November 2, 2020

Note: This meeting was held by teleconference for the public with most Council members in person.

Minutes of the public meeting of the Mayor and Council of the Borough of Dunellen held on November 2, 2020.

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, Kenneth Bayer, April Burke, Jessica Dunne, Stacy Narvesen, Trina Rios and Daniel Sigmon

On the motion of Mrs. Burke and seconded by Mrs. Narvesen it was moved to accept the Minutes of the Meeting of October 19, 2020.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

Mayor’s Appointments to Boards, Commissions and Authorities

Stacy Narvesen, Elizabeth Weening, Diana Starace and Sgt. Prescott Chin are appointed to the Mayor’s Traffic and Pedestrian Safety Task Force, terms to expire on December 31, 2020

Mayor Cilento commented that there is the election tomorrow. If anyone is upset on how things are being managed, the ballot box is where you should make it known. Debate and dialog are key pieces in our electoral process but sending an anonymous letter and vandalizing a candidate’s home is not a sign of respect to that process. I will go so far as to say that it is a sign of cowardice. As a community we need to come together regardless of the outcome of an election and move our town, our state, and our country forward. We will respect the outcome of the election as that is what this town deserves, and we will move forward because that is the only way I know how to. We all love this community and what was done was wrong and we will move forward because we are Dunellen strong.

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

**ORDINANCE NO. 2020-15**

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 November 2, 2020. It will be further considered for final passage, after public hearing thereon, at a meeting of said governing body to be held in the Municipal Building, 355 North Avenue, Dunellen, New
Jersey, in said County, on November 16, 2020 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 the same.

AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF DUNELLEN, NEW JERSEY TO CSC TKR, LLC D/B/A CABLEVISION OF RARITAN VALLEY

WHEREAS, the governing body of the Borough of Dunellen (hereinafter referred to as the “Borough”) determined that CSC TKR, LLC d/b/a Cablevision of Raritan Valley (hereinafter referred to as “the Company” or “Cablevision”) had the technical competence and general fitness to operate a cable television system in the Borough, and by prior ordinance granted its municipal consent for Cablevision to obtain a non-exclusive franchise (the “Franchise”) for the placement of facilities and the establishment of a cable television system in the Borough; and

WHEREAS, by application for renewal consent filed with the Borough and the Office of Cable Television & Telecommunications on February 17, 2016, Cablevision has sought a renewal of the Franchise; and

WHEREAS, the Borough having held public hearings has made due inquiry to review Cablevision’s performance under the Franchise, and to identify the Borough’s future cable-related needs and interests and has concluded that Cablevision has substantially complied with its obligations under the Franchise and applicable law and has committed to certain undertakings responsive to the Borough’s future cable-related needs and interests;

WHEREAS, the governing body of the Borough has accordingly concluded that the consent should be renewed subject to the requirements set forth below; and that, provided Cablevision’s proposal for renewal embodies the commitments set forth below, the Borough’s municipal consent to the renewal of the Franchise should be given; and

WHEREAS, imposition of the same burdens and costs on other competitors franchised by the Borough is a basic assumption of the parties;

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

SECTION 1. DEFINITIONS

For the purpose of this Ordinance the terms defined above shall have the meanings there indicated, and the following additional terms shall have the following meanings:

(a) “Act” or “Cable Television Act” shall mean that statute of the State of New Jersey relating to cable television, known as the Cable Television Act, N.J.S.A. 48:5A-1 et seq.
“Application” shall mean Cablevision’s application for Renewal of Municipal Consent, which application is on file in the Borough Clerk’s office and is incorporated herein by reference and made a part hereof, except as modified, changed, limited or altered by this Ordinance.

“Board” shall mean the Board of Public Utilities of the State of New Jersey or its successor agency.

“Borough” shall mean the governing body of the Borough of Dunellen in the County of Middlesex, and the State of New Jersey.

“Company” shall mean CSC TKR, LLC d/b/a Cablevision of Raritan (“Cablevision”) the grantee of rights under this Ordinance.

“FCC” shall mean the Federal Communications Commission.

“Federal Act” shall mean that federal statute relating to cable communications commonly known as the Cable Communications Policy Act of 1984, 47 U.S.C. Section 521 et seq. and the Telecommunications Act of 1996, or as those statutes may be amended.

“Federal Regulations” shall mean those federal regulations relating to cable television services, 47 C.F.R. Section 76.1 et seq. (and, to the extent applicable, any other federal rules and regulations relating to cable television, including but not limited to, those described in 47 C.F.R. Section 76.3), or as such regulations may be amended.

“Standard installation” shall mean the installation of drop cable to a customer’s premise where the distance from the point of entry into the building being served is less than 150 feet from the active cable television system plant.

“State” shall mean the State of New Jersey.

“State Regulations” shall mean those regulations of the State of New Jersey Board of Public Utilities relating to cable television. N.J.A.C. 14:17-1.1 et seq. and N.J.A.C. 14:18-1 et seq., or as such regulations may be amended.

SECTION 2. STATEMENT OF FINDINGS

A public hearing concerning the consent herein granted to Cablevision was held after proper public notice pursuant to the terms and conditions of the Act. Said hearing having been held and fully open to the public, and the municipality having received all comments regarding the qualifications of Cablevision to receive this consent, the Borough hereby finds Cablevision possesses the necessary legal, technical, character, financial and other qualifications to support municipal consent, and that Cablevision’s operating and construction arrangements are adequate and feasible.
SECTION 3. GRANT OF AUTHORITY

The Borough hereby grants to Cablevision its non-exclusive consent to place in, upon, along, across, above, over, and under its highways, streets, alleys, sidewalks, public ways, and public places in the municipality poles, wires, cables, and fixtures necessary for the maintenance and operation in the Borough of a cable television system or other communications facility, and for the provision of any communication service over such facilities. Operation and construction, pursuant to said consent, is conditioned upon prior approval of the Board of Public Utilities.

