

**BOROUGH OF BOUND BROOK
REGULAR MEETING MINUTES- SEPTEMBER 22-2015**

Mayor Fazen 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	present
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

Frank Regan, Esq.-DeCotiis, Fitzpatrick, Cole, LLP, Attorney

Michael Jannone-Police Chief

Captain Kevin Rivenbark

Approval of Minutes: None

Presentation of communications, petitions, etc. –None

Greetings for comments and invitation for discussion

R. Short-169 Cherry Avenue

She stated that we have been talking at meetings about dogs not being licensed in town. She brought up a dog licensing census notice that Point Pleasant sends out to their residents in September. Any dog in town for more than ninety days must be licensed and the violation is subject to a \$150.00 fine.

She asked when Clearview Place will be reconstructed. The road and curbs are very bad.

Mayor advised it is high on the list for next year.

JP Levin 269 Metape Circle North

He asked what area of the downtown is referred to in Resolution 2015-146 on the agenda. Mayor Fazen advised that the area is the Bound Brook Hotel East Main Street.

He questioned the shared service agreement with the special improvement district. Who is paying the employee?

Mayor Fazen advised he is a borough employee and will be supervised by the Special Improvement District. The employee is a transit village employee for the train station area. He will have direction and tracking. This is paid through a grant. The benefits are more supervision and efficiency.

Carol Holub 518 West Second Street

She asked about the Bound Brook Hotel being replaced. Mayor Fazen advised at the last meeting developers presented a plan to demolish the building and build a mixed use; primarily residential in the area.

She advised that the hotel is a historical site and the town has a historical committee. She could not believe that the town would get rid of the building.

Mayor Fazen advised we do not have an historic preservation ordinance that would not prevent that from happening. Mayor Fazen advised that it is a state historic building. The only thing that prevents an historic site from being renovated or demolished is a municipal ordinance that declares it a municipal historical site.

C. Fiadino advised that the developers design includes two of the existing features on the building.

She asked why the town can't preserve the building. She realizes that the building has not been taken care of especially the lower half since the flood.

R. Short-169 Cherry Avenue

She felt the town is tearing down the main street with nothing but apartments. There is nothing to draw people to.

Mayor Fazen replied that the Meridia apartments cannot be built fast enough. There are close to 200 apartments rented with a total of 240. It is a successful development; persons do want to live there.

Carol Holub- 518 West Second Street

She recalled the developer of Meridia saying at a meeting that this development will bring yuppies into town going for fancy drinks downtown. Is this the type of people we are getting to the downtown? Mayor replied that we are getting millennials and senior citizens. The process of development overall will take a decade. Developers are putting forth a lot of money to redevelop downtown. Mayor stated that he never thought Meridia would be as successful and the downtown will improve with this.

Evon Toralee-216 Talmage Avenue

She complained that Sunday's event at the Café Imperial was terrible for her. From 1 to 7 p.m. she called the police 4 times and nothing was done. It was a live concert with amplifiers and a M.C.

She felt that there needs to be some criteria when a business asks to have an event like this before the council approves.

Mayor advised that we will take this under consideration when a permit comes before the council.

It was noted that the special improvement district organized the event which was held on the property of the Café Imperial.

Fred Holub-518 W. Second Street

He agreed with the resident that the music was very loud when he rode by.

Bill Smith 320 Thompson Avenue

He advised that the town was to be looking into the hours that Walgreens is to be opened. They are now open until midnight but should be closing at 10 p.m. Yesterday they redid all their lighting, so it is like daylight now on my property.

The borough administrator advised that he went over to Walgreens and the hours on the door were from 7 a.m. to 12 midnight.

He spoke with the building dept. and nowhere was it written of the hours. His hunch is that the initial hours of opening may have been said at a meeting.

Mayor Fazen advised that the hours should be in the planning board resolution. This would be in storage now because the store opened ten years ago.

Mr. Smith advised there are two trees on his property ruining sidewalks. He was instructed to fill out a form from the Clerk's Office. The form would be submitted to the Shade Tree Commission.

JP Levin 269 Metape North

Mr. Levin noted there is a resolution on the agenda to designate a developer for the Bound Brook Hotel. He recommended in negotiations with a developer that the town speaks on the possible burden to our fire and rescue departments and professionals with future development.

Mayor advised that in negotiations extra costs that police incur are taken into consideration.

Mr. Levin suggested earmarking areas in those departments that are in need of equipment/supplies and have this in your negotiations with the Developers moving forward.

R. Short-169 Cherry Avenue

She asked what happened to the historic commission in town.

Mayor advised that we have a historic preservation commission. They are in the process of declaring historic sites and districts. They have been working on this for the past six months. There are seven buildings the commission has identified and the Bound Brook Hotel is one of them.

