

**BOROUGH OF BOUND BROOK
REGULAR MEETING MINUTES
DECEMBER 27, 2016 -**

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. President Abel Gomez	present
C. Philip Fiadino	absent
C. David Rosario	present
C. John Buckley	absent
C. Anthony Pranzatelli	present

Also Present:

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

Approval of Minutes: December 13, 2016

Motion: C. Rosario Second: C. Gomez All in favor: Aye

Presentation of communications, petitions, etc. –none

Greetings for comments and invitation for discussion

John Miller- 641 Hanken Road

Mr. Miller asked that the Shade Tree Commission take a look at the tree in front of his property. The roots are lifting the walk. This tree is one of the largest trees in town. He is looking for a new tree to be planted. The administrator advised that he would look into this.

Mr. Miller advised that there forms up on the website that are not up to date. The administrator reported a new website is being launched on January 3rd. We are working on bringing everything up to date on the new website.

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Roseann Short- 169 Cherry Avenue

Ms. Short complained about seeing boards up on windows on a house on the corner of Washington & Crusader Avenue. It looks like a ghetto area.

What is the town doing about this? C. Gomez advised that we have a new property maintenance officer starting soon. We will have our new officer take a look at this property.

She asked what is being done with the roads.

C. Pranzatelli advised he will give a status on roads in his committee report.

Committee reports

Finance: C. Vinnie Petti

Council reported the Chief Financial Officer and the Administrator are working on the 2017 budget.

C. Gomez comments – We are leaving with a surplus. The financial advisor reported our financials are the best they have seen in the last ten years. The next five year plan looks good with projected redevelopments which will offset the total budget 18-24% on the municipal side.

C. Pranzatelli comments- Our Moody Report credit rating (the rate we borrow money) is stabilized.

Council stated since we have a large crowd this evening, he wanted to give the public a brief summary of how we were up against a 14% tax increase. We were able to make a deal to extend the pilot prepayment of \$800,000. We supported this which was difficult because we had so many residents against us for doing so. Now we have a surplus and taxes have remained flat.

Mayor Fazen comments- the borough only has a 30-31% control of the overall budget.

It is distributed between the county 18%; 31% for the town and 51% for the board of education.

Public Works, Bldgs., Grounds & Utilities-C. John Buckley

Absent

Public Safety (Police & Fire)- C. David Rosario

Council advised that he will have the November and December activity reports for the January regular meeting.

Personnel, Administration & Ordinances- C. Philip Fiadino

Absent

Economic Development- C. Anthony Pranzatelli

Council reported:

We are continuing its progress in Bound Brook. At the last meeting we approved an agreement with Mercorem to redevelop 507 East Main Street better known as the Bound Brook Hotel. The agreement gives the developer the right to construct a multi-story mixed use building on the site.

They will purchase two adjoining borough owned properties for the fee of \$300,000.

They will pay the borough \$105,000 in redevelopment fees. The Developer submitted their plan to the county planning board. The county requested a letter from our historical committee to approve the demolition of the building.

The developer's attorney has drafted a letter to the county stating that the building is not in a historic district or on the national historic register. The committee will continue to negotiate with the developer. The impact study will be reviewed when available and will work toward a pilot agreement.

At the last meeting we approved the developer Lou Reynolds for the site better known as Ooh-La-La Bar. The agreement gives the developer the right to construct a multi-story mixed use building on the site. They have the right to develop the adjoining properties along West Main Street in the future. They will pay the borough \$89,000 in redevelopment fees. They recently received permission from the planning board to change the set-back rules and build closer to the property lines. The impact study will be reviewed when available and work toward a pilot agreement.

At the last meeting there was a proposal from Meridia for a multi-story self-storage building. We gave our planner approval to change the zoning so the building conforms to our code. The parking is important. If we can establish parking on the south-side it will free up more building on the north-side. NJ Transit intends to put out a RFP to develop the commuter parking lot.

The committee is looking for the developer to agree to open up the old access to the train station via three stairwells on South Main Street.

We have a resolution on the agenda to extend the agreement with Bound Brook Land Development an additional 60 days. The project is now moving along. We are now in negotiation with the redeveloper and close to an agreement.

