

September 20, 2021

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 September 20, 2021.

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, April Burke, Jessica Dunne, Richard Pinder, Trina Rios and Daniel Sigmon
Absent: Tremayne Reid

On the motion of Mrs. Burke and seconded by Mrs. Rios it was moved to accept the Minutes of the Meeting of September 8, 2021.

Yes: Burke, Dunne, Pinder, Rios and Sigmon

At this point, a Proclamation in Honor of “Hispanic Heritage Month” was presented:

**Proclamation Honoring
Hispanic Heritage Month
September 15, 2021 -- October 15, 2021**

WHEREAS, Hispanic Heritage Month is a time to honor and celebrate the many ways Hispanic Americans contribute to the success of our country; and

WHEREAS, Dunellen’s growing Hispanic population is strong and vibrant and a key part of the fabric of our town. They have a profound and positive influence on our community through their strong commitment to family, faith, hard work and service; and

WHEREAS, Hispanic Heritage month was created to showcase and highlight Hispanic contributions throughout our nation and as a reminder that Hispanics have been a part of the history of this nation since the beginning; and

WHEREAS, Hispanics of all generations and recent immigrants continue to make great contributions to this nation and to the Borough of Dunellen.

NOW, THEREFORE I, JASON F. CILENTO, MAYOR OF THE BOROUGH OF DUNELLEN, do hereby proclaim September 15--October 15, 2021 as HISPANIC HERITAGE MONTH in the Borough of Dunellen and call upon the people of our municipality to join in supporting this observation.

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

ORDINANCE 2021-23

BOROUGH OF DUNELLEN

AN ORDINANCE AMENDING AND SUPPLEMENTING “THE CODE OF THE BOROUGH OF DUNELLEN, NEW JERSEY,” REGARDING STREET PAVING

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 September 8, 2021. It is now being further considered for final passage, after public hearing thereon, at a meeting of said governing body being held in the Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on September 20, 2021 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance have been available at no cost and during regular business hours, at the Clerk’s office for members of the general public who have requested the same.

WHEREAS, the Mayor and Borough Council of the Borough of Dunellen (the “Borough”) is charged with establishing and maintaining safe passage and safe conditions within the Borough; and

WHEREAS, work has been undertaken throughout the Borough that has left numerous streets with only partial trench repairs or uneven and/or inconsistent repaving of varying quality; and

WHEREAS, this situation has left numerous streets in an unsightly and unsafe condition; and

WHEREAS, the Mayor and Borough Council have therefore determined that an ordinance further delineating the responsibilities of individuals and/or utilities who seek to excavate the streets and roadways of the Borough is in the best interests of the health, safety, and welfare of the residents of the Borough.

NOW, THEREFORE, BE IT RESOLVED:

Chapter 256, “Streets and Sidewalks,” Article Three, Restoration of Surfaces, of the Borough Code shall be and is hereby amended, in part, as follows:

Sec. 256-9. Permit Required.

It shall be unlawful to excavate, dig in, tunnel or open any public street in the Borough of Dunellen for any purpose without a permit being first secured from the Borough Construction Officer, and then only upon compliance with the provisions of this article. "Street" for the purpose of this article shall mean any road, thoroughfare, highway, public way, public alley, easement or

other right-of-way accepted or maintained by the Borough as a public street, as well as any other State or county road or highway over which the Borough has acquired jurisdiction by agreement.

- a. A tunnel or excavation may be commenced without a permit where an emergency has arisen which makes it necessary to start work immediately, provided that the application for permit is made simultaneously with the commencement of the work or as soon thereafter as is practical, but within 24 hours of commencement of the work at the latest. The permit, when issued, shall be retroactive to the date on which the work was begun.

Sec. 256-10. Application procedures.

Any person, firm, or corporation desiring a permit for the opening of a street or tunneling therein shall make application to said Borough Construction Officer setting forth the following information:

- (a) The name and address of the applicant.
- (b) The name of the street where the opening is to be made and the street number, if any, of the abutting property.
- (c) The Borough Tax Map, block and lot number of the property for the benefit of which the opening is to be made.
- (d) The nature of the surface in which the opening is to be made.
- (e) The character and purpose of the work proposed.
- (f) The time when the work is to be commenced and completed.
- (g) The plan showing the exact location and dimension of all openings.
- (h) The name and address of the workmen or the contractor who is to perform the work, if different from the applicant.
- (i) A statement that the applicant agrees to replace, at his own cost and expense, in accordance with borough specifications and details, the opening to the same state and condition as they were at the time of the commencement of the work, and further agrees to comply with all other applicable ordinances, regulations and laws relative to the work.
- (j) Agrees to indemnify and hold harmless the Borough from all loss, damage, claim or expense, including expenses incurred in the defense of any litigation arising out of injury to any person or property resulting from any work done by the applicant under the permit.
- (k) Such other information as the Borough Construction Officer or Engineer may consider pertinent.
- (l) The registration number from the underground locations services "New Jersey One Call" indicating that they have been properly notified and will locate underground facilities in the area of the proposed opening or tunneling operation.
- (m) Proof of insurance coverage as required by this article.

Sec. 256-11. Authority to grant or refuse permit.

The Borough Construction Officer is hereby authorized to refuse the issuance of any permit if such refusal is in the interest of public safety, public convenience or public health. If a permit is refused by the Construction Officer, an appeal may be taken to the Borough Council. The Borough Council, after hearing the applicant and the Construction Officer (or his/her designate such as the Borough Engineer) and such evidence as may be produced, may either direct the issuance of such permit or sustain the refusal of the Construction Officer.

Sec. 256-12. Requirements for Issuance of Permits.

All permits issued under this Article shall require the applicant to comply with the following:

- (a) All excavations shall be kept properly barricaded at all times and, during the hours of darkness, shall be provided with the proper warning lights. The applicant shall provide such signs, controls, barricades, warning lights, and personnel necessary for safe operation and compliance with applicable federal and state laws at its own cost and expense.
- (b) All excavations or tunneling shall be sheeted, shored, or braced in accordance with applicable safety codes and Occupational Safety and Health Administration (“OSHA”) standards.
- (c) All work shall be done in such a manner as to cause a minimum of interference with travel on the street affected. No street shall be closed to traffic unless the closing is approved by the Chiefs of the Police Department. The Police Department shall be notified of all street closings at least 24 hours in advance, except where the work is of an emergent nature, when notice shall be given to the Police Department at the time work commences.
- (d) All refuse and material shall be removed within forty-eight hours in accordance with applicable federal and state laws.
- (e) All excavations shall be completely backfilled with a Controlled Low Strength Material (CLSM), more commonly referred to as flowable fill, to a level ten inches below the adjacent roadway surface. A temporary patch and trench protection must immediately be installed until such time that the CLSM has adequately cured and the asphalt pavement can be applied. The final restoration shall consist of 8 inches of Hot Mix Asphalt Base Course and 2 inches of Hot Mix Asphalt Surface Course. When filled, the opening shall be flush with the existing contour of the road. Permanent patches must have all edges sealed. CLSM shall have a twenty-eight-day minimum compressive strength of 120 psi, and the applicant shall submit a mix design to the Construction Officer for approval prior to use. Under certain circumstances, with the permission of the Dunellen Construction Officer or Borough Engineer, Dense Graded Aggregate Backfill may be substituted for CLSM.
- (f) In the event of cold weather that prevents the use of flowable fill, the applicant shall fill and tamp the opening with clean fill and install cold patch or other temporary patch material.

Within a period of not more than six months, the applicant shall remove the temporary fill, install flowable fill, and replace the temporary patch with permanent pavement. Under certain circumstances, with the permission of the Dunellen Construction Officer or borough Engineer, Dense Graded Aggregate Backfill may be substituted for CLSM. In the event only that the permanent asphalt material is unavailable, flowable fill shall be at a finished level ten inches below the existing contour of the road and followed by ten inches of cold patch or other temporary patch material and the installation of trench protection. Within a period of not more than six months, the applicant shall remove the temporary patch and shall install the asphalt restoration consisting of 8 inches of Hot Mix Asphalt Base course and 2 inches of Hot Mix thoroughly tamped and rolled to create a permanent patch. If tunneling operations are required, the tunnel shall be backfilled with rammed concrete composed of one-part cement to ten-parts sand.

(g) If blasting is required in the course of any excavation, it shall be done in strict compliance with all applicable federal and state laws and regulations.

(h) Restoration of any street foundation or surface shall not commence until the Borough Construction Officer or his/her designated representative has determined that settlement of the subsurface is complete and the area properly prepared for restoration.

(i) Except as described in subsection (j) below, and except for residential property owners in which the sole work being performed is repair or replacement of an existing utility line, the street surface shall be restored (milling and repaving) for the full width of the roadway (curb-to-curb) for a distance of one hundred (100) feet around the area of the opening. The Borough Construction Officer shall specify the distance on either side of the opening based on the proximity to other roadways or utility concerns and may limit the cumulative distance from one hundred (100) feet based only on these limited factors. For example, if there is an excavation on a small cul-de-sac of less than one hundred (100) feet in length within the Borough, or if such a distance will unreasonably interfere with an existing utility, the Borough Construction Officer may use his/her discretion in requiring the overall distance of the restoration. All sidewalks, when being restored or replaced as part of the operations hereunder, must also be restored pursuant to the Borough Construction Officer's standards. All curbside stormwater drains must be replaced, at the applicant's expense, if necessary and as directed by the Construction Officer or Borough Engineer to ensure compliance with current state and federal law.

(j) In the case of utility work undertaken by a public or private utility, which work involves placing new or replacing/repairing existing utility infrastructure, including, but not limited to, gas lines, water lines, electrical lines, and sewer lines, the applicant shall restore (milling and repaving) the entire street surface from edge-to-edge, or curb-to-curb, for the full length of the excavation or a minimum of one hundred (100) feet as described herein. as described herein. In all such instances, the applicant shall install ramps that are compliant with the Americans with Disabilities Act of 1990 ("ADA"), and as directed by the Borough Construction Officer or Borough Engineer, at every street intersection that is restored, in whole or in part, pursuant to this subsection.

(k) All street patch repairs and/or trench restoration described in subsection (i) and (j) hereto must use the infrared paving method pursuant to the most recent standards promulgated by the Borough Construction Officer or Borough Engineer so as to blend uniformly with the adjacent

existing roadway. All backfilling and patching operations of any such excavation project must be supervised by the Borough Construction Officer or Borough Engineer or his/her designated representative to ensure compliance with the Borough's standards.

(l) The street surface shall be restored to the satisfaction of the Borough Construction Officer or Borough Engineer that it has been restored to its original condition.

(m) All materials and work shall be in accordance with Borough regulations, specifications, and details in the office of the Borough Construction Officer.

Sec. 256-13. Other Conditions Applicable to Permits.

The following conditions and regulations shall apply to all permits issued under this Article:

(a) *Transferability.* All permits shall apply only to the applicant to whom it is issued and for the purposes described in the application and shall not be transferable.

(b) *Commencement of Work.* Work under a permit shall commence within 30 days from the date of issuance of the permit, which shall be valid for thirty days therefrom. If work is not commenced within that time, the permit shall automatically terminate, unless extended in writing by the Borough Construction Officer. The Borough Construction Officer shall be notified at least twenty-four (24) hours prior to the work commencing, except where the work is of an emergent nature, when notice shall be given to the Borough Construction Officer no later than at the time work commences.

(c) *Possession of Permit.* The applicant shall keep a copy of the permit and same shall be exhibited on demand to any duly authorized employee or police officer of the Borough at the location where the work is occurring.

(d) *Revocation of Permit.* The Borough Construction Officer may revoke a permit for any of the following:

(1) Violation of any provisions of this Article or any other applicable rules, regulations, laws, or ordinances.

(2) Violation of any condition of the permit issued.

(3) Carrying on work under the permit in a manner which endangers life or property, or which creates any condition which is unhealthy, unsanitary, or a nuisance, in the sole discretion of the Borough Construction Officer.

(e) *Modification of Permit Conditions.* In a special case, the Borough Council may, by resolution, impose special conditions to which the issuance of the permit may be subject, or may decide that any provision of this Article shall not be applicable or may be modified.

(f) *Rules and Regulations.* The Borough Construction Officer may make and implement any and all rules and regulations that he/she considers necessary for the administration and

enforcement of this Article, but no regulation shall be inconsistent with, alter, or amend the intent of any provision of this Article, or impose any requirement that is in addition to those expressly or by implication imposed by this Article. Copies of all current regulations shall be furnished to each permittee at the time of the issuance of the permit.

(g) *Five-Year Road Opening Moratorium*

A. Prior to the start of any paving or repaving work on any street of the Borough of Dunellen, the Borough Construction Officer or the Borough Engineer shall notify each utility company of said work so any excavations may be completed before paving is started. Such notice shall provide that no excavation permit shall be issued for openings, cuts, or excavations in said street for a period of five years from the date of such paving. The notice shall also provide that applications for excavation permits for work to be done prior to such paving or repaving shall be submitted promptly so that any work may be completed not later than 90 days from the date of such notification.

B. During such five-year period, no permit shall be issued to open, cut, or excavate in such a Borough street unless, in the judgment of the Borough Construction Officer or Borough Engineer, an emergency exists that makes it absolutely essential that the permit be issued. In the event that an emergency exists which shall require a road opening within such five-year period, the permit fees in accordance with Section 256-14 shall apply. Additionally, the Borough Construction Officer shall ensure that any street opening on any street paved within five years is restored satisfactorily, which restoration must include pavement restoration (milling and repaving) for the full-width of the roadway to a distance of approximately 100 feet around the area of the opening.

C. The distances in either direction of the opening will be determined by the Borough Construction Officer or Borough Engineer based on proximity to other roadways or utility concerns.

(h) *Proof of Insurance.* Any contractor hired to perform a street excavation in the Borough shall provide proof that it is licensed and bonded with the State of New Jersey.

Sec. 256-14. Permit Application Fees.

(a) Prior to issuance of any permit pursuant to this Article, the applicant shall file an application for said permit at least 48 hours prior to the requested time of issuance and shall pay for said permit in accordance with the following schedule:

(1) Permit Fee:

- a. Excavation up to 25 square feet: \$100.00.
- b. Excavation between 25 and 50 square feet: \$150.00.

- c. Excavation larger than 50 square feet: \$150.00 plus \$1.00 per square foot in excess of 50 square feet. For example, if an application is made for an excavation of 75 square feet, the permit fee would be \$175.00.
- d. Excavations made within five years of previous paving (in addition to the fees described above):
 - 1. Within the preceding year: \$1,000.00.
 - 2. Within the preceding two (2) to three (3) years: \$750.00.
 - 3. Within the preceding four (4) to five (5) years: \$500.00.

(2) Cash Bond: The Borough Construction Officer is authorized to demand a bond in an amount not less than \$1,000.00 to assure that any road opening on roadways is restored satisfactorily. The amount of this cash bond shall be based on the estimated restoration cost to be determined by the Borough Construction Officer.

(3) Escrow: An inspection escrow may be required at the discretion of the Borough Construction Officer in an amount to be determined by the Construction Officer.

(b) All permit fees are nonrefundable, and said permit, once issued, is valid for a period of 60 days.

(c) The fee and cash bond will be waived for work done by Middlesex County, provided Middlesex County files an application prior to any work being done.

(d) Public utilities will be allowed to establish an escrow account with the Borough of Dunellen for the required cash bonds. A maximum of \$25,000.00 shall be deposited in this account, unless a single project requires the posting of a larger amount as determined by the Borough Construction Officer or Borough Engineer.

(e) The Borough shall have the authority and right to use the escrow funds or cash bond to restore or maintain the work covered by the permit if the applicant fails to do so within 24 hours of notification by the Borough.

SEC. 265-15. Penalties.

Any person or entity who violates any section of this ordinance regarding the obtaining of a permit and attendant fees shall be subject to a fine of \$2,000.00 per day.

SEC. 265-16. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SEC. 265-17. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SEC. 265-18. This Ordinance shall take effect after passage and publication in the manner provided by law.

Dr. Dunne inquired about the consequences of violating provisions of this ordinance. Mr. Bruder replied that there are fines imposed and that work could be stopped by the Construction Officer.

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: Burke, Dunne, Pinder, Rios and Sigmon

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

ORDINANCE 2021-24

BOROUGH OF DUNELLEN

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 September 8, 2021. It is now being further considered for final passage, after public hearing thereon, at a meeting of said governing body being held in the Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on September 20, 2021 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 members of the general public who have requested the same.

