprised of rehabilitation work already done at the Maurer House, including on the First Floor reinforcement of the entryway, gutting of vestibule, foyer and stairwell, the installation of electrical outlets, and repair of termite damage and broken windows, and on the Second Floor the gutting of four bedrooms and the bathroom and repair of windows, masonry work on the porch, the installation of an HVAC system on the First Floor and provision of electricity from the street, substantial repairs to the garage and clean-up of the landscaping and property, among many other necessary restorations; and

WHEREAS, the Presentation elucidated the planned three phases of Maurer House fundraising:
Phase One: focusing on sealing the House so that it does not degrade further.
Phase Two: focusing on the cost of a full engineering project scope which will establish a full accounting of the work needed to open to the public.
Phase Three: focusing on property maintenance, upgrades, and general operations; and

WHEREAS, the Committee proposes that the First Floor will be open to the public with possible uses such as Birthday Parties, Game Day Events, Team Dinners and Committee Meetings; the Second Floor will be for the use of the Dunellen Historical Preservation Society; with the Third Floor reserved for additional storage and ancillary events; and

WHEREAS, the exterior property including the field between the House and the wooded area adjacent to the Greenbrook will be variously landscaped with flower gardens, a bike/pedestrian path, a gazebo, newly planted trees and a pollinator meadow, among other attractive improvements.

NOW THEREFORE, I, Jason F. Cilento, Mayor of the Borough of Dunellen, New Jersey, with the concurrence of the Dunellen Borough Council, does hereby endorse the plans of the Maurer

House Restoration Committee regarding their rehabilitation of the Maurer property and their proposed fund-raising timeline.

Mayor Cilento referenced the presentation made to Council at the April 17th Meeting and noted that this resolution supports the goals of the Committee and that presentation enables the public to be aware of the plans and how the fund-raised monies are being put to use.

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:

05-01-2023: #6

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.

Mayor Cilento explained the partnership we have with Middlesex County and noted the roads that will be paved under this agreement: the entire length of Columbia Street, Penfield Place from New Market Road to South Washington Avenue, the entire length of Pearl Place, the entire length of Kennedy Court, the entire length of Jadach Drive, and the entire length of Oak Parkway. The work ought to be done in late summer or early fall.

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

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

05-01-2023: #7

RESOLUTION OF THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT FOR THE PROPERTY KNOWN AS BLOCK 73, LOT 4 ON THE OFFICIAL TAX MAPS OF THE BOROUGH

WHEREAS, the Borough Council (the "Borough Council") of the Borough of Dunellen, in the County of Middlesex, New Jersey (the "Borough"), has determined that a need exists to acquire the real property located at 264 New Market Road in the Borough, known as Block 73, Lot 4 on

the official tax maps of the Borough (the "Property"), and more commonly known as St. Luke Lutheran Church, in connection with the construction of a municipal complex, and such other related public purposes as are authorized by law: and

WHEREAS, the Borough has determined that said uses are public purposes and will promote the general health and welfare of the community; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5(a)(1) of the Local Land and Buildings Law, N.J.S.A. 40A:12-1 *et seq.*, the Borough may provide for the acquisition of any real property, capital improvement, or personal property by purchase, gift, devise, lease, exchange, condemnation or installment purchase agreement; and

WHEREAS, on March 6, 2023, the Borough Council adopted Bond Ordinance 2023-06, entitled, "Bond Ordinance Providing for the Acquisition of Property in and by the Borough of Dunellen, in the County of Middlesex, New Jersey, Appropriating \$950,000 Therefor and Authorizing the Issuance of \$904,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof" (the "Bond Ordinance"), which Bond Ordinance authorized the acquisition of the Property and further authorized the expenditure of an amount not to exceed \$950,000 for such acquisition and other related costs, and the issuance of bonds and bond anticipation notes to fund such expenditures

WHEREAS, the Borough and the owner of the Property, New Jersey Synod of the Evangelical Lutheran Church in America (the "Seller"), have negotiated a Purchase Agreement (in the form attached hereto as Exhibit A, the "Purchase Agreement"), memorializing the terms of the Seller's sale of and the Borough's purchase of the Property.