The former BP Station on Union Avenue is interested in putting up a car wash and is scheduled to go before the Planning Board.

Council attended a meeting last week on grants with C. Gomez. Our top priority for 2017 is to get our street program back on track. We will apply for our usual DOT grants and use the community block grant also for streets. We discussed our utilities repaving roads that they ruin, giving us a dollar amount that we can put toward our road program.

We received a \$20,000 state grant for auto electric charging stations. Met with a local electric contractor and our public works foreman to discuss possible locations in the commuter parking lot and VanHorn Plaza.

Council toured the town with a non-profit called PACE. They specialize in ECO villages. They are still interested in doing a project in Bound Brook.

Zoning, Construction & Code Enforcement- C. Abel Gomez

Council advised he will have a report ready for the regular meeting in January. We now have a new full-time code enforcement officer Joseph Costa starting in early January. Our full-time construction/building sub-code official left to take another full-time position in another town. Jim Ayotte is now part-time.

Council advised that the hiring of officers for the department are funded through their trust fund. We will concentrate on building up this department to where it will be self-sustained. The department is implementing a new CCO procedure.

Introduction of Ordinances -First Reading – None

Ordinance on Final Reading and Consideration-Second Reading

Ordinance No. 2016:26

AMENDMENT TO SALARY RANGE ORDINANCE-

Summary: Set Minimum/Maximum

Mayor/Borough Council- Maximum: \$300/per month

Construction Official-F/T-Minimum-\$40,000-Maximum-\$90,000

Construction Official-P/T-Minimum-\$10,000-Maximum-\$40,000

Code Enforcement Officer-F/T-Minimum-\$40,000-Maximum-\$90,000

Code Enforcement Officer-P/T-Minimum-\$10,000-Maximum-\$40,000

Motion to open public comment: Rosario Second: Petti

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Public Comment:

Mayor Fazen announced that we have many persons present that would like to offer comment which will be limited to three (3) minutes.

>David Lukac-Deputy Chief for the BB Fire Department-

He stated that the department is 100% volunteer.

He expressed his concerns on all the development going up in town.

We receive "zero" dollars for equipment and past floods that we have had in town. He felt that the timing was way off on presenting this and to please reconsider. He asked if the chief financial officer has certified the availability of funds. Mayor Fazen advised yes.

>Resident-He asked what the present salary was for the construction and code enforcement officer. C. Gomez replied. Currently there was only one salary for these two positions- \$92,000. The construction officer is becoming part-time so we split the salary.

The budget is \$40,000 for part-time and \$85,000 for the new code enforcement officer.

Resident is a senior citizen and was concerned that there were resident's whose property tax went up 10%. Mayor Fazen replied that is correct. C. Gomez advised that it reflected property values.

Resident stated that the seniors club was receiving \$3,000 every year.

Last year the seniors did not receive. We need that money to help supplement our expenses. Are we going to get help this year? Mayor Fazen advised that the budget is being discussed. At this time we cannot make that commitment; but it will be considered.

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>Mike Harmen-222 West Maple Avenue

He asked how does the council justify paying yourself a salary when you are all employed? Where is the money coming from?

>John Miller- 641 Hanken Road –

He asked about the town's surplus. Mayor Fazen stated we only have control over 31% of the municipal budget.

He asked for clarification on the construction official full time/part-time salary range.

>Roseann Short-169 Cherry Avenue

She did not feel council should be paid. It has always been volunteer.

If you want to get paid then you should get out. She knows it takes a lot of their time but you all knew that coming in.

She complained about code enforcement in town not being enforced.

>David 660 Central Avenue

He asked if the \$300/month salary range grants this payment.

Mayor Fazen advised it would authorize the maximum salary.

He asked if the council gets paid, are they obligated for any retirement or health funding. Mayor Fazen replied no.

Mayor Fazen advised we will have the money in the 2017 budget. The council may choose to not take the salary and may not show for council meetings.