SECTION 4. DURATION OF FRANCHISE

This consent granted herein shall be non-exclusive and shall be for a term of ten (10) years from the date of issuance of a Certificate of Approval by the Board.

SECTION 5. EXPIRATION AND SUBSEQUENT RENEWAL

If Cablevision seeks successive consent, it shall, prior to the expiration of this consent, apply for a municipal consent and certificate of approval in accordance with N.J.S.A 48:5A-16, and applicable state and federal rules and regulations. In accordance with N.J.S.A. 48:5A-25.1, both the Borough and Cablevision shall be bound by the terms of this municipal consent until such time as Cablevision converts the municipal consent (and any certificate of approval) into a system-wide franchise.

SECTION 6. FRANCHISE TERRITORY

The consent granted under this Ordinance to Cablevision shall apply to the entirety of the Borough and any property hereafter annexed.

SECTION 7. SERVICE AREA

Cablevision shall be required to proffer video programming service along any public right-of-way to any person’s residence within the portion of the Franchise territory, as described in the Application for municipal consent, at Cablevision’s schedule of rates for standard and nonstandard installation.

SECTION 8. EXTENSION OF SERVICE

Cablevision shall extend service along any public right of way outside its service area to those residences within the franchise territory which are located in areas that have a residential density of twenty-five (25) homes per mile or greater, or areas with less than twenty-five (25) homes per mile where residents agree to share the costs of such extension in accordance with the line extension formula as provided by the Company in its Application for municipal consent.
SECTION 9. FRANCHISE FEE

Pursuant to the terms and conditions of the Cable Television Act, Cablevision shall pay to the Borough, as an annual franchise fee, a sum equal to two percent (2%) of the actual gross revenues received from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception services in the Borough. The Company may use electronic funds transfer to make any payments to the Borough required under this Ordinance. In the event applicable law hereinafter permits a larger franchise fee to be collected, but does not fix the amount thereof; the Borough and Cablevision shall negotiate in good faith with respect to the amount thereof; provided, however, that nothing herein shall be construed to permit the Borough to require payment of a franchise fee by Cablevision that is higher than the fee paid by all other cable television service providers offering service in the Municipality.

SECTION 10. FREE SERVICE

Subject to FCC regulations, Cablevision shall, upon written request, provide free of charge, one (1) standard installation and monthly cable television reception service to all State or locally accredited public schools and all municipal public libraries. Furthermore, Cablevision shall, upon written request, provide free of charge, standard installation and monthly cable television reception to the following municipal departments:

1. Municipal Clerk's Office, 355 North Avenue, Dunellen, NJ
2. Recreation Office, 355 North Avenue, Dunellen, NJ
3. Office of Emergency Management, 355 North Avenue, Dunellen, NJ
4. Dunellen Police Station, 355 North Avenue, Dunellen, NJ
5. Construction Office, 101 Prospect Avenue, Dunellen, NJ
6. Dunellen Fire House, 231 South Madison Avenue, Dunellen, NJ
7. Dunellen Public Library, 100 New Market Road, Dunellen, NJ
8. Dunellen Department of Public Works, 265 Hall Street, Dunellen, NJ
9. Dunellen Senior Center, Columbia Park, Dunellen, NJ
10. Dunellen Rescue Squad, 415 North Avenue, Dunellen, NJ
11. Dunellen Parking Authority, 345 Front Street, Dunellen, NJ

Subject to FCC regulations, Cablevision shall, upon written request, provide free of charge one (1) Internet connection to Borough Hall, located at 355 North Avenue, Dunellen, NJ; and one (1) Internet connection to the Dunellen Public Library located at 100 New Market Road, Dunellen, NJ. This offer shall be subject to the terms, conditions and use policies of the Company as those policies may exist from time to time.

SECTION 11. CONSTRUCTION/SYSTEM REQUIREMENTS

Cablevision shall perform construction and installation of its plant and facilities in accordance with applicable State and federal law. The Company shall be subject to the following additional construction requirements with respect to the installation of its cable plant and facilities in the Borough:
(a) In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces, the Company shall at its sole expense restore and replace such disturbances in as good a condition as existed prior to the commencement of said work.

(b) If at any time during the period of this consent, the municipality shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Borough shall remove or relocate its equipment, at its own expense.

(c) Upon request of a person holding a building or moving permit issued by the Borough, the Company shall temporarily move or remove appropriate parts of its facilities so as to permit the moving or erection of buildings or for the performance of other work. The expense of any such temporary removal or relocation shall be paid in advance to the Company by the person requesting the same. In such cases, the Company shall be given not less than fourteen (14) days prior written notice in order to arrange for the changes required.

(d) During the exercise of its rights and privileges under this consent, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires, cables, conduits and fixtures of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company’s facilities.

SECTION 12. TECHNICAL AND CUSTOMER SERVICE STANDARDS

Cablevision shall comply with the technical and customer service standards established for the cable industry under applicable federal and State laws, rules and regulations.

SECTION 13. LOCAL OFFICE OR AGENT

Cablevision shall establish and maintain during the entire term of this consent a local area business office or agent for the purpose of receiving, investigating and resolving complaints regarding the quality of service, equipment malfunctions and similar matters. Said office shall be open daily during normal business hours, and in no event less than 9:00 a.m. to 5:00 p.m., Monday through Friday, with the exception of holidays.

SECTION 14. DESIGNATION OF COMPLAINT OFFICER

The Office of Cable Television is hereby designated as the complaint officer for the Borough pursuant to the provisions of N.J.S.A. 48:5A-26. All complaints shall be reviewed and processed in accordance with N.J.A.C. 14:17-6.5.

SECTION 15. LIABILITY INSURANCE

Cablevision agrees to maintain and keep in force and effect at its sole cost at all times during the term of this consent, sufficient liability insurance naming the Borough as an additional
insured and insuring against loss by any such claim, suit, judgment, execution or demand in the minimum amounts of five-hundred thousand dollars ($500,000) for bodily injury or death to one person, and one million dollars ($1,000,000) for bodily injury or death resulting from any one accident or occurrence stemming from or arising out of the Company’s exercise of its rights hereunder.

**SECTION 16. PERFORMANCE BOND**

Cablevision shall obtain and maintain, at its sole cost and expense, during the entire term of this Agreement, a bond to the municipality in the amount of twenty-five thousand dollars ($25,000.00). Such bond shall be to insure the faithful performance of its obligations as provided in this Franchise.

**SECTION 17. RATES**

A. The rates of the Company for cable television service shall be subject to regulation to the extent permitted by federal and State law.

B. Cablevision shall implement a senior citizen discount in the amount of ten percent (10%) off the monthly broadcast basic level of cable television service rate to any person sixty-two (62) years of age or older, who subscribes to cable television services provided by the Company, subject to the following:

   (i) Such discount shall only be available to eligible senior citizens who do not share the subscription with more than one person in the same household who is less than sixty-two (62) years of age; and,

   (ii) In accordance with N.J.S.A. 48:5A-11.2, subscribers seeking eligibility for the discount must meet the income and residence requirements of the Pharmaceutical Assistance to the Aged and Disabled program pursuant to N.J.S.A. 30:4D-21; and,

   (iii) The senior citizen discount herein relates only to the broadcast basic level of cable television service, and shall not apply to any additional service, feature, or equipment offered by the Company, including any premium channel services and pay-per-view services; and,

   (iv) Senior citizens who subscribe to a level of cable television service beyond expanded basic service, including any premium or per channel a la carte service, shall not be eligible for the discount; and,

C. The Company shall have no further obligation to provide the senior discount herein in the event that (a) the Company converts the municipal consent granted herein to a system-wide franchise in accordance with N.J.S.A. 48:5A-25.1; or (b) upon Board approval of a certification that another cable television service provider offering services to residents of the Borough files, in accordance with N.J.S.A. 48:5A-30(d), that it is capable of serving sixty percent (60%) or more of the households within the Borough. In the event the Company does cease providing a senior discount pursuant to this provision, it shall comply with all notice requirements of applicable law.
SECTION 18. EMERGENCY USES

Cablevision shall be required to have the capability to override the audio portion of the system in order to permit the broadcasting of emergency messages by the Borough pursuant to state and federal requirements. The Company shall in no way be held liable for any injury suffered by the Borough or any other person, during an emergency, if for any reason the municipality is unable to make full use of the cable television system as contemplated herein. The Borough shall utilize the state-approved procedures for such emergency uses.

SECTION 19. EQUITABLE TERMS

In the event that the service of another multi-channel video program provider not subject to the Borough’s regulatory authority within the Borough creates a significant competitive disadvantage to Cablevision, the Company shall have the right to request from the Borough lawful amendments to its Franchise that relieve it of burdens which create the unfair competitive situation. Should the Company seek such amendments to its Franchise, the parties agree to negotiate in good-faith appropriate changes to the Franchise in order to relieve the Company of such competitive disadvantages. If the parties can reach an agreement on such terms, the Borough agrees to support the Company's petition to the Board for modification of the consent in accordance with N.J.S.A 48:5A-47 and N.J.A.C. 14:17-6.7.

If the parties are unable to reach an agreement on appropriate amendments to the franchise, the Borough acknowledges that the Company shall have the right to petition the Board directly for such amendments in accordance with N.J.S.A. 48:5A-47 and N.J.A.C. 14:17-6.7; provided, however, the Borough shall be under no obligation to support Cablevision's request for such relief from the Board.

In any subsequent municipal consent, Borough shall require, at a minimum, the same terms and conditions of any other provider of multi-channel video programming subject to the Borough’s regulatory authority as those contained in the instant consent. In the event such subsequent consent does not contain the same terms and conditions as the instant consent, Borough agrees to support the Company's petition to the Board for modification of the consent in accordance with NJSA 48:5A-47 and NJAC 14:17-6.7 to relieve the Company of competitive disadvantages identified in the Company's petition.

SECTION 20. REMOVAL OF FACILITIES

Upon expiration, termination or revocation of this Ordinance, Cablevision at its sole cost and expense and upon direction of the Board, shall remove the cables and appurtenant devices constructed or maintained in connection with the cable services authorized herein, unless Cablevision, its affiliated entities or assignees should, within six (6) months after such expiration, termination or revocation obtain certification from the FCC to operate an open video system or any other federal or state certification to provide telecommunications.
SECTION 21. PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS

A. Cablevision shall continue to make available non-commercial public, educational and governmental (PEG) access services to the residents of the Borough as described in the Application for municipal consent. All Cablevision support for PEG access shall be for the exclusive benefit of Cablevision’s subscribers.

B. The Borough agrees that Cablevision shall retain the right to use the PEG access channel, or portion thereof, for non-PEG access programming, during times when the Borough is not utilizing the channel for purposes of providing PEG access programming. In the event that the Company uses said PEG access channel for the presentation of such other programming, the PEG programming shall remain the priority use and the Company’s rights with respect to using the channel for non-PEG programming shall be subordinate to the Borough’s provision of PEG access programming on such channel.

C. Cablevision shall have discretion to determine the format and method of transmission of the PEG access programming provided for in this Section 21.

D. In consideration of the rights granted in this Ordinance, Cablevision shall provide the Borough with a one-time PEG grant of up to FIFTEEN THOUSAND DOLLARS ($15,000.00) payable as follows: (i) an initial grant payment of SIX-THOUSAND DOLLARS ($6000.00) within ninety (90) days of the issuance of the Certificate of Approval by the Board of Public Utilities (the “Initial Grant”); and (ii) nine (9) grants of ONE THOUSAND DOLLARS ($1,000.00), each provided in annual installments upon written request by the Borough after the first anniversary of the effective date of this consent (the “Annual Grant”). The Annual Grant shall be payable to the Borough within ninety (90) days from receipt of the Borough’s annual written request. Cablevision shall not be obligated to make any additional payments beyond year ten of the franchise term.

E. The Borough agrees that the Initial Grant and the Annual Grant provided pursuant to Paragraph E shall be used for the exclusive support of PEG access programming, such as the purchase and/or rental of PEG access equipment and facilities. On request, the Borough shall provide Cablevision with a certification of compliance with this Section 21(E).

F. The Company shall have no further obligation to provide any PEG grant payments due and payable after the date upon which the Company converts the municipal consent granted herein to a system-wide franchise in accordance with N.J.S.A. 48:5A-25.1.

SECTION 22. INCORPORATION OF APPLICATION

All of the commitments contained in the Application and any amendment thereto submitted in writing to the Borough by the Company except as modified herein, are binding upon Cablevision as terms and conditions of this consent. The Application and any other written amendments thereto submitted by Cablevision in connection with this consent are incorporated in this Ordinance by reference and made a part hereof, except as specifically modified,
changed, limited, or altered by this Ordinance, or to the extent that they conflict with State or federal law.

SECTION 23. CONSISTENCY WITH APPLICABLE LAWS

This consent shall be construed in a manner consistent with all applicable federal, State and local laws, as such laws, rules and regulations may be amended from time to time.

SECTION 24. SEPARABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

SECTION 25. NOTICE

Notices required under this Ordinance shall in writing and shall be mailed, first class, postage prepaid, to the addresses below. Either party may change the place where notice is to be given by providing such change in writing at least thirty (30) days prior to the time such change becomes effective. The time to respond to notices under this Ordinance shall run from receipt of such written notice.

Notices to the Company shall be mailed to:

Altice USA
1111 Stewart Avenue
Bethpage, NY 11714
Attention: Vice President for Government/Public Affairs

With a copy to:

Cablevision of Raritan Valley
1111 Stewart Avenue
Bethpage, NY 11714
Attention: Legal Department

Notices to the Borough shall be mailed to:

Borough of Dunellen
355 North Avenue
Dunellen, New Jersey 08812
Attention: Borough Administrator
Notwithstanding anything herein to the contrary, regulatory notices from the Company to the Borough which are required pursuant to federal and state law and regulations may be served electronically upon the Borough, instead of by first class mail as described above, to an email address provided by the Borough.

SECTION 26. EFFECTIVE DATE AND BOARD OF PUBLIC UTILITY APPROVAL

This Ordinance shall take effect upon issuance of a Certificate of Approval as issued by the Board of Public Utilities that incorporates the material terms of this Ordinance. Nothing herein shall alter the right of the Company to seek modification of this Ordinance in accordance with N.J.S.A 48:5A-47 and N.J.A.C. 14:17-6.7.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon the passage, and publication as required by law.

Mayor Cilento noted that this is the Altice USA Cablevision franchise agreement. It is being renewed, and tonight is the Introduction of the ordinance/agreement. We will have a public hearing on November 16th. He informed the public that this is a non-exclusive agreement and we do not discourage other cable services from coming into town and we hope that that competition does come into town. Under this agreement we will receive an increase of a grant to Dunellen (from $10,000 to $15,000), eleven free cable TV hook-ups to different departments which will save us thousands of dollars, and we will have higher speed Internet connections to Borough Hall and to the Dunellen Public Library.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

ORDINANCE 2020-14

The following ordinance was 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 October 19, 2020. It is now being further considered for final passage, after public hearing thereon, at a meeting of said governing body to be held in the Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on November 2, 2020 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance have been available at no cost and during regular business hours, at the Clerk’s office for the members of the general public who have requested the same.
BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:

Ordinance #08-13 entitled AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 54 (POLICE), SECTION 54-52, et. seq. (SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS) OF THE CODE OF THE BOROUGH OF DUNELLEN, NEW JERSEY. ADOPTED on September 8, 2008, amended on March 19, 2012 and April 9, 2012, is hereby amended as to the following section:

A. RATES OF COMPENSATION; ADMINISTRATIVE FEE; PAYMENT FOR SERVICES

Rates of compensation for contracting the services of off-duty law enforcement officers for Dunellen Borough Municipal Projects and Dunellen School District projects shall be sixty-dollars per hour ($60.00) and an additional fee of eight dollars per hour ($8.00) is hereby established to cover administrative costs, overhead, and out-of-pocket expenses of the Borough of Dunellen. Therefore, the total hourly rate of compensation shall be sixty-eight dollars ($68.00).

Rates of compensation for contracting the services of off-duty law enforcement officers for all other projects other than those by the Borough of Dunellen or the Dunellen School District shall be seventy-seven dollars per hour ($77.00) and an additional fee of eight dollars per hour ($8.00) is hereby established to cover administrative costs, overhead, and out-of-pocket expenses of the Borough of Dunellen. Therefore, the total hourly rate of compensation shall be eighty-five dollars ($85.00).

Any assignment cancelled by a private party on less than four (4) hours notice shall be charged against the party for the minimum hours for the assignment. The minimum hours for any assignment is set at four (4) hours.

If the use of a police vehicle(s) is requested and approved by the Chief of Police, then an additional charge of fifteen dollars per hour ($15.00) per vehicle will be charged.

The Borough of Dunellen holds the right to seek a third-party company for the Police Department’s Off-Duty Employment services for Off-Duty Program Administration. The chosen service provider may charge an additional fee other than the officer, administration or any other fees set forth by the Borough. This service may handle scheduling, billing, collections, pay or any other service previously performed by the borough.

In the event police officers from other municipalities perform special duty assignments within the Borough due to the non-availability of local officers for such duties, it shall be the responsibility of those officers from other municipalities to arrange payment for services direct from the utilizing party or through their police department.

At this point, Mayor Cilento opened the meeting for public comment on the ordinance. No one from the public spoke. This portion was closed.
Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

**11-02-2020: #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, Dunne, Narvesen, Rios and Sigmon

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

**11-02-2020: #2**

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

The Dunellen Mayor and Council recognize the appointment by Office of Emergency Management Coordinator Homer Mosley of the following deputies:

Scott Pabish, appointed February 3, 2020
Peter Albertson, appointed March 10, 2020
Joshua Frisoli, appointed June 11, 2020

Dr. Dunne asked about the timing of this resolution as they go back as far as nine months ago. She inquired about the process. Dr. Robins explained that there is no established process. Homer Mosley has taken an extremely active role in pulling the OEM together and under his leadership he has asked at least three people to become deputies. It is under his purview to appoint deputies. In the past we did not have deputies, or just an occasional one, so this situation has not come up. This resolution will serve as proof to an insurance company in the event of an on-the-job injury that the deputy is there in an official capacity. Dr. Dunne requested that in the future we make such recognition at the time of appointment.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon
On the motion of Mr. Bayer and seconded by Mrs. Burke was moved to accept the following:

**11-02-2020: #3**

RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR ACCUMULATED ABSENCES LIABILITY TRUST FUND REQUIRED BY
N.J.A.C.5:30-15

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and

WHEREAS, N.J.A.C. 5:30-15 provides for establishment of an Accumulated Absence Liability Trust Fund by the municipality to provide for the operating costs to administer this act, and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from an Accumulated Absence Liability Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for an Accumulated Absence Liability Trust Fund, as authorized under N.J.A.C. 5:30-15.

The Clerk of the Borough of Dunellen, County of Middlesex is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

______

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

**11-02-2020: #4**

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

WHEREAS, Michael Aiello, Foreman in the Dunellen Department of Public Works, did declare by letter to Mayor and Dunellen Council dated October 16, 2020, that he desires to be reclassified from Foreman to Class A Operator; and

WHEREAS, the Mayor and Council of the Borough of Dunellen, having considered the request, do agree that such a reclassification is in the best interests of the Borough, the Department of Public Works, and Michael Aiello himself.
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that Michael Aiello be reclassified to Class A Operator in the Dunellen Department of Public Works, effective November 2, 2020.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

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

Municipal Attorney John E. Bruder is authorized to make an offer to Davco North Smalley LLC, owners of 665 North Avenue, Block 49, Lot 36.01 (Dunellen Borough) and Block 266, Lot 2 (Middlesex Borough), said offer based upon a recent appraisal of the property, for:

1. Permanent Easement: located at the east end of the site, in front of the existing building and extending to North Avenue Extension. The easement will contain a total area of 17,458 sq. ft. or 0.401 acres. The easement will be a subsurface easement and will not affect the use of the site.
2. Temporary Easement: located east of the permanent easement and containing a total area of approximately 6,500 sq. ft. and last for approximately 1 year.

The easements are required for access to the property during what is known as the Railroad Culvert Project.

Funding is coming from a Capital Bond Ordinance, account C-04-06-120-000-600.

Mr. Bruder commented that we now have an appraisal and as we have not received a response from the owners, we will now make an offer for the easement. Dr. Dunne inquired as to the time they have to respond. Mr. Bruder stated that he does not think there is a statutory time, but we will give them a reasonable amount of time and if they do not respond or choose to accept, we will proceed.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

[Mrs. Rios made an amendment from the floor to change the original resolution to reflect a quote of $8,288.00 from P Cooper Roofing. Dr. Robins explained that the original resolution presented to Council reflected a price increase, hence necessitating an amended resolution. However, Mrs. Rios, through clever bargaining, was today able to obtain a lower price and this is being presented to Council for approval.]
Mr. Bayer made a motion to adopt the revised resolution as further amended to reflect the lower price, seconded by Mrs. Burke:

11-02-2020: #6

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

Resolution 10-19-2020: #6 is hereby amended as follows:

WHEREAS, there is a need to repair gutters, leaders and fascia on the Fire House building; and

WHEREAS, the following quotes were received for this repair:

Deegan Roofing, Siding, Gutter
61 Terrill Road, Plainfield, NJ $9,575.00

P Cooper Roofing
970 River Road, Croydon, PA $8,288.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that a contract be awarded to P Cooper Roofing for the repair of gutters, leaders and fascia on the Fire House Building, at a cost not to exceed $8,575.00. Funds for this will be taken from Account # C-04-20-002-000-607.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

CONSENT AGENDA:

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

11-02-2020: #7

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 King Moench Hirniak & Mehta, LLP., from the Dunellen Planning Board Escrow Account for legal work done toward “150 North Avenue” redevelopment:
RESOLUTION 11-02-2020: #8 WAS REMOVED.