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The Mayor of the Borough is hereby authorized and directed to execute the Purchase Agreement, in the form attached hereto as Exhibit A, with such changes, omissions, or amendments as the Mayor deems appropriate in consultation with the Borough's counsel, planning consultant, and other professionals, and the Borough Clerk is hereby authorized and directed to attest to the signature of the Mayor and to affix the seal of the Borough to the Purchase Agreement, if applicable. Upon execution and attestation of same, the Mayor is hereby authorized to deliver the Purchase Agreement to the Seller.

Section 3. The Mayor, Borough Administrator, Chief Financial Officer and any other officer of the Borough designated by the Mayor (each, an "Authorized Officer"), are each hereby authorized and directed to take any and all actions and execute any and all documents, agreements, certificates and other instruments necessary or appropriate to effectuate the transaction contemplated by the Bond Ordinance and by this resolution.

Section 4. Each Authorized Officer, along with the Borough's counsel, planning consultant and other professionals, are hereby further authorized and directed to perform or carry out or cause to be performed or carried out, any studies, surveys, tests, soundings, borings, appraisals, title searches and title report reviews, other due diligence undertakings and any feasibility studies as may be necessary to determine the location and quality of the Property, any environmental matters associated with the Property and the suitability of the Property for the Borough's public use. Any such actions taken prior to the date hereof are hereby ratified, confirmed and accepted.

Section 5. This resolution shall take effect immediately.

Dr. Robins informed Council of the due diligence steps so far undertaken, including various inspections.

Dr. Dunne asked about redesign of the interior and about a date for occupancy. Mayor Cilento replied that we are reviewing a proposal from DMR on the interior design process and then there will be discussion. Occupancy will be a year or two from now.

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:

05-01-2023: #8

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

The position of "Dunellen Construction Manager" is created, per the attached job description, with a salary range of \$20,000.00 -- \$70,000.00, and can be either a full-time position or a part-time position, depending on the project.

Dr. Robins noted that this position will be put into the Salary Ordinance as a permanent position.

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:

05-01-2023: #9

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

Scott Brescher is appointed Construction Manager for the Dunellen Firehouse Rebuild Project, at a rate of \$57.00 per hour for approximately 1.5 hours per day, for a total amount not to exceed \$30,000.00. His salary will be in the form of a stipend. This is a part-time position with no

additional benefits beyond those he is already receiving as Dunellen’s Building Sub-Code Official. The job description for the Firehouse Rebuild Construction Manager is attached.

Dr. Dunne asked when construction might begin. Dr. Robins replied that on Wednesday he is meeting with the contractors at the Firehouse for a walk through and then at 9:00 am there will be a pre-construction meeting.

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

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

05-01-2023: #9-A

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 2023 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 2023 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951 as amended) including this resolution total \$2,687,385 for the Current Fund and \$343,100 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 2023 budget under the titles shown and for the amounts given be and the same are hereby made as follows:

<u>Department</u>	<u>Account</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
Administration and Executive	20-100-000	16,300	
Legal Advertising	20-100-003		
Telephone	20-100-004		
Financial Administration	20-130-000	27,300	
Assessment of Taxes	20-150-000	5,400	4,000
Collection of Taxes	20-145-000	14,900	3,000
Legal Services	20-155-000	16,100	12,000

Borough Clerk	20-120-000	16,300	
Engineering Services	20-165-000		
Municipal Planner	21-181-299		21,000
Public Buildings & Grounds	26-310-000	8,000	
Electric & Gas	31-461-000		43,000
Planning Board	21-180-000		
Group Health Insurance	23-220-000		
Other Insurance	23-210-000		-1,200
Mayor & Council	20-110-000	2,400	2,000
Gasoline	31-460-299		15,000
Water	31-445-000		2,000
Postage	20-100-001		3,000
Information Technology	20-140-000		15,000
Fire	25-265-000		
Fire Hydrant	25-265-001		10,000
Police	25-240-000	400,000	
Police - Overtime	25-240-001		
School Crossing Guards	25-240-002	27,600	
Emergency Management	20-252-000		
Road Repairs	26-290-000	140,000	
Tree Maintenance	26-290-002		
Transit Village	26-297-000		
Garbage & Trash	32-465-000		
Board of Health	27-330-000	10,300	
Recreation	28-370-000	25,200	
Senior Citizen Activities	28-370-001		
Construction Code	22-195-000	38,800	
Public Employees Retirement System (PERS)	36-471-000		
Social Security	36-472-000		
Police and Firemen's Retirement Syst (PFRS)	36-475-000		
Municipal Court	43-490-000	50,900	
Free Public Library	29-390-000	58,600	10,000
Municipal Prosecutor	25-275-000		
Community Development Block Grant	41-710-250		
Intergovernment/Dispatching	42-305-001		21,000
Intergovernment/Recycling	42-305-000		91,000
Intergovernment/Middlesex Health Services	42-305-002		10,000
Capital Improvement Fund	44-901-299		
	Subtotal	\$858,100	\$260,800
	Grand Total Current Fund		<u>\$1,118,900</u>

Sewers - Postage	55-500-212	3,100
Sewers- PARSA	55-500-235	153,000

Sewers -PARSA Management Fee	55-500-236	6,000
Sewers – Pump Station Electricity	55-500-242	26,000
		<hr/>
	Subtotal	188,100
	Grand Total Sewer Utility	<u>\$188,100</u>

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:

05-01-2023: #9-B

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

WHEREAS, by Resolution 04-03-2023: #9, the resignation of Dunellen Tax Collector was accepted; and

WHEREAS, after further conversation with Dawn Hutchison, she has expressed an interest in continuing to work as the part-time Tax Collector for the Borough of Dunellen until such time as the position is filled and a suitable replacement has been found; and

WHEREAS, though by Resolution 04-03-2023: #9, Dawn Hutchison’s final day was effective as of April 28, 2023, she has continued to serve as the Borough’s Tax Collector, there being no interruption in her service.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Dunellen, that the resignation of Dawn Hutchison is rescinded and it is the intent of the Borough and of Dawn Hutchison that she remain the part-time Tax Collector for the Borough.

Dr. Robins explained that Mrs. Hutchison has expressed an interest in staying longer and as this is to the benefit of both parties, we are rescinding the earlier acceptance of her resignation.

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:

05-01-2023: #10

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

The Municipal Clerk is hereby authorized to issue a food handler license to the following establishment:

El Punto Delas Pupusa, 105 North Washington Avenue

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

Reports:

Mrs. Albertson: 1) Fire Department--yesterday I joined Mayor Cilento and Council President Rios at the Dunellen Defender Fire Company #1 for their annual Memorial Service to honor those who have served as firefighters. We are so lucky to have a great Fire Department and members who are willing to make a sacrifice to serve and protect our community. It was great to see Dunellen Legend George Hodulik there; 2) Diversity and Inclusion--our next meeting will be on May 4th at 5:15 pm in the Dunellen Public Library. We are looking for volunteers to apply to become a committee member or just volunteer to give us some help at our events. If you are interested, we invite you to come and meet us at this meeting. Stop by, have a snack, and learn about how you can work with us; 3) American Legion--congratulations to the American Legion Post 119 Dunellen NJ on being awarded a 2023 Membership Citation by the American Legion Department of New Jersey "For Surpassing Their Previous Year's Membership." This Wednesday the Freedom Cruise Car Show will be at the Legion from 5-8 pm. Hot dogs and Hamburgers will be available for purchase. The Legion is hosting Friday night dinners from 5 pm until food runs out. This week they will be having a Mexican food festival. This is open to the public. Donations are appreciated; 4) DDMO--Spring into Wellness will be held on Sunday, May 7th from 11am to 3 pm in Washington Memorial Park. This event will be in conjunction with the Grand Opening of the Friends of the Dunellen Public Library Open-Air Market.

Mrs. Rios: 1) Dunellen Public library--this month in addition to our regular programs the Dunellen Public Library will be collaborating again with the Recreation Department to bring a screening of the movie *COCO* to Washington Park on May 5th. Movies start at sunset (7:45). Please bring a lawn chair, blankets and snacks or dinner and enjoy the movie. On Monday evenings at 5:30 the Children's Department has a Big & Little Meet Up, which is an opportunity for children from infants through kindergarten and their caregivers to get together for an activity and playtime. On Saturday May 20th, the Somerset County Education Center will help us celebrate World Bee Day with an educational program about bees at 11 am. Advance registration is recommended. Have you wondered about the value of a collectable in your home? Then join us on Wednesday May 24th when the Friends of the Dunellen Public Library will host an Antique Appraisal Fundraiser called "What's it Worth?" featuring professional appraiser Michael Invankovich. Tickets are available for \$20, which will get you admission to the event and the appraisal of one item. There are a limited number of tickets to this event, so don't delay and reserve yours today! 2) Boy Scout Troop 127 with the Dunellen Sponsor Club will be hosting their annual pancake fundraiser at the Dunellen Hotel on May 21 from 8-11:30 am. Tickets are \$3.50 for children and seniors and \$5.00 for adults. They are selling \$20 boosters. If you are interested, please reach out to me; 3) Board of Education had their meeting April 25th. They had their monthly student recognition ceremony that had a great turn out. They voted for the final approval of their budget. The next meeting will be on May 23 as the last Tuesday of the month falls after a holiday

at 7:00 pm; 4) lastly, I would like to say that it was an honor to attend the Fireman's Memorial on Sunday. Thank you for your services and dedication our town and for including us in your memorial.

Mr. VanDermark: 1) Buildings and Grounds—this is always a nice time of year when trees and flowers are blooming (unless you have allergies); 2) the Department of Public Works will be putting up the American Flags in the downtown area along with the 94 Hometown Heroes Banners.

Dr. Dunne: 1) Recreation--the Middlesex County Regional Chamber of Commerce has chosen Alex as the recipient of the prestigious award of Public Servant of the Year. There will be a special dinner and awards ceremony to celebrate this honor on Wednesday, May 31 at 6 pm at the Pines Manor, 2085 Lincoln Highway, Edison. The Recreation Department would like to thank the Mayor and all the Councilmembers who attended the Opening Day Baseball & Softball Parade on Saturday, April 22nd. Recreation also is thankful to the Dunellen Fire Department, Rescue Squad, and Police Department for their assistance in the Parade. Our EMS always helps make our parades special! All Recreation spring sports are in action, which includes Tennis, Track, Soccer, Baseball and Softball. The Recreation Department is thankful to all of our coaches, for all their hard work and dedication; 2) Jogging Club--Jogging Club is growing! We plan to participate in a number of events this spring. Catch us at Spring into Wellness this coming Sunday, and other activities around town. We will continue to do a walk/jog around Washington Park and will continue to up our time and/or distance weekly. We encourage anyone interested to join. Registration is required, but the program is free! 3) Municipal Alliance--will be hosting a Game Show this Sunday at Spring into Wellness. We hope you will all attend and participate and have fun and learn; 4) Shade Tree Commission--the Commission members will be celebrating Arbor Day in Faber on May 5th with the first-grade class. This annual event is always popular with the students. As always, if you are interested in having a tree planted, please contact the DSTC. The next meeting will be on May 10th at 7 pm in the Senior Center; 5) The Parking Authority will hold its next meeting on May 10th at 7 pm at the Parking Authority; 6) Water Safety--this morning, I met with members of Middlesex County's water safety team. I first want to thank Diana Starace for being such a great partner in this effort and Sarah Healy for first turning us on to this important programming to Dunellen. May is Water Safety Month and, in conjunction with the County, we look forward to rolling out more programming in the coming months.

Mr. Sigmon was unable to deliver his report in person but forwarded it for inclusion here: DPW crew has been cleaning the downtown daily and all our Borough Properties & Parks.

- Lawn maintenance at all Borough properties & parks.
- Street sweeping as scheduled.
- Ball field maintenance to Columbia Park Fields, McCoy Park, and Gavornik. (Note: Gavornik Ball Field never looked so good.)
- Curbside Leaf Bag Pick-up throughout the Borough. This will continue through the month of May.

- Curbside Branch pick-up just ended; remember, you can always bring your branches down to the DPW yard.
- Repaired a catch basin at the train station.
- Cleared all the head walls prior to the storm and will walk the streams again after the storm.
- Repaired 4th a section of 4th street that was damaged from a power line.
- Rich worked on the Lt.'s Police vehicle, along with servicing police vehicles #501, #502, #503 and \$504.

The crew did a great job preparing the ballfields for Opening Day Baseball & Softball.

