

November 18, 2019

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on November 18, 2019.

Mayor Robert J. Seader called the meeting to order at 7:00 p.m. and he led the Pledge of Allegiance.

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

Present: Robert Seader, April Burke, Jason Cilento, Kenneth Bayer, Jessica Dunne, Stacy Narvesen and Joseph Petracca

In the absence of Municipal Attorney John E. Bruder, Brian Bontempo, Esq. served as legal counsel to the governing body.

On the motion of Mrs. Burke and seconded by Dr. Dunne it was moved to accept the Minutes of November 4, 2019:

Yes: Burke, Cilento, Dunne, Narvesen and Petracca
Abstain: Bayer, due to his absence

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

11-18-2019: #1

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

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

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

11-18-2019: #2

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

Mayor Robert J. Seader is authorized to sign the renewal document titled “Shared Services Agreement Between the Plainfield Municipal Utilities Authority (“PMUA”) and the Borough of Dunellen for Solid Waste Services: Acknowledgement of Continuation of Service for an Additional One (1) Year Term” for Solid Waste Disposal Services.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

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

11-18-2019: #3

RESOLUTION OF THE BOROUGH OF DUNELLEN, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, AUTHORIZING THE DUNELLEN BOROUGH PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER BLOCK 85, LOT 2 QUALIFIES FOR DESIGNATION AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, on or about May 5, 2003, the Council of the Borough of Dunellen (the “Borough Council”) determined by resolution that certain properties in the Borough’s downtown area constituted an area in need of redevelopment (the “Downtown Redevelopment Area”); and

WHEREAS, while the Borough intended to include in the Downtown Redevelopment Area that certain property identified as Block 85, Lot 2 (the “Property”), it is unclear whether such Property was properly included; and

WHEREAS, in order to perfect the designation of the Downtown Redevelopment Area to include the Property, the Borough has determined to authorize a new investigation of the Property to determine if such Property may be qualified for designation as an area in need of non-condemnation redevelopment pursuant to the Redevelopment Law; and

WHEREAS, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-6*, prior to the Borough Council making a determination as to whether the Property qualifies as an area in need of redevelopment, the Borough Council must authorize the Planning Board, by resolution, to undertake a preliminary investigation to determine whether the Property meets the criteria of an area in need of redevelopment set forth in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Borough Council desires to direct the Borough Planning Board to undertake such preliminary investigation to determine whether the Property meets the criteria for designation as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5* and in accordance with the investigation and hearing process set forth at *N.J.S.A. 40A:12A-6*,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council hereby directs the Dunellen Borough Planning Board to conduct the necessary investigation, to hold a public hearing and to comply with other requirements of the Redevelopment Law in order to determine whether

the Property defined hereinabove qualifies for designation as an area in need of non-condemnation redevelopment under the criteria and pursuant to the public hearing process set forth in the Redevelopment Law; and

BE IT FURTHER RESOLVED that the redevelopment area determination shall further authorize the municipality to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, but not to include the power of eminent domain (such designated redevelopment area referred to as a “Non-Condemnation Redevelopment Area”).

BE IT FURTHER RESOLVED that the Planning Board shall submit its findings and recommendations to the Borough Council in the form of a resolution with supportive documentation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Clerk, the Borough Planning Board and the Planning Board Secretary.

Dr. Dunne asked where this parcel was located and what the resolution is intended to accomplish. Mr. Robins responded that it is uncertain whether this block and Lot was included in the 2003 designation of areas in need of redevelopment. The Lot is in the “Art Color Complex.” This resolution is part of the process of making sure it is included as an area in need of redevelopment and thus subject to the Borough’s redevelopment Plan.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

Consent Agenda:

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

11-18-2019: #4

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

The Treasurer is hereby authorized to issue the following proceeds for tax sale redemption(s):

Payable to Trade Money LLC
29 Palisades Rd.
Old Bridge NJ 08857

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
18-26	71	3	Espinosa, Gustavo 128 So Washington Ave.	868.61	33.77	1,100.00	2,002.38

TOTAL REFUNDED \$2,002.38

11-18-2019: #5

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

WHEREAS, it has been determined that sewer was billed to property that no longer existed due to a subdivision

NOW, THEREFORE: BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUNELLEN;

That the proper municipal officers be and they are hereby authorized and directed to cancel 2018 sewer units.