AN ORDINANCE CREATING A NEW CHAPTER 38 OF THE MUNICIPAL CODE OF THE BOROUGH OF DUNELLEN ENTITLED "DUNELLEN MUNICIPAL ALLIANCE"

WHEREAS, the Dunellen Municipal Alliance was incorporated pursuant to N.J.S.A. 26:2BB-9, *et seq.*, which permits municipalities to create municipal alliances; and

WHEREAS, the Dunellen Borough Council desires to codify this creation in the Municipal Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Dunellen, in the County of Middlesex and State of New Jersey, that Chapter 38 of the Municipal Code of the Borough of Dunellen entitled "Dunellen Municipal Alliance" is created and inserted into the Municipal Code pursuant to the provisions hereof:

Chapter 38. Dunellen Municipal Alliance Committee.

A new chapter shall be inserted into the Municipal Code of the Borough of Dunellen as Chapter 38, shall be entitled as "Dunellen Municipal Alliance," and shall contain the following provisions:

38-1. Statutory authority.

The Legislature of the State of New Jersey has in P.L. 1989, Chapter 51, approved March 27, 1989, established a Governor's Council on Alcoholism and Drug Abuse and permitted the governing body of each municipality to appoint a Municipal Alliance Committee to identify alcoholism and drug prevention, education and community needs. Therefore, the governing body of the Borough of Dunellen, County of Middlesex and State of New Jersey, does hereby ordain as follows.

38-2. Findings.

- A. Alcoholism and drug abuse are major health problems facing the residents of the State of New Jersey and the Borough of Dunellen.
- B. The cooperation and active participation of all communities in the state is necessary to achieve the goal of reducing alcoholism and drug abuse.

38-3. Purpose.

It is the purpose of this Chapter to establish a means for the Borough of Dunellen to actively participate in the state's efforts against alcoholism and drug abuse by:

- A. Organizing and coordinating efforts involving schools, law enforcement, business groups and other community organizations for the purpose of reducing alcoholism and drug abuse.
- B. In cooperation with local schools, developing comprehensive and effective alcoholism and drug abuse education programs.
- C. Developing comprehensive alcoholism and drug abuse education, support and outreach efforts for parents in the community.
- D. Developing comprehensive alcoholism and drug abuse community awareness programs.

38-4. Establishment.

- A. Pursuant to the authority granted to municipalities under N.J.S.A. 26:2BB-9, there is hereby established a Municipal Alliance Committee. The word "Committee," when used by itself in this Chapter, shall refer to the Dunellen Municipal Alliance Committee.
- B. The Committee shall be effective upon adoption of this ordinance.

38-5. Appointment; Membership; Term; Organization

- A. The Governing Body shall appoint members of the Committee in a manner consistent with this Chapter.
- B. Membership of the Committee shall consist of a minimum of ten (10) members, to be appointed consistent with this Chapter. The Committee may include the Chief of Police, President of the School Board, Superintendent of Schools, a student assistance coordinator, a representative of the parent-teacher association, a representative of the local bargaining unit for teachers, a representative of the Chamber of Commerce, a municipal court judge, a

representative of local civic associations, a representative of local religious groups and private citizens.

- C. Members of the Committee shall be appointed to serve for a term of three years or until their successors be appointed with the exception that the terms of the original membership of the Committee be so constituted so as to provide that three of the members shall serve for one year, two for two years, and two for three years. If a vacancy shall occur on the Committee, that vacancy shall be filled for the remainder of the term of the prior member in a manner consistent with this Chapter.
- D. The members of the Committee shall organize annually by selecting a chairperson, vice-chairperson and secretary. The Committee shall meet regularly, at least once a month, and at such other times as its chairman shall direct. The Committee may adopt by-laws for the conduct of its business so long as said by-laws are consistent with the Chapter and all relevant statutory provisions.

38-6. Powers and Duties.

The Municipal Alliance Committee shall make recommendations to the Borough Council for:

- A. Creating a network of community leaders, private citizens and representatives from public and human service agencies who are dedicated to a comprehensive and coordinated effort to promote and support drug and alcohol prevention and education programs and related activities with an emphasis on youth.
- B. Conducting an assessment of the community to determine the needs of the community in relation to alcoholism and drug abuse issues.
- C. Identifying existing efforts and services acting to reduce alcoholism and drug abuse.
- D. Coordinating projects within the municipality to avoid fragmentation and duplication.
- E. Developing programs to be implemented at the municipal level or participate in regionally developed programs that accomplish the purpose of the Alliance effort and the purposes of the Municipal Alliance Committee.
- F. Assisting the municipality in acquiring funds for Alliance programs and developing a subcommittee on fundraising.
- G. Cooperating with the Governor's Council on Alcoholism and Drug Abuse and the County Local Advisory Committee on Alcoholism and Drug Abuse/Alliance Steering Subcommittee to provide municipal data, reports or other information which may be required for the County Annual Alliance Plan or needed to assist the Alliance effort.

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

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: Burke, Dunne, Pinder, Rios and Sigmon

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

Ordinance 2021-25

BOROUGH OF DUNELLEN

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY BY THE BOROUGH OF DUNELLEN; NAMELY A TEMPORARY EASEMENT AND A PERMANENT EASEMENT ON A PORTION OF LAND LOCATED AT BLOCK 49, LOT 36.01 IN THE BOROUGH OF DUNELLEN

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 September 8, 2021. It is now being further considered for final passage, after public hearing thereon, at a meeting of said governing body being held in the Municipal Building, 355 North Avenue, Dunellen, New Jersey, in said County, on September 20, 2021 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 members of the general public who have requested the same.

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation; and

WHEREAS, the Borough is in need of acquiring both a temporary construction easement as well as a permanent easement on, through, across, over and under certain lands located within the Borough of Dunellen, which lands are located on a portion of Block 49, Lot 36.01; and

WHEREAS, the easements are needed in order for the Borough to undertake the construction, maintenance, reconstruction, operation, inspection, replacement, extension, improvement and protection of the storm drainage collection and conveyance system and appurtenances; and

WHEREAS, the Borough has attempted to negotiate the acquisition of the easements directly with the property owner, which attempts have proven unsuccessful to date; and

WHEREAS, the Borough has obtained an appraisal of the value of the easements and has tendered the full value of that appraisal to the property owner, Davco North Smalley, LLC, which has not responded to same notwithstanding certified mailings and repeated requests; and

WHEREAS, the governing body of the Borough of Dunellen, through consultation with the Borough Engineer, CME Associates, has determined that the acquisition of the easements by the Borough is necessary and extremely important to assist the Borough and its residents in alleviating potential flooding issues in a substantial portion of town through completion of the culvert project; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, any acquisition of real property by a municipality must be effectuated by the passage of an ordinance;

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

Section 1. The Borough is hereby authorized to acquire the temporary and permanent easements as aforesaid located on a portion of Block 49, Lot 36.01, whether by purchase, gift, devise, lease, exchange, or condemnation or any other manner as permitted by the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq.

Section 2. The Mayor and Clerk are hereby authorized to execute a Deed for the acquisition of certain real property known and designated as a portion of Block 49, Lot 36.01, on the Official Tax Maps of the Borough of Dunellen for the sum as set forth in an appraisal obtained by the Borough.

Section 3. The Borough Attorney is hereby authorized to institute such legal proceedings in Superior Court, State of New Jersey, as are necessary to condemn said property interests in the aforesaid property.

Section 4. The Mayor, Borough Clerk and Borough Attorney are authorized to sign such documents as are deemed to be necessary, advisable and proper to acquire said real property.

Section 5. Ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed but only to the extent of such inconsistency.

Section 6. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 7. This Ordinance shall take effect immediately upon: (i) adoption; and (ii) publication in accordance with the laws of the State of New Jersey.

At this point, Mayor Cilento opened the meeting for public comment on the ordinance. No one from the public spoke. This portion was closed.

Mr. Bruder stated that this ordinance is in regard to the Railroad Culvert project, two storm pipes beneath the NJ Transit tracks, needed to help alleviate flooding. This ordinance is a necessary

legal step in acquiring a temporary easement for construction and a permanent easement for maintenance on a property under which the pipes will go. We are not taking their property; we are obtaining easements, rights of access. We had made good faith efforts to gain access from the owners who have not responded. By this ordinance, the Council is authorizing the acquisition of a property interest. The property owner has been notified by regular and certified mail.

Yes: Burke, Dunne, Pinder, Rios and Sigmon

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

09-20-2021: #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: Burke, Dunne, Pinder, Rios and Sigmon

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

09-20-2021: #2

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

WHEREAS, there is a need for improvements and repairs to the Maurer House, 500 Mountainview Terrace; and

The following quotes were received:

Myers Conditioning, Dunellen, NJ	\$8,500.00
John Haas Construction, LLC, Green Brook, NJ	\$9,850.00

NOW, THEREFORE, BE IT RESOLVED, that a contract be awarded to Myers Conditioning for repairs and improvements to the Maurer House, for an amount not to exceed \$8,500.00.

Dr. Dunne asked when we would be getting updates on the plans for the Maurer House? Mayor Cilento responded that we could ask Karen Seader for a report.

Yes: Burke, Dunne, Pinder, Rios and Sigmon

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

09-20-2021: #3

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of a tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Borough of Dunellen wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

BE IT RESOLVED by Council of the Borough of Dunellen that a fee of \$25.00 per notice be established and is hereby authorized and directed to be shared for each notice of tax sale that is sent in conjunction with the 2020 electronic tax sale.

Yes: Burke, Dunne, Pinder, Rios and Sigmon

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

09-20-2021: #4

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, this creating the environment for a more complete tax sale process, and

WHEREAS, the municipality of the Borough of Dunellen wishes to participate in an electronic tax sale, and

WHEREAS, the attached "Agreement for Electronic Tax Lien Certificate Sale Services" sets forth the terms with NJ Tax Lien Investors/RealAuction.com

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the municipality of the Borough of Dunellen, New Jersey, that the Tax Collector I hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

Yes: Burke, Dunne, Pinder, Rios and Sigmon

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

09-20-2021: #5

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

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
18-15	49	5	Thomas Varkey 625 North Ave	\$ 2477.43	\$ 347.24	\$1,100.00	\$ 3,924.67

TOTAL REFUNDED \$ 3,924.67

Yes: Burke, Dunne, Pinder, Rios and Sigmon

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

09-20-2021: #6

**RESOLUTION OF THE BOROUGH OF DUNELLEN
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
APPROVING K. HOVNANIAN AT DUNELLEN URBAN RENEWAL, LLC AS SUB-
REDEVELOPER OF TOWNHOUSE COMPONENT AND AUTHORIZATION TO
EXECUTE LIMITED JOINDER TO ASSIGNMENTS OF FINANCIAL AGREEMENT
AND REDEVELOPMENT AGREEMENT**

WHEREAS, on or about May 5, 2003, the Borough Council (the “Borough Council”) of the Borough of Dunellen (the “Borough”) designated a certain area of the Borough, including but not limited to Block 85, Lots 1 and 2 as an area in need of redevelopment under N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Borough Council adopted by ordinance on August 9, 2004, the Dunellen Downtown Redevelopment Plan, Phase One, and subsequently amended by ordinance on June 9, 2011, August 5, 2013, November 3, 2014, February 22, 2016, and May 16, 2016 (the “Redevelopment Plan”); and

WHEREAS, pursuant to Resolution 12-02-2017:#3 Borough designated Block 83, Lot 1 as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, on November 6, 2017, the Redevelopment Plan was amended to include Block 83, Lot 1 (which, together with Block 85, Lots 1 and 2 are referred to herein as the “Project Site”); and

WHEREAS, Brudner Redevelopment Partners Urban Renewal, LLC (the “Redeveloper”), is the designated redeveloper for the Project Site on which a mixed use retail and residential project is to be constructed (the “Project”), consisting of a Rental Residential Component, a Retail/Commercial Component and a Townhouse Component; and

WHEREAS, on July 13, 2017, the Borough and Redeveloper entered into that certain Redevelopment Agreement governing the redevelopment of the Project Site, which was subsequently amended on August 5, 2019 by that certain First Amendment to Redevelopment Agreement (together, the “Redevelopment Agreement”); and

WHEREAS, Borough and Redeveloper entered into that certain Financial Agreement, dated July 13, 2017, last amended by that certain First Amendment to Financial Agreement, dated October 23, 2019 (as amended, the “Financial Agreement”), in connection with, inter alia, the financing of a portion of the acquisition, development, and construction of the Project; and

WHEREAS, the Borough Planning Board granted Preliminary and Final Major Site Plan, Preliminary and Final Major Subdivision, and “C” Variance Approvals for the Project (collectively, the “Planning Board Approval”) on October 22, 2018; and

WHEREAS, in accordance with the Planning Board Approval, Redeveloper filed a subdivision plat for the Property with the Middlesex County Clerk’s Office, consolidating Block 85, Lot 1 and Block 83, Lot 1, and subdividing the consolidated lot into two new lots, with one lot designated as Block 85, Lot 1.01 and the other lot designated as Block 85, Lot 1.02; and

WHEREAS, on December 19, 2020, Redeveloper transferred the Rental Residential Component and Retail/Commercial Component to Dunellen Prism Associates Urban Renewal LLC, as Sub-Redeveloper of the Rental Residential Component and Retail/Commercial Component; and

WHEREAS, pursuant to Section 11.04(g) of the Redevelopment Agreement, the Redeveloper is permitted to transfer the rights and obligations as Redeveloper under the Redevelopment Agreement that are applicable to any Component of the Project to a transferee (“Sub-Redeveloper”) provided that certain conditions are satisfied, to wit: (i) no Event of Default under the Redevelopment Agreement or Financial Agreement; (ii) completion of demolition; (iii) completion of pre-construction remediation; (iv) Preliminary and Final Subdivision approval; and provided that the proposed transferee (a) is a reputable homebuilder; (b) has the requisite qualifications and financial responsibility; (c) qualifies and is formed as an urban renewal entity under the Long Term Tax Exemption Law; (d) by instrument expressly assumes the obligations of Redeveloper under the Redevelopment Agreement; (e) by instrument expressly assumes the obligations of Redeveloper under the Financial Agreement; (f) enters into an agreement with Redeveloper and any other Sub-Redeveloper for the shared use of Project infrastructure; and (g) as to such transferee of the Rental Residential Component and Retail/Commercial Component, the

Redeveloper has and retains a minimum fifty percent (50%) direct or indirect interest in the transferee until a Certificate of Completion is issued; and

WHEREAS, K. Hovnanian at Dunellen Urban Renewal LLC, a New Jersey limited liability company (“KHOV”) is the proposed transferee of the Townhouse Component; and

WHEREAS, pursuant to Section 11.04(g) of the Redevelopment Agreement, KHOV was deemed to satisfy the transferee requirements set forth in Section 11.04(g)(i) and (ii); and

WHEREAS, Redeveloper and KHOV have provided evidence to the Borough that the other transfer conditions set forth in the Redevelopment Agreement have or will be satisfied at the time KHOV takes title to the portion of the Project Site on which the Townhouse Component will be constructed; and

WHEREAS, Redeveloper and KHOV will be entering into those certain Partial Assignment and Assumption Agreement for Redevelopment Agreement and Partial Assignment and Assumption Agreement for Financial Agreement whereby Redeveloper will assign to KHOV its rights and obligations under the Redevelopment Agreement and Financial Agreement, respectively, to the Townhouse Component, and which include a Limited Joinder by the Borough with respect to the rights and obligations of Redeveloper thereby assigned; and

WHEREAS, the Borough Council of the Borough of Dunellen now desires to conditionally approve KHOV as Sub-Redeveloper of the Townhouse Component, subject to full compliance with the conditions of transfer set forth in Section 11.04(g) of the Redevelopment Agreement, and to authorize the Mayor to execute the Limited Joinders.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Dunellen, acting as redevelopment entity for the Borough of Dunellen, hereby approves K. Hovnanian at Dunellen Urban Renewal, LLC as the Sub-Redeveloper for the Townhouse Component of the Project and authorizes the Mayor to execute the Limited Joinders in the Partial Assignment and Assumption Agreement of Redevelopment Agreement and Partial Assignment and Assumption Agreement of Financial Agreement in substantially the form attached hereto, with any revisions that the Mayor may deem necessary or desirable upon consultation with the Borough’s professionals.

BE IT FURTHER RESOLVED that the approval granted hereunder is specifically conditioned on the completion of all conditions of transfer set forth in Section 11.04(g) of the Redevelopment Agreement and the full execution and recording if required of the documents or instruments necessary to effectuate same.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Yes: Burke, Dunne, Pinder, Rios and Sigmon

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

09-20-2021: #7

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

Whereas, a request was made by Michelle Duggan to hold a block party on Saturday, October 2, 2021, on the 200 block of Oak Parkway, from 1:00 PM to 7:00 p.m.

Whereas, the requestor has been notified of the Borough's protocol for block parties which includes notification of all area residents, noise control, access to automobiles and driveways, and the safety of children; and

Whereas, the requestor has notified the Municipal Clerk's Office that she will be in full compliance with the protocol.

