

**BOROUGH OF BOUND BROOK
REGULAR MEETING AGENDA**

PUBLIC AGENDA

TUESDAY-SEPTEMBER 23, 2014 @ 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 and Community Chronicles.

Opening Prayer: Grant us the wisdom to serve the people to the best of our ability

Pledge of Allegiance

Roll Call –

Mayor Mark Hasting _____

C. John Paul Levin___C. Daniel Wright ___C. Vinnie Petti ___

C. Lisa Bogart ___C. Beverly Pranzatelli____C. Peter Lazzaro_____

Approval of Minutes: September 9, 2014 Agenda Meeting

September 9, 2014 Executive Session for content only

Motion: Second: All in favor:

Presentation of communications, petitions, etc.

Greetings for comments and invitation for discussion

Committee reports

Finance: C. Peter Lazzaro

Public Works, Bldgs., Grounds & Utilities-C. Daniel Wright

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

Personnel, Administration & Ordinances- C. Lisa Bogart

Economic Development- C. Beverly Pranzatelli

Zoning, Construction & Code Enforcement- C. John Paul Levin

Introduction of ordinances -

**BOROUGH OF BOUND BROOK
ORDINANCE NO.2014:10**

**AN ORDINANCE AUTHORIZING AS A GENERAL
IMPROVEMENT THE REPAIR AND RECONSTRUCTION OF THE
ROOF ON THE BEN MAGGIO RECREATION BUILDING AND ALSO
THE PURCHASE AND ACQUISITION OF VARIOUS EQUIPMENT
FOR THE BOROUGH OF BOUND BROOK AND APPROPRIATING
\$163,000.00 THEREFOR FROM THE“CAPITAL FUND BALANCE” OF
SAID BOROUGH
BOROUGH OF BOUND BROOK
ORDINANCE NO.2014:10**

BE IT ORDAINED By the Borough Council of the Borough of
Bound Brook in Somerset County,

New Jersey as follows:

Section 1. The Borough of Bound Brook in Somerset County
(hereinafter referred to as
“Municipality”) is hereby authorized the following Capital Improvements
for the Borough of Bound Brook:

1. Improvement, Repair and Reconstruction of the roof at the Ben Maggio Recreation Building.
2. The acquisition of the following equipment, Police weapon replacement, Police Supervisor's equipment and storage for Supervisor's vehicle, 5 Thermal Cameras for Fire Department, Replacement of fire turnout gear, Hot box for Road Patching for Public Works, Bob Cat S70 Series (or similar) for Public Works and 2 additional Gas Detectors for Fire Department.

Section 2. The work and acquisitions, authorized by Section 1 of this Ordinance shall be undertaken as

a general improvement, the entire cost of which shall be contributed and borne by the municipality as a general

expense, and no part of said cost shall be specially assessed against any property. The estimated cost noted

of such project shall not exceed \$163,000.00 unless this Ordinance is amended.

Section 3. It is hereby determined and stated that the undertaking of the aforesaid projects (hereinafter

referred to as "purpose") is not a current expense of the municipality; and that the total estimated cost of said

purpose is \$163,000.00, the estimated cost for the projects having been noted in Section 1 above.

Section 4. The sum of \$163,000.00 is hereby appropriated for said purpose from the "Capital

Fund Balance" of the municipality for said purpose as required by law and now available therefore under a

budget or budgets of the municipality previously adopted.

Section 5. The Capital budget of the municipality is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith.

Section 6. This Ordinance shall take effect upon its passage and publication as provided by law.

Motion: Second: All in favor:
Discussion:
C. John Paul Levin ___ C. Daniel Wright ___ C. Vinnie Petti ___
C. Lisa Bogart ___ C. Beverly Pranzatelli ___ C. Peter Lazzaro ___

Ordinance on Final Reading and Consideration: -

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE –NO. 2014:07

AN ORDINANCE OF THE BOROUGH OF BOUND BROOK, COUNTY OF SOMERSET, NEW JERSEY APPROVING AND AUTHORIZING THE MAYOR AND BOROUGH CLERK, PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ., TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND QUEENS GATE APARTMENTS URBAN RENEWAL, LLC FOR PROPERTY LOCATED ON LOT 1.02 IN BLOCK 68 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BOUND BROOK AND LOCATED IN THE TEA STREET/MIDDLE BROOK REDEVELOPMENT AREA

WHEREAS, Block 68, Lot 1.02 (the “Property”) is located in an area in need of redevelopment as designated by the Borough Council of the Borough of Bound Brook (the “Borough”), known as the Tea Street/Middle Brook Redevelopment Area (the “Redevelopment Area”); and

WHEREAS, the Borough, by resolution adopted August 20, 2013, consented to the transfer of the Property and the assignment/assumption of rights under the Amended Supplemental Redevelopment Agreement, as it may have been or may be further amended, from MF Carriage Park, LLC to Queens Gate Apartments, LLC; and

WHEREAS, Queens Gate Apartments Urban Renewal, LLC (“Queens Gate”) now owns the Property; and

WHEREAS, Queens Gate has approval to construct 144 unit multi-family residential project in three (3) buildings and related site improvements and amenities (the “Project”); and

WHEREAS, pursuant to and in accordance with the provisions of the Long Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto (the “Long Term Tax Exemption Law”, as codified in N.J.S.A. 40A:20-1 et seq.), the Borough is authorized to provide for tax abatement within a redevelopment area and for payments in lieu of taxes; and

WHEREAS, Queens Gate submitted an application, dated June 25, 2014, for the approval of a Project, as such term is used in the Long Term Tax Exemption Law, all in accordance with N.J.S.A. 40A:20-8 (the “Exemption Application”, a copy of which is attached hereto as Exhibit A); and

WHEREAS, the Exemption Application approved by the Borough proposes a 20-year term for the Financial Agreement and an annual service charge based on 10% of annual gross revenues with gradual increases over the term.

