

BOROUGH OF BOUND BROOK

AGENDA MEETING – TUESDAY FEBRUARY 14, 2017@ 7:30 PM

Call To Order: DRAFT

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 and 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. President Anthony Pranzatelli _____ C. Diana Manahan_____

R2017: 26

Approve the hire of Michael Napoli as police officer for the Borough of Bound Brook Police Department

SWEARING IN – MICHAEL NAPOLI

R2017:28

Approve monthly cell phone reimbursement for the Code Enforcement Officer

Motion: Second: All in favor:

R2017:29

Approve a reimbursement for Mayor Fazen's attendance at U.S. Conference of Mayors

Motion: Second: All in favor:

R2017:30

Approve a submission of grant application with the NJDOT for Van Keuren Avenue Reconstruction Project

Motion: Second: All in favor:

Unfinished Business

New Business

Mayor Fazen- For discussion:

Payments/reimbursement for Borough Membership to:

Somerset County Business Partnership; Somerset County Governing Officials Associations; New Jersey League of Municipalities; New Jersey Conference of Mayors; United States Conference of Mayors.

New Business (Continued)

Corrections to appointment terms for the Shade Tree Commission

Members:

Nancy Lepionka	Term expires 2019
Xue Du	Term expires 2020
Marsha Longshore	Term expires 2020
Nancy Campbell	Term expires 2021

Approval of Vouchers

R2017: 31

Motion: Second: All in favor:

Open to the public for comment

R2017: 32

Authorize executive session for (_____)

Motion: Second: All in favor:

Adjournment

Motion: Second: All in favor:

**BOROUGH OF BOUND BROOK
ORDINANCE NO. 2017-03**

AN ORDINANCE OF THE BOROUGH OF BOUND BROOK BANNING THE SALE OF DOGS AND CATS FROM PET SHOPS

WHEREAS, a significant number of puppies and kittens sold at pet shops come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for (“puppy mills” and “kitten mills,” respectively). According to The Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise; and

WHEREAS, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

WHEREAS, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

WHEREAS, restricting the retail sale of puppies and kittens to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills, and is likely to increase demand for animals from animal shelters and rescue organizations; and

WHEREAS, according to the New Jersey Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually, including nearly 1,500 in the County of Camden. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

WHEREAS, this Ordinance will not affect a consumer’s ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the hobby breeder concerning those conditions; and

WHEREAS, the Municipal Council believes it is in the best interests of this Municipality to adopt reasonable regulations to reduce costs to the Municipality and its residents, protect the citizens of the

Municipality who may purchase cats or dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the Municipality.

Section 1. Definitions

Animal care facility means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

Animal rescue organization means any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

Cat means a member of the species of domestic cat, *Felis catus*.

Dog means a member of the species of domestic dog, *Canis familiaris*.

Offer for sale means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

Pet shop means a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

Section 2. Restrictions on the Sale of Animals

(1) A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:

- (a) An animal care facility; or
- (b) An animal rescue organization.

(2) A pet shop shall not offer for sale a dog or cat that is younger than eight weeks old.

Section 3. Severability.

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 4. 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 5. Effective Date.

This ordinance shall take effect, following adoption and publication in accordance with the laws of the State of New Jersey.

ATTEST:

BOROUGH OF BOUND BROOK

Donna Marie Godleski
Borough Clerk

By: _____
Robert Fazen
Mayor

Date of Introduction: February 14, 2017

**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
County of Somerset**

ORDINANCE No. 2017-02

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II, ADMINISTRATION, ARTICLE VIII, ADMINISTRATIVE FEES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK, TO ADD THIRD PARTY PROCESSING FEES FOR PAYMENT OF TAXES, SEWER CHARGES, REFUSE CHARGES AND OTHER AUTHORIZED PAYMENTS BY ELECTRONIC CHECK AND CREDIT CARDS

BE IT ORDAINED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, as follows:

SECTION 1. Chapter II, Administration, Article VIII, Administrative Fees, is hereby amended and supplemented to add a new Section 2-63 entitled “Third Party Payment Processing Fees,” to read as follows [new text **underlined and marked in bold**]:

Section 2-63 THIRD PARTY PAYMENT PROCESSING FEES

2-63.1 Electronic Check and Credit Card Transactions

a. Residents opting to pay taxes, sewer charges, refuse charges and other authorized payments due to the Borough, shall pay, in addition to the taxes, sewer charges, refuse charges or other authorized payments due to the Borough, third-party processing service fees within the following ranges:

- (1) Service fee for electronic check for payment of taxes: \$0.00 to \$3.00;**
- (2) Service fee for electronic check for payment of sewer charges: \$0.00 to \$3.00;**
- (3) Service fee for electronic check for payment of refuse charges: \$0.00 to \$3.00;**
- (4) Service fee for electronic check for other municipal charges: \$0.00 to \$3.00; and**
- (5) Service fee for credit card transactions: 2.75% to 4.50%.**

b. Specific service fees within the foregoing ranges, shall be established annually by resolution of the Borough Council, and amended from time to time, as necessary, to reflect the Borough’s contractual costs with the Borough’s third-party payment processor.

c. The service fees established by resolution of the Borough Council shall be added to the tax, sewer, refuse and other authorized payments due.

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 take effect, following adoption and publication in accordance with the laws of the State of New Jersey.

