

September 8, 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 8, 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, Tremayne Reid, Trina Rios and Daniel Sigmon

Note: Stacy Narvesen resigned from the Dunellen Borough Council, effective August 18, 2021.

Mayor Cilento asked for a moment of silence in memory of the fallen soldiers and marines in Afghanistan, and for those who lost their lives in the recent Tropical Storm Ida.

Mayor Cilento recognized all the emergency services agencies for their life-saving work during Tropical Storm Ida. He also thanked Alexander Miller for his hard work.

On the motion of Mrs. Rios and seconded by Mr. Reid it was moved to accept the Minutes of the Meeting of August 2, 2021.

Yes: Dunne, Reid, Rios and Sigmon  
Abstain: Burke, due to her absence

At this point, a Proclamation in Honor of “National Preparedness Month” was presented:

**A PROCLAMATION IN HONOR OF  
“NATIONAL PREPAREDNESS MONTH”**

**WHEREAS**, the month of September is recognized as “National Preparedness Month” and creates an opportunity for every resident of the Borough of Dunellen to prepare their homes, businesses, and communities for emergencies and natural disasters; and

**WHEREAS**, the 2021 National Preparedness Month theme is “Prepare to Protect. Preparing for disasters is protecting everyone you love;” and

**WHEREAS**, during an emergency, every second counts, and emergency preparedness programs educate individuals and families on how to prepare before, during, and after a disaster; and

**WHEREAS**, these programs address threats of severe weather, terrorism, and other potentially life-threatening circumstances to make our communities better prepared, resilient, and safer; and

**WHEREAS**, the Dunellen Office of Emergency Management leads efforts to promote an all-hazards approach to emergency preparedness by providing ongoing services to include outreach, education, training, and planning to ensure that localities are engaging the community on how to prepare, respond, recover, and mitigate against disasters; and

**WHEREAS**, emergency preparedness is the responsibility of every resident, and all residents of Dunellen are urged to make preparedness a priority and work together to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type; and

**WHEREAS**, all residents of Dunellen are encouraged to participate in preparedness activities and become more prepared by making a plan, building a kit, and staying informed.

**NOW, THEREFORE**, I, Jason F. Cilento, Mayor of the Borough of Dunellen, do hereby recognize September 2021 as **NATIONAL PREPAREDNESS MONTH** in our Borough, and I call this observance to the attention of all our citizens.

Jason F. Cilento, Mayor  
Borough of Dunellen  
September 8, 2021

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

**09-08-2021: #1**

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

Manuel Santiago is hereby appointed as a probationary police officer in the Dunellen Police Department at an annual salary of \$42,914.00, effective starting date of 8 September 2021.

Mayor Cilento administered the Oath of Allegiance to Manuel Santiago.

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On the motion of Mrs. Rios and seconded by Mrs. Burke 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 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 September 8, 2021. 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 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 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.

Mayor Cilento noted that this amended ordinance greatly enhances our existing ordinance and strengthens the borough's position regarding utility work and paving in our streets.

Yes: Burke, Dunne, Reid, Rios and Sigmon

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

**ORDINANCE 2021-24**

**BOROUGH OF DUNELLEN**

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 September 8, 2021. 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 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 this 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.

Dr. Robins noted that we have nothing in our Code Book on the establishing of a Municipal Alliance and this ordinance addresses this.

Yes: Burke, Dunne, Reid, Rios and Sigmon

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On the motion of Mrs. Burke and seconded by Mr. Sigmon 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 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 September 8, 2021. 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 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.

Mr. Bruder noted that this is part of the process to obtain an easement to a private property so that the Borough can move forward with the Railroad Culvert. This is not taking over the property. It merely gives us access.

Yes: Burke, Dunne, Reid, Rios and Sigmon

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

**09-08-2021: #2**

**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, Reid, Rios and Sigmon

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

**09-08-2021: #3**

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

WHEREAS, Stacy Narvesen resigned her position as Councilperson for the Borough of Dunellen on August 18, 2021; and

WHEREAS, the Democratic Municipal Committee has presented to the Dunellen Borough Council the names of three eligible persons to fill the vacancy; and

WHEREAS, the three persons are: Heather Anderson, Richard Pinder and Robert Young; and

WHEREAS, by motion and second, Richard Pinder has been presented to the Council for nomination and Council vote.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that Richard Pinder be selected to fill the vacancy of the Council seat held by Stacy Narvesen, said term to expire on December 31, 2021.

Yes: Burke, Dunne, Reid, Rios and Sigmon

Municipal Attorney John E. Bruder administered the Oath of Office to Richard Pinder.

Mr. Bruder advised Mr. Pinder that if he is unfamiliar with a subject under consideration, he should abstain in his vote, and state that he is new to Council.

Mayor Cilento stated that we will miss Stacy Narvesen, a hard worker and an asset to the Council.

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

**09-08-2021: #4**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year CY 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Borough of Dunellen pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Dunellen, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Yes: Burke, Dunne, Reid, Rios and Sigmon  
Abstain: Pinder, new to Council



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

**09-08-2021: #5**

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

Whereas, the Chief Financial Officer has prepared a Corrective Action Plan as part of the annual audit process as required by New Jersey Department of Community Affairs, Division of Local Government Services.

Now therefore be it resolved that the attached Corrective Action Plan submitted by the Chief Financial Officer is hereby accepted.

Yes: Burke, Dunne, Reid, Rios and Sigmon

Abstain: Pinder, new to Council

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

**09-08-2021: #6**

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

Whereas, the Borough of Dunellen has conducted a bid opening in connection with its construction project known as Dunellen Fire House Parking Area improvements Project; and

Whereas, the Borough received bids on July 14, 2021 and the bids received exceed the appropriation and are deemed unreasonable as to price, and

Whereas, it is the opinion of the Borough Engineer, CME Associates, that the bids received be rejected.

