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**BOROUGH OF BOUND BROOK
REGULAR MEETING MINUTES
MARCH 28, 2017**

Mayor Robert Fazen called the meeting to order at 7:30 PM with a reading of the Open Public Meetings Law Statement followed by the Pledge of Allegiance and an opening prayer.

Roll Call

Mayor Robert Fazen –	present
C. Vinnie Petti	present
C. Abel Gomez	present
C. Philip Fiadino	present
C. David Rosario	present
C. President Anthony Pranzatelli	present
C. Diana Manahan	absent

Also Present:

Hector Herrera-Borough Administrator
Borough Clerk – Donna Marie Godleski
Borough Attorney- Judy Verrone Esq.
Police Chief Michael Jannone

Approval of Minutes: February 28, 2017 Regular Meeting
February 28, 2017 Executive Session for content only
March 21, 2017 Special Meeting; March 21, 2017 Executive Session for content only
Motion: Rosario Second: Gomez All in favor: Aye

Presentation of communications, petitions, etc. -

>Presentation of Accreditation Certificate-

Harry J. Delgado, Accreditation Program Manager from the New Jersey State Association of Chiefs of Police
Mr. Delgado announced the Bound Brook Police Department is one of the best in the state and nationally because they do follow national and state level. Mr. Delgado provided the idea and significance of the accreditation. The process is rigorous. Research shows 11% fewer liabilities; 18% worker compensation and 31% auto liability claims with accreditation.

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It shows the agency's commitment to excellence, resource management and service delivery. The officials are more confident and the police and citizens work together. It is remarkable the department completed the process in nine (9) months. The process usually takes 18-24 months.

Mr. Delgado announced the New Jersey State Association of Chiefs of Police and New Jersey Law Enforcement Commission congratulate Police Chief Michael Jannone, Accreditation Manager Lt. Richard Colombaroni members of the Bound Brook Police Department, Mayor and Council and the citizens they proudly serve for achieving the state accreditation.

The certificate was presented to Police Chief Jannone.

Chief Jannone thanked the staff and all the officers who contributed.

Lt. Colombaroni did an excellent job. Support staff Captain Rivenbark, Lt. Bet and Lt. Mazuera.

Mayor Fazen announced that all the police officers are outstanding on behalf of the borough.

Mayor Fazen presented a Proclamation for the week of March 19-25-2017

National Poison Prevention Week

Mayor announced Safe & Sound Somerset- formerly the Resource Center of Somerset is making application for CDBG Funding for the Transitional Housing Program in Bound Brook.

The housing program is designed to provide safe, affordable housing to victims of domestic abuse.

Municipal certification requires the governing body has been notified of the submission of application and discussion was held at a public meeting.

>Discussion on Property Evaluations-

Mayor Fazen announced that Michael Imbriaco Tax Assessor is present to answer any questions. C. Pranzatelli asked if there was anyone present that had a drastic increase in their property evaluation. If your property has gone up a lot from last year you will not be happy with your tax bill. This will effect it. That is why he asked the tax assessor to come to the meeting. There were no questions at this time from the public.

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Engineers Report – T&M Associates – February 1-28-2017

Dale Leubner reported on:

Railroad Quiet Zones- NJ Transit is preparing a cost estimate for their portion of required improvements. As of March, 2017 NJ Transit is still preparing the costs.

Reconstruction of Thompson Avenue from Union Avenue to Verona Place- contractor scheduled to commence construction on April 3, 2017

Replacement of a portion of Talmage Avenue Sanitary Sewer Main – contract award is on the agenda

Codrington Park Field Improvements- survey completed; design is underway

Codrington Park Pool Filter Replacement Project-contract award is on the agenda

2017 CDBG Applications-

Applications due March 31, 2017-As directed, the engineer is submitting an application for the reconstruction of East Second Street east of East Street

Part of the application is a certification that this project was discussed at a public meeting and noting any comments from the public. No comments from the public.

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Mayor Fazen announced Police Chief Michael Jannone is retiring effective March 31, 2017. The accreditation this evening demonstrates what the chief has done for the department in his 32 years of service.

The police department is present this evening so he would like to bring up the resolution on the agenda to appoint an officer in charge.

R2017:47

Resolution of the Borough Council of the Borough of Bound Brook appointing Captain Kevin Rivenbark as "officer in charge" of the Bound Brook Police Department effective April 1, 2017

Motion: Fiadino Second: Petti All in favor: Aye

Greetings for comments and invitation for discussion

Roseann Short-169 Cherry Avenue

She asked why the selection process did not start earlier since the council knew the Police Chief Jannone was retiring last year. She stated that Captain Rivenbark is doing a great job in Bound Brook. He has been coming to the seniors meeting.

Mayor Fazen explained that there is a committee process. We have three (3) candidates and the candidate will come from our police department.

Frank Waller- Bound Brook PBA 380 President

He asked why not appoint acting police chief instead of officer in charge? Attorney advised traditionally that is how the borough has filled the position in the past.

Gary Ulmer- Delegate PBA- He asked what tradition are you speaking of and what chiefs?

Attorney advised there were prior resolutions that were used as a model for this resolution.

C. Pranzatelli advised we can change the title. He would make a motion right now to make that change in the resolution.

Mr. Ulmer referred to a meeting on January 6, 2017 with President Waller and the council. We asked what the process will be. He was told that the council was going into closed session to discuss the process. Mr. Ulmer told

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the council that we have a process in place by ordinance that must be followed to the "T".

The selection process is now completed and why don't we have a police chief now.

Mayor advised he would explain why the process is being terminated when we address the resolution later on the agenda.

Jim Beatty- Ross Lane

He asked if the acting police chief is able to conduct the duties of a police chief. Mayor Fazen advised that the acting chief has the authority.

Frank Waller – President PBA

He asked if the results are being thrown out because Captain Rivenbark finished first in the process.

Mayor Fazen replied no.

Attorney Verrone advised when the resolution is addressed on the agenda it states what the reason is for the process being terminated.

David Czarcinski-318 Evergreen Avenue

He asked if the resolution could be explained now that we are in open discussion. The public can have their input.

The consensus of council agreed.

C. Fiadino- He supports this but the council should have their discussion first. Then open to the public.

We need to take care of our responsibility first.

David Czarcinski- 318 Evergreen Avenue

He asked that discussion open to the public now on the resolution. The input may enlighten councilmembers.

It is only fair to the public and the PBA.

C. Fiadino agreed. He would like for the council to have discussion, open to the public and vote.

That is the order that makes most sense.

Attorney Verrone stated that the agenda provides for the public to comment on items on the agenda at this juncture prior to the vote of council.

The question of concern is that perhaps the title that is in the agenda does not provide sufficient information to understand what the matter is on the

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agenda. Her suggestion was to read the resolution in full and allow the public to comment. The council to discuss and vote.

2017-46 Mayor read the resolution in full.

BOROUGH OF BOUND BROOK - RESOLUTION NO 2017:46

TERMINATING CHIEF OF POLICE APPOINTMENT PROCESS AND
AUTHORIZING A RESTART OF THE PROCESS PURSUANT TO SECTION 2-
21.11 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
BOUND BROOK

WHEREAS, the Borough previously initiated the appointment process for selection of a Chief of Police for the Bound Brook Police Department; and

WHEREAS, in accordance with Section 2-21.11, "Appointment of Chief of Police," of the Revised General Ordinances of the Borough of Bound Brook (the "Borough Code"), the Chief of Police Appointment Committee (the "Committee") was established; and

WHEREAS, due to unforeseen circumstances, during the previously-initiated appointment process, the Committee lacked a full complemented of its members on at least two (2) sessions of the Committee; and

WHEREAS, in order to ensure that the appointment process is conducted and executed in a fair manner and in accordance with Section 2-21.11 of the Borough Code, the Borough intends to re-start the process,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that:

1. The above recitals are incorporated herein as if set forth at length;
2. The previously-initiated process for the appointment of a Chief of Police of the Bound Brook Police Department, is hereby terminated; and
3. The Business Administrator is hereby authorized and directed to re-start the appointment process in accordance with Section 2-21.11 of the Borough Code, including but not limited to providing the requisite notice to the PBA.
4. This Resolution shall take effect immediately.

Open to public for comment:

Frank Waller-PBA President

He asked why the process continued if there was an issue.

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Borough Attorney Verrone advised process was terminated at the very end because there was not a full complement during deliberations of the committee.

Resolution speaks for itself.

At the very end issues became apparent which then C. Pranzatelli advised the borough attorney was not aware.

Mr. Waller stated that Chief Jannone had a meeting on March 17th with Captain Rivenbark where he was told he unanimously ranked number one and could go public any time per C.Petti.

Borough attorney Verrone stated there is the resolution before us for the process to be terminated. The process will be restarted pursuant to the ordinance.

The council cannot answer specific questions about what may have happened at a committee meeting. That is not the purpose of allowing public comment.

You can certainly give the council your opinion. Attorney stated it is not the process; out of order.

Gary Ulmer, PBA Delegate- 380

He stated these are your taxpayers they deserve answers. The process was completed and there was a number one candidate. We know that. He asked if March 17th every happened.

Borough attorney stated under the process there is no number one candidate. The process provides for recommendation of appointees to the mayor and council.

Mayor Fazen stated what is said in the resolution is 100% the fact.

It happened at the very last meeting there was a person absent which did not allow us to complete the process.

We were not prepared to make a recommendation to the mayor and council because it really had not been decided.

Mr. Ulmer asked On March 20th were there any decisions made.

Mayor responded no.

Mr. Ulmer asked on the 17th of March Captain Rivenbark was informed by Chief Jannone; congratulations you made the chief. So that did not happen?

C. Petti said it was alright to make it public. Did that happen?

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C. Petti advised to the best of his knowledge it was not to be made public until we talked about it at the Tuesday's council meeting. We were to go into closed session.

Police Chief Jannone stated after the Wednesday meeting, the police commissioner called me with the total points. Captain Rivenbark received the most points.

Due to a morale issue in the command staff, to quell this I gave the Captain the results advising him you have the most points. It would appear at the meeting of March 28th your name would be brought forward to be voted on for Chief of Police.

Gary Ulmer- PBA Delegate 380

He asked if there was a meeting on March 20th. Mayor stated there was no meeting.

Joe Lobman 713 Lawrence Road

He advised he was on council back in 1991 and was chairperson for the public safety committee. Mr. Anthony Cimino was the police chief.

Mr. Cimino said Michael Jannone is going to be a police chief someday. He could see he had the qualities.

This should be an easy process. You go to the man that knows the most about his men. You should take the recommendations from those that know the most about the job.

C. Pranzatelli stated he agreed. All three candidates are excellent and this is a difficult choice.

Jim Beatty- 745 Ross Lane

He asked how many council are on the committee.

Mayor advised two council and the Mayor.

He asked if there was a quorum on the committee.

Mayor Fazen stated there was no quorum of the council on committee.

He asked if anyone made a motion to adjourn the meeting.

Mayor Fazen stated there was no vote.

He stated if four out of five committee members were present that should be more than enough to make a decision. He stated he never heard that is should not be made public.

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Mayor Fazen explained the process to Mr. Beatty. The committee makes a recommendation to the council and then the Mayor and full council make the final vote.

The borough attorney stated that issue is there was not a full complement of committee that is constituted by ordinance which establishes what the committee is and who makes the decisions with respect to recommendations. On two occasions one of which involved interviews of the candidates a full complement was not there. So there was no ability for the entire complement of committee to assess and fairly evaluate the candidates. One of the members did not hear interviews.

Toward the last meeting there was a lack of a full complement as well of committee.

Mr. Beatty asked if the ordinance states all members be present.

The borough attorney advised yes and the ordinance indicates who and what constitutes the committee.

He asked if five were there would a vote have been taken.

The borough attorney advised the committee speaks for the committee.

They come to a consensus.

They would then make recommendations to the council the most qualified candidate.

Mr. Beatty stated he heard of no council that requires unanimous participation. This gives a bad appearance.

Carol Holub 518 West Second Street

She asked how members of the council are on the committee.

Mayor Fazen advised two councilmembers, the Mayor, Administrator and A Chief of Police from the County.

She asked if the same members are going to be on this committee.

Mayor Fazen advised we do not know at this time.

David Czarcinski - 318 Evergreen Avenue

He stated so three (3) candidates went through the process. At any time did any one of the candidate not receive the same complement as the other.

Mayor Fazen stated no; there was one set of interviews where there was one committee member absent for all three candidates.

David asked if all candidates received equal numbers. Mayor Fazen replied that all candidates were interviewed equally.

He asked the council to show where in the ordinance it states that all committee members must be present.

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The borough attorney advised that committee is constituted by ordinance and makes the recommendations and could not make the recommendation without the full complement of the committee.

David stated that you had three candidates who all received equal and fair judgement. It is not fair to put these gentlemen through the process again. It does not make common sense to say all five members have to be present every time.

I know for a fact in prior promotions in this department there was not a full complement in every interview.

Jeff Burke- 410 Talmage Avenue

He stated that if you know you need a full complement, why go through the process. It is a waste of time.

Mike Fairlie- 226 Hamilton Street –

Former Delegate of PBA for ten years.

He advised that last year he went through the process for lieutenant /sergeant positions.

One committee member missed his interview but we continued.

Can you explain to me why we continued last year's process and now we are stopping this year's process.

Jim Beatty- Ross Lane

He stated that it seems to him you are giving one person veto power over the deliberations of four people on the committee.

Joe Lobman 410 Lawrence Road

He stated that one of the least accurate ways of determining a promotion is by an interview. The best predictor is past behavior.

Your own police force knows. Why would you bring in a chief from another town?

Roseann Short – 169 Cherry

Why did it take you a whole year and now you are rushing to get it done.

It is very important to the town.

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C. Fiadino offered a motion to change the title of R2017:47 from officer in charge Captain Rivenbark to Acting Police Chief; motion second by C. Gomez

The borough attorney clarified this would be a motion for reconsideration of prior resolution adopted, designating the officer in charge now as the acting police chief effective April 1, 2017 pending appointment of a new police chief.

Motion moved by C. Pranzatelli; second by C. Rosario

The borough attorney advised that one of the questions earlier was why an officer in charge designation was made.

One of the resolutions traditionally goes back to 2009 where the deputy chief was appointed acting chief in charge upon a retirement.

All in favor: Aye

R2017:46

Resolution terminating Chief of Police appointment process and authorizing a restart of the process pursuant to Section 2-21.11 of the Revised General Ordinances of the Borough of Bound Brook

Motion: Gomez Second: Rosario

Discussion: C. Fiadino advised that he wanted to recuse himself. He is not happy with the process. He knows that the process has to go forward.

Mayor Fazen advised this has been three months of work on the committee. The police chief from another town who sat on the committee stated that this was the fairest process he had ever seen.

The borough attorney advised with respect to promotional processes, the Process has to be carried out in a pristine, clean, fair manner. The determination was made that there was two sessions of the committee

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that was not fully constituted. In order to provide fairness to all candidates as well as provide protection to the borough with respect to the situation where a candidate who was not successful now wants to challenge the fact that there was not a full complement.

In order to maintain fairness and to ensure the borough was protected in that situation, the advice was provided to terminate the process, restart and to carry it out in a pristine and fair manner.

Mayor Fazen apologized for the advice of the borough attorney that we terminate the process. Mayor Fazen stated that he disagrees with the termination. We should continue with the process, finish it and the committee should then make its determination.

He felt this process was very fair. Chief Roberts, Franklin Township who sat on the committee felt the same way. I respect his opinion.

Mayor Fazen recommended to vote down and finish process we started.

C. Rosario asked if this is not voted for, what the legal ramification is.

The borough attorney stated that advice was provided.

C. Pranzatelli advised he heard no recommendation from the committee. He also heard nothing about a vote total. We have three great choices and he wants to select the best. He wants to make sure as the borough attorney says, there are no flaws in the system that would potentially reflect on the borough in a negative way.

Comment [B1]: I think this should probably be "reflect" not "reciprocate."

Comment [D2]: Will change to reflect

C. Gomez- The process was incomplete. He advised that he was going to vote to terminate the process.

C. Fiadino stated that he was not going to recuse himself. The discussion this evening has been very helpful.

He asked the council how they see this going forward.

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Mayor Fazen stated he would see the committee convene, deliberate and make a recommendation to the council. This would take one hour.

C. Pranzatelli asked if we went the path of Mayor Fazen is there anything we can do to protect our self. Mayor Fazen replied no.

The borough attorney advised there may not be anything you can do to prevent litigation. This process that occurred now would be difficult to defend.

C. Gomez stated for the record that we do have a borough attorney present.

Mayor Fazen moved a roll call vote:

He advised that a "yes" vote will terminate the process

A "no" vote will not terminate the process

Roll Call vote:

C. Petti	Yes
C. Gomez	Yes
C. Fiadino	No
C. Rosario	Yes
C. Pranzatelli	Yes
C. Manahan	Absent

4- Yes

1-No

1-Absent

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Meeting adjourned for five minutes.

Meeting opened.

Mayor Fazen advised the Board of Health will be moved up on the agenda for discussion.

Richard Eschle BOH Member advised he was before the governing body to address the resolution of the Board of Health to provide public health services for the borough.

He advised in March the BOH resolved to accept a proposal from the Middle Brook Regional Health Commission who is the current provider to amend their agreement and reduce the fee from \$122,000 to \$99,000 for services provided.

He gave the history behind the agreement. In late January approached by C. Gomez and Administrator Herrera at a BOH meeting.

The focus was whether or not the town was receiving full time services from the Registered Environmental Health Specialist assigned by the Middlebrook Regional Health Commission.

In November, the town received a letter from Mr. Sumner MRHC Health Officer thanking the council for reinstating services with a full time REHS which would assist with code enforcement issues. His intent if another violation was noted by the REHS as she was making her rounds within the borough she would alert the appropriate office. Even though it was outside of the scope of public health services.

Mr. Eschle's advised this was his interpretation and Mr. Sumner's intent. This was not the intent of the individuals from the council who attended the meeting.

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Mr. Eschle stated at the next meeting he was able to attend, there was a proposal from Somerset County Department of Health to provide services to the town for \$92,000.00.

The proposal gave pause for it did not identify the person who prepared it and it was not signed. The proposal offered reduced services administrative in nature. The Board was not consulted as it was given to the County. We have not discussed this with the county and not sure what we are getting with the proposal. He advised that state regulation requires the Board of health provide six months' notice to a Health Commission before it withdraws a contract.

The Board of Health's rationale was, we knew what services Bound Brook was getting with MRHC; we did not know what we were getting with Somerset County proposal.

The board saw we have the ability, we adopted a resolution to accept MRHC revised proposal. This buys us the opportunity from now to the end of June to vet the Somerset County Department of health proposal.

Then we can make a rational informed decision which is the better option for the borough. Either way we will reduce the costs.

He wanted the councilman who was at the meeting and the town administrator to know that the BOH was not consulted with the borough looking at another proposal. He knew the town needed to make a decision by the end of March for the budget to be submitted to the State.

The action we took in March was conservative and well-founded because we knew what we had in front of us. We did not know with the county health department.

At the MRHC we are a member of the commission. Two members of the BOH attend; we have an active role.

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The Somerset County Proposal we do not see any of those provisions.

C. Gomez, liaison to the BOH advised the first meeting he attended the purpose was, to bring the Middle Brook Health Commission REHS to full time because we needed a code enforcement officer.

The REHS was reporting to the code office once a week so there was some form of understanding with Mr. Sumner.

At the first meeting we approached BOH and asked for a different proposal that would not include the services of code enforcement. We were met with from the board is that we could not have part-time for services. Several meetings later, the board of health advised it was impossible to go back to part-time services.

C. Gomez reported that the proposal from the county is full time for \$92,000.

The part time services from MiddleBrook is \$99,000.

Most services standards are dictated by the state.

C. Gomez asked if anyone from the board of health reached out to the county on their proposal.

Mr. Eschle advised they did not. The proposal did not identify who prepared it. The county proposal is a three year agreement.

C. Gomez asked if the board has reached out to the county in the last five years. The board has not. C. Gomez advised that this should be a yearly exercise.

C. Pranzatelli stated that we all care about what each offers. This should be discussed and decided in committee. Then come before the council.

Mr. Eschle stated that the board should have been approached to allow us all to work together on this.

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Administrator Herrera disagreed with Mr. Eschle about communications. Mr. Herrera had a meeting in late November 2016 with Mr. Sumner and advised him that we needed a new proposal. I heard nothing. In late December I asked Mr. Sumner for a status and he advised that he would have to concur with the board of health members.

In early January I met with C. Gomez and the board of health and were told that we could not have part-time services.

The board was given time on this. I asked for a new proposal taking out the code enforcement aspect. We meet again, no proposal. Then the board of health meets and you decide to stay with the services of MRHC.

Administrator Herrera advised that he needs to move forward with the best possible proposal to present to the governing body.

Mr. Eschle advised that the board was feeling pressure and needed to make a decision before the end of March. We did not think there was enough time to vet the proposal with Somerset County.

C. Gomez stated that every year the council goes out for proposals with our professionals. The Board of Health has not done this in many years.

C. Petti said we go ahead and get the two proposals and go from there.

He felt we should stay with Middlebrook Health Commission.

C. Pranzatelli felt we should sharpen our pencils and move forward.

C. Gomez, Board of Health Liaison, Administrator will work collaboratively with the Board of Health.

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Roseann Short-169 Cherry

She asked if the transitional housing in Bound Brook pays taxes.

Mayor Fazen advised yes.

She complained about recycling out on Vosseller and Talmadge.

Administrator Herrera advised that the person who had it out was confused with the dates of recycling. She complained about the removal of cars from the streets when it snows. Persons are using their lawns, parking spaces are a mess. She asked if the building inspector was hired without licenses.

C. Gomez the building inspector has all his required licenses.

Burke- 410 Talmage Avenue

He expressed concerns about drugs around Talmage. The police department needs to address those spots. There seems to be an increase in MS13.

Angela Robinson- President of Garden Club

The Garden Club is trying to beautify the town with flowers. She met with the postmaster at the post office on Mountain Avenue. The inside of the facility needs work. The postmaster advised he has reached out to the district manager several times about the conditions.

She would like to place planters at the post office. She asked the mayor and council if they could write a letter to our congressman for help.

Mayor Fazen will put together a letter and bring before the council as a resolution. This will be sent to our congressman and senators.

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Carlos Rodrigues Planner reported on:

Ordinance No. 2017:10

Carlos provided a summary of the below amendments.

ORDINANCE NO. 2017:10

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF BOUND BROOK AMENDING THE AMENDED REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 1 PURSUANT TO N.J.S.A. 40A:12A-1ET SEQ.

Summary: Upon introduction of this Ordinance, the Amendments shall be referred to the Borough Planning Board (the "Planning Board") for its review and consideration pursuant to N.J.S.A. 40A:12A-7.e.

At the Borough's direction, further amendments to the Amended Redevelopment Plan for Redevelopment Area 1 were prepared by Carlos Rodrigues, FAICP/PP as follows:
Proposed amendments to Sub-Area 1.3:

- a) "Enhance the South Main Street gateway into the Borough, with visually striking architecture; interesting signage; enhanced lighting and other visual and physical improvements to the South Main Street underpass;
- b) "Encourage high quality mixed-use, commercial and civic development on developable parcels with frontage on South Main Street."

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c) Permitted Uses as follows: "Self-storage facilities, limited to parcels with direct frontage on South Main Street. Artisan manufacturing uses, Roof-mounted-or-ground-mounted antennas and associated hardware for cellular-telecommunication facilities."

- d) Amend Bulk Standards and Parking
- e) Amend Signage
- f) Amend design standards
- g) Amend definitions

Movant: Pranzatelli I move that ordinance be approved on first reading, advertised according to law, and a public hearing be held on April 11, 2017

Second: Rosario

Discussion: Mr. Rodrigues advised that it would not be ready by the April 11th council meeting. Attorney advised that if it is not ready at second reading, it will be carried over.

C. Pranzatelli asked about the students from the design school who were designing a downtown project for town. Mr. Rodrigues stated he would reach out to the instructor for a status on the students giving a presentation to the governing body.

Roll Call: C. Vinnie Petti _abstain __C. Abel Gomez_aye___

C. Philip Fiadino__aye__C. David Rosario _aye___

C. Anthony Pranzatelli_aye_____ C. Diana Manahan_absent ___

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Committee reports

Finance: C. David Rosario

Reported the council held a special meeting to introduce the municipal budget. The budget is on the website for review. This year's budget is great; a flat tax rate and includes doing six (6) roads over the next two years.

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

Council absent. No report.

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

Council reported the February activity for police and fire into the record.

Personnel, Administration & Ordinances- C. Philip Fiadino

Council reported he continues to work the borough administrator on the personnel handbook.

Economic Development- C. Anthony Pranzatelli

Reported –

Lou Reynolds Project- working on the parking agreement and will have developer application soon.

Bound Brook Hotel- met with developer; request for changes to upfront money and extend pilot. A developer's agreement will be ready for next meeting to review.

Talmage Commons- developer received impact study

Meridia Self Storage- approved

NJ Transit RFP- pre-meeting was held and a committee was put together. C. Pranzatelli is the representative. Proposals are due May 4th.

Billian park lot improvements- Meridia to provide funds for costs of permitting

Council asked the Mayor about working with the boy scouts on the playground. Mayor Fazen advised this is an Eagle Scout project and the project has received a donation of \$60,000 to cover labor and material.

At the next meeting we will have a formal presentation from the Eagle Scout.

Zoning, Construction & Code Enforcement- C. Abel Gomez

Council reported the department is continuing the efforts and goal of inspecting all units in town.

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We are close to inspecting every unit. This is the most impactful undertaking taken from council.

The fees and registration we are happy to see from the vacant property registration ordinance passed last year. We collected \$47,000 in town and hoping we are making a point to encourage banks to place properties back on the market.

The revenue and inspection report was read into the record.

Council thanked Mr. Costa and the department for getting on board with council's goals.

Introduction of Ordinance -First Reading

Ordinance No. 2017: 04

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

Summary:

SECTION 1. Chapter VII of the General Revised Ordinances of the Borough of Bound Brook, entitled TRAFFIC, Section 7-17, "Residential Permit Parking," is hereby amended and supplemented by inserting the text **underlined and marked in bold**, to read as follows:

7-12 PARKING TIME LIMITED ON CERTAIN STREETS

No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

John Street	East	Two hours	8:00 a.m. to 6:00 p.m.	Between East Main Street and East Second Street <u>beginning at a point 35 feet from the southeast corner of East Second Street to a point 85 feet southerly therefrom and from a point 35 feet from the northeast corner of East Main Street extending to a point 220</u>
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feet northerly therefrom

7-17 RESIDENTIAL PERMIT PARKING.

- a. No person shall park a vehicle on streets or parts of streets as described within the following section unless an appropriate and current parking permit as issued by the Borough of Bound Brook is displayed on said vehicle for those streets or parts of streets as described or listed within the following section.

<i>Street</i>	<i>Location</i>	<i>Hours</i>	<i>Days</i>
<u>John Street</u>	<u>Beginning at a point 140 feet from the southeast corner of East Second Street on the east side extending to a point 45 feet southerly therefrom</u>	<u>24 hours</u>	<u>All days</u>

Motion: Gomez Movant: I move that ordinance be approved on first reading, advertised according to law, and a public hearing be held on April 11, 2017

Second: Pranzatelli

Roll Call:

C. Vinnie Petti –Aye C. Abel Gomez- Aye C. Philip Fiadino-Aye

C. David Rosario –Aye C. Anthony Pranzatelli-Aye

C. Diana Manahan-absent

3-28-17

ORDINANCE NO. 2017-06

AN ORDINANCE AMENDING SEWER USER CHARGES FOR THE BOROUGH OF BOUND BROOK

Summary: SECTION 1. Section 28-3.4, "Sewer User Charges," of Chapter XXVIII, "Water and Sewer," 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:

28-3.4 Sewer Usage Charges.

