

**BOROUGH OF BOUND BROOK
AGENDA MEETING MINUTES
AUGUST 11, 2015**

Council President Beverly Pranzatelli called the meeting to order at 7:30 p.m.

A reading of the Open Public Meetings Law Statement followed by the Pledge of Allegiance and Prayer given by Councilman Fiadino.

ROLL CALL

Mayor Robert P. Fazen	absent
Councilman Vinnie Petti	present
Councilwoman Beverly Pranzatelli	present
Councilman Peter Lazzaro	present
Councilman Abel Gomez	present
Councilman Philip Fiadino	present
Councilman Anthony Pranzatelli	present

Also Present:

Gary Strathearn, Borough Administrator

Donna Marie Godleski, Borough Clerk

Judy Verrone, Esq.-DeCotiis, Fitzpatrick, Cole, LLP, Attorney

Michael Jannone-Police Chief

Approval of Minutes: July 14-2015 Agenda; July 28, 2015 Regular;

July 28, 2015 Executive Session For Content Only

Motion: Councilman Pranzatelli Second: C. Fiadino All in favor: Aye

Engineers Report – T&M Associates – July 1-31-2015

Dale Leubner reported: Greenbrook Flood Control Project - Construction has completed.

As-builts received for review by the USACE for Segment T and East Main Street.

Segment R-2 as-builts have been submitted and under review.

2013 road improvement program- areas to be reseeded; late summer/early fall.

2014 road improvement program- Park Avenue was based and Hardy will be done today.

Concrete work on Church and Wahnetah. Crack sealing in contract to include in program.

Billian Park parking lot – working on getting the permit in place.

State advertised local aid grant opportunities. Deadline is October.

Mr. Leubner will submit a recommended list of roads for council to consider.

Update on FEMA regarding levee certification and a public information session.

Reported East Main Street storm sewers were filled with gravel.

Dale reported county cleaned it out and also our department of public works.

Questions/concerns addressed from council. The corner of John and East Main Street the storm sewer is blocked with gravel. Also Church near Union. Dale will address. Complaints from residents on Church Street. They had no access to their driveways. Dale will address.

Council addressed that when it rains Mountain and Main Street flood over the curb.

Questions from public for engineer:

Michele DeFazio – 603 Church Street –

She asked what the timeline for Chestnut Street is.

Dale advised within the next week and paving in a month. She advised that there is a tree lifting the sidewalk in front of her property. She asked if the tree was going to be kept there. Dale advised he would look into it.

David Brown-212 West Second Street

He advised that at West Second and VanKeuren there is a clogged storm drain.

Dale will look into it.

Hal Dietrich 639 Central Avenue

He asked when his street would be fixed because it is falling apart. Dale advised that Central is high on the list for streets and roads to be repaired. He could not give a timeline.

Engineer excused.

Presentation of communications, petitions, etc.

Proclamations were presented for the record.

Celebrating Constitution Week –September 17-23

September Library Card Sign-Up Month

Greetings for comments and invitation for discussion –None

Resident informed that the hours of Walgreens on Union Avenue originally were 8 a.m. to 10 p.m. The store is now open at 7 a.m. to midnight. The administrator will look into this with the Code official.

Council President Beverly Pranzatelli announced a short recess before The council proceeds with the Café Imperial hearing.

Hearings or special presentations

Hearing: Renewal of Café Imperial Plenary Retail Consumption

License No. 1804-33-022-006- 200 Talmadge Avenue

Present:

Jason Michael Ross Attorney representing the licensee.

Licensee: Raphael Rosario

Borough Attorney opened up stating that the council requested the hearing with concerns with respect to continuing certain restrictions on the license that exists. Council will consider if it wishes to consider what if any of those restrictions will continue.

Mr. Ross advised he spoke with the borough attorney and reviewed the issues dating back to 2007 and 2008. His client has paid for that is ready to move forward in the interest of working with the town. He is willing to accept reasonable parameters.

Mr. Rosario advised the council he proposed to have the front section with the bar a full restaurant. In the back room will be used solely as a Sports Bar which may include Karaoke. There will be no nightclub.

Because of the restrictions imposed on his license he is limited to what he can do for his business. The community has changed a lot. There are not as many people coming in as years ago. He would like an opportunity to operate and use the back area.

Police Chief Michael Jannone gave his comments and recommendations.

The area where the business is located is not conducive to a night club. He was pleased that Mr. Rosario would like to use the back room as a sports bar. This gives the police department more confidence.

Make sure the lease for the parking lot across the street is in effect every year.

Last call for alcohol to be called at 1p.m.; last drink at 1:15 p.m. with lights on at 1:30 p.m. with music off.

Security in the establishment should have a supervisor and dressed appropriately and identified. Designate security to different areas of the establishment. This will ensure no disruption to the quality of life.

Communication is important.

Borough attorney stated these restrictions are reasonable and as council stated it is a testing period. The Café Imperial to live up to its commitment as a good neighbor.

Council advised that the town is looking to redevelop the zone and this is a major factor in reviving that location.

Motion to approve the renewal of liquor license with the following conditions discussed and agreed to move by Councilman Pranzatelli second by C. Lazzaro;

1. Nightclub use will not be permitted at any time at Café Imperial
2. The southside room of Café Imperial, known as the “banquet room” or “backroom” and formerly referred to as the “nightclub” (collectively, the “Backroom”), will be used solely as a Sports Bar, which may include Karaoke;
3. The hours of operation of the Restaurant/Bar shall be 11:00 a.m. to 2:00 a.m.;
4. The hours of operation of the Backroom shall be:
 - a) 11:00 a.m. to 10:00 p.m. on Sundays through Thursdays, and
 - b) 11:00 a.m. to 2:00 a.m. on Fridays and Saturdays, except that last call shall be at 1:00 a.m., last drink shall be served by 1:15 a.m., and indoor lights shall be turned on and music shall cease by 1:30 a.m., all to encourage orderly vacation of the entire Licensed Premises, including the outdoor area, by the 2:00 a.m. closing time;
5. The Backroom may have live music on Fridays and Saturdays only;
6. Occupancy of the Backroom shall not exceed 250 at any one time, and Licensee shall use a counter(s) at the door to ensure and verify that occupancy limit is not exceeded;
7. Licensee shall employ security at the ratio of 1 security personnel for every 50 patrons occupying the Backroom, and Licensee shall designate one such security personnel as the liaison between Borough police personnel and Licensee’s security personnel on site. Licensee shall provide the Borough Police Chief with the name of the designated liaison;
8. Licensee shall assign security to the outside of the Licensed Premises to ensure timely and orderly ingress to and egress from the Licensed Premises;
9. Security personnel shall wear light-colored shirts printed with the word “SECURITY” in large black letters on the front and back so that they are clearly identifiable;
10. Licensee may engage in promotions, subject to law and regulations applicable to Alcoholic Beverage Control (ABC) licensed premises;

11. Special events will be permitted on the property of Café Imperial, subject to the application for and receipt of a special event permit from the Borough; and

12. Licensee currently leases nearby property for use by its patrons for parking purposes because there is no available street parking. Licensee's current lease for the premises will expire on September 30, 2015. Licensee shall immediately make arrangements for an extension of the lease at least through the Licensee's renewal term (June 30, 2016). In the event that the Licensee has not presented the Borough, on or before September 30, 2015, with evidence of renewal of the lease or otherwise acquired property to accommodate parking for Licensee's patron's, Licensee's permission to use the Backroom as granted hereunder shall be suspended unless and until Licensee has renewed the lease or otherwise acquired property to accommodate parking for Licensee's patrons, and during such suspension, Licensee shall not open the Backroom to the public for any purpose except that the Licensee shall be permitted to use the Backroom solely for special events upon prior application to and approval of the Borough.

ROLL CALL: C. Vinnie Petti Y C. Beverly Pranzatelli Y
C. Peter Lazzaro Y C. Abel Gomez Y C. Philip Fiadino Y
C. Anthony Pranzatelli Y

Attorney advised the resolution will be prepared with the conditions agreed to and will be placed on the agenda for approval at the next council meeting.

Opening of bids

Introduction of ordinances- First Reading

ORDINANCE NO. 2015:24

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XXI, LAND USE, SUBSECTION 21-9.15 "DESIGN
STANDARDS FOR ALL ZONES," OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF BOUND BROOK

Summary: SECTION 1. Subsection 21-9.15, "Design Standards for all Zones," of Section 21-9, Subdivision and Sign Plan Review, of the Revised General Ordinances of the Borough of Bound Brook amended recommended tree species, selection and planting criteria.

MOTION: Councilman Pranzatelli; SECOND: C. Gomez

DISCUSSION:

ROLL CALL: C. Vinnie Petti __Y__ C. Beverly Pranzatelli __Y__
C. Peter Lazzaro __Y__ C. Abel Gomez __Y__ C. Philip Fiadino __Y__

Ordinance on Final Reading and Consideration: -

ORDINANCE NO. 2015:22

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

Summary: Ordinance was introduced on July 14, 2015 and referred to the Planning Board and endorsed on July 23, 2015 with suggested clarifications/modifications.

MOTION TO OPEN PUBLIC COMMENT: COUNCILMAN PRANZATELLI SECOND: C. FIADINO
COMMENT: NO PUBLIC COMMENT.

MOTION TO CLOSE PUBLIC COMMENT:
COUNCILMAN PRANZATELLI SECOND: C. PETTI
COUNCILMAN PRANZATELLI ADVISED CARLOS RODRIGUES PLANNING BOARD PLANNER SUBMITTED CLARIFICATIONS/MODIFICATIONS WHICH THE CONSENSUS OF COUNCIL AGREED TO ACCEPT.

MOTION TO ADOPT WITH SUGGESTED CLARIFICATIONS/MODIFICATIONS MOVED BY COUNCILMAN PRANZATELLI; SECOND: C. PETTI

DISCUSSION:

ROLL CALL:

C. Vinnie Petti __Y__ C. Beverly Pranzatelli __Y__
C. Peter Lazzaro __Y__ C. Abel Gomez __Y__ C. Philip Fiadino __Y__
C. Anthony Pranzatelli __Y__

ORDINANCE NO. 2015:23

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF BOUND BROOK AMENDING THE REDEVELOPMENT PLAN FOR

REDEVELOPMENT AREA 2 PURSUANT TO N.J.S.A. 40A:12A-1ET
SEQ.

Summary: Ordinance was introduced on July 14, 2015 and referred to the
Planning Board and endorsed on July 23, 2015 with suggested
clarifications/modifications.

MOTION TO OPEN PUBLIC COMMENT: COUNCILMAN
PRANZATELLI SECOND: C. FIADINO

COMMENT: NO PUBLIC COMMENT

MOTION TO CLOSE PUBLIC COMMENT: C. FIADINO
SECOND: C. GOMEZ

COUNCILMAN PRANZATELLI ADVISED CARLOS RODRIGUES
PLANNING BOARD PLANNER SUBMITTED
CLARIFICATIONS/MODIFICATIONS WHICH THE CONSENSUS OF
COUNCIL AGREED TO ACCEPT.

MOTION TO ADOPT WITH SUGGESTED
CLARIFICATIONS/MODIFICATIONS MOVED BY COUNCILMAN
PRANZATELLI; SECOND: C. PETTI

ROLL CALL:

C. Vinnie Petti Y C. Beverly Pranzatelli Y

C. Peter Lazzaro Y C. Abel Gomez Y C. Philip Fiadino Y

C. Anthony Pranzatelli Y

Introduction/Discussion of Resolutions:

R2015: 116

Authorize emergency appropriations in the 2015 temporary budget

Motion: Councilman Pranzatelli Second: C. Fiadino All in favor: Aye

R2015: 117

Authorize tax collector to extend grace period to August 24, 2015 for the estimated
tax bills mailed on July 28, 2015

