

Borough of Bound Brook
Regular Meeting Minutes –June 25, 2019

Meeting was called to order at 7:00 p.m. by Mayor Robert Fazen with a reading of the Open Public Meetings Law Statement following by the Pledge of Allegiance and Opening Prayer. Mayor Fazen asked for a moment of silence for your own.

Roll Call

Mayor Robert Fazen	present
C. Elizabeth Jannuzzi	absent
C. Vinnie Petti	present
C. Brad Galeta	present
C. Anthony Pranzatelli	absent-arrived 7:05 p.m.
C. Robert Dixon	present
C. Abel Gomez	present

Also Present:

Hector Herrera, Administrator
Jasmine Mathis, Assistant Administrator
Donna Marie Godleski, Borough Clerk
Andy Acebo, Esq. DeCotiis, Fitzpatrick, Cole & Giblin, Attorney

Approval of Minutes: June 11, 2019 Agenda;

Executive Session June 11, 2019 for content only

Motion: Gomez Second: Dixon All in favor: Aye

Advertised hearings or special presentations

Presentation-

Eagle Scout Project- Troop 41 Christopher Urban - Fire Pit Project in Billian-Legion Park. Christopher presented a handout on the project. The project will be the construction of a fire pit for flag ceremonies at the park. He gave details on the construction, location and the budget. He will be asking for financial assistance from various local organizations as well as the project's benefactors. Questions/comments from council were addressed.

Motion to adjourn to executive session at 7:10 p.m. for Attorney Client Privilege moved by C. Dixon, second by C. Petti, All in favor: Aye

Regular meeting opened at 7:25 p.m.

Presentation of communications, petitions, etc. – none

Greetings for comments and invitation for discussion

Dan Smith- 606 Hayward Street

Dan brought his concerns to the council with the flooding on the street and the water level. There are concerns from the residents that the waters will enter their homes.

Dan provided pictures of the flooding for the record of minutes.

He offered a suggestion to put in a swirl box where the Bridgewater Township water enters and the one on Maple Avenue be removed.

The water is coming from the Smalley School property which has zero water retention.

The few storm drains are not designed to do much of anything. The school is exempt from zoning. It is not exempt from engineering, water retention, DEP and EPA regulations especially when it impacts the residents and streets.

He recommended the Board of Education address the water retention issues. They should be forced to do construction projects the right way. He also felt we should engage with Bridgewater Township to clean, fix or remediate the current system.

He recommended the council and engineers act immediately on this.

Roseann Short- 169 Cherry Street

Ms. Short advised she has been complaining for thirty years about water problems. There are five drains on Cherry and Hayward. The water is now reaching half way up her driveway now.

She said she has been in town for ninety years and she is disgusted with the way the town looks.

The redevelopment is going up too high and is being built too close to the road.

Also, persons complaining in town about their taxes are receiving tickets because of their recycling. She felt persons that are Americans, not Spanish are getting fines which she felt was discrimination. She said she is not a racist. Her family is of Italian, Irish and Polish descent.

Mayor Fazen stated to Ms. Short he did not take it as discrimination, but to please curb your language when addressing the governing body.

Council members Gomez and Pranzatelli stated that it sounded discriminatory and racist to them.

Cecilia –BB Elks

She asked if the BB Elks will be considered as part of the Borough's Redevelopment Plan.

Mayor Fazen advised that the Planning Board voted to not include this property.

C. Gomez advised that if a property is in a redevelopment area, it allows an advantage for rehab programs.

Cecilia informed the council that next July the Elks will be celebrating 100 years.

Philip Fiadino-517 Helfin Street

He asked for clarification on the rehab programs for redevelopment zones. C. Gomez provided a summary.

Mr. Fiadino felt the schools look great. The BOE is a separate entity. There is power in numbers and persons should go to a school meeting to put pressure on the school.

Julie 600 Hayward Street

She bought her home one year ago. She stated had she known about the water issues, she would not have purchased the home. She asked what the town plans on doing about it and the timeline. As a teacher, she felt it was a safety hazard that the children have to walk through this water.

Dale Leubner Project Manager advised the town is working on these water issues. The town is reviewing old documentation and he sees it will take a few weeks. There is a potential that the system cannot handle it.

Karen Smith- 606 Hayward Street

Karen asked if the town has spoken with Smalley School about their plans to address the drainage issues with their proposed addition onto the building. Mayor Fazen advised they do not have to appear before the Planning Board but they are as a courtesy. She felt as neighbors to the school we should be notified of any work being done to comment on issues and concerns. It does not help our neighborhood to remain safe and healthy.

Mr. Costa, Code Enforcement Official advised that his department will be able to perform inspections to make sure the work is being done according to code. Council Gomez suggested the neighbors attend the next Board of Education meeting to address the water issues. C. Gomez stated he will be happy to attend the meeting as well.

Linda Brnicevic- 20 Talmage Avenue

Linda advised a neighborhood crime watch meeting was held. At the meeting it was addressed that the crime watch signs are in but they have not been posted. Mayor Fazen advised the signs will be addressed.

A suggestion was made at the meeting to add a stop sign to the corner of Drake and Talmage Avenue.

The street cleaning signs should also be put up. Litter signs should be added. The permit parking signs on Drake Street should also be put up.

She encouraged anyone interested to attend these meetings. They are posted on Facebook and would like the town to send out an e-blast to get the word out.

She offered a comment on redevelopment. It is a tool to attract developers. She felt that no one should have their business or home in a redevelopment area unless they were thinking of developing.

Sam Todaro 402 West Maple Street

He spoke on the town's nepotism policy and felt the policy should not apply to just one person and named Jordan Todaro. Jordan has worked at the community pool for the last four years, who is certified and the most experienced. She deserves recognition and should be back at the pool.

He asked if the council would come up with a method in this case that would be fair to everyone. He felt she belongs here, not in another town. In speaking generally on the policy, he felt we should be able to hire anyone's daughter/son for a seasonal position.

Scott Toy-628 Crescent Drive

He spoke on behalf of Jordan Todaro who is well qualified. He advised his daughter is a lifeguard at the pool and they are very short staffed. He felt the council should come up with another way other than a nepotism policy. He offered a suggestion that the town pay for the lifeguard test and if they pass then have it taken out of their paycheck.

Tony Gaglia 513 Wahneta Drive

He felt that nepotism can be avoided. You advertise the position, review the applicants and hire the most qualified. Bound Brook is a small town and you have people that want to work here.

Emily Toy- 628 Crescent Drive

She stated she is a lifeguard at the pool. The pool does not have enough workers. To remove seasonal from the policy would help our staff. She asked the council to take this into consideration.

Beverly Pranzatelli- 108 East Maple Avenue

It was her understanding the main reasons for the policy were to prevent persons from being hired for a high paying position. Mayor Fazen advised the main reason is supervision.

She felt that if it is simply a matter of supervision, it is not hard to change supervisors.

Attorney Acebo stated it is not about what your last name is. There is a direct nexus between who makes the hiring, promotional decisions, supervisory decisions and the relationship. Again, it is irrelevant what your last name is. The nepotism policy would apply. Notwithstanding the existence of the policy, every officer, director and member is bound by the Local Government Ethics Law that creates prohibitions on hiring and management oversight over relatives. This policy goes even further than what the nepotism policy dictates.

She felt that if we could work out a way to not have a family member hire or supervise that person she thinks it would be a way to get around the situation. The council may consider to not apply this to part time workers.

Burgess 228 Chestnut Street

He asked the town to reconsider taking part time seasonal out of the policy.

Sam Todaro-402 West Maple

He stated he is only hearing the public present are against this policy. The council should represent the will of the residents to then modify the policy.

Attorney Acebo stated that the characterization that a policy is discriminatory on its face is something this council is not going to accept. It is a neutral policy.

Jordan Todaro 402 West Maple Avenue

She asked the council if she could be hired as a lifeguard, not a manager at the pool.

She would then not be in direct line with her mother as her supervisor.

She asked the council if this could be allowed.

Doreen Todaro 402 West Maple

She asked if the policy states that someone else has to be in charge of her other than a direct relative.

Tony Gaglia – 513 Wahnetah Drive

He stated the town did not have any policy in place with past recreation directors. He asked why a policy now.

Mayor Fazen advised a solution would be for a motion to be made to strike seasonal employees from the nepotism policy.

A motion was moved by C. Pranzatelli, second by C. Petti

Discussion:

Council comments -

C. Gomez asked how this would benefit our town. He had concerns about this opening up the town to law suits. There is a reason why a policy is put in place.

C. Pranzatelli stated that yes it is possible to get sued but likely no. The borough when making this policy did not target just one person. However, can this one person interpret that and sue; yes.

C. Petti stated his goal is to make the town family orientated. He felt he made a mistake in voting in favor for the nepotism policy. He has no problem in hiring family member, as long as the checks and balances are there.

Roll Call Vote: Mayor advised a yes vote would be to strike seasonal employees from the policy. Attorney Acebo advised the Local Government Ethics Law still applies.

C. Elizabeth Jannuzzi	absent
C. Vinnie Petti	yes
C. Brad Galeta	yes
C. Anthony Pranzatelli	yes
C. Robert Dixon	no
C. Abel Gomez	no

Motion passed.

Joe Rodrigues

He asked the council to keep moving with working on the Tea Street Complex.

Doreen Todaro Recreation Director

She advised there was a game today at Billian Park. The park was in poor condition and we had to cancel. We have had ongoing issues with our fields having no maintenance.

We also cannot rent fields if they are not safe.

She encouraged a meeting should be held.

Opening of bids -none

Engineers Report-Dale Leubner- Project Manager

Mr. Leubner reported on the -

Billian Legion Parking Lot

2017 Road Improvement Program

The parking lot downtown next to the Plaza is deterring.

2019 Road Program- bid notice will be advertised on Friday.

Questions from council were addressed.

Committee reports

Finance: Chair- C. Elizabeth Jannuzzi – absent

Liaison Committees: /Historic Preservation/

Public Works, Bldgs., Grounds & Utilities-Chair- C. Robert Dixon

Liaison Committees: Library Advisory/Shade Tree/ Recreation

C. Dixon reported-

The DPW activity report was read. A new worker is starting on Monday and the town is still looking for a mechanic. The Tea Street fields were stoned.

Shade Tree- Arbor Day was held at the library and seventy (70) trees were planted. He is coordinating the training on the Eye Tree Program software for the commission.

Recreation- Soccer has ended. Pool has opened. Baseball for the summer and soccer in the fall.

Library- We are gaining traction on the grant

Board of Education- The school is not happy with the current board. We are losing good teachers. We are trying to help nominate new people to the board.

Public Safety (Police & Fire)- Chair- C. Abel Gomez

Liaison Committees: Board of Education/Cultural Arts/OEM/

Parking Commission/Rescue Squad

C. Gomez reported –

On May 15, Police Chief Bet attended a Valor Award Meeting and nominated Detective Gianotto, Sergeant Romanyszyn, retired police chief Michael Jannone, Captain Richard Dietrich on the trench collapse last year at the Lamonte School Annex. The outcome saved lines.

On May 30 Officer Monica Jimenez graduated from the Morris County Police Academy. She is the first female officer in over twenty (20) years. We are helping the rescue squad out with the purchase of cots.

Parking commission- recommendations over to the police department for review.

Cultural Arts- Student ambassadors have started Mariposa Park at West Main Street.

Personnel, Administration & Ordinances- Chair- C. Brad Galeta

Liaison Committees: Green Team/Municipal Alliance/Special Improvement District

C. Galeta reported –

Personnel- DPW worker was promoted.

SID- The downtown manager is moving out of state. Resumes are being reviewed by C. Pranzatelli. The signs are posted for River fest and Movies in the Park.

The Farmers Market is every Saturday in the downtown commuter lot.

The Cruise Nights are every Thursday in the downtown commuter lot.

The Food Truck Fest is this Saturday July 13 in Billian Park.

The River fest is scheduled for September 14th.

The Municipal Alliance wellness fair held on June 9 was well attended.

The school year has ended and Middle Earth has summer programs.

Economic Development- Chair- C. Anthony Pranzatelli

Liaison Committees: Architectural Review Board/Planning Board/Senior Citizens

C. Pranzatelli reported -

Economic Development-

BB Arms- the footings are in and the foundations are going in. Phase 2 is scheduled before the Planning Board.

Scalene- has not closed on all properties

BB Hotel-still pumping water out and concrete will be poured this week

Talmage commons- finalizing the financial agreement

Meridia self-storage- back to planning board to add another floor with less ceiling height

Meridia downtown- is working on the second floor

DeMattheis Development- is scheduled to go before the planning board

Community Garden is open and all plots are sold. The shed was installed.

Zoning, Construction & Code Enforcement- Chair- C. Vinnie Petti

Liaison Committees: Board of Health

C. Petti read the May activity report for zoning.

Introduction of ordinances -First Reading

Ordinance No. 2019- 31

AN ORDINANCE APPROVING AND AUTHORIZING A SECOND AMENDMENT TO THE FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND MERIDIA MAIN STATION URBAN RENEWAL, BOUND BROOK LLC FOR PROPERTY LOCATED ON BLOCK 2, LOT 102 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BOUND BROOK AND LOCATED IN REDEVELOPMENT AREA 1

Motion: Gomez Movant: I move that ordinance be approved on first reading, advertised according to law, and a public hearing be held on July 9 2019.

Second: Dixon Discussion: Mayor thanked C. Gomez and Mr. Herrera for their work on the financial agreement.

Roll Call:

C. Elizabeth Jannuzzi_Aye_C. Vinnie Petti_Aye_C. Brad Galeta_Aye__

C. Anthony Pranzatelli_Recuse_C. Robert Dixon_Aye_C. Abel Gomez Aye_

Ordinance No. 2019-32

Appropriating \$94,500 from the Capital Improvement Fund for the acquisition of equipment In and by the Borough of Bound Brook, in the County of Somerset, New Jersey

Motion: Gomez Movant: I move that ordinance be approved on first reading, advertised according to law, and a public hearing be held on July 23 2019.

Second: Pranzatelli Discussion: Summary

Roll Call:

C. Elizabeth Jannuzzi_absent__C. Vinnie Petti_Aye__C. Brad Galeta_Aye__

C. Anthony Pranzatelli_Aye__C. Robert Dixon_Aye__C. Abel Gomez_Aye__

Motion to change hearing date to July 9 was moved by C. Gomez; Second by C. Pranzatelli

All in favor: Aye

Bond Ordinance No. 2019-33

Providing for various capital improvements in and by the Borough of Bound Brook, in the County of Somerset, New Jersey, appropriating \$390,000 therefor and authorizing the issuance of \$228,000 bonds or notes of the borough to finance part of the cost thereof.

Motion: Gomez Movant: I move that ordinance be approved on first reading, advertised according to law, and a public hearing be held on July 23 2019.

Second: Dixon Discussion: Summary

Roll Call:

C. Elizabeth Jannuzzi absent C. Vinnie Petti Aye C. Brad Galeta Aye

C. Anthony Pranzatelli Aye C. Robert Dixon Aye C. Abel Gomez Aye

Motion to change hearing date to July 9 was moved by C. Gomez; second by C. Pranzatelli

All in favor: Aye

Ordinance on Final Reading and Consideration - Second Reading

Ordinance No. 2019-28- TABLED

ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK ESTABLISHING A POLICY FOR SELECTION OF REDEVELOPERS FOR PROJECTS IN ALL BOROUGH REDEVELOPMENT AREAS, REQUIREMENT FOR REDEVELOPMENT AGREEMENTS AND PAYMENT OF FEES TO THE BOROUGH OF BOUND BROOK BY REDEVELOPERS FOR REDEVELOPMENT PROJECTS

Motion to open public comment: Gomez Second: Dixon

Public Comment: 2 public comments

Motion to close public comment: Gomez Second: Pranzatelli

Discussion: Mayor/council comments

Motion to table ordinance on second reading moved by C. Pranzatelli; second by C. Gomez

Roll Call: Unanimous

Ordinance No. 2019-29

AN ORDINANCE OF THE BOROUGH OF BOUND BROOK, COUNTY OF SOMERSET, NEW JERSEY APPROVING AND AUTHORIZING THE AMENDMENT AND MERGER OF THE FINANCIAL AGREEMENTS BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND QUEENS GATE APARTMENTS URBAN RENEWAL, LLC AND QUEENS GATE APARTMENTS URBAN RENEWAL II, LLC FOR PROPERTY LOCATED IN THE TEA STREET/MIDDLE BROOK REDEVELOPMENT AREA

Motion to open public comment: Gomez Second: Dixon

Public Comment: none

Motion to close public comment: Gomez Second: Pranzatelli

Motion to adopt: Gomez Second: Dixon

Discussion: Summary

Roll Call:

C. Elizabeth Jannuzzi absent C. Vinnie Petti Aye C. Brad Galeta Aye

C. Anthony Pranzatelli Aye C. Robert Dixon Aye C. Abel Gomez Aye

Ordinance No. 2019-30

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVII, PROPERTY MAINTENANCE, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK AUTHORIZING BOROUGH REMOVAL GRAFFITI ON PROPERTIES IN VIOLATION OF BOROUGH ORDINANCE 17-14.10 AND HAVING EXPENSES OF DOING SO CHARGED TO THE PROPERTY OWNER

Motion to open public comment: Gomez Second: Dixon

Public Comment: 2 public comments

Motion to close public comment: Gomez Second: Dixon

Motion to adopt: Gomez Second: Pranzatelli

Discussion: Summary

Roll Call:

C. Elizabeth Jannuzzi_absent _C. Vinnie Petti Aye_C. Brad Galeta_Aye_

C. Anthony Pranzatelli_Aye_C. Robert Dixon_Aye_C. Abel Gomez Aye_

Introduction/Discussion of Resolutions:

The resolutions listed below were submitted to the Governing Body for review and will be adopted by one motion.