Now therefore be it resolved by the Governing Body of the Borough of Dunellen that all bids received for the project known as Dunellen Fire House Parking Area improvements Project are hereby rejected, and

Further be it resolved that the Municipal Clerk is hereby authorized to re-advertise for RFPs for Dunellen Fire House Parking Area improvements Project.

Mayor Cilento noted that CME will look at the proposed costs of the project and prepare another bid package for Council approval. This will likely push the construction into 2022.

Mr. Bruder noted that this is not only accepting the withdrawal of the low bidder but is also rejecting all the bids.

Yes: Burke, Dunne, Pinder, Reid, Rios and Sigmon

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

**09-08-2021: #7**

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

Whereas, a request was made by Gary Guthreau to hold a block party on Saturday, September 11, 2021, on Lehigh Street between High Street and South Madison Avenue, from 2:00 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 he will be in full compliance with the protocol.

Now therefore be it resolved that permission is hereby granted to Gary Guthreau 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.

Gary Guthreau  
32 Lehigh Street  
Dunellen, NJ 08812

Council President Dunne asked about the timing of this request. Dr. Robins replied that he received the request in early August, cleared it with Sgt. Del Buono, Traffic Safety Officer, and then sent the newly created protocol to the requestor: time, date, noise limitations, safety of children, access to private vehicles, notification of neighbors, and received back a full acceptance of the protocol.

Dr. Dunne then asked about the status of Lehigh Street. Mr. Miller replied that there is a PSE&G trench that does not pose a safety problem.

The protocol does not contain an insurance or indemnification clause. We have never asked for that in the past. Mr. Reid recommended that we add a hold harmless clause to the protocol. Mr. Bruder noted that we would then be asking everyone who attended the party to sign the agreement. Under the Tort Claims law, the borough would have to be aware of the dangerous conditions.

Yes: Burke, Dunne, Pinder, Reid, Rios and Sigmon

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

**09-08-2021: #8**

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

Lauren Smith is hired as a Violations Clerk for the Dunellen Municipal Court at an annual salary of \$38,000, plus benefits per the Dunellen Borough Personnel manual. This hire is effective September 13, 2021.

Yes: Burke, Dunne, Pinder, Reid, Rios and Sigmon

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

**09-08-2021: #9**

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

The Mayor and Council of the Borough of Dunellen are hereby authorized to enter into an Interlocal Services Agreement with the Middlesex County Improvement Authority for the recycling of yard waste such as grass clippings, brush and branches, per the attached Agreement. This Agreement will be in effect from September 1, 2021 through August 31, 2024.

Yes: Burke, Dunne, Reid, Rios and Sigmon

Abstain: Pinder, new to Council

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

**09-08-2021: #10**

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

The Mayor and Municipal Clerk of the Borough of Dunellen are hereby authorized to execute all documents attendant to the 2022 Municipal Alliance for Alcoholism and Drug Abuse Agreement with Middlesex County, accepting the funds provided to Dunellen through this grant.

Yes: Burke, Dunne, Reid, Rios and Sigmon  
Abstain: Pinder, new to Council

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Note: this is a superseding motion that changes the waiving of fees date from October 20, 2021 to December 31, 2021.

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

**09-08-2021: #11**

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

WHEREAS, Hurricane Ida wreaked widespread destruction resulting in significant property damage in the Borough of Dunellen; and

WHEREAS, replacing such damaged goods and items by residents and businesses is a costly process; and

WHEREAS, one of the purposes of government is to assist its citizens during their time of need.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Dunellen, that fees attendant to Construction Office permits due to replacing of damaged items or repair/reconstruction of destroyed properties are hereby waived until December 31, 2021. Such determination will be done at the sole discretion and professional judgment of the Construction Officer.

Dr. Dunne suggested that insurance claims be submitted along with permit applications. Mr. Bruder noted that not all applicants have insurance coverage. Mr. Sigmon asked for a clarification: this is for permit application, not for an actual contract to make the repairs? Yes. It is also retroactive to the Tropical Storm Ida event.

Yes: Burke, Dunne, Pinder, Reid, Rios and Sigmon

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

**09-08-2021: #12**

**BOROUGH OF DUNELLEN**

**TO AUTHORIZE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS**

WHEREAS, the Mayor and Council of the Borough of Dunellen (Borough) wish to undertake a project designed to improve stormwater drainage collection in a section of the Borough, to benefit the citizens of the Borough; and

WHEREAS, the Mayor and Council have determined the stormwater drainage project will protect the health, safety and welfare of its residents, and it is therefore in the best interests of the citizens of the Borough for the Borough to undertake this project; and

WHEREAS, in order to institute and complete the project, the Borough has been advised by Borough Engineer, CME Associates, that it is necessary to obtain a temporary easement and a permanent easement on a portion of certain property located at 665 North Avenue Extension, Bl. 49, Lot 36.01 in order for an essential component of the stormwater drainage project to be completed; and

WHEREAS, the Borough has attempted to negotiate in good faith with the owner of the property, identified as Davco North Smalley LLC, including meeting with the owner's representatives on site and walking the property with the Mayor, Borough Engineer and Borough Attorney, as well as numerous subsequent mailed correspondences and attempted phone calls, in addition to several certified and regular mailings; and

WHEREAS, the good faith efforts on the part of the Borough proving unsuccessful, the Borough then obtained an appraisal of the property from New Jersey Realty Advisory Group, which appraisal determined a fair market value for the temporary and permanent easements; and

WHEREAS, the Borough then formally offered the full value of the appraisal to the property owner, Davco North Smalley LLC, by way of several correspondences sent via certified and regular mail, which certified mail was signed for, and which regular mail was not returned; and

