BOROUGH OF BOUND BROOK
REGULAR MEETING MINUTES
TUESDAY-AUGUST 26, 2014

Mayor Mark Hasting called the meeting to order at 7:30 PM.
A reading of the Open Public Meetings Law Statement followed and
Opening Prayer read by the Borough Clerk followed by the Pledge of
Allegiance.

ROLL CALL
Mayor Mark Hasting present
Councilman John Paul Levin present
Councilman Daniel Wright present
Councilman Vinnie Petti present
Councilwoman Lisa Bogart present
Councilwoman Beverly Pranzatelli present
Councilman Peter Lazzaro present
Also Present: Randy Bahr, Administrator
Donna Marie Godleski, Borough Clerk
Borough Attorney-Daniel Zwilling, Esq. DeCotiis, Fitzpatrick, Cole, LLP,
Police Chief Michael Jannone & Lt. Kevin Rivenbark –Police Department
Also present: Frank Regan, Esq.- DeCotiis, Fitzpatrick, Cole, LLP-
Redevelopment Attorney

Approval of Minutes:
August 12, 2014 Agenda;
August 12, 2014 Executive Session for content only –carried over to the next
meeting for approval.
Motion: C. Pranzatelli  Second: C. Pranzatelli  All in favor: Ayes

Presentation of communications, petitions, etc. –None
For Review & Consideration: Special Event Permit Application
Applicant –Elizabeth Caban or Pastor will be present -
Applicant: Fountain of Salvation Missionary Church
Event: Special Service-Preach the Word of God
Location: Billian Park-High Street
Date: September 27, 2014
Time: 12-6 p.m.
Mayor Hasting asked Ms. Caban to explain the event.
She stated that the event is a fundraiser to purchase their old church.
They are currently renting from the Congregational Church.
The event will include music, preaching and finger foods.
She estimates about fifty (50) people will attend.
Mayor Hasting advised that the application will circulate to all department heads and will be placed on the next meeting agenda for approval.
Application closed.

Greetings for comments and invitation for discussion

Carol Holub-518 West Second Street
She thanked Randy Bahr for the sign at the historical stone bridge and having the weeds cleaned up around the bridge. She advised there are many people on this site because it is on the National Scavenger Hunt.
She hoped that we will continue to maintain this site.
She expressed her concerns about giving developers property and more apartments going in. Her taxes keep going up. She is waiting to see how Meridia turns out. She feels that we are jumping ahead and we need to slow down. She opined that Councilwoman Pranzatelli should not be able to vote on property that is a conflict of interest.

Raphael Rosario Café Imperial -200 Talmadge Avenue
He sent a letter to the Mayor and Council on August 15, 2014 regarding a visit by Costa Rican President Luis Guillermo Solis on September 21, 2014 to celebrate the Independence Day of Costa Rica. The borough has an opportunity to participate in an exciting event that will bring positive attention on a state and national level. Ana L. Villalobos, Consul General-Consulate of Costa Rica-New York was present to speak on behalf of the event.
She advised that President Solis will be visiting the United Nations in Manhattan on the 20th in celebration of the September 15th Independence Day.
The President would very much like to visit Bound Brook on the 21st to celebrate with the Bound Brook community.
This is a great honor for Bound Brook. This is in recognition of the large percentage of people of Costa Rican descent that live in Bound Brook and are such an important part of this community.
Mr. Rosario handed out a request and invitation to the Mayor and Council to be participants in the commemoration of the Independence Day of Costa Rica.
The ceremony will take place in the parking lot of the restaurant and will begin at 12:30 pm and closing at 6:30 pm.
From 7 to 11 pm there will be music and food in the banquet hall.
Police Chief Jannone expressed concerns about the large amount of people and security for that day.
Mr. Rosario will meet with the police chief to discuss those details.
Mr. Bahr advised that a special event permit application needs to be filled out and circulated to all departments. The form will be placed on the next meeting agenda for approval.
Mayor Hasting stated that this is very exciting to have President Solis visit the borough.
Raphael Rosario asked to hear comment/concerns from the governing body.
C. Levin stated that this is a great event and thanked them for the invitation. The only concern was making sure the President’s visit was protected by Secret Service and that you meet with the Police Chief to go over security and crowd control for that day.
Mr. Bahr noted that parking should also be addressed.
Mr. Rosario advised that around seven to eight hundred people are expected; primarily families.
Police Chief Jannone stated that we want to be prepared for this event.
We need to know if President Solis will be bringing his own security.
We have to shut down quite a bit of area for safety. Also the governing body has to amend the Café Imperial’s agreement to allow this event for that day. This event needs to be done right for safety.
C. Levin agreed that we need to keep an open line of communication in order to have an enjoyable celebration for the residents of Bound Brook.
Mr. Rosario advised that he would take care of any additional costs for this event.
R. Short-169 Cherry Avenue
She brought up the article in the newspaper about the Bound Brook School District Bond Proposal. She expressed her concerns about the proposed extension onto Smalley School. The neighbors are upset because of the water problem in this area and are starting a petition. The town should look into this.
She asked about the Recreation Building being leased out to other towns. It should be just Bound Brook. Mayor Hasting noted that it is a first come serve basis for registering the recreation building.
C. Peter Lazzaro attended the Board of Education Meeting and advised that the school superintendent will give a presentation on the special election for bond proposal to the Bound Brook Seniors on September 3rd and to the governing body on September 9th.