- a. Users shall pay a set fee per thousand (1,000) gallons of sewage discharged. User classes and the rate for each user class are established for 2017 as follows:
 - b. From 4.15 to:
 1. Residential users: **[\$4.65]** **\$5.40** per 1,000 gallons
 2. Tax exempt users: **[\$4.65]** **\$5.40** per 1,000 gallons
 3. Commercial users: **[\$4.65]** **\$5.40** per 1,000 gallons
 4. Industrial users: **[\$4.65]** **\$5.40** per 1,000 gallons
 5. Significant industrial users: **[\$4.65]** **\$5.40** per 1,000 gallons
 6. Integrated Health Services and its successors: **[\$4.65]** **\$5.40** per 1,000 gallons
 - c. There shall be an annual sewer administrative fee for all improved properties of **[forty-four dollars and forty (\$44.40) cents]** **fifty five dollars and fifty cents (\$55.50)** per unit in addition to the above per thousand gallon rate.

3-28-17

Motion: Rosario Movant: I move that ordinance be approved on first reading, advertised according to law, and a public hearing be held on April 11, 2017 Second: Gomez

Roll Call:

C. Vinnie Petti –Aye C. Abel Gomez-Aye C. Philip Fiadino-Aye

C. David Rosario –Aye C. Anthony Pranzatelli-Aye

C. Diana Manahan-absent

ORDINANCE NO. 2017:07

CALENDAR YEAR 2017-ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Summary: Cap law limits any increase in said budget to 0.5% unless authorized by ordinance to increase it to 3.5% over previous year's final appropriations.

Motion: Fiadino Movant: I move that ordinance be approved on first reading, advertised according to law, and a public hearing be held on April 11, 2017 Second: Rosario

Roll Call:

C. Vinnie Petti Aye C. Abel Gomez_Aye C. Philip Fiadino-Aye

C. David Rosario –Aye C. Anthony Pranzatelli-Aye

C. Diana Manahan-absent

3-28-17

ORDINANCE NO. 2017:08

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXI, LAND USE, SUBSECTION 21-7.1 “FEE SCHEDULE,” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

SECTION 1. Subsection 21-7.1, “Fee Schedule” of Section 21-7, Fees, 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:

g. <i>Zoning Permit.</i>	[\$75.00]	
1. Permit for temporary signs:	\$75.00 annually for up to six (6) applications; \$25.00 for each additional application made within the same year during which a previously issued annual zoning (sign) permit is valid for the installation or mounting of a temporary sign.	
<u>2. Residential</u>	<u>\$50.00</u>	
<u>3. Commercial</u>	<u>\$100.00</u>	

Motion: Gomez Movant: I move that ordinance be approved on first reading, advertised according to law, and a public hearing be held on April 11, 2017
Second: Fiadino

Roll Call: C. Vinnie Petti –Aye C. Abel Gomez-Aye C. Philip Fiadino-Aye
C. David Rosario-Aye C. Anthony Pranzatelli-Aye
C. Diana Manahan_-Absent

3-28-17

- h) "Enhance the South Main Street gateway into the Borough, with visually striking architecture; interesting signage; enhanced lighting and other visual and physical improvements to the South Main Street underpass;
- i) "Encourage high quality mixed-use, commercial and civic development on developable parcels with frontage on South Main Street."
- j) Permitted Uses as follows: "Self-storage facilities, limited to parcels with direct frontage on South Main Street. Artisan manufacturing uses, Roof-mounted-or-ground-mounted antennas and associated hardware for cellular-telecommunication facilities."
- k) Amend Bulk Standards and Parking
- l) Amend Signage
- m) Amend design standards
- n) Amend definitions

Movant: Pranzatelli I move that ordinance be approved on first reading, advertised according to law, and a public hearing be held on April 11, 2017

Second: Rosario

Roll Call: C. Vinnie Petti _abstain __C. Abel Gomez_aye__

C. Philip Fiadino __aye__C. David Rosario _aye__

C. Anthony Pranzatelli_aye_____ C. Diana Manahan_absent __

Ordinance on Final Reading and Consideration-Second Reading

Ordinance No. 2017-05

AN ORDINANCE AMENDING THE CHAPTER XXIX OF THE BOROUGH CODE OF THE BOROUGH OF BOUND BROOK ENTITLED "SOLID WASTE MANAGEMENT" SECTION 29-1.2 INCLUDED USERS AND CHARGES SO AS TO REVISE THE ANNUAL CHARGE FOR REFUSE DISPOSAL

SECTION 1. Section 29-1.2 Included Users and Charges," of Chapter XXIX, "Solid Waste Management," 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:

29-1.2 Included Users and Charges.

- a. Each single-family, two-family, three-family and four-family residence as well as every church, every private school, and the Post Office shall pay an annual charge of **[one hundred fifty (\$150.00) dollars] two hundred (\$200.00) dollars** per dwelling unit for the disposal of their garbage through the Borough of Bound Brook.

Motion to open public comment: Gomez Second:Pranzatelli

Public Comment: Michele DeFazio- She asked what the increase was for.