WHEREAS, to date, the property owner has failed to respond to the Borough's offer and therefore, due to the lack of response from the property owner, the Borough has not been able to commence the culvert flood mitigation project, which has and continues to pose added harm to the residents of the Borough of Dunellen; and

WHEREAS, the New Jersey Eminent Domain Act, N.J.S.A. 20:3-1 et seq., provides a mechanism and process for governmental entities such as the Borough of Dunellen, to acquire real property or an interest therein by way of eminent domain condemnation proceedings to further a legitimate government purpose; and

WHEREAS, as aforesaid, the Borough's efforts to negotiate the acquisition of the temporary and permanent easements through bona fide negotiations have not succeeded and it is essential for the health, safety and welfare of the citizens of the Borough for the municipality to advance the project at this time;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Dunellen that it hereby authorizes the Municipal Attorney to institute eminent domain proceedings against the property owner aforesaid, Davco Smalley North LLC or any current property owner, in order to acquire the temporary and permanent easements needed in order for the Borough to accomplish the stormwater drainage collection project.

Mr. Bruder noted the process for obtaining an eminent domain including proper notifications. There had been some indeterminacy in our notification to the property owner and we will be re-doing that step. We are not taking their property; we are merely obtaining access so we can move ahead with the Railroad Culvert Project

Yes: Burke, Dunne, Pinder, Reid, Rios and Sigmon

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

**09-08-2021: #13**

**BOROUGH OF DUNELLEN**

**TO AUTHORIZE THE EXECUTION OF GP-4 WETLANDS DISTURBANCE PERMIT APPLICATION FOR 500 MOUNTAINVIEW TERRACE**

WHEREAS, the Borough of Dunellen as Buyer and Edelman and Penn as Seller previously entered into an agreement dated June 8, 2009 and an Amended Agreement dated April 6, 2011 for the Sale and Purchase of certain real estate and improvements designated as 500 Mountainview Terrace, Borough of Dunellen, County of Middlesex, State of New Jersey, also known as Block 41, Lot 1.01, in the Borough of Dunellen; and

WHEREAS, Seller and Purchaser, as part of the above-referenced agreement and amended agreement, also entered into an Environmental Remediation Escrow Agreement (“Agreement”) on or about July 13, 2011, requiring Seller to complete environmental remediation of the property to the standards as required by the New Jersey Department of Environmental Protection and further requiring Seller to post an escrow amount in order to accomplish remediation; and

WHEREAS, in furtherance of Seller’s ongoing remediation project, Seller has requested that the Borough, as Purchaser and now Owner of said property, sign off on the GP-4 Wetlands Disturbance Permit Application, which application requires the Owner’s signature; and

WHEREAS, the application is required as part of the remediation process per NJDEP requirements and standards; and

WHEREAS, Borough, having reviewed the draft permit application and finding it to be in order and appropriate to execute;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Dunellen that it hereby authorizes the Mayor to execute the GP-4 Wetlands Disturbance Permit Application, which document is annexed hereto and made a part hereof.

Mr. Bruder explained that this resolution is part of the remediation process being undertaken by the sellers of the 500 Mountainview Terrace property. The owner of the property (the Borough) must sign-off on their application to the NJ Department of Environmental Protection.

Yes: Burke, Dunne, Pinder, Reid, Rios and Sigmon

**CONSENT AGENDA:**

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

**09-08-2021: #14**

**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 Trystone Capital Assets

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
17-26	81	7	Cordove-Majano, Jose & Carrasco, E 1830 West 4 <sup>th</sup> St	\$ 735.28	\$ 8.64	\$700.00	\$ 1,443.92

**TOTAL REFUNDED \$ 1,443.92**

**09-08-2021: #15**

**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 ATCF 11NJ LLC, TAX SERV AS CUST

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
20-40	83	25	Andrew Investment LLC 203 So Washington	\$22,741.38	\$1,337.71	\$32,400.00	\$56,479.09

**TOTAL REFUNDED \$ 56,479.09**

**09-08-2021: #16**

**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

<b>TSC</b>	<b>Block</b>	<b>Lot</b>	<b>Owner/Address</b>	<b>Principal</b>	<b>Interest</b>	<b>Premium</b>	<b>Total</b>
18-27	72	2	Ruiz, Carlos 337 Orange St	\$1599.28	\$ 147.06	\$1100.00	\$2846.34

**TOTAL REFUNDED \$ 2846.34**

**09-08-2021: #17**

**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

<b>TSC</b>	<b>Block</b>	<b>Lot</b>	<b>Owner/Address</b>	<b>Principal</b>	<b>Interest</b>	<b>Premium</b>	<b>Total</b>
18-12	45	6	Welsh, Patrick & Karin 723 First St	\$1,599.28	\$ 156.00	\$1,100.00	\$ 2,855.28

**TOTAL REFUNDED \$ 2,855.28**

**09-08-2021: #18**

**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 FIG CUST FIGNJ19LLC & SEC PTY

<b>TSC</b>	<b>Block</b>	<b>Lot</b>	<b>Owner/Address</b>	<b>Principal</b>	<b>Interest</b>	<b>Premium</b>	<b>Total</b>
20-29	55	14.03	J&J BUCK REALTY II LLC 308-310 HIGH STREET	\$1,081.14	\$ 17.28	\$1,800.00	\$ 2,898.42



TOTAL REFUNDED \$ 2,898.42

**09-08-2021: #19**

**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 TRYSTONE CAPITAL ASSETS LLC

TSC	Block	Lot	Owner/Address	Principal	Interest	Premium	Total
17-12	57.02	25	VELEZ, APOLINAR ALEXIS 411 HIGH STREET	\$1,778.36	\$ 182.23	\$1,100.00	\$ 3,060.59

TOTAL REFUNDED \$ 3,060.59

**09-08-2021: #20**

**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 refund the following tax overpayment(s):

Block	59	Lot	5.01	Address	316 FAIRVIEW AVE
Assessed to	WHITTAKER, ROBERT & MONICA			Amount	\$1,994.34

Total Refunded \$1,994.34

**09-08-2021: #21**

**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 refund the following tax overpayment(s):

Block	9	Lot	17	Address	144 SECOND STREET
Assessed to	SHEALY, JONATHAN & HEATHER			Amount	\$2,367.27

Total Refunded \$2,367.27

**09-08-2021: #22**

**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 refund the following tax overpayment(s):

Block	26	Lot	13	Address	416 MADISON AVENUE
Assessed to	CATALANO, D M & TRAPASSO, E C & THOMAS				
				Amount	\$2,619.27
Total Refunded \$					2,619.27

**09-08-2021: #23**

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

The Treasurer is hereby authorized to issue checks to DMR Architects, from the Dunellen Planning Board Escrow Account(s) listed below, for architectural work towards the following application(s):

**390 NORTH AVENUE (MOOREHOUSE 390 LLC - CHICKEN HOLIDAY)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
20210807	PB221	Architectural Review & Costs	\$84.10

**440 NORTH AVENUE (CHELSEA BUILDERS, LLC)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
20210805	PB219	Architectural Review	\$417.10

**545 FOURTH STREET - Switzer**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
20210837	PB220	Architectural Review	\$366.25

**09-08-2021: #24**

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

The Treasurer is hereby authorized to issue checks to CME Associates, from the Dunellen Planning Board Escrow Account(s) listed below, for engineering work towards the following application(s):

**100 S. WASHINGTON AVENUE – Prism Associates**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
280750	PB194	Engineering Review & Report	\$44.75

**100 S. WASHINGTON AVENUE – KHovnanian**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
280750	PB194	Engineering Review & Report	\$44.75

**120-126 NORTH AVENUE (WOODBURY PORTFOLIOS)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
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**150 NORTH AVENUE (COMMUNIPAW)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
0285031	PE52	Resolution Compliance Review	\$307.25
0286831	PE61	Resolution Compliance Review	\$89.50
			\$396.75

**216-234 NORTH AVENUE (VILLANI)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
0286832	PB223	Site Observation	\$134.25

**440 NORTH AVENUE (CHELSEA BUILDERS, LLC)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
0286834	PB218	Engineering Review and Report	\$358.00

**100 SOUTH WASHINGTON AVE – PRISM (Retail, Apartments, Clubhouse)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
0286836	PE54	Site Observation	\$5,030.50

**BRUDNER REDEVELOPMENT - FORCE MAIN**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
0286835	PE53	Construction Observation	\$2,470.25

**BRUDNER REDEVELOPMENT – TELEPHONE POLES**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
0286837	PB222	Engineering Review & Report	\$358.00

**545 FOURTH STREET – Switzer**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
0285033	PB214	Engineering Review & Report	\$671.00

**09-08-2021: #25**

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

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

The Treasurer is hereby authorized to issue checks to Windels Marx Lane & Mittendorf, LLP, from the Dunellen Planning Board Escrow Account(s) listed below, for legal work towards the following application(s):

**REDEVELOPMENT OF ART COLOR SITE**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
58002	PE	Professional Services	\$2,889.00
59857	PE	Professional Services	426.00
61258	PE	Professional Services	<u>1,965.00</u>
			\$5,280.00

**316 NORTH AVENUE**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
59861	PE56	Professional Services	\$2,762.17
61262	PE56	Professional Services	<u>861.51</u>
			\$3,623.68

**528 NORTH AVENUE**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
58006	PB224	Professional Services	\$99.46
59682	PB224	Professional Services	119.13
61263	PB224	Professional Services	<u>135.00</u>
			\$353.59

**150 NORTH AVENUE**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
58004	PE	Professional Services	\$3,819.00
59859	PE	Professional Services	1,351.35
61260	PE	Professional Services	1,251.00

**GENERAL REDEVELOPMENT (Non-Escrow)**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
58003		Professional Services	\$1,463.00
59858		Professional Services	152.00
61259		Professional Services	<u>2,793.00</u>
			\$4,408.00

**09-08-2021: #26**

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

The Treasurer is hereby authorized to issue checks to King Moench Hirniak & Mehta LLP, from the Dunellen Planning Board Escrow Account(s) listed below, for legal work towards the following application(s):

**545 FOURTH STREET - Switzer**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
92182	PB216	Professional Services	\$176.00

**139 SOUTH WASHINGTON AVENUE – Duke Property**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
92183	PB215	Professional Services	\$64.00

**440 NORTH AVENUE – Chelsea Builders**

<u>Inv.</u>	<u>P.O. Number</u>	<u>Purpose</u>	<u>Amount</u>
92181	PB217	Professional Services	\$784.00

Yes: Burke, Dunne, Pinder, Reid, Rios and Sigmon

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**COUNCIL DISCUSSION**  
**proposed new Sign Ordinance**

At this point, the Council discussed the proposed new Sign Ordinance. This draft was worked on by a committee with the assistance of Gabriel Bailer from DMR Architects. It was presented to the Planning Board and comments made by the Planning Board were then incorporated into a revised draft by Mr. Bailer. Mr. Bailer at tonight’s Council Meeting went over the ordinance, highlighting changes from the current ordinance.

The following are the major changes in the ordinance, as reflected in a memo by Mr. Bailer to the Council dated August 24, 2021:

**TO:** Mayor Cilento and Borough Council Members  
**FROM:** Gabe Bailer, PP, AICP, DMR Architects  
**DATE:** August 24th, 2021  
**RE:** Sign Ordinance Update

Dear Mayor Cilento and Borough Council Members:

The following is a summary of the draft changes to Borough’s sign ordinance to provide better clarity of these updates. DMR’s task in preparing the revision to the sign ordinance was to reassemble or recreate the existing ordinance to make it easier to use for businesses, understandable, and to provide better regulations and enforcement. Included in this submission, is a clean copy of the draft sign ordinance.

The summary and clean copy of the draft sign ordinance has been prepared for your review and to provide input at an upcoming Borough Council meeting.

The following is in order of the proposed changes made to the sign ordinance:

1. Section II –Applicability - Added: “Signs promulgated by the Borough of Dunellen, or other government agencies, may be exempted from this ordinance.”
2. Section III – Interpretation: - Added: “the Sign Code Enforcer, Code Enforcer, and/or Zoning Officer” shall have discretion to approve or disapprove the proposed sign
3. Section IV Permits Required – Added: “Signs erected without a permit are subject to removal.”
4. Section V – Variance – Added : If any of the conditions of the proposed sign are not met in Chapter 238 “Signs” of the Borough’s ordinance, the applicant may submit a variance application.
5. Section VI – Permits or Fees not Required – Added : “or fees” not required.
6. Section VI B. 6. – Permits or Fees not Required – Added: “attached” to building

7. Section VI B. 7. – Permits or Fees not Required - Added :- open/closed signs made of paper, vinyl or neon and signs made of paper or vinyl indicating business hours. Such signs shall not exceed one (1) square foot and shall contain no other information than that necessary to highlight business hours and the open/closed status of a business.
8. Section VI B. 8. – Permits or Fees not Required – Added: A sign identifying the architect, engineer, or contractor, when placed upon a work site under construction, not to exceed twelve (12) square feet in area, provided the sign is set back at least fifteen (15) feet from the curb, and further provided that same are removed within twenty-four (24) hours after final certificate of occupancy is issued.
9. Section VII A. – Signs exempt from regulations under this section: – Added holiday lights within the interior of a window with no commercial message from November 15 to the next January 15. Such lights shall not blink or flash. Establishments with existing lights as part of their permanent fixtures are exempt, but no new lights will be permitted except as per the time limitations noted.”
10. Section VII D. Section VII A. – Signs exempt from regulations under this section: – Added: Political signs must be placed on private property.
11. Section VIII F. – Signs in the Public Right of Way - Added: Free standing signs with two display surfaces such that no part of the sign is further than two (2) feet from the building entrance nor within five (5) feet of the sidewalk curb or any sidewalk furniture or other fixed obstruction. Examples of this type of sign are sandwich boards. Only one sign per business is allowed. The sign can be no more than 4 foot by 2 foot on each side and the sign must be removed from the sidewalk at the end of the business day.
12. Section IX D – Prohibited Signs – Added: Except Electric Message Center signs used by municipal, educational and places of worship are not prohibited
13. Section IX E – Prohibited Signs – Added – “within 12” of glass surface”
14. Section IX G – Prohibited Signs – Added: Permanent wall signs constructed of vinyl, paper, nylon, fabric, or any other type of nondurable material except awning signs, as permitted in this ordinance.
15. Section IX K – Prohibited Signs – Added: “Signs incorporating projected images such as from a movie projector, laptop, or other electronic device.
16. Section IX Q – Prohibited Signs – Added: Sign covers designed to slip over an existing sign rather than replace are not allowed
17. Section IX R – Prohibited Signs – Added: Signs advertising an article or product not manufactured, assembled, processed, repaired, serviced, or sold, or any service not provided upon

the premises upon which the sign is located. This does not apply to Billboards that may be permitted by this Article.

18. Section IX S – Prohibited Signs – Added: Signs that are in such a state of disrepair as to constitute an immediate threat to the public health, welfare, and safety.

19. Section X 3. - Construction, maintenance, and lighting – Added: Such lighting shall properly directed and shielded so as not to produce glare or offensive light off the property.

20. Section XII A – General permit procedures – Added: No sign shall be erected, altered, located, or relocated within Dunellen except upon application and the issuance of a permit as hereinafter provided, or as excepted/exempted in this article.

21. XIV Standards Generally: Added a new section

22. XIV A - Standards Generally – Added: No sign may be erected or maintained so as to obstruct free ingress or egress to building openings, driveways, sidewalks, or other passageways.

23. XIV B - Standards Generally – Added: No sign shall have more than four (4) colors, inclusive of its background, frame, and decorative parts. However, varying tones or gradients of the two main colors may be utilized on a sign and shall not constitute additional colors. For the purposes of this ordinance, black and white shall be considered colors.

24. XIV C - Standards Generally – Added: Canopies awnings and marquees with signage embossed upon them shall be considered to be a business sign.

25. XIV D 1- 5 - Standards Generally – Added: Business signs may include text in languages other than English or use letters or symbols from an alphabet other than the Latin alphabet provided that English translation or transliteration into the Latin alphabet must be provided at equal or greater size and visibility as follows.

1. Where languages composed of an alphabet other than Latin are used (including, but not limited to, Japanese, Arabic, Hebrew, Greek, Slavic, and others) to identify business names or owners, phonetic transliteration must be provided in Latin alphabet
2. English translations of signs displaying menus or advertisements of products and services in any non-English language must be included. This does not preclude the addition of translations in languages other than English to reach a more diverse population.
3. Under no circumstances may the non-English translation or non-Latin transliteration on public-facing signage be obscured.



4. The combination of signs in all languages and alphabets required to comply with this section shall be required to conform to the maximum permitted number of signs, sign area, sign heights and widths, and other signage dimensions as provided in this article.

5. All numeric symbols shall be Arabic numerals

26. XV.A.1. a Commercial Zone – Wall Sign Added: In order for the business premises to have two wall signs, said business must have frontage on this side of front façade.

27. XV.A.1. c Commercial Zone – Wall Sign Added: The wall sign may identify the building or the primary occupant and a non-illuminated directory sign not exceeding one (1) square foot per tenant may be permitted on the ground floor façade.

28. XV.A.2 Commercial Zone – Wall Sign – Placement and Projection Added: A business must have frontage on side of façade, in order for a wall sign to be located at this façade.

29. XV.B.3 Commercial Zone –Free Standing Signs Height Added: Free standing sign shall not exceed 12 feet.

30. XV D.a. – Awnings – Added: Only one (1) awning with signage per establishment is permitted.

31. XV D.a. (1)– Awnings – Added : Signage on awnings may not exceed 30% of the size of the awning

32. XV D.a. (2)– Awnings – Added: Up to two lines of lettering and one (1) logo shall be permitted. Such lettering and logo may not exceed eighteen (18) inches in height on the first line and twelve (12) inches in height on the second line.

33. XV D.e.– Awnings – Added: Illuminated awnings are permitted only by lighting that shines downward, and cannot be transparent or translucent.

34. XV D.g.– Awnings – Added: An awning may not be permitted in conjunction with a wall mounted or projecting signage.

35. XV D.g.– Projecting Signs Removed – A projecting sign requires liability insurance up to \$1,000,000

36. XV G. Window Signs – Added: shall be permitted to be attached to windows on the interior of the business / shall not exceed twenty percent (20%) **of the total area** of the window on which it is located.

37. XV G. Temporary Signs – Added: All temporary signage, except as specifically exempted under this Article, shall require a permit. Said permit shall be valid for a period not to exceed thirty (30)

days from the issuance thereof and may be renewed for a period not to exceed sixty (60) days. No temporary sign shall exceed an area of eight (8) square feet.

38. XVIII Nonconforming Signs – Added: Routine maintenance for any nonconforming sign shall be permitted. The term "routine maintenance" is intended to include such activities as cleaning, replacement of light bulbs, removal of rust and corrosion and repainting. Specifically prohibited is the replacement of the sign structure or message, in whole or in part.

39. XXIV – Table of Sign Regulations – Added: Added new table of sign regulations.

40. Definitions – Added: AWNING - A roof-like cover that projects from the wall of a building for the purpose of signage, or shielding a doorway or window from the elements.

41. Definitions – Added: AWNING FIXED - An awning constructed with a rigid frame that cannot be retracted, folded or collapsed.

42. Definitions – Added: COMPLETED APPLICATION- A completed application is one where all requirements of the Master Signage as per Section XIII of this ordinance.

43. Definitions – Added: SIGN - A visible device, “*object, display or structure or part thereof*” appearing on or apparent from a building or structure that uses letters, symbols, color, or form to advertise or announce the purpose of a person or entity, or to communicate information of any kind to the public.

44. Definitions – Added: SIGN ANIMATED — Any sign that includes action or motion or any changes in physical position of its whole or parts or a change in light intensity by rotation or movement.

45. Definitions – Added: SIGN AWNING - A sign that is mounted, placed, or attached to an awning.

46. Definitions – Added: SIGN COPY The wording or graphics on a sign surface.

47. Definitions – Added: SIGN, DIRECTORY – A sign listing names of businesses or offices in a building or complex, and containing two or more names within a single sign.

48. Definitions – Added: SIGN, ELECTRONIC MESSAGE CENTERS – A sign whose alphabetic, graphic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments either by means of preprogramming or by computer-driven electronic impulses.

49. Definitions – Added: SIGN, FLASHING — Any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Automatic changing signs such as public service time, temperature and date signs or electronically controlled message centers are not defined as "flashing signs."

50. Definitions – Added: SIGN, FLUTTERING — A sign which flutters or is made of flexible materials which moves with the wind or by some other artificial means, including, but not limited to, pennants, banners, balloons, spinning devices, streamers, and flags other than official and trademark flags.

51. Definitions – Added: SIGN, GOVERNMENT – A sign erected and maintained pursuant to an in discharge of any governmental functions or required by law, ordinance, or other governmental regulations.

52. Definitions – Removed: “or from rear of sign” – Definition An internally illuminated sign is one where the surface of the sign receives light from within **or from the rear of the sign**. (lights can be backlit but they have to be white)

53. Definitions – Added - SIGN, NEON — An illuminated sign, typically constructed of a glass discharge tube that has been shaped to form letters or symbols, and which contains a gas or vapor (typically neon or mercury) that emits light when voltage is applied across electrodes at either end of the tube.

54. Definitions – Added: SIGN, POLITICAL - A temporary sign advocating or opposing any political proposition or candidate for public office.

55. Definitions – Added: SIGN, PROJECTING – Any sign affixed to a building or wall in such a manner that its leading edge extends beyond the surface of such building or wall. Said sign shall project no more than three (3) feet from the building façade and have a total area not exceeding four (4) square feet.

56. Definitions – Added: SIGN, TEMPORARY Any sign intended for a limited or intermittent period of display.

Gabe Bailer, PP, AICP  
DMR Architects

Mr. Bailer’s intent in the changes is to make the Sign Ordinance more readable and more friendly and also easier to enforce.

Council asked questions regarding English Language, numbers (Arabic and Roman Numeral), lawn signs (political or otherwise), political signs on private property, and practical considerations regarding Sign Ordinance enforceability.

For the full discussion, please go to the Council Meeting video on YouTube: <https://www.youtube.com/watch?v=6bvDa7Ppkjs>

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Reports:

Mrs. Rios: 1) the Dunellen Downtown Management Organization will be hosting its annual HarvestFest on October 10<sup>th</sup>; 2) the Dunellen Library Board of Trustees will be meeting on September 16<sup>th</sup>; 3) September 19<sup>th</sup> kicks-off the Spanish Heritage Celebration at the library where there will be a dance and music festival as well as ESL classes; 4) also, at the Library, this month is “fine forgiveness month.” Bring in non-perishable items for a fine-forgiveness; 5) the Library will be hosting a Health Care Webinar on September 21<sup>st</sup> and please check out the Library’s Facebook page.