Ben Auletta-889 East Meadow Drive
Mr. Auletta addressed his thoughts on the Queens Gate Project. He expressed his concerns as to this project being a benefit to Bound Brook. The 2010 census indicates a population density of 6270 per square mile. The 240 residential units of this project could result in a population increase resulting in a new population density. This will affect the quality of life in Bound Brook resulting in major increase in automobile traffic and pressure on existing borough services and facilities. There does not appear to be a need for additional people in Bound Brook. This project will result in very limited increases in tax revenue that will not be received until a considerable distance in the future. Bound Brook does need some assistance in reducing tax obligations. However, desirable tax ratable is those of a commercial nature that do not increase the population. A good example of such a ratable is the adjoining property containing Shop Rite and several other retail stores. He understood that the first building is nearing completion and will be ready for renting soon. To his understanding the borough has neither legal requirement nor obligation to partner with the developer in furthering this project. It would make sense to evaluate this option and the citizens of Bound Brook should be provided with explanations to the most probable results of such a decision.
If the borough determines that it is beneficial to proceed with the project and or financial assistance to the developers through tax abatement, he requests that the borough officials seek more detailed analysis of the project and share these details with the citizens of Bound Brook.
Robert Fazen 571 Watchung Road
Mr. Fazen stated that he agreed with Mr. Auletta. He noted that three
council meetings ago, he made statements that Bound Brook has to make a
decision on the projects based upon the benefits to existing residents.
Do a background research what the cash flow is and the benefits.
We gave Meridia a ten year pilot and look at those numbers; there is no
escalation or a reimbursement annually that he could see in the agreement.
There needs to be a benefit to the residents to reduce taxes or we need to
give them something.

Roseann Short-169 Cherry
She agreed with Mr. Auletta and Mr. Fazen.
She understood that the first floor of Meridia was rented to all Rutgers
University Students.
She felt that was not good. She could not see giving the redeveloper a tax
abatement. They are making money and the borough needs to watch
themselves.
Public Comment Closed.

Committee reports

Finance: C. Peter Lazzaro
He held an exit audit interview with Mr. Bahr and the borough auditors on
the 2013 audit report. He noted that everyone has a copy in their mailbox.
The last page is the summary of recommendations how to improve financial
control. The full council needs to review the summary.

Public Works, Bldgs., Grounds & Utilities-C. Daniel Wright
The July monthly report was prepared by the borough’s new foreman Vinnie
Orofino. He was recognized at the meeting. C. Wright thanked him for a
very thorough report which was well done.
He brought up a call that was received from the library director about the
public works department. There was a leak in the boiler room and the
department took care of the leak very promptly.
C. Wright recommended the report be posted with the minutes of the
meeting on the website. There is a lot of information in the report which the
residents can review.
He advised when things are said in public portion about complaints, they are being addressed and signs are being improved and updated. The weed complaints are also being addressed and we are following up on those.

Public Safety (Police & Fire)- C. Vinnie Petti
C. Petti read the July monthly report into the record of minutes. The police activity reports are posted on the website.

Personnel, Administration & Ordinances- C. Lisa Bogart
C. Bogart met with the Historic preservation commission. There are two amendments proposed to the ordinance. Those amendments she thought were to be introduced this evening. This will be tabled to the next meeting for introduction. The PBA negotiations will be entered into for January 1 2015.

Economic Development- C. Beverly Pranzatelli
C. Pranzatelli advised that amendments to the SID ordinance will be ready for next meeting. The Riverfest Street Fair is moving forwarding very nicely with sponsors and community organizations. We anticipate this will be a good turnout and hope to see everyone there.

Zoning, Construction & Code Enforcement- C. John Paul Levin
C. Levin read the activity report for June and July. The department has implemented a new reporting which will have every complaint along with a photograph filed in a binder. This binder will be on file in the Construction/Code Office available for the public. The new Construction Official is on a mission and is working extremely hard.

Introduction of ordinances - None

Ordinance on Final Reading and Consideration: - None

Resolutions for final reading and final consideration:

R2014: 119
Authorize Tax Collector to issue refunds of overpayments on 2014 property taxes
Motion: C. Petti Second: C. Bogart All in favor: Ayes
R2014: 120
Approve Tax Appeal Settlement-Garfield Park Associates
Motion: C. Wright  Second: C. Petti  All in favor: Ayes

R2014: 121
Support 2014 Statewide Crackdown “Driver Sober or Get Pulled Over”
Motion: C. Petti  Second: C. Wright  All in favor: Ayes

R2014: 122
Approve the second one year interim appointment of the municipal court administrator
Motion: C. Petti  Second: C. Bogart  All in favor: Ayes

R2014: 123
Approve an amendment to R2014:59 to transfer police vehicle over to the office of emergency management
Motion: C. Petti  Second: C. Wright  All in favor: Ayes

Unfinished Business

- Application for Tax Abatement/Exemption-Queens Gate Urban Renewal- Ordinance/Authorize execution of financial agreement
  Councilwoman Bogart advised a summary was prepared of the discussions. C. Pranzatelli, C. Levin and C. Lazzaro were in those discussions. Mayor Hasting advised that the summary will be discussed in executive session under negotiations and will then be addressed in open session at the end of the meeting.
  Mr. Regan redevelopment attorney will be present for executive session and open session at the end of meeting.

- 2014 Capital Program – Mr. Bahr advised he will have the information for the next meeting.

Councilwoman Pranzatelli asked about the ARC Proposal. Mr. Bahr advised he has changes from the ARC and he was not sure if the price schedule has remained the same. He will provide in memo form to the governing body to take action on. He will review the schedule in conjunction
with Middle Earth. The volunteers have been cleaning up the litter on Main Street.
She asked about the No Littering signs. Mr. Bahr advised they were picked up last week and will be putting up the signs this week.

New Business
Councilwoman Bogart recognized Carol Holub in going through the channels and Somerset County to have a sign placed at the Stone Bridge in Bound Brook. This bridge is historic and one of only a few in the country.

Mr. Bahr reported that Public Service Electric & Gas will be doing work over the next few weeks. This is part of the Energy Strong Program. The work will start on Talmadge to Drake. They will be putting up new poles, new lines and trimming trees. They will be sending letters out to the residents and the police department will coordinate traffic.

Councilman Levin asked for a moment of silence for the passing of Felice Colombaroni. He did not know her but heard very dear things about her. She had a huge involvement in the community.

Approval of Vouchers
R2014: 124
Motion: C. Levin Second: C. Wright All in favor: Ayes

Open meeting to the public for comments
Robert Fazen- 571 Watchung Road
He asked what the status on the East Bound Train Station is.
Mayor Hasting advised he had nothing yet to report.

Fred Holub- 518 West Second Street
He asked for an update on the funding for the Billian Park.
Mayor Hasting advised we are still working with the Billian foundation. At the end of the year is when they will no longer provide funding.

Robert Fazen- 571 Watchung Road
He advised that he sent a letter to Randy Bahr from the American Legion. The Board of Directors consists of two members from the Legion and two members of the council. He is asking for a meeting and to not give up on the funding. The Billian Family is one fifth of the organization.
The American Legion is one half and their representation has never sat at the table in discussions. They would like to be included and they could possibly support the funding that the Billian Foundation will no longer provide.

Public portion closed.

R2014: 125- @ 8:40 p.m.
Authorize executive session for (Negotiation; Personnel )
Action will be taken after session.
Motion: C. Levin; Second C. Wright; All in favor: Ayes
Executive Session closed.

Regular meeting opened at 10:00 p.m.

Mr. Michael Bruno representative of Queens Gate thanked the governing body for their deliberations on the pilot agreement.
He stated for this project to move forward it is necessary for a 20 year pilot to obtain viable construction financing for the three buildings.
The borough will receive significantly more revenue under a 20 year pilot for three buildings than with a conventional tax program.
Further discussion followed between Mr. Bruno, Mayor Hasting and councilmember’s.
A resolution was moved by Councilwoman Pranzatelli, second by Councilwoman Bogart to approve the following resolution-

R2014:126

RESOLUTION OF THE BOROUGH OF BOUND BROOK, COUNTY OF SOMERSET, NEW JERSEY APPROVING, PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ., THE PILOT APPLICATION SUBMITTED BY 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 has 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, as codified in 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 requests a 20-year term for the Financial Agreement and an annual service charge based on 10% of annual gross revenues initially with gradual increases over the term.

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

Section 1. The Borough acknowledges that Queens Gate Apartments Urban Renewal, LLC, by effectuating the redevelopment, will significantly limit its profits due to the extraordinary cleanup and remediation costs to be borne by the Entity, which will provide significant and long-term benefits to the Borough of Bound Brook.

Section 2. The Borough makes the following findings:

A. Relative benefits of the Project when compared to the costs:
1. The Property currently generates $123,408 in real estate tax revenue to the Borough as the Property is partially vacant with the first residential building under construction. The projected Annual Service Charge will generate net revenue at full build out to the Borough of approximately $340,000.

2. It is estimated that the Project will create jobs during construction and new permanent jobs;

3. The Project should stabilize and contribute to the economic growth of existing local business and to the creation of new business, which will serve the new residents and attract additional people to the Borough;

4. The Project will further the redevelopment objectives of the Redevelopment Plan for the Redevelopment Area; and

5. The redevelopment of the Property will greatly improve the neighborhood.

6. The Borough has determined that the benefits of the Project significantly outweigh the costs to the Borough.

B. Assessment of the importance of the Tax Exemption defined in obtaining development of the Project and influencing the location decisions of probable occupants:

1. The relative stability and predictability of the Annual Service Charge will make the Project more attractive to investors and lenders needed to finance the Project; and

2. The relative stability and predictability of the Annual Service Charge will allow stabilization of the Project operating budget, allowing a high level of urban design, aesthetics and amenities as well as the use of high
quality materials which will maintain the appearance of the buildings over the life of the Project, which will insure the likelihood of the success of the Project and insure that it will have a positive impact on the surrounding area.

**Section 3.** The Exemption Application is hereby accepted and approved.

**Section 4.** The Borough shall subsequent consider an ordinance to approve and authorize the execution of a financial agreement by and between the Borough and Queens Gate Apartments Urban Renewal, LLC for the terms and conditions relating to the payment of Annual Service Charges to the Borough for the Tax Exemption approved herein.

All in favor: Ayes

A motion was moved by C. Peter; second by C. Lazzaro to adjourn the meeting at 10:20 p.m.

Respectfully submitted by,

Donna Marie Godleski, Borough Clerk