Now therefore be it resolved that permission is hereby granted to Michelle Duggan to hold a block party, and

Be it further resolved that by virtue of this resolution, the Police Department will be notified of the street closing and the Public Works Department will supply the necessary road barricades.

Michelle Duggan
224 Oak Parkway
Dunellen, NJ 08812

Yes: Burke, Dunne, Pinder, Rios and Sigmon

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

09-20-2021: #8

RESOLUTION OF THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR AN EMERGENCY APPROPRIATION IN THE AMOUNT OF \$100,000 PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:4-48 TO PROVIDE FOR DEBRIS REMOVAL RELATED TO TROPICAL STORM IDA

WHEREAS, an emergency has arisen requiring the appropriation of funds of the Borough of Dunellen, in the County of Middlesex, New Jersey (the "Borough"), in the amount of \$100,000 to provide for debris removal in the aftermath of Tropical Storm Ida; and

WHEREAS, the total amount of emergency appropriations created, including the appropriation to be created by this resolution, is \$100,000, and 3% of the total current and utility operating appropriations in the budget for CY 2021 is \$221,476.53; and

WHEREAS, the foregoing emergency appropriation, together with prior emergency appropriations, does not exceed 3% of the total operating appropriations (including utility operation appropriations) in the budget for CY 2021.

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUNELLEN, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. An emergency appropriation is hereby made for debris removal related to Tropical Storm Ida in the amount of \$100,000.00

Section 2. An emergency note not in excess of \$100,000 is hereby authorized to be issued pursuant to N.J.S.A. 40A:4-51.

Section 3. The emergency note authorized herein, if issued, shall be executed by the Mayor and the Chief Financial Officer of the Borough and attested by the Borough Clerk.

Section 4. The Chief Financial Officer of the Borough is hereby delegated the authority to sell and award the note, if any, and such note, if issued, may be renewed from time to time by the Chief Financial Officer, provided that any such renewals shall be payable on or before December 31, 2022.

Section 5. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.

Section 6. This resolution shall take effect immediately.

Yes: Burke, Dunne, Pinder, Rios and Sigmon

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

09-20-2021: #9

**RESOLUTION OF THE BOROUGH OF DUNELLEN
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
APPROVING REDEVELOPMENT AGREEMENT BETWEEN BOROUGH AND
CHELSEA BUILDERS LLC, PURSUANT TO THE LOCAL REDEVELOPMENT AND
HOUSING LAW, 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., as amended from time to time (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land in a municipality constitute areas in need of redevelopment or rehabilitation, and to adopt a redevelopment plan for such areas, pursuant to which redevelopment projects are to be undertaken; and

WHEREAS, on or about May 5, 2003, the Borough Council (the “**Borough Council**”) of the Borough of Dunellen (the “**Borough**”). acting as the Borough’s redevelopment entity pursuant to N.J.S.A. 40A:12A-4, designated certain properties identified on the Borough’s tax map as Block 69, Lots 1, 1.01, 2, 2.01 and 3; Block 70, Lots 13 and 13.01; Block 85, Lots 1 and 2; Block 83, Lot 1; Block 1, Lots 14, 15.01, 15.02, 16, 17, 18, 19, 20, 21, 22 and 23; Block 2, Lots 10, 11.01, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20; Block 32, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14.01, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24.01, 25, 26, 27 and 28; Block 33, Lots 14, 14.01, 15, 16, 17, 18, 19, 20, 21, 22 and 23; Block 34, Lots 10.01, 22, 23, 24, 24.01, 25, 26, 27.01, 27.02, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 38.01 and 38.02; Block 48, Lots 16, 17,18,19, 20, 21, 22, 23, 24, 25, 26, 27 and 28; Block 49, Lots 25, 26, 27.01, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39.01, 39.02, 40, 41, 43 and 44; Block 50, Lots 1, 2, 3, 4, 5 and 6; Block 51, Lots 1, 2 and 3 (NJ Transit Property); Block 65, Lot 1; Block 66, Lots 1, 2, 3, 4, 5, 6.01, 7, 8, 9, 10.01, 10.02, 11, 12,13, 14, 15.01, 15.02, 16, 17, 17.01, 18, 19 and 20; and Block 86, Lots1, 2, 3, 4, 4.02, 4.03 and 5 as an area in need of redevelopment under N.J.S.A. 40A:12A-5 (collectively, the “**Redevelopment Area**”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Borough Council adopted by ordinance on May 16, 2016, the Restated and Amended Dunellen Downtown Redevelopment Plan, Phase 1, and subsequently amended by ordinances on November 6, 2017 and September 4, 2018 (the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, redeveloper Chelsea Builders LLC (the “**Redeveloper**”) is the owner of certain parcels within the Redevelopment Area, otherwise identified on the Borough’s tax map as Block 33, Lot 19, and more commonly known as 440 North Avenue (the “**Property**”); and

WHEREAS, the Redeveloper proposes to construct a three-story, mixed-use rental project consisting of approximately 1,155 square feet of ground floor commercial space along with one (1) ADA adaptable residential unit, eight (8) residential units on the upper floors (at least one of which shall be an Affordable Unit) and related improvements on the Property (the “**Project**”); and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Dunellen, acting as redevelopment entity for the Borough of Dunellen, hereby approves the

proposed form of Redevelopment Agreement with Redeveloper for the Project contemplated therein, and that the Mayor and the Clerk of the Borough are hereby authorized to execute and attest to, respectively, the Redevelopment Agreement in substantially the form attached hereto, with any revisions that the Mayor may deem necessary or desirable upon consultation with the Borough's professionals, and along with other documents and/or agreements that may be necessary to implement the Redevelopment Agreement in accordance with the Redevelopment Plan.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Yes: Burke, Dunne, Pinder, Rios and Sigmon

Reports:

Mrs. Rios: 1) the Dunellen Arts and Culture Commission is running a Halloween Decorating Contest with a deadline of October 25th; 2) the Dunellen Downtown Management Organization's HarvestFest 2021 will be October 10th; 3) the Friends of the Dunellen Library would like to thank everyone for their support of the Open Air Markets. There will be two more: October 3 and October 17; 4) on September 21st, the New Jersey Citizens Action will offer a virtual health webinar. You can register through the Library's web site; 5) at the Library there will be ESL classes on Wednesdays at 6:30 pm and Teen Movies on Fridays and on 9/24 there will be program on Remembering American Folk Arts—Pete Seeger.

Mrs. Burke: 1) DPW - continues to thank the Department of Public Works for Ida debris pick up; 2) Police - Coffee with a Cop, Saturday September 25th from 9 to 11 am at the Pop-Up Park; 3) OEM - FEMA processed 39 registrations and had 152 interactions directly with homeowners on Sunday, September 12, 2021. They also returned on Sunday, September 19th to survey the town.

Dr. Dunne: 1) congratulations to all Dunellen students. This was their first day back in school; 2) there is a Board of Education meeting tomorrow night at 7:00 pm; 3) the Department of Public Works has been working hard picking up debris. As of today, they have picked up debris from 284 homes out of 409 homes that suffered water damage; 4) the DPW has also been cutting grass in the parks and keeping the downtown clean. If you have any questions about debris clean up, please call the DPW rather than posting on Facebook; 5) Ray Murray, Chair of the Green Brook Flood Control Commission, will be providing us with a report later this week; 6) the Diversity and Inclusion Committee had its second meeting. Stay tuned for more activities for Hispanic Heritage Month and November 1st starts the beginning of Native American Heritage Month; 7) the Finance Committee will meet soon to look at the open bonds, long term planning and the electronic signs.

Mr. Sigmon: 1) the Soccer Season started on September 18th. It had its highest enrollment ever with 163 children; 2) the Senior Picnic has been rescheduled for Friday, September 24 at 11:00 am at the American Legion.

Mr. Pinder: no report.

Mayor Cilento:

Happy first day of school to all of the students, educators, administrators, crossing guards and staff. We all wish you a safe and happy school year!

Covid-19 Update:

Since my last report on 9/8/2021, we have been made aware of eleven more new cases added to Dunellen's cumulative total of 916. Dunellen's cumulative death total remains at fourteen.

I ask Dunellen residents to remain vigilant in our fight against this virus. The Delta-Variant, as I'm sure you heard about, should be taken seriously as it makes its way into New Jersey. The vaccine has proven to be the most effective tool in preventing serious illness associated with a COVID-19 infection. Speak with your doctor and pharmacist if you have any concerns about the vaccine—and take solace in the fact that our doctors know us and understand our health needs. In most cases, the vaccine prevents serious illness which can result in severe medical complications and even the need to be admitted to a hospital for treatment. Getting a vaccine is now very easy and accessible. The Borough's Coronavirus page on our website has essential information on coronavirus and how to obtain a free vaccination. You owe it to yourself, your family, and your community to get vaccination.

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

New Jersey COVID-19 Information Hub at: www.covid19.nj.gov.

Schedule your vaccination with the State of New Jersey with their vaccine helpline. The number is (855) 568-0545. The State support line for individuals over 75 years of age is 1-856-249-7007.

Middlesex County Mobile Vaccine Clinic: Saturday, Sept. 25th, 10AM-12PM, at the Dunellen Train Station.

If you are in need of assistance due to a mental health crisis because of the impact of COVID-19, please text the crisis line by texting "NJ" to 741741, call the family helpline at 1-800-843-5437 or call the mental health line at 1-866-202-4357.

DMV Mobile Unit:

I am working with Assemblywoman Linda Carter's office to set up a mobile DMV unite on October 13th, 10AM to 2PM. We have placed in the request at MVC and are awaiting site inspection of the train station parking lot.

NJ American Water:

NJ American Water will be relining and installing new water mains along Madison Avenue, Lincoln Avenue, North Washington Avenue, as well as Front Street, Dunellen Avenue, First Street, Second Street, Third Street, Fourth Street, and Mountainview Terrace (all between Madison Avenue and North Washington Avenue). All homes on these streets will be getting new services too. This will be a two-phase project: one in the fall and the other in summer of next year. Due to this information, it does appear we will have to extend the NJDOT road improvement project for Lincoln Avenue until next year so NJ American Water can do all of this work prior to our road improvement. The good news is we have reached an agreement with NJ American Water to pave the other roads they are doing work on. This will greatly assist Dunellen in our road improvement efforts.

County Mill and Pave:

Due to extended work by PSE&G and Tropical Storm Ida, the county mill and pave program for several roads in Dunellen, is postponed until early November of this year.

Sewers:

Railroad Avenue is being looked at due to potential sewer line storm drain issues down the line from where were repaired it last year. PARSA will be providing a report. Pulaski Street is under review for its sewer line and a report is forthcoming.

Finally, he thanked Mayor John Madden of Middlesex Borough as well as their Celebrations Committee for hosting the 20th Anniversary of the 9-11 event and inviting him to speak.

Mark Crawford, Fire Chief. It has been a quiet two weeks. He is evaluating the outcome of Tropical Storm Ida on the Fire House and is awaiting getting some equipment serviced.

Public Comment

No one from the public spoke.

Mrs. Rios informed the Council and public of a pop-up food drive on October 1st at the Living Hope Church.

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

09-20-2021: #10

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

The Dunellen Borough Council Meeting of September 20, 2021 is adjourned.

Yes: Burke, Dunne, Pinder, Rios and Sigmon

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

<https://www.youtube.com/watch?v=K4BdP7ch4QE>