Mr. Reid: 1) we started renovating Morecraft Park and Gavornik Park for the basketball restriping.

Mrs. Burke: 1) Thank You to the OEM for activating the EOC and to front line workers for once again doing the hard work, and to the Police and Fire for completing rescues, and to Alex and his DPW crew - for cleaning up Ida’s remnants; 2) Dunellen Report--articles due by Monday September 20<sup>th</sup>. Thank you to those that have responded. Always remember to solicit dept. heads and encourage them to publish info. More is always better and certainly reaches our residents that may not have frequent access to social media / internet; 3) thank you to the Borough of Middlesex for including Dunellen in the ceremony to memorialize the 3000 killed that day, as well as those that have died as a result of illness and the 2500 soldiers since; 4) Mr. Mosley is starting his CERT training Thursday night; 5) Rescue Squad— during the month of August the Rescue Squad responded to 31 calls; attended the Sydney McLaughlin track Naming Ceremony; assisted the Dunellen Fire Department at an active fire, assisted North Plainfield when they did not have an ambulance available; and provided two Dunellen residents with transportation from a hospital to rehab center or rehab to resident's home; 6) Police--Commend Officers Condu, Issler, O’Neill, and Detective Goldman for their work on August 19<sup>th</sup> attempting to stop a car that led to the arrest of individuals carrying fictitious currency, possessing a stolen handgun, among other things. We thank them for their good work in identifying this vehicle. The police vehicle was damaged during this incident, but each officer made it home safely. Body Cams - due to national delays in processing and shipping, finally have arrived. We expect the officers to be trained and ready by October. July - 150 Motor Vehicle stops, 250 summonses issued. 13 Arrests were made and 5 of those were for DWIs. August - 209 summonses issued and 17 arrests. Court Revenue has been consistent over the last few months. National Night Out - Successful and thankful for those that contributed and attended. Coffee with a Cop - Scheduled for Saturday, September 25<sup>th</sup> at 9 am in the Pop-Up Park. Asked Dr. Robins about the IT status. Dr. Robins replied that we have received about half of the items and the remaining is backordered. It is not practical to begin to install without the servers and wiring so we are waiting for the remainder to arrive.

She informed the Council that the Police Department would like for the Council to consider the addition of a fence around the parking lot to reduce foot traffic through the lot. There is a willing party that is looking to do this for the department. If the Council is open to the idea, Police will have the interested party come to discuss with us. Council would be receptive.

Dr. Dunne: 1) congratulations to Richard Pinder for joining the Council; 2) expressed her gratitude for Stacy’s years of service on the council; 3) she is a liaison to the Green Brook Flood Control Commission. There have been some statements that they are not doing their job. She responds that we would be in a much worse position after Tropical Storm Ida if not for the work of the GBFCC and the US Army Corps of Engineers; 4) there was a memorial in August for the 8 people who died in floods; 5) she thanked our first responders, which includes our DPW, who all worked hard to keep us safe; 6) the Diversity and Inclusion Committee had its first official meeting and we

now have events coming up for Hispanic Heritage Month such as movies and virtual ESL classes sponsored by Raritan Valley Community College; 7) we are working on another potential COVID-19 testing site.

Mr. Sigmon: 1) Recreation Tennis starts on September 11<sup>th</sup> and Soccer will start on the 18<sup>th</sup>; 2) the annual senior Picnic will be on the 17<sup>th</sup> and the American Legion and Mayor and Council are invited to attend; 3) thank you to emergency services.

Mr. Pinder: no report.

Mayor Cilento:

First and foremost, I would like to wish former Council Member Stacy Narvesen and her family all the best. She will be missed from the Council, and I enjoyed working with her on many things. Secondly, I congratulate and welcome her replacement on Council, Richard Pinder, and wish him all the best during the remainder of his term. I look forward to working with him.

Tropical Storm Ida Information:

Thank you to the Dunellen OEM, Police, Fire, Rescue, DPW and County OEM for their non-stop work since the beginning of the storm and afterwards. In addition, thank you to St. John's Roman Catholic Church for opening your doors as a temporary shelter during the storm and thank you to the Carol Fund for your assistance with providing non-perishable food, clothes, and gift cards to the impacted residents.

For residents who were impacted by the storm and need information regarding FEMA or other resources, please visit our borough website, we created a Tropical Storm Ida resource page here: [https://www.dunellen-nj.gov/news\\_detail\\_T30\\_R22.php](https://www.dunellen-nj.gov/news_detail_T30_R22.php) . You will find on this page the damage assessment report form, we currently have 42 properties assessed, please complete the form as it will assist the Borough on assessing the damage and working with FEMA, state, and county resources.

Finally, please be alert to potential scammers taking advantage of this situation. If you receive unwelcome solicitations or phone calls and have concerns about who is at your door, do not answer it and if need be, dial 9-1-1. If you are unsure of who is calling you, do not answer personal questions and simply hang up the phone. If you have an elderly neighbor or family-member, be sure to discuss this with them.

Covid-19 Update:

Since my last report on 9/1/2021, we have been made aware of six more new cases added to Dunellen's cumulative total of 905. Dunellen's cumulative death total remains at fourteen.

COVID-19 vaccinations administered in Dunellen as of Sept 7th:

People with at least one dose: 4,612  
Total Population with Dose 1 – Moderna or Pfizer: 4,243  
Total Population with Dose 2 – Moderna or Pfizer: 3,699  
Total Population with Janssen Dose: 369

Overall Total administrations: 8,311

In percentages, we currently have 8% of our adult population who are course initiated (those who received one dose of a two-dose vaccine); 66% who have the course completed, and 74% of adults who have at least 1 dose of a vaccine. Including ages 12 and up, near 72% of Dunellen residents 12 and up have at least one vaccine.