11-02-2020: #9

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 Windels Marx Lane & Mittendorf, LLP., from the Interim Cost Agreement Escrow Account for work done toward “528 North Avenue LLC” redevelopment, subject to the refunding of the Account:

<table>
<thead>
<tr>
<th>Windels Marx File Number</th>
<th>Bill Number</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0305764-0000004</td>
<td>46528</td>
<td>$5,501.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$5,501.00</td>
</tr>
</tbody>
</table>

11-02-2020: #10

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 King Moench Hirniak & Mehta, LLP., from the Interim Cost Agreement Escrow Account for legal work done toward “528 North Avenue” redevelopment, subject to the refunding of the Account:

<table>
<thead>
<tr>
<th>King Moench</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>91558</td>
<td>Redevelopment</td>
<td>$224.00</td>
</tr>
</tbody>
</table>
11-02-2020: #11

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 redevelopment, subject to the refunding of the Account.

<table>
<thead>
<tr>
<th>CME Associates</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0263429</td>
<td></td>
<td>$654.00</td>
</tr>
<tr>
<td>0266870</td>
<td></td>
<td>$87.00</td>
</tr>
<tr>
<td>0265013</td>
<td></td>
<td>487.75</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total:</strong></td>
</tr>
</tbody>
</table>

11-02-2020: #12

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

Resolution 10-05-2020: #16 is hereby amended as follows:

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 Interim Cost Agreement Escrow Account for work done toward Dunellen Stations redevelopment, subject to the refunding of the Account:

<table>
<thead>
<tr>
<th>CME Associates</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0265792</td>
<td>Redevelopment</td>
<td>$4,072.75</td>
</tr>
<tr>
<td>0267896</td>
<td>Redevelopment</td>
<td>$771.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total:</strong></td>
</tr>
</tbody>
</table>
Council Discussion: Best Practices

Each year, the Department of Community Affairs promulgates a “Best Practices Inventory” and distributes to all 565 municipalities. It is designed to ascertain the status of municipal government practices in New Jersey. The inventory ostensibly assesses each municipality’s compliance with various laws and evaluates implementation of fiscal and operational best practices. The inventory is regarded as one way taxpayers can evaluate their municipality’s performance.

This year there were 29 scored questions and 31 unscored questions on survey format. Some of the topics were: personnel, budgeting, financial administration, capital projects, transparency, authorities, procurement, web sites, cybersecurity, shared services, PILOTs, and affordable housing.

The unscored questions contained opportunities for a municipality to request from the DCA additional training or advice.

The State can withhold some of our discretionary aide if we do not answer a sufficient number of questions positively. This year we answered 22 out of the 29 questions with a “Yes” or “Prospective”; thus, we will receive full funding.

Dr. Dunne asked about the questions related to cybersecurity and specifically whether there are plans to increase our cybersecurity for the borough? Dr. Robins responded that he had reviewed the Best Practices questions on this matter in anticipation of a meeting with TK1, a possible vendor for IT services and asked them if they could provide such services and they answered in the affirmative.

Dr. Dunne noted that one of the questions in the Best Practices has to do with an anti-nepotism policy and she informed members of the public that such a policy is being developed by the Council.

REPORTS:

Mrs. Rios: no report.
Mrs. Burke: 1) Fire Department is pleased that their parking lot will be included in the mill and pave program, though they do have a concern regarding the retaining wall and if the lot would be
striped; 2) the Fire Department will be selling Christmas Trees, beginning around Thanksgiving; 3) the Police Department will be participating in “No Shave November” to raise funds to honor former Police Chief Cappella by giving funds for a scholarship for a graduating senior; 4) she was made aware of some social media comments regarding traffic enforcement. Chief Smith had come to the Police Committee last year regarding purchasing digital speedometers which we were able to do. Those have been placed at different points in the community. They can last a week or two before needing to be recharged. If you are a member of the public and think you need speed/traffic enforcement on your street, she encourages you to reach out to the Police Department who will be receptive and listen to you and your street or block might possibly be added to the list depending on the data collected; 5) we still do not have a Social Media Committee date set, but we are working on it; 6) thanked Homer Mosley and OEM who are doing good things for our community such as assisting with Trunk-or-Treat and preparedness. Mr. Mosley is also setting up a meeting for elected officials so they can understand the role of OEM.

Mr. Bayer: 1) no report on Finance, but regarding 139 South Washington Avenue, the fire-damaged house, as of today they will start to accumulate fines; 2) we have received word that the Art Color project has received all its necessary approvals and as soon as the bonds are posted permits will be issued and then it is “off to the races.”