C. Gomez advised it will cover the two bulk pick-ups the town will have scheduled.

Motion to close public comment: Fiadino Second: Rosario

Motion: Gomez Movant: I move that ordinance be approved on second reading Second: Pranzatelli

3-28-17

Roll Call:

C. Vinnie Petti Aye C. Abel Gomez Aye Philip Fiadino Aye

C. David Rosario Aye C. Anthony Pranzatelli Aye

C. Diana Manahan absent

Mayor: Ordinance will be published according to law.

Introduction/Discussion of Resolutions:

R2017: 45

Approve the promotion of Robert Fittipaldi to "Driver" for the Public Works Department

Motion: Fiadino Second: Petti All in favor: Aye

R2017:46- MOVED TO THE BEGINNING OF THE MEETING FOR DISCUSSION

Resolution terminating Chief of Police appointment process and authorizing a restart of the process pursuant to Section 2-21.11 of the Revised General Ordinances of the Borough of Bound Brook

R2017:47-MOVED TO THE BEGINNING OF THE MEETING FOR DISCUSSION

Resolution of the Borough Council of the Borough of Bound Brook appointing an officer in charge of the Bound Brook Police Department

R2017:48

Approve budget transfers

Motion: Rosario Second: Petti All in favor: Aye

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R2017:49

Authorize emergency appropriations in the 2017 temporary budget

Motion: Rosario Second: Pranzatelli All in favor: Aye

R2017:50

Approve the release of escrow funds in the amount of \$8,491.20

To Valvoline Instant Oil Change

Motion: Rosario Second: Pranzatelli All in favor: Aye

>Motion moved by C. Gomez; second by C. Pranzatelli

To approve R2017:51 through 58

Approve the release of escrow funds to Bonnie Brae in the amount of \$490.76

R2017:52

Approve the release of escrow funds to Hockey Haus, Inc. in the amount of \$1,535.25

R2017:53

Approve the release of escrow funds to DeSapio Real Estate Dev. LLC in the amount of \$116.25

R2017:54

Approve the release of escrow funds to Boris Laboski in the amount of \$11.91

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R2017: 55

Approve a refund to Corelogic for a 2016 property tax overpayment:

25 North Street; Blk18/Lot 9 \$1,670.09

360 Vosseller Avenue; Blk62/Lot37 \$1,390.47

R2017:56

Approve a refund to Sanchez, Sanchez & Santoliquido, Esq. for overpayment 2nd quarter 2016 Tax block 31; Lot 31.01;

41-43 Fairview Avenue

R2017:57

Approve a contract award to CFM Construction Inc. in the amount of \$94,300.00 for the Codrington Park Pool Filter Replacement Project

R2017:58- C. Rosario- Abstain

Approve a contract award to JTG Construction in the amount of \$223,441.00 for the Talmage Avenue Sewer Replacement

Unfinished Business

New Business

C. Pranzatelli announced for the next council meeting, we will have a proclamation for the Bound Brook High School's Girls' Basketball Team and the Wrestling team. They both have an outstanding record.

3-28-17

For Approval:

Special Event Permit

Event: Battle of Bound Brook- from the Queens Bridge up East Street to Memorial Library Cemetery- Memorial Ceremony-Picnic Lunch on Hamilton Street

Date: April 8, 2017

Location: Queens Bridge to Rotary Circle

Time: 7 a.m. to 2 p.m.

Motion: Gomez Second: Petti All in favor: Aye

Special Event Permit

Bound Brook Hose Co. #1, Inc.

Event: Fund Raiser- Coin Toss/Donation Collection

Location: W. Union Avenue (Rt.28) & Voss Eller Avenue

Date/Time: 4/22/2017, 6/10/2017, 8/12/2017, 11/11/2017

9 a.m. – 1 p.m. – Motion: C. Petti; Second: C. Rosario All in favor: Aye

Approval of Vouchers

R2017: 59

Motion: Fiadino Second: Rosario All in favor: Aye

Open meeting to the public for comment

Dave Lukac-BB Fire Chief

Announced the firemen's carnival is scheduled for June 27th through July 1st and the rain date is July 2, 2017.

3-28-17

He asked for the council's support in hosting this event this year.

The council gave their support.

Hector Herrera announced the sixty-five (65) years of service between the retirement of Police Chief Jannone and CFO/Tax Collector Randy Bahr.

Mr. Herrera announced on the borough's website the Clerk's Office offers on-line payments for commuter parking and animal licensing.

The Tax/Finance Officer offers on-line payments for tax, refuse and sewer payments.

R2017: 60 @9:45 p.m.

Authorize executive session for: (Anticipated Litigation)

Motion: Gomez Second: Rosario All in favor: Aye

Regular meeting opened at 11:10 p.m.

Adjournment moved by C. Fiadino; second by C. Gomez

All in favor: Aye

Respectfully submitted by

Donna Marie Godleski, Borough Clerk