>Cynthia Gabory 705 Cedarcrest Drive

She was against the council taking a salary. She said it was a slap in the face to the firefighters. They spend numerous hours fighting fires and attendance at meetings. Her husband was a fireman for forty years which took much time away from family. She did not understand what a volunteer salary was.

She was concerned with buildings going up in town and two more schools the firemen have to protect. The numbers are increasing with more development and they are not getting paid.

Attorney Judy Verrone stated that no one looks down upon their volunteer service. She noted that the firemen are part of the LOSAP program. There is some recognition for their dedication to the town.

>David Lukac- The LOSAP program is a criteria that we have to follow with many meetings and fire calls which was approved by the taxpayers.

>Resident - 208 Piedmont Drive

As of November 22, 2016 he reviewed the attendance records of council for the year. He reported Mayor Fazen- 14%; C. Petti- 14%; C. Pranzatelli - 8%

C. Gomez-14%; C. Fiadino- 19%; C.Rosario-28%; C. Buckley- 35%

He asked if this is compensation for a job well done or a way to compel attendance. He stated Watchung Borough pays their council \$3,000/year and Raritan Borough pays \$1,500/year.

He asked why this council is so much different than these other towns.

C. Pranzatelli responded to his absentee rate stating that his absence was due to the passing of his father and taking sometime away with family.

>Resident- 370 West High Street –

He asked why council feels you deserve a stipend and not the firefighters.

Mayor Fazen stated that the firefighters do much more. It is an important and dangerous job. In speaking for the council, they feel that the budgetary service that they perform deserves a compensation.

Resident stated that council needs to make sure that the people they hire are doing their jobs.

C. Gomez disagreed. The persons the borough hires do their job.

>Stacey Pilato -121 Agnes Place

She apologized that she is not at every council meeting. If she was able to attend she stated that she would have run for council. That is why I am not running because I know I cannot attend council meetings. The reason why the council chambers is full this evening is because Mayor Fazen dutifully put out the word that there was ordinance introduced which some residents would disagree with.

That is why we are all here this evening. Many of us disagree with the introduction of this ordinance which would pay the council up to \$300/month. She asked who introduced the ordinance. Mayor Fazen replied that it was

C. Buckley.

C. Pranzatelli referred back to a conversation he said he had with Stacey Pilato.

This was after an election where your husband Carey Pilato defeated me.

Stacey said to me that you work very hard and I think that the council should receive some sort of compensation. You were one of those persons that convinced me this would be a good idea.

Stacey Pilato replied to council that she could not believe C. Pranzatelli said that about her on record.

Stacey brought up an instance when her husband Carey Pilato was Mayor. Residents would come to our house and complain that he was not doing a good job and would call downtown to tell them to reduce his salary. He told them that he was not paid and that he was a public servant. I ran for a volunteer position and I love my town. The residents thought he was paid.

She stated to council that you all ran for volunteer positions. If you are deserving of anything you put out of your pocket is driving to Trenton to advocate on behalf of the town. Also attendance fees for municipality conferences; not hotel fees. Those you should be entitled to for reimbursement.

She disagreed entirely with the ordinance and felt the council should not be paid for a volunteer position. She was saddened by the comments C. Pranzatelli made earlier about her past.

>Carol Holub 518 West Second Street

She brought up several years ago when Advance Realty gave the seniors \$200,000 for a building. The council and planning board decided that the seniors did not need the building. A building was put up where the pool is. They talked to us about this building that went up and said that it would not be a good place for our meetings because there was no parking for the seniors. So council gave us a stipend of \$3,000. Carol advised that the seniors need money for the church where their meetings are held and also to cover insurance and cleaning. She advised last year they did not receive a stipend from the town. She stated over the years the seniors have volunteered for the town in so many activities. She did not understand why the town could not find \$3,000 for the seniors when you are now going to pay yourselves a stipend.

>Michele DeFazio -603 Church Street

She felt insulted because she comes to meetings regularly. She understood what the council was saying, in order to find a qualified person to run you needed the \$300.00. She was not quite sure if the \$300.00 will find that person; someone who is willing to do it whether they are qualified or not.

She noted that many towns pay their council and many pay their firefighters.

If she had to choose; it would be the firefighters.

She brought up the pilot agreements. Every pilot that is given to redevelopers there is no money going to the schools.

She asked if elected officials earn \$5,000 or more can they qualify for pension. Attorney advised no; they would not be receiving that amount.

>Angela Robinson-625 Central Avenue

She stated for years she has been coming to meetings complaining about her road.

I am told that the town does not have the money. How can you justify your salary? My answer to the council is that you should resign.

She advised that she has been a volunteer on the Board of Health for Bound Brook for many, many years.

>Donna Kubalski- 375 West High Street

She stated that she used to be involved with the town and was coming to council meetings. She brought up an incident she had with C.Gomez two years ago at a party. There was a police report filed. He came next door to my neighbor's house and used strong language toward my husband and myself. He upset us both. The

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police report said he was intoxicated. He called us names. The police officer asked him to go back to his house. My husband asked him, aren't you a councilman? As Mr. Gomez was going down the driveway he yelled I am a councilman, volunteer and I could do anything I want.

Mrs. Kubalski felt Mr. Gomez is very opinionated and that is why a lot of us do not show up for meetings.

>Paul Lasko 410 Church Street – OEM Coordinator & Firefighter

He thanked council for all their work they put in this last year. He also thanked the new Administrator Hector Herrera since coming on board mid-year.

Paul reported that he had to pull their support vehicle out of service. It was unsafe to drive. We will be asking for a replacement vehicle from the town.

He stated that the fire department is hoping to see some cooperation from developers to have equipment in their buildings. They need to be safe.

Paul stated that he supports the compensation that you deserve, provided we see an equal amount of improvement amongst our emergency services.

He asked for council to be behind them. He wished everyone a Happy New Year.

>Hal Dietrich -639 Central Avenue

Mr. Dietrich noted that there were two abstains on the introduction of this ordinance by C. Gomez and C. Fiadino. He asked how the voting will go if there are abstains on the adoption.

The attorney advised two votes do not pass the ordinance. Three votes would pass the ordinance.

He asked what happens next year when the planning board comes along and asks for a stipend.

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He asked why the council did not place this on a ballot. He said he was in favor of a stipend but why not let the residents of the town vote on it. C. Pranzatelli advised that it would be very expensive to do.

>Mike Pavlichko- 120 West Franklin Street

He stated that he was a former reporter. There is a reason here that if you are volunteer, you do not vote yourself that money. We all understand that you are volunteers and there is a symbolism in that. He said \$20,000 is not a lot of money. To go ahead and change that is a lousy symbol.

>Dan DeFazio -603 Church Street –

He stated in observing councilpersons, it always seems there is never a point where we have enough. He had concerns about the salary increasing and stated that is why politics is so expensive. You will be opening a door that you will not be able to close.

Motion to close public comment: Rosario Second: Petti

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

Second: Rosario

Roll Call:

C. Vinnie Petti _No_ C. Abel Gomez Yes Philip Fiadino absent

C. David Rosario Yes C. John Buckley absent

C. Anthony Pranzatelli yes

Ordinance passed.

Mayor: Ordinance will be published according to law.

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Ordinance No. 2016:27

AN ORDINANCE AMENDING CHAPTER XVII, PROPERTY MAINTENANCE, SECTION 17-4, REGISTRATION AND MAINTENANCE OF PROPERTIES THAT ARE VACANT OR IN FORECLOSURE

Summary: Amendments to definition of owner; registration renewal; registration fees; maintenance and penalties.

Motion to open public comment: Gomez Second: Petti

Public Comment:

Stacey Pilato – 121 Agnes Place- she asked if this relates to the former gas station on Vosseller/Union Avenue

C. Gomez- replied yes.

Michele DeFazio – 603 Church Street – She asked if the abandoned gas station property is owned by the owner of Krausers.

C. Gomez replied it maybe; the owner is required to register the property and pay a fee.

Motion to close public comment: Gomez Second: Rosario

Motion: Rosario Movant: I move that ordinance be approved on second reading

Second: Petti

Roll Call:

C. Vinnie Petti _Y__ C. Abel Gomez_Y__ Philip Fiadino_absent ____

C. David Rosario _Y__ C. John Buckley absent __ C. Anthony Pranzatelli_Y_

Mayor: Ordinance will be published according to law.