Motion: C. Petti Second: C. Fiadino All in favor: Aye

R2015: 118

Approve the hire of Alexandra Rice as police dispatcher effective
August 10, 2015

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

R2015:119

Approve the 2015-2016 Liquor License Renewal for the Bound Brook Lodge No. 1388 BPO Elks

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

R2015:120

Support the use of a “No Passing Zone” on Route 28 recommended by the New Jersey Department of Transportation

Motion: Councilman Pranzatelli Second: C. Gomez All in favor: Aye

R2015:121

Support the “Drive Sober or get pulled over”2015 Statewide Crackdown from August 21 – September 7 2015

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

R2015:122

Support the “Riverfront Access Plan for Pedestrians and Bicyclists and recommend the Planning Board adopt the plan into the Master Plan

Motion: C. Fiadino Second: Councilman Pranzatelli All in favor: Aye

R2015:123

Award professional services contract for planning consulting services to Carlos Rodrigues PP/AICP to prepare a preliminary investigation for property Block 13.01 Lot 49-600 East Union Avenue

Motion: Councilman Pranzatelli Second: C. Gomez All in favor: Aye

Unfinished Business –None

New Business

C. President Pranzatelli advised the Recreation Director has the funds in their budget for one of the two proposals submitted by High Tech Landscapes For Billian Park. –The proposal for Nutsedge Control was approved.

C. President recommended speaking with Mayor Fazen about asking the American Legion for their support.

Resolution for consideration: Resident with a well has the option to purchase a meter to measure their water use. A credit will be issued

On the sewer bill with a receipt for the purchase of meter.

C. President Pranzatelli advised there are about twenty (20) residents in town with wells. This would allow the resident to have this option.

Attorney advised this is an amendment to the sewer chapter of the borough code so this consideration would be an ordinance.

The council agreed to place an ordinance for introduction on for the next council meeting.

Resolution for consideration: Amend Resolution 2015:40 authorizing and directing the planning board to examine Block 13.02 Lot 49-600 East Union Avenue to include a statement about whether the borough will have the right to exercise the use of eminent domain.

Council President Beverly Pranzatelli advised that it was recommended moving forward with this amendment. The purpose should the property become blighted the borough would have the right to exercise eminent domain.

Motion to approve moved by C. Gomez; second by C. Fiadino;

All in favor: Aye Nay: C. Petti

Approve a Special Event Permit Application:

Special Improvement District-Bound Brook Revitalization Partnership

Event: Flea Market –Vendors selling goods

Location: Borough public parking lot between Torpedo’s establishment and Van Horn Plaza

Dates: August 22, September 12 and September 26-2015

Time: 8 a.m.- 3 p.m.

Motion moved by C. Gomez; second by C. Petti

All in favor: Aye Abstain: Councilman Pranzatelli

Open to the public for comments

Resident-

He questioned the resolution for consulting services for 600 East Union Avenue property.

Councilman Pranzatelli stated the investigation is important. If it is not considered a redevelopment zone there are disadvantages for the town and the developer.

Wendy Spinner- 306 Church Street –

She asked for an explanation on the estimated tax bills that were mailed out. Council President Pranzatelli advised that one fourth of the town is assessed every year. Every property is affected. If you receive a letter for inspection it is very important you let the inspector in. How we decided on the estimated bills was based on what we did last year and estimated 5% higher. It will adjust to current rate in the 4th quarter. Last year was a revaluation process of the whole town. The tax assessor has made those corrections to pockets of town higher and lower And the margin of error.

Meeting adjourned to Executive Session at 9:25 p.m.

R2015: 124

Authorize executive session for (Litigation)

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

All in favor: Aye

Agenda meeting adjourned at 10:00 p.m.

Motion moved by C. Gomez; second by C. Petti;

All in favor: Aye

Respectfully submitted by,



Donna Marie Godleski, Borough Clerk