Block	Lot	Name	Amount
86	5.02	215 North Ave. No Refund Required	\$203.00

11-18-2019: #6

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 the following checks to CME Associates from the “528 North Avenue LLC Escrow Account” for engineering work done for the Dunellen Planning Board:

<u>CME Associates</u>	<u>Amount</u>
0250301	\$169.00
Total:	<hr/> \$169.00

11-18-2019: #7

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

Whereas, there exists a need to lease a photocopier machine for the Tax Collector's Office; and

Whereas, a quote has been received from:

Wells Fargo -- \$95.00 per month, for a 60 month lease term; and

Whereas Wells Fargo has a New Jersey Business Registration 42-1074725 for the leasing of photocopier machines; and

The funds for this contract have been certified by the Chief Financial Officer, and continuation of the contract is subject to the availability of funds in future fiscal years. The funds are certified from January 1, 2020 to December 31, 2020.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Dunellen, that a photocopier machine be leased from Wells Fargo, for an amount not to exceed \$95.00 for 60 months.

Funds for this certification are from Account #10-01-20-145-000-205.

11-18-2019: #8

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

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

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

Now therefore be it resolved that the Governing Body authorize the issuance of a 50/50 Cash Raffle License and a Merchandise Raffle License to the Dunellen PTO.

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

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca

Reports:

Mr. Petracca: no report.

Mrs. Burke: 1) Fire Company trees will probably be available this coming weekend; 2) playground equipment should be delivered this week and construction should take about four weeks.

Mr. Bayer: no report.

Dr. Dunne: 1) she thanked Bill and Lauren for launching the website. It looks great and she encourages the public to have a look; 2) she asked what the next steps will be for the School District FAQ? Mr. Robins responded that it is a Council decision and Mr. Cilento noted that it is now on the floor. Dr. Dunne continued that she and Mr. Cilento and Mrs. Narvesen met with CFO Scott Olsen and they felt it important to put out a FAQ for the residents regarding the implications of the school bond. A copy of the draft FAQ was distributed with the packets and the governing body discussed the wording of the FAQ and the intent of the December 10th referendum. There was a difference of opinion among the governing body members on how the bonds were to be paid off if the State decided not to grant the District the same level of funding. It was noted that Brian DeLucia had said during the presentation to the Council in August that there was no guarantee of continued State funding. Dr. Dunne noted that there is a misperception among the public that the Council has control over actions of the School District and School Board, and this was one of the reasons for the FAQ. She also emphasized that the FAQ is designed to inform the residents of the repercussions of limiting the Borough's ability to bond for capital projects and infrastructure improvement. Mr. Robins indicated that after Council has had a chance to review the draft FAQ and submit suggestions, he will put the FAQ onto the website, on Friday.

Mr. Cilento: 1) Congratulated Homer Mosley on his election as President of the Senior Club; 2) please submit copy for the next edition of *The Dunellen Report* by December 13th; 3) additional trains have been added on the Raritan Valley line; 4) the Dunellen Downtown Management Organization's e-newsletter, "Next Stop Dunellen," was sent to 314 people, opened by 63% of subscribers, and we have 20 new subscribers; 5) on November 15th, he and Ken Baudendistel attended a seminar on the 20th Anniversary of the Transit Village (in 2012, Dunellen was designated the 26th Transit Village); 6) he reviewed the signs for Columbia Park per the AARP grant (Councilmembers had examples in their packets). The signs discuss the project and acknowledge the contributors. He is asking for Council consent on the signs and noted that John Gibney is making the signs and donating them to the borough. Consent granted.

Mrs. Narvesen: 1) the Municipal Alliance will be meeting on November 26th at the Senior Center; 2) the School District referendum will be on December 10th; 3) DDMO is hoping to have the holiday trees installed and decorated by the end of the month; 4) the Holiday Tree Lighting will be on Sunday, December 1st, at 6:00 pm, in Washington Memorial Park.

Mayor Seader: 1) thanked Bill for receiving the grant for the Gazebo in Columbia Park and he thanked Alex Miller for overseeing its installation; 2) asked Ron Safar about the trees in Columbia Park that were cut down? Ron replied that two trees near the Gazebo were dead and might fall on the new construct and there were three dead trees in the playground area.

PUBLIC PORTION

Homer Mosley, 113 Pearl Place, asked a question about the School Board and its ability to act independently from the borough. Mayor Seader explained that regarding the referendum, the District can take from the borough's borrowing power. They do not take money from us; rather, it is like they have access to our credit line. Mr. Mosley asked what if the citizenry has a different opinion? Mayor Seader recommended attending a Board of Education meeting. Mr. Mosley's

concern is a sudden large increase in property taxes. Mr. Petracca acknowledged that this is a possibility and referred to the uncertainty of State funding at present levels.

Jeff Best, 401 Madison Avenue, asked if the School District budget is on our municipal website? The municipal website has a link to the District website.

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

11-18-2019: #9

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

The Dunellen Borough Council Meeting of November 18, 2019 is adjourned.

Yes: Bayer, Burke, Cilento, Dunne, Narvesen and Petracca