Ordinance No. 2016:28

AN ORDINANCE AMENDING CHAPTER XVI, ABANDONED PROPERTY, TO REQUIRE BI-ANNUAL REPORT BY PUBLIC OFFICER TO THE GOVERNING BODY

Summary:

REPORT TO GOVERNING BODY

The Public Officer shall provide a report to the Governing Body every six (6) months, which shall include the number and location of properties on the Abandoned Property List, the status of those properties, and any actions taken by the Borough or by any Qualified rehabilitation entity with respect to any property on the Abandoned Property List or any other abandoned property within the Borough.

Motion to open public comment: Rosario Second: Petti

Public Comment:

Michele DeFazio- 603 Church Street- She asked if the list will be available to the residents.

C. Gomez replied yes.

Motion to close public comment: Pranzatelli Second: Rosario

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

Second: Pranzatelli

Roll Call:

C. Vinnie Petti _Y__C. Abel Gomez_Y__ Philip Fiadino_absent ____

C. David Rosario _Y__C. John Buckley absent __C. Anthony Pranzatelli_Y_

Mayor: Ordinance will be published according to law.

Resolutions for final reading and final consideration:

R2016: 202

Approve budget transfers –Total amount- \$28,052.00

Motion: Gomez Second: Petti All in favor: Aye

ADDED:

R2016:203

RESOLUTION EXTENDING THE CONDITIONAL DESIGNATION OF BOUND BROOK LAND DEVELOPMENT, LLC AS REDEVELOPER FOR PROPERTY KNOWN AS TAX BLOCK 5, LOTS 12 THROUGH 18, 22 & 24 THROUGH 26 BOUNDED BY TALMAGE AVENUE, COLUMBIA PLACE AND WEST MAIN STREET, LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA FOR REDEVELOPMENT OF RESIDENTIAL PROJECT

Motion: Rosario Second: Pranzatelli

Mayor advised the resolution extends the designation for sixty (60) days

All in favor: Aye

Unfinished Business

New Business

Approve 2017 Towing Licenses –

- >Mike's Towing & Recovery
- >Somerset Hills Towing
- >Spartan Towing
- >E&N Towing
- >Value Towing
- >R&D Towing
- >Rich's Off Road Towing

Motion: Pranzatelli Second: Petti All in favor: Aye

Approval of Vouchers

R2016: 204- Total Amount -\$623,946.94

Motion: Petti Second: Rosario All in favor: Aye

Open meeting to the public for comments

Michele DeFazio-603 Church Street –

She questioned the surplus that was discussed earlier in the budget.

She noted that for every property redeveloped, 51% no longer goes to the schools.

Mayor Fazen advised what comes in from the pilot goes into the town's general fund which is part of the budget.

She stated as far as she was concerned, when persons say the schools raised their budget, we are "One" general budget.

Mayor Fazen reported that he is advocating to legislature for additional funding for the schools.

Hal Dietrich -639 Central Avenue

He asked about the liquor license of the former Ooh La La.

Mayor Fazen advised the liquor license was transferred to the new redeveloper.

He asked for a status on the rehab of the train station. C. Pranzatelli advised that we have approval from New Jersey Transit. However, there is a grant that may pay for the whole thing. We can use other funding to pay for Central Avenue.

He asked when a decision will be made for Central Avenue. C. Pranzatelli advised we should have a plan soon.

The Administrator Hector Herrera reported that he held a strategy meeting with the grant writer, engineer, planner and finance committee as to how we are going to fund our projects.

Beverly Pranzatelli- 108 Est Maple Avenue

She encouraged everyone to contact their representatives in Trenton.

We need more state aid for towns and schools.

If you want your taxes to go down, that is where you need to complain to.

The council is doing all they can to keep taxes flat and bring services back to town.

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R2016: 205- None

Authorize executive session

Motion moved by C. Gomez; second by C. Petti to adjourn
Meeting at 9:20 p.m.

Respectfully submitted by,

Donna Marie Godleski, Borough Clerk