If separate discussion is desired, the resolution may be removed by council action.

Motion to remove No. 129 and No. 131 and approve all others moved by C. Gomez

Second by C. Dixon All in favor- Aye

R2019-

127

Authorize Tax Collector to participate in the electronic tax sale program

128

Approve a \$25.00 fee per tax sale notice in conjunction with 2019 electronic tax sale

129

Approve 2019 -2020 liquor license renewals

Motion moved by C. Gomez, second by C. Dixon, all in favor-Aye

130

Approve the promotion of Bryan Grochowski-Department of Public Works to the position of heavy equipment operator

131

Approve the hire of a seasonal employee for the recreation department

Motion moved by C. Gomez; second by C. Dixon, All in favor-Aye

Recuse: C. Pranzatelli

132

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ESTOPPEL CERTIFICATE AND AGREEMENT BETWEEN THE BOROUGH OF BOUND BROOK AND MERIDIA MAIN STATION URBAN RENEWAL, BOUND BROOK, LLC FOR THE BENEFIT OF ARBOR COMMERCIAL FUNDING I, LLC FOR PROPERTY KNOWN AS TAX BLOCK 2, LOT 1.02 LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA

133

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK AUTHORIZING A DISCHARGE OF THE REDEVELOPMENT AGREEMENT WITH MERIDIA DOWNTOWN HOSPITALITY, LLC FOR PROPERTY KNOWN AS TAX BLOCK 1, LOTS 57 & 70 ALSO KNOWN AS 408 EAST MAIN STREET LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA

Unfinished Business

New Business

Approval of Vouchers

R2019: 134

Motion: Dixon Second: Gomez All in favor: Aye

Open to the public for comment

Carol Holub 518 West Second Street

She asked about vouchers for the seniors. Council Pranzatelli advised he would bring them to the next seniors meeting.

Roseann Short- 169 Cherry Street

She asked for a status on the east bound train station renovations. C. Gomez advised construction is slated for June 1 2020.

Beverly Pranzatelli 108 East Maple Avenue

She advised that she serves on the recreation commission facilities.

She offered comments on the ordinance introduced for the playground equipment.

Mr. Herrera Administrator clarified that the second reading will be held on July 9.

She handed out pictures to the council on the playground for information purposes only.

She addressed a few issues with how the financing of the project was set up.

She addressed the shade structure and benches at the park. This was not approved by the recreation commission or Mrs. Billian. The structures selected do not blend in. We feel the playground equipment should come first.

She expressed concerns about how the park looks right now. It should be roped off.

She felt the curbing around the playground is not necessary.

She asked if the funding application to Mrs. Billian could be reinstated from the borough.

Mr. Herrera Administrator advised that the borough has made application. There was a difference of opinion shared by Mrs. Pranzatelli and Mr. Herrera.

Doreen Todaro- Recreation Director

Doreen addressed the comments on the recreation facilities and provided a handout to the council for additional equipment for the playground area and the prices.

She encouraged the council to reconsider putting in the shade structures and benches. Our goal is to have the playground ready for the children.

She expressed concerns with the road projects impacting the pool season.

She addressed an e-mail that confirms a conversation with Mrs. Pranzatelli and Mrs. Billian of her commitment to the funding of the playground equipment in Billian Park. The funding amount was \$120,000 payable in calendar year 2018. She provided a copy of the conversation for the record of minutes and will provide the council with a copy of the e-mail that was sent.

R2019: 135

Authorize executive session for (Attorney Client Privilege) @ 9:30 p.m.

Motion moved by C. Gomez; second by C. Dixon, All in favor: Aye

Regular meeting opened at 9:35 p.m.

Attorney Acebo provided a summary of the session for the record. There are legal ramifications pertaining to the governing body's response to any public remarks that are deemed derogatory or discriminatory in nature. The ethical responsibility of each member of council and taking a position on the nepotism policy as amended.

The Local Government Ethics law applies and is to be addressed.

Adjournment at 9:40 p.m.

Motion: Second: All in favor:

Respectfully submitted by,

Donna Marie Godleski, Borough Clerk