Dr. Dunne: 1) wishes Council President Bayer a Happy Birthday; 2) thanked the Parking Authority who answered some questions about parking and meters on Front Street; 3) noted that when the Fire Department is ready for parking lot striping, they should reach out to Public Works Manager Alex Miller to get this on the schedule; 4) DPW Report: DPW crew has continued cleaning downtown streets & sidewalks. There have been daily park clean ups. They have made multiple roll off trips to the dump after the last weekend of house garbage season ended. They have filled potholes for ¼ of the town and will continue filling more potholes in the upcoming weeks. She reminds residents that there is a pot-hole process and they should inform Alex Miller who will put it on the list. They have made rounds picking up branches and leaf bags. They have worked with PSE&G on a tree removal on Dunellen Avenue (note when working with PSE&G means it is a large tree that grew through the power lines). They have cleared catch basins, walked the brooks, and checked the headwalls prior to the storm. The Mechanic has worked on patrol cars # 505, 506, and 508, serviced the Police Chief’s vehicle, worked on truck #3, and repaired one of our mowers; 5) Mayor Cilento, Councilwoman Rios and herself had a meeting last Friday with members of the community who want to start a Diversity and Inclusion Committee and they are looking forward to bringing this to Council hopefully in December.

Dr. Dunne then delivered the following statement:

As many of you likely aware, I was sent an anonymous letter harassing me over the weekend and an attempt was made to damage my personal property. I am asking for the public’s help in identifying the individual or individuals who committed these cowardly acts. If you have any knowledge of who these individuals may be, please contact the Dunellen Police Department immediately. I am deeply concerned that a Dunellen resident would act in this manner – this is not the Dunellen I know, live in, love and serve.

For my entire life, I have lived it with a sense of purpose, a purpose to serve my community and make it a better place for everyone. Including people like the ones who committed these cowardly acts. Even though you may disagree with me, I will continue to work for you, for your family and for our community.
To the coward committed these acts, I have one message for you: I am not afraid. If your intention was to scare or intimidate me, I am sorry to tell you that no matter what happens on Election Day, I will continue to fight for the community I love. If you disagree with me or my position, I encourage you to speak with me. I think you’ll find that I’m open to disagreements and finding common solutions. What I’m not open to is cowardly acts of intimidation.

For those who have offered me support the past two days, both people I personally know as well as dozens of people I don’t know as well: thank you, from the bottom of my heart. You are the community of Dunellen that I know, love and serve.

And my advice for everyone: vote, volunteer and serve. By coming together as a community, we will continue to grow.

I commend my fellow candidates Kenneth Bayer and Tremayne Reid for denouncing these horrible acts. I would hope that none of us would sanction or approve of this kind of behavior.

Mayor Cilento commended Dr. Dunne and the entire DPW Committee who have been very active, as well as Alex Miller, specifically with the streams being cleaned out frequently and acknowledged the work done by the men of the DPW. A Second Street resident informed him the other day they have not seen the town this clean in a long time. They commended the DPW.

Mr. Bruder reported on his research regarding the outdoor light issue brought to Council attention at the last meeting. He has determined that very few municipalities in New Jersey have attempted to legislate in the area of lighting. Municipalities do have the right to legislate on lighting, but the problem comes in both the regulations themselves and the enforcement. Those few ordinances he found get technical very quickly, talking about, for example, maximum vertical illumination, measuring light at certain vertical heights. What becomes obvious when you investigate it is that these regulations are virtually impossible to enforce. And that appears to be the reason so few municipalities have even attempted to enact lighting ordinances. He read some examples from ordinances, and then asked: how does a municipality enforce that? You would have to purchase appropriate equipment, train someone to use it, and pay that person overtime for it is likely to be an after-hours investigation. You cannot simply cite someone for a violation without being able to prove it. He spoke with a representative from a municipality that has a lighting ordinance and that person indicated that the ordinance is not utilized, because of the above problems. Furthermore, every light that exists in town right now would be “grandfathered” so an ordinance would affect only new lighting. So, for these reasons, even though a municipality does have the authority to enact lighting regulations, it is his legal opinion that such regulation is not advisable.

Mrs. Narvesen: 1) Recreation Department had its largest Halloween Parade ever with over 130 participants; 2) Veteran’s Day reminder for Wednesday, November 11th, Washington Memorial Park; 3) next drop-off dates for the food drive are Wednesday, November 4th from 10:00 am to 12 noon and Thursday, November 5th from 5-7 pm, at the Living Hope Church on Whittier Avenue. Personal hygiene products, paper products, water and canned goods are needed, and pick-up is Saturday, November 7th and please contact Alex Miller for more information; 4) the Municipal Alliance has been notified that in fiscal year 2022 they will be granted a total $5,914.00.
Mr. Sigmon: noted that he is isolating due to a close contact with someone at work.

Mayor Cilento:

**Covid-19 Update:**

As of today, we have a cumulative total of 267 for Dunellen; that’s an additional fifteen cases since my 10/24/2020 update, with still only 9 deaths. As a reminder, these are cumulative totals and are based off the information being provided from the County.

Dunellen and Middlesex County’s cumulative totals can be found at [www.discovermiddlesex.com/total-cumulative-cases/](http://www.discovermiddlesex.com/total-cumulative-cases/).


Please continue to practice social distancing and wearing of a mask. Preventing further spread is going to be a team effort in making sure we move beyond another State shutdown.

If you are in need of assistance due to a health crisis, please contact the crisis text line by texting “NJ” to 741741 or call the family helpline at 1-800- 843-5437. We encourage you to utilize these resources during this challenging time.