ATTEST:

BOROUGH OF BOUND BROOK

Donna Marie Godleski
Borough Clerk

By: _____
Robert Fazen
Mayor

Date of Introduction: January 27, 2017

**BOROUGH OF BOUND BROOK
RESOLUTION -2017-26**

WHEREAS, a vacancy exists for a patrol officer in the Police Department due to the retirement of a Patrol Officer.

WHEREAS, interviews were conducted by the Bound Brook Police Department Command Staff; and

WHEREAS, it was their recommendation that Michael J. Napoli be hired to fill the vacancy; and

WHEREAS, Michael J. Napoli has passed both physical evaluations and psychological evaluations as accepted for employment as a Police Officer for the Borough of Bound Brook; and has graduated from the Cape May County Police Academy on January 17, 2017 and will be certified through the New Jersey Police Training Commission upon completion of post training.

WHEREAS, a successful background investigation has been completed

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Michael J. Napoli be hired as a police officer effective February 20, 2017 for an annual salary of \$46,000.00 as specified in the PBA contract. A formal Oath of Office will take place at the regular scheduled council meeting on Tuesday, February 14, 2017.

Approved:

Robert P. Fazen
Mayor

Attest: _____
Donna Marie Godleski
Borough Clerk

Date of Adoption – February 14, 2017

**BOROUGH OF BOUND BROOK
RESOLUTION 2017:27**

WHEREAS, N.J.S.A. 40A:4-59 provides that Budget transfers may be made during the first three months of the succeeding fiscal year; and

WHEREAS, there has been determined a need for such transfers;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the following transfers be made:

FROM	TO	AMOUNT
Finance (OE)	Administration (OE)	\$1,900.00
Finance OE)	Electric/ Heating (OE)	\$375.00
Insurance Group (OE)	Tax Collection (OE)	\$396.00
Insurance Group (OE)	Housing Inspections (OE)	\$101.00
Streets & Roads (OE)	Fire (OE)	\$1,130.00
Streets & Roads (OE)	Municipal Clerk (OE)	\$489.00
Streets & Roads (OE)	Streets & Roads (SW)	\$27.00
Streets & Roads (OE)	Street Lighting (OE)	\$5,383.00
Streets & Roads (OE)	Water (OE)	\$656.00
Streets & Roads (OE)	Municipal Court (OE)	\$454.00
Total		\$10,911.00

Approved:

Mayor Robert P. Fazen

Attest:

Donna Marie Godleski, Borough Clerk

Date of Adoption: February 14, 2017

BOROUGH OF BOUND BROOK

RESOLUTION NO. 2017: 28

WHEREAS, Joseph R. Costa was hired as full-time Code Enforcement Officer in December 2016; and

WHEREAS, within his terms of employment it was agreed that Mr. Costa would receive a monthly reimbursement of seventy five (\$75.00) for the use of his cell phone for borough business; and

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK do approve the above referenced monthly reimbursement.

APPROVED:

Mayor Robert P. Fazen

ATTEST:

Donna Marie Godleski, Borough Clerk

Date of Adoption: February 14, 2017

**BOROUGH OF BOUND BROOK
RESOLUTION NO. 2017-29**

WHEREAS, the Mayor and Council approved Resolution No. 2017-13, indicating that "a member may seek pre-approval from the governing body for any extraordinary expense to be incurred beyond the regular expenses contemplated by the stipend;"

WHEREAS, prior to the introduction of Resolution No. 2017-13, at the November 22, 2016 Council Meeting, the Mayor indicated that he would be attending the U.S. Conference of Mayors meeting in Washington, D.C. January 17-19, 2017. He noted the registration cost was approximately \$1,000. He advised that he would address the conference, expressing his opinion that President Trump's promised "infrastructure" spending should be committed directly to local municipalities where the money could be spent faster and have greater visibility to residents (*this request was made, in person, by the U.S. Conference of Mayors directly to the President and Vice President*);

WHEREAS, at the November 22, 2016 meeting the Council advised that the Mayor should submit his U.S. Conference of Mayors expenses for review and approval;

WHEREAS, this is the first meeting after approval of Resolution No. 2017-13 and the first opportunity for the Mayor to seek approval from the governing body for this expense;

WHEREAS, the Mayor attended the U.S. Conference of Mayors meeting January 17-19, 2017 (summary of meeting experience enclosed) and respectfully requests reimbursement of \$2,262.56 for the following personal expenses:

- Registration: \$1,200.00
- Hotel (3 nights - Capital Hilton): \$1,062.56

Hotel expenses were for only the room from January 16-19, 2017, with no additional room service charges included. Receipts for all expenses will be submitted with the REQUISITION FOR PURCHASE ORDER.

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

The Mayor shall be reimbursed \$2,262.56 for attendance at the U.S. Conference of Mayors, January 17-19, 2017.

Approved:

Mayor Robert P. Fazen

Attest:

Donna Marie Godleski, Borough Clerk

Date of Adoption: February 14, 2017

**BOROUGH OF BOUND BROOK
RESOLUTION 2017-**

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 \$1,884,047.00

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$1,883,402.36
CAPITAL	\$
GRANT	\$
DOG/CAT TRUST	\$408.00
RECREATION TRUST	\$180.00
GENERAL TRUST	\$56.64
HOUSING REHAB	\$
DEVELOPER ESCROW	\$

TOTAL \$1,884,047.00

Approved: _____
Mayor Robert P. Fazen

Attest: _____
Donna Marie Godleski, Clerk

Date of Adoption: February 14, 2017