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/](http://www.discovermiddlesex.com/total-cumulative-cases/)

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

There will be a Mobile Vaccine Clinic at the Dunellen Train Station on Sept 25th between 10AM – 12PM at Skinner Plaza. Free and no registration necessary. This is in partnership with Middlesex County. Only one shot will be administered, and recipients will be advised to schedule their second shot at another location.

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.

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.

Sydney McLaughlin Running Track Naming Ceremony:

On August 28th, we honored and celebrated the achievements of our hometown Olympian Sydney McLaughlin. The renaming of the running track after her at Columbia Park and the declaring of August 3rd as Sydney McLaughlin Day.

Thank you to Middlesex County Sheriff Mildred Scott, County Commissioner Scott-McCullum, Dunellen Superintendent Gene Mosley, Assemblywoman Linda Carter, Congresswoman Bonnie Watson Coleman, representatives from US Senator Bob Menendez's office, member of the Dunellen Council, members of the Board of Education and to representatives from Union Catholic for attending and participating in the ceremony.

Thank you to Alex Miller of the Dunellen Parks and Recreation for his hard work and dedication in coordinating that day's events. It would not have happened without his efforts. Finally, thank you to the Dunellen School District, Dunellen Dept. of Public Works, Dunellen Police Dept., Dunellen Defender Fire Company #1, Dunellen Rescue Squad and Dunellen OEM, Woodbridge OEM and Middlesex County Sheriffs Dept for helping make the ground game seem so effortless.

**Middlesex Borough 9/11 Remembrance Ceremony:**

The Borough of Middlesex, NJ has graciously invited members of the #Dunellen community to their Twentieth Year, September 11th Remembrance Observance Ceremony on September 11th at 7 pm located at Victor Crowell Park at the 9/11 Memorial. In the event of inclement weather, the ceremony will be rescheduled for Sunday, September 12th, same time. Everyone is encouraged to attend.

**Dunellen Station Redevelopment Project:**

Work continues on site with retaining wall construction. The contractor is performing demolition work in the Washington Avenue Pump Station in preparation for the improvements.

**County Mill and Pave Program:**

We are working with the County on the scheduling of the mill and pavement of the roads. Due to the storm and some matters with utilities, we are looking to have roads paved in later in the fall than anticipated. We are working to get the handicapped ramps on these scheduled around the final scheduling of the road pavement. As previously noted, Pulaski Street will be put on hold for the County mill and pave program due to the SP22 culvert project and now the assessment of the sewer line in that area.

**Park Improvements:**

Work has been completed on the re-roofing of the shed in Gavornik Park and to the re-pavement and repair to the basketball courts in Gavornik Park and Morecraft Park. Striping will be completed soon.

**DMV Mobile Unit:**

The previously schedule DMV mobile unit I scheduled along with Assemblywoman Linda Carter's office on September 25th has been postponed. New date to be announced soon. Stay tuned!

**NJDOT:**

I recently had a meeting with NJDOT to discuss pedestrian safety in Dunellen, specifically on their roads. As conversations and details progress, we will discuss further at council meetings.

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Homer Mosley (OEM) thanked Father Alphonsus Kariuki for providing shelter during Tropical Storm Ida. September is National Preparedness Month. CERT Training is beginning this week at the Senior Center. The public should return the storm questionnaire so we have a means of tracking those who suffered property damage. The form is on the Dunellen web site.

Mark Crawford, Fire Chief. Department responded to 23 calls, five for mutual aid, the rest for smaller incidents. There was a structure fire on Whittier Avenue. There was another flood, before Henri. We were not impacted, but our department was called out to assist Monroe and Helmetta. They were badly affected with high water, and we did some rescues, getting people out of their homes. We made a difference and recognized by their mayor.

Alexander Miller asked the residents to remember that 402 houses were affected and a problem we are facing is that we cannot get all the debris to dumps. They are filling up. It will take some time, but the men are working very hard, every day. And please do not put out paint. The Yard is the place to bring paint.

Mayor Cilento noted that he had received two emails complimenting the efforts during the storm. They are presented below:

Hello, Mayor Cilento:

Thank you again for your time and responsiveness earlier today. I wanted to let you know that Josh and Pete came by the house and were amazingly helpful and supportive. They are an incredible asset to Dunellen and did more to make us feel there would be some light at the end of the tunnel.

A neighbor helped us set up a pump and the adjuster should be in contact next week to get things rolling.

Thank you for your ongoing work on behalf of our residents and hopefully everyone can be on the road to recovery soon.

Matt Mrowicki  
Founder and President - Impression Technologies LLC  
1812 Front Street, Scotch Plains, NJ 07076

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Hi Mayor Cilento,

My name is Kelsey Kerbis and my family and I live at 804 N Washington Avenue, next to the McCann's! Our foundation collapsed while we were inside the house during the September first flooding around 11:30 PM.

I just wanted to reach out and say how amazing the Dunellen OEM Team was. They evacuated us



out, including my 9-month-old daughter and my elderly mother, and continued to come around and check on us in the following days. The community really came together. So, I just wanted to reach out and sing their praises, and yours!

Thanks!  
Kelsey

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Mayor Cilento asked the Finance Committee to meet to consider electronic signs. Their value as sources of information transmittal became obvious during Tropical Storm Ida.

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Public Comment

No one from the public spoke.

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

**09-08-2021: #27**

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

The Dunellen Borough Council Meeting of September 8, 2021 is adjourned.

Yes: Burke, Dunne, Pinder, Reid, Rios and Sigmon

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

<https://www.youtube.com/watch?v=6bvDa7Ppkjs>