**Redevelopment:**

Dunellen Stations (Art Color) – CME our municipal engineers issued a resolution compliance report. This is considered an engineering check list for the developer. Once the developer fulfills their other requirements associated with the Redevelopment Agreement, post their bonds and escrows and address any items needed for their construction permits, they should be able to start site work. We understand that NJAW will construct the water distribution improvements with their own contractor and will accept bids once the redeveloper posts the estimated improvement costs and executes the agreements with NJAW. In addition, I have spoken to Mr. Brudner regarding a banner near the site that shows the overall development project. He has noted that he will have one up in the next few weeks. This project is moving forward.

Chelsea Builders will be presenting a conceptual plan to the Borough Council/Redevelopment Agency before the end of the year for property at 440 North Avenue. The development is being proposed as commercial on the bottom with residential on top. More information to come regarding this in the future.

**Capital Improvements:**

Railroad Avenue Project – CME our engineers spoke with NJ Transit last week. The Application is being reviewed by insurance. We are expected to hear back within the week.

Grove Street Improvements – Construction is tentatively scheduled to start next week. CME is confirming the exact date with the contractor and will provide same to the Borough including the date that resident notices will be distributed.
South Madison Avenue Improvements – The contractor is acquiring their bonds and insurance and has indicated they are anxious to get started. CME will be scheduling a preconstruction meeting for next week.

North Avenue Culvert Project - As you can see this evening during our 11/2/2020 Council meeting, the Borough of Dunellen has been working to move this project along having already made several updates throughout the year in our Council meetings. Tonight’s resolution authorizing our legal counsel to make an offer to DAVCO North Smalley LLC for easements on 665 North Avenue to begin acquisition process of this piece of the commercial property is based upon our recent commissioning of an independent formal appraisal of the purchase value of the easements. The measure that was taken this evening is another step in making sure the culvert project moves forward, and therefore, addressing long-standing flooding concerns, as well as the FEMA flood map most notability on the south side of town. The completion of this culvert project has to be the first step in requesting FEMA to readdress our flood zone maps.

Altice USA: Following up on the letter I issued in September 2020, alongside the Mayors of Piscataway Township, Robbinsville Township and Hamilton Township to the New Jersey Board of Public Utilities, requesting them to investigate Optimum regarding the quality and consistency of their service, representatives from Altice’s government affairs department have been in discussions with myself and Borough Administrator Bill Robins.

They informed the Borough that they have plans to upgrade services by the splitting of two network nodes that will provide greater capacity to residents in Dunellen. Nodes are used to distribute TV and Internet bandwidth throughout a geographic area. Each node can service between 200-400 households, therefore doubling the size of capacity. Optimum describes this as a means to “virtually add” lanes to an Internet highway that allows for customers to have greater bandwidth.

Optimum has informed the Borough that the node splits are estimated to be completed before the end of the year. In addition, two other nodes in the Borough are being triaged to determine if they have congestion issues and need to be split to add more capacity.

Optimum also created four channels for residents to inform Optimum of their issues. Contacting Optimum via any of these channels will result in a trouble ticket being created that will direct a repair team to assess and address the issue:

- Visit optimum.net/support/outage
- Message Optimum at optimum.net/chat
- Send Tweet to @Optimumhelp
- Call (866) 950-3278

The Borough of Dunellen will continue to work on behalf of its residents to ensure Optimum makes service to their Dunellen customers a top priority.
Community Visual Preference Survey:

As part of our Community Vision Plan process, DMR has developed the Downtown Dunellen Visual Preference Survey as a tool to better understand the community’s preferences as we continue to welcome the redevelopment of Dunellen’s downtown. The survey will be open from November 1-30 and can be taken on-line via the Dunellen website (www.dunellen-nj.gov) or community members can pick up a paper version from the Dunellen Public Library or Borough Hall. The survey will also be available in Spanish. In December 2020, we will host a public meeting, either in-person or via telecommunication, to discuss the results of the survey.

Halloween: Thank you to the entire community for helping make Halloween safe and festive, and a special thanks to Dunellen Parks and Recreation Director Alex Miller and Commission for making sure we held our 72nd Halloween Parade. Thank you to the Dunellen PTO for hosting trunk or treat at Washington Memorial Park. And thank you to the Dunellen Police, Fire, Rescue and OEM for participating in the events.

He asked the Maurer Restoration Committee for an update. Mrs. Narvesen responded that they have been trying to set a date and time for a meeting and hopefully by the next meeting they will have something to share.

Homer Mosley: thanked the Council and the Mayor for formally recognizing the OEM Deputies and thanked his deputies for their work at the Trunk-or-Treat, as well as Terri Albertson and Gene Mosley who assisted.

PUBLICATION PORTION

No one from the public spoke.

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

11-02-2020: #13

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

Whereas, the Open Public Meetings Act (NJSA 10:4-6) permits the closing of meetings to the public under certain circumstances; and

Whereas, there exists such a circumstance; and

Whereas, the Governing Body wishes to enter into Executive Session for the purpose of discussing matters concerning contract negotiations; and

Whereas, minutes of the Executive Session will be kept and will be released when the matters under discussion during the Executive Session are no longer confidential.

Therefore, be it resolved, that the Borough Council will enter into Executive Session.
Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

Mayor Cilento informed the public that the teleconference would end as Council is going into Executive Session and when it comes out of Executive Session, no action will be taken.

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

11-02-2020: #14

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

The Dunellen Borough Council will return to Regular Session.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon

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

11-02-2020: #15

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

The Dunellen Borough Council Meeting of November 2, 2020 is adjourned.

Yes: Bayer, Burke, Dunne, Narvesen, Rios and Sigmon