WHEREAS, the Borough and Queens Gate have reached agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charges and desire to execute the Financial Agreement.

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

Section 1. The Financial Agreement shall be for a 20-year term with an annual service charge based on 10% of annual gross revenues from the Project with gradual increases over the term in accordance with the Long Term Tax Exemption Law.

Section 2. The Financial Agreement is hereby authorized to be executed and delivered on behalf of the Borough by the Mayor in substantially the form attached hereto as Exhibit A. The Borough Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor and to affix the corporate seal of the Borough to the Financial Agreement.

Section 3. This ordinance shall take effect upon final passage and publication as required by law.

Motion to open to public: Second:

Public Comment:

Motion to close public comment: Second:

Roll Call:

C. John Paul Levin___C. Daniel Wright ___C. Vinnie Petti ___

C. Lisa Bogart ___C. Beverly Pranzatelli___C. Peter Lazzaro___

BOROUGH OF BOUND BROOK
County of Somerset

2014:09

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER
XXIV, HISTORIC PRESERVATION, OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF BOUND BROOK

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. Subsection 24-3.3, “Membership; Appointment” of Section 24-3,
Historic Preservation Commission, of the Revised General Ordinances of the Borough of
Bound Brook 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:

24-3.3 Membership; Appointment

The Commission shall consist of five (5) regular members and two (2) alternate
members, who shall be appointed by the Mayor with the advice and consent of the
Borough Council. They Mayor shall appoint, and the Borough Council shall
approve, the full membership within sixty (60) days from the effective date of this
chapter. At the time of appointment, members shall be designated by the
following classes:

- a. *Class A.* **[Citizen of the municipality who shall hold no other
municipal office, position or employment except for membership on the
Planning Board,] A person** who is knowledgeable in building design and
construction or architectural history **and who may reside outside the
municipality;** and
- b. *Class B.* **[Citizen of the municipality who shall hold no other
municipal office, position or employment except for membership on the
Planning Board] A person** who is knowledgeable in, or who has demonstrated
an interest in, local history; and

c. *Class C.* **Three** [C]citizens of the municipality who shall hold no other municipal office, position or employment except for membership on the Planning Board. **[Class C members should have at a minimum a demonstrated interest in history, historic preservation or a related field.]**

d. Of the five (5) regular members, **a total of** at least **one (1)** **less than a majority shall be of Classes A and B** **[member shall be appointed from each class.]** Alternate members shall meet the qualifications of Class C members. At the time of appointment, alternate members shall be designated as “Alternate No. 1” and “Alternate No. 2.”

e. [No change]

f. [No. change]

g. [No change]

h. [No change]

i. [No change]

j [No change]

k. [No change]

l. [No change]

m [No change]

SECTION 2. Subsection 24-6.3, “Procedures,” of Section 24-6, Certificate of Appropriateness,” of the Revised General Ordinances of the Borough of Bound Brook 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:

24-6.3 Procedures.

a. [No change]

b(1). All applicants for a Certificate of Appropriateness, or for a determination of non-necessity pursuant to subsection 24-6.2b above, shall complete an application form. Application forms shall be made available in the office of the Construction Official. Completed applications shall be filed with the Construction Official **[,who]. Upon payment to the Borough of the escrow**

required in paragraph b(2), below, of this Subsection 24-6.3, the Construction Official shall then forward the application package promptly to the Commission.

b(2). Escrow. The applicant shall be required to post an escrow of \$1,500.00 to reimburse the Borough for the costs of professional services including engineering, planning, legal and other expenses connected with the review of the application. Sums not utilized in the review process shall be returned to the applicant. If additional sums are deemed necessary, the applicant shall be notified of the required additional amount, and shall add such amount within fifteen (15) days of the date of the notification of the shortfall or the application will be considered incomplete and all review of the application shall cease.

c. [No change]

d. [No change]

e. [No change]

SECTION 3. 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 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.

Motion to open to public: Second:

Public Comment:

Motion to close public comment: Second:

Roll Call:

C. John Paul Levin___C. Daniel Wright ___C. Vinnie Petti ___

C. Lisa Bogart ___C. Beverly Pranzatelli____C. Peter Lazzaro_____

Resolutions for final reading and final consideration:

R2014: 131

Authorize settlement of disciplinary charges filed against the Bound Brook Hotel

Motion: Second: All in favor:

R2014: 132

Approve the certification of the 2013 Annual Audit

Motion: Second: All in favor:

R2014: 133

Authorize the tax collector to issue refund on 2014 tax overpayment 807 Mountain Avenue. Block 95/Lot 12

Motion: Second: All in favor:

R2014: 134

Approve the PBA Collective Bargaining Agreement

Motion: Second: All in favor:

September 23, 2014 meeting agenda

Unfinished Business

R. Bahr-American Legion Park Committee

New Business

Approval of Vouchers

R2014: 135

Motion: Second: All in favor:

Open meeting to the public for comments

R2014: 136

Authorize executive session for (Litigation; Negotiations)

Adjournment

Motion: Second: All in favor: