

January 24, 2017

**BOROUGH OF BOUND BROOK
REGULAR MEETING – PUBLIC AGENDA DRAFT
TUESDAY-JANUARY 24, 2017 @ 7:30 PM**

Call To Order:

Reading of the Open Public Meetings Law Statement:

This meeting is being held in compliance with the Open Public Meeting Law in that the requirements of the law have been met with the posting of the meeting notice on the Municipal Bulletin Board, filed with the Borough Clerk and forwarded to The Courier News, The Star Ledger .

Pledge of Allegiance
Opening Prayer

Roll Call –

Mayor Robert Fazen _____
C. Vinnie Petti ___ C. Abel Gomez _____
C. Philip Fiadino ___ C. David Rosario _____
C. Anthony Pranzatelli _____ C. Diana Manahan _____

Approval of Minutes: Regular Meeting December 27, 2016; Reorganization January 3, 2017; Agenda Meeting January 3, 2017; January 6, 2017 Special Meeting – Executive Session For Content Only

Motion: Second: All in favor:

Presentation of communications, petitions, etc.

Presentation-

Technical Assistant Ruth Ann Seyffart-A review of the borough's new website launched on January 3, 2017.

Public Hearing- Submission of Grant Application to NJDEP

A brief presentation will be given followed by question and answer period.

Purpose: To obtain public comment on a grant application to be submitted to the NJDEP Green Acres Land Acquisition and Park Development Program – Development projects at Billian Legion Park and the Municipal Pool.

Greetings for comments and invitation for discussion

January 24, 2017

Committee reports

Finance: C. David Rosario

Public Works, Bldgs., Grounds & Utilities-C. Diana Manahan

Public Safety (Police & Fire)- C. Vinnie Petti

Personnel, Administration & Ordinances- C. Philip Fiadino

Economic Development- C. Anthony Pranzatelli

Zoning, Construction & Code Enforcement- C. Abel Gomez

Introduction of ordinances -First Reading –

ORDINANCE NO. 2017:01

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK IN THE COUNTY OF SOMERSET, CHAPTER 7, TRAFFIC, TO INCLUDE ADDITIONAL RESTRICTED PARKING AT CERTAIN AREAS ON CERTAIN STREETS

Summary:

Thompson Avenue	East	Between West Union Avenue and William Street
	East	Between Grove Avenue and Evergreen Avenue
	West	<u>Insert-Between West Union Avenue and the southern-most exit portion of Crescent Drive</u> <u>Delete[From the southerly curb line of Crescent Drive to a point 200 feet south thereof]</u>

January 24, 2017

Motion: Movant: I move that ordinance be approved on first reading, advertised according to law, and a public hearing be held on February 14, 2017

Roll Call:

C. Vinnie Petti ____ C. Abel Gomez____ C. Philip Fiadino____

C. David Rosario ____ C. John Buckley _____

C. Anthony Pranzatelli_____ C. Diana Manahan_____

Ordinance on Final Reading and Consideration-Second Reading

None

Resolutions for final reading and final consideration:

R2017:17

Approve professional services contracts-

Municipal Attorney – Decotiis, FitzPatrick & Cole, LLP

Not to exceed: \$100,000

Municipal Auditor-Hodulik & Morrison, P.A.

Not to exceed: \$34,000

Municipal Bond Counsel-McManimon,Scotland,Bauman,Roseland

Not to exceed: \$20,000

Municipal Engineer-T&M Associates

Not to exceed: \$100,000

Municipal Grant Writer-Millennium Strategies

Not to exceed: \$30,000

Municipal Prosecutor-John E. Bruder, Esq.

Not to exceed: \$38,000

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Municipal Public Defender- Robert D. Spengler, Esq.

Not to exceed: \$17,500

Municipal Labor Counsel-DeCotiis, Fitzpatrick & Cole, LLP

Not to exceed: \$25,000

Municipal Tax Appeal Counsel-Shain, Schaffer & Rafanello

Not to exceed: \$25,000

Motion to approve all professional contracts moved by:

Second:

All in favor:

R2017:18

Authorize Finance Officer to issue a \$50.00 refund to Sandra Cayon for overpayment of parking permit fee

Motion:

Second:

All in favor:

R2017:19

Approve a cancellation of a maintenance billing to John Marshall for property Block 30, Lot 25 (214 West Second Street) in the amount of \$87.50

Motion:

Second:

All in favor:

R2017:20

Approve a property tax exemption for totally disabled veteran in the amount of \$5,286.00 effective January 1-2017

Motion:

Second:

All in favor:

January 24, 2017

R2017:21

ACKNOWLEDGING THE FORMATION OF A CHIEF OF POLICE APPOINTMENT COMMITTEE BY THE MAYOR FOR THE PURPOSE OF EVALUATING CANDIDATES FOR THE POSITION OF CHIEF OF POLICE AND RECOMMENDING ANY APPOINTEES BY THE MAYOR FOR THE ADVICE AND CONSENT OF THE COUNCIL IN ACCORDANCE WITH SUBSECTION 2-21.11, "APPOINTMENT OF CHIEF OF POLICE," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

Motion: Second: All in favor:

R2017:22

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Bound Brook Historic Train Station Rehabilitation Project.

Motion: Second: All in favor:

R2017:23

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Environmental Protection Green Acres Program for the Billian Legion Park and Municipal Pool Improvement Project

Motion: Second: All in favor:

Unfinished Business

January 24, 2017

New Business

Appointments:

Historic Preservation Commission

Kevin A. Sullivan- Class B- 3 year term

Motion: Second: All in favor:

>Festival of Lights –Holiday Decorating Contest-

>Winners announced and prizes awarded

Special Event Permit

Relief Fire Co. No. 4-Coin Toss

Location: Route 28 (Union Avenue) at Vosseller

Dates: April 1, 2017; April 16, 2017

Rain Date: April 8, 2017

Time: 9 a.m. – 1 p.m.

Motion: Second: All in favor:

Approval of Vouchers

R2017: 24

Motion: Second: All in favor:

Open meeting to the public for comments

R2017: 25

Authorize executive session for (Anticipated Litigation)

Adjournment

BOROUGH OF BOUND BROOK
ORDINANCE No. 2017- 01

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII, TRAFFIC, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO INCLUDE ADDITIONAL PROHIBITED PARKING AREAS ON CERTAIN STREETS

WHEREAS, among other things, N.J.S.A. 39:4-197 authorizes the governing body of any municipality to adopt ordinances regulating the parking of vehicles on streets and portions thereof; and

WHEREAS, the Mayor and Council of the Borough of Bound Brook received a recommendation from the Bound Brook Police Department to prohibit parking in certain areas in order to promote the safety of Bound Brook’s residents.

NOW THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Bound Brook, in the County of Somerset, State of New Jersey, as follows:

SECTION 1. Chapter VII of the General Revised Ordinances of the Borough of Bound Brook, entitled TRAFFIC, Section 7-14, “Parking Prohibited At All Times On Certain Streets,” is hereby amended and supplemented by deleting the text [marked in bold and enclosed in brackets] and inserting the text underlined and marked in bold, to read as follows:

7-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

No person shall park a vehicle at any time upon any streets or parts thereof described.

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
* * *		
Thompson Avenue	East	Between West Union Avenue and William Street
	East	Between Grove Avenue and Evergreen Avenue
	West	<u>Between West Union Avenue and the southern-most exit portion of Crescent Drive</u> [From the southerly curbline of Crescent Drive to a point 200 feet south thereof]
* * *		

SECTION 2. Severability Clause. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3. Repealer. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon passage and publication in accordance with law.

ATTEST:

BOROUGH OF BOUND BROOK

Donna Marie Godleski
Borough Clerk

By: _____
Robert Fazen
Mayor

Date of Introduction: January 24, 2017

BOROUGH OF BOUND BROOK
RESOLUTION NO. 2017-17
AWARD PROFESSIONAL SERVICES CONTRACTS

WHEREAS, there exists a need for a Municipal Attorney, Auditor, Bond Counsel , Engineer, Grant Writer, Prosecutor, Public Defender, Labor Counsel and Tax Appeal Counsel for the Borough of Bound Brook;
WHEREAS, the Borough of Bound Brook did solicit qualifications for certain professional services for the calendar year 2017 through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq.;
WHEREAS, those professionals listed were appointed at the Reorganization Meeting of January 3, 2017;
WHEREAS, the Chief Financial Officer has certified the availability of funds;
WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. Seq.) requires that a notice of the resolution awarding contracts for professional services without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the professional services contracts are approved for the following:

MUNICIPAL ATTORNEY- 1 year agreement – 1/1/17-12/31/17

DeCotiis, Fitzpatrick, Cole & Wisler, LLP-Teaneck, NJ

Not To Exceed Amount: 175.00/per hour; -\$100,000

MUNICIPAL AUDITOR- 1 year agreement – 1/1/17-12/31/17

Hodulik & Morrison, P.A. Highland Park, NJ

Not To Exceed Amount: \$34,000- \$135/hourly rate; Audit Fee-\$31,625.00

MUNICIPAL BOND COUNSEL- 1 year agreement – 1/1/17-12/31/17

McManimon, Scotland & Bawmann, LLC

Not To Exceed Amount: \$20,000.00

MUNICIPAL ENGINEER- 1 year agreement- 1/1/17-12/31/17

T&M Associates-Middletown, NJ

Not To Exceed Amount: \$162/per hour; \$100,000

MUNICIPAL GRANT WRITER-1 year agreement-1/1/17-12/31/17

Millennium Strategies, Caldwell, NJ

Not to Exceed Amount: \$120/per hour- \$30,000

MUNICIPAL PROSECUTOR- 1 year agreement – 1/1/17- 12/31/17

LAW OFFICE OF JOHN E. BRUDER –Bound Brook, NJ

Not To Exceed Amount: \$38,000

MUNICIPAL PUBLIC DEFENDER – 1 year agreement – 1/1/17-12/31/17

Robert Spengler, Esq. Bound Brook, NJ

Not To Exceed Amount: \$350/per session - \$17,500

MUNICIPAL LABOR COUNSEL- 1 Year agreement-1/1/17-12/31/17

DeCotiis, Fitzpatrick, Cole LLP-Teaneck, NJ

Not To Exceed Amount: \$175.00/per hour - \$25,000

MUNICIPAL TAX APPEAL COUNSEL – 1 year agreement-1/1/17-12/31/17

Shain, Schaffer & Rafanello, Attorney at Law

Not To Exceed Amount: \$150.00/per hour- \$25,000

ATTEST:

APPROVED: _____

Mayor Robert P. Fazen

Donna Marie Godleski Borough Clerk

Date of Adoption: January 24, 2017

BOROUGH OF BOUND BROOK
RESOLUTION NO. 2017-18

WHEREAS, the Borough received a request for refund of overpayment of parking permit fees paid in advance for November 2016 in the amount of \$50.00.

WHEREAS, the overpayment has been verified and the monthly permit tag surrendered.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the Finance Officer is hereby authorized and directed to refund \$50.00 to Sandra Cayon for overpayment of monthly parking fees.

APPROVE:

Mayor Robert P. Fazen

ATTEST:

Donna Marie Godleski, Borough Clerk

Date of Adoption: January 24, 2017

BOROUGH OF BOUND BROOK
RESOLUTION NO. 2017: 19

WHEREAS, there exists certain billing for maintenance of property that had to be maintained by the Borough; and

WHEREAS, it is necessary to formally cancel said billing for reason of insufficient documentation;

NOW, THEREFORE, BE IT RESOLVED, by the council of the Borough of Bound Brook, that the maintenance billing balance for the following property is cancelled.

BLOCK	LOT	NAME	AMOUNT	YEAR/QTR
30	25	Marshall, John	\$87.50	2016/3 rd

Attest:

APPROVED:

Mayor Robert P. Fazen

Donna Marie Godleski, Clerk

Date of Adoption: January 24, 2017

BOROUGH OF BOUND BROOK
RESOLUTION NO. 2017: 20

WHEREAS, there has been a claim for Property Tax Exemption filed with the Tax Assessor of the Borough of Bound Brook; and

WHEREAS, the Tax Assessor of the Borough of Bound Brook has reviewed and approved the Property Tax Exemption for the Totally Disabled Veteran;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Bound Brook that the following taxes be canceled effective January 1, 2017:

BLOCK	LOT	NAME	YEAR	AMOUNT
87	3	James Ludolph	2017	\$5,286.00

Approved:

Mayor Robert P. Fazen

Attest:

Donna Marie Godleski, Clerk

Date of Adoption: January 24, 2017

RESOLUTION NO 2017:21

ACKNOWLEDGING THE FORMATION OF A CHIEF OF POLICE APPOINTMENT COMMITTEE BY THE MAYOR FOR THE PURPOSE OF EVALUATING CANDIDATES FOR THE POSITION OF CHIEF OF POLICE AND RECOMMENDING ANY APPOINTEES BY THE MAYOR FOR THE ADVICE AND CONSENT OF THE COUNCIL IN ACCORDANCE WITH SUBSECTION 2-21.11, "APPOINTMENT OF CHIEF OF POLICE," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

WHEREAS, in accordance with Subsection 2.21.11, "Appointment of Chief of Police" of the Revised General Ordinance of the Borough of Bound Brook, the Mayor has and/or intends to form a committee for the purpose of recommending appointees for the position of Chief of Police for the Borough; and

WHEREAS, in accordance with Subsection 2.21.11, "Appointment of Chief of Police" of the Revised General Ordinance of the Borough of Bound Brook, the Mayor and Council shall follow the procedures set forth therein and applicable law; and

WHEREAS, in accordance with Subsection 2.21.11, "Appointment of Chief of Police" of the Revised General Ordinance of the Borough of Bound Brook, the Mayor and/or Borough Administrator, on behalf of the Borough, are required to communicate to the PBA the appointment procedure for the Chief of Police at least twenty-one (21) days prior to commencement of the selection process.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Borough of Bound Brook, in the County of Somerset, and State of New Jersey that the Mayor has formed a Chief of Police Appointment Committee for the purpose of evaluating candidates for the position of Chief of Police for the Borough and the nomination of a candidate by the Mayor for the advice and consent of the Council in accordance with Subsection 2.21.11, "Appointment of Chief of Police" of the Revised General Ordinance of the Borough of Bound Brook.

BE IT FURTHER RESOLVED that in accordance with Subsection 2.21.11, "Appointment of Chief of Police" of the Revised General Ordinance of the Borough of Bound Brook, the Mayor and/or Borough Administrator are hereby directed to communicate to the PBA the appointment procedure for the Chief of Police at least

twenty-one (21) days prior to commencement of the selection process and provide a copy of this resolution.

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

Approved:

Mayor Robert P. Fazen

Attest:

Donna Marie Godleski, Borough Clerk

Date of Adoption: January 24, 2017

Borough of Bound Brook
Resolution No. 2017-22

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Bound Brook Historic Train Station Rehabilitation Project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council for the Borough of Bound Brook formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as TV-2017-Bound Brook Historic Train Station R-00021 to the New Jersey Department of Transportation on behalf of the Borough of Bound Brook.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Bound Brook and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Mayor and Council
On this 24th day of January, 2017.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Donna Marie Godleski, Clerk

Mayor Robert P. Fazen

RESOLUTION NO. 2017: 23-
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Bound Brook desires to further the public interest by obtaining funding in the amount of \$104,853.65, in the form of a \$104,853.65 matching grant and, if available, a \$0 loan, from the State to fund the following project(s): Billian Legion Park and Municipal Pool Improvement Project at a cost of \$419,414.60;

NOW, THEREFORE, the governing body/board resolves that Robert Fazen or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE BOROUGH COUNCIL

1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as the Billian Legion Park and Municipal Pool Improvement Project;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$314,560.95;
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

CERTIFICATION

I, Donna Marie Godleski, do hereby certify that the foregoing is a true copy of a resolution adopted by the Bound Brook Borough Council at a meeting held on the 24th day of January, 2017.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this ____ day of _____, _____.

Donna Marie Godleski
Bound Brook Municipal Clerk

**BOROUGH OF BOUND BROOK
RESOLUTION 2017- 24**

APPROVAL OF VOUCHERS

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, and State of New Jersey that vouchers are approved for the following funds in the amount of \$4,011,088.76

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$3,975,889.75
CAPITAL	\$3,797.07
GRANT	\$
DOG/CAT TRUST	\$
RECREATION TRUST	\$779.50
GENERAL TRUST	\$27,670.36
HOUSING REHAB	\$
DEVELOPER ESCROW	\$2,952.08

TOTAL \$ 4,011,088.76

Approved: _____
Mayor Robert P. Fazen

Attest: _____
Donna Marie Godleski, Clerk

Date of Adoption: January 24, 2017