Mr. Paltjon: 1) Dunellen Rescue Squad--please be on the lookout for the Dunellen Rescue Squad's 2023 Fund Drive letter set to deliver later this month. Your support and generosity are very much appreciated. The Squad is also working on hosting an EMT class here in town. More details to follow. And as the Proclamation that was read earlier regarding Emergency Medical Services week May 21 – 27, please remember to say Thank You to all EMS Volunteers, not only this Week, but all this Month and better yet all this year.

Mayor Cilento:

Gave a “shout-out” to the Dunellen Recreation Commission for their Opening Day Parade and Ceremony. Thank you for the work they do, as well as our Emergency Services who assist, as well as Jerry Sella who has become the annual tradition of “Play Ball!” and of course we miss Laura Ruskuski. We know she is watching from above. Thank you to the Fire Department for inviting us to the Annual Memorial and congratulations to Alex Miller for his well-deserved honor.

The Middlesex County Department of Transportation will be milling and paving New Market Road from South Washington Avenue to Walnut Street. This project is part of the Middlesex County Road Improvement program for County roads. All work will take place between 7 am and 4 pm on the listed dates. The tentative work schedule, weather permitting, is: May 5th - milling phase, May 10th - paving phase, and May 12th - striping phase.

Memorial Day Parade: Dunellen's annual Memorial Day Parade is scheduled for Monday, May 29 and will begin at 10 am at the American Legion Post 119 on New Market Road. Organizations that wish to walk in or have a float in the parade should contact the Dunellen Recreation Department's Director Alex Miller at amiller@dunellenborough.com or (732) 968-3033, x8.

Mayor's Alliance for a Clean Green Brook Waterway: the annual Stream Clean Up event is scheduled for Sunday, May 7 at 10 am. Volunteers should meet at McCoy Park in Dunellen. Please wear boots, icky clothes and bring bug spray and work gloves. The event is organized in partnership with the Lower Raritan Watershed Partnership and the Mayor's Alliance for a Clean Green Brook Waterway. Registration here: <https://lowerraritanwatershed.org/event/may-7-multi-site-green-brook-clean-up/>

Walks and Talks with the Mayor: the next Walks and Talks with the Mayor will be on Saturday, May 13th at 9:30 am at Columbia Park.

Planning for the Future: The Master Plan Reexamination and a Climate Resiliency Plan was presented to Mayor and Council on May 1 as a courtesy presentation. The formal presentation and consideration for adoption by the Dunellen Planning Board will occur at the Planning Board meeting in-person in the Council Chambers on May 22 at 7 pm.

Mobile Office Hours with Assemblywoman Michele Matsikoudis and Mayor Jason Cilento: Extending a thank you to Assemblywoman Michele Matsikoudis for hosting a joint mobile office hours with my office on Saturday, April 29 between 10 am – 12 pm at Jackie’s Sweets. We had a great turn out to discuss state and local matters and to introduce the Assemblywoman to Dunellen residents. We hope to do another one in the near future. A big shout out to Jackie’s Sweets for letting us host the event in their business.

Department Heads:

Chief Best thanked the Council for adopting the resolution in support of Emergency Services. On Wednesday, May 24th, TGIF (Piscataway) will be hosting a “Dining to Donate.” 20% received to the Rescue Squad. He also acknowledged William Drake (who was in the audience, and an EMT when Chief Best first joined the Squad 24 years ago).

Scott Olsen, Finance, noted that the auditors have just completed their visit and he would like to thank all the department heads who assisted in gathering documents for the audit. He also informed Council that the company which does the fixed asset inventory will be coming out later this month.

Public Portion:

Becky Androwski, 323 Dunellen Avenue, asked how she could obtain copies of the Master Plan and Climate Resiliency Plan? They will be on our website.

William Drake, 825 Second Street: 1) asked if those documents will be electronic or hard copies? Electronic on the website or if you want a paper copy, come to the Clerk’s Office; 2) praised Alex Miller for his years of coaching and other services to the borough. It is about time he was recognized; 3) asked who monitors the paving projects? Mayor Cilento replied that PARSA oversees the sewer projects, as well as DPW as needed, or engineers for various road improvement projects. Mr. Miller also tracks them. Mr. Drake volunteered to assist in the oversight. He was advised to speak to Dr. Robins.

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

05-01-2023: #11

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

The Dunellen Borough Council Meeting of May 1, 2023 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=QImIGlicexM>