Councilwoman Pranzatelli advised that the historic commission is working on identifying sites and right now one is the Stone Arc Bridge. It is a lot of work but needs to be done right.

Carol Holub -518 W. Second Street

She noticed that when we come to meetings the persons up on the dais we see are snickering and laughing. She felt that was not right when persons ask a questions. If you continue to do this, you will not have anyone coming to the meetings.

Committee reportsFinance: C. Anthony Pranzatelli

Council advised that is very important to keep track of every department as we are going through the five year budget plan so we are able to adjust.

He handed out sheets of various departments indicating in colors those areas of concern and overproducing. In looking at expenditures 42% is where we should be at this time.

C. Lazzaro thanked council for all his work. In November we can do budget transfers.

Council Pranzatelli advised that committee members and professionals also helped.

Public Works, Bldgs., Grounds & Utilities-C. Peter Lazzaro

Council advised he received e-mail from Mr. Rainone, labor attorney. Public Works has requested mediation from the state and submitted notice of impasse with the contract negotiations.

{Yard Debris Collection-October } –

Council spoke with Vinnie Orofino, public works foreman before the meeting. Public works will begin leaf and yard debris on the north side October 7 and 8 and the south side October 9th.

{Use of Brine}

Vinnie Orofino public works foreman reported that other towns use brine. You spray the street with the brine which gets rid of ½ inch of snow. It is not replacing salt. This would be an added job for the department and you have to purchase the equipment. This will cost the town money. Councilwoman Pranzatelli advised that it does not seem that the use of brine will save the town money. Council thanked Mr. Orofino for looking into this and reporting on it.

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

Council read the August activity report for the police department into the record of minutes.

Personnel, Administration & Ordinances- C. Philip Fiadino

Council stated that we have one more round of interviews with the police department positions of sergeant and lieutenant. He asked Roseanne Short if she would provide him with a copy of the notice from Point Pleasant on the dog licensing census. He felt it was a good idea to take a look at the criteria for special events that come before the council for approval.

Economic Development- C. Beverly Pranzatelli

The committee has a preliminary negotiations meeting set up with the developer of the bound brook hotel. The special improvement district has sponsored the Riverfest Event for this weekend. The Bound Brook Theatre is doing a short film festival in the evening. There will be a garage sale flea market downtown as well.

Zoning, Construction & Code Enforcement- C. Abel Gomez
Council read August activity report for construction and zoning.

Introduction of ordinances - None

Ordinance on Final Reading and Consideration: - None

Resolutions for final reading and final consideration:

R2015: 139

Approve the promotion of Lt. Rivenbark to Captain of the Bound Brook Police Department

Motion: C. Petti Second: C. Fiadino

Mayor stated this is an outstanding opportunity and well deserved.

C. Gomez stated he goes above and beyond making the downtown district feel welcome. Thank you for your presence downtown; the fountain, gazebos and pocket park.

All in favor: Aye

R2015: 140

Approve the hire of Ruth Ann Seyffart –part-time-maintenance of the borough website

Motion: Councilwoman Pranzatelli Second: C. Fiadino

All in favor: Aye

R2015:141

Approve an amendment to salary resolution R2015:132 for Rachael Zogg, Deputy Court Administrator

Motion: C. Petti Second: C. Gomez

C. Petti advised that she was offered another position and the court office was already short one person. It would cost the town a lot more if she left. The borough could not afford to do this. The extra dollars will keep her here and she enjoys working with our court administrator.

All in favor: Aye

R2015:142Authorize the finance officer to issue a refund for swim lessons

Motion: C. Fiadino Second: Councilwoman Pranzatelli

All in favor: Aye

R2015:143Authorize finance officer to issue a refund for overpayment of a fence permit

Motion: C. Gomez Second: Councilman Pranzatelli

All in favor: Aye

R2015:144Approve the contract between the School Board of Education and the Borough of Bound Brook for the School Resource Officer

Motion: C. Fiadino Second: Councilman Pranzatelli

All in favor: Aye

R2015:145Approve site plans presented by Meridia Downtown LLC for property known as Tax Block 1, Lots 41 & 43 located in downtown redevelopment area

Motion: C. Gomez Second: Councilwoman Pranzatelli

All in favor: Aye

R2015:146Approve a conditional designation of a joint venture of Merccrem, LLC (Mitchell E. Ryan) and Jarmel Kozel Architects and Engineers, Inc. as Redeveloper for property known as tax block 13.03, Lots 1 and 12.01 and tax block 13, Lot 10.01 all located in the downtown redevelopment area for redevelopment of mixed use development

Motion: Councilman Pranzatelli Second: Councilwoman Pranzatelli

C. Fiadino stated that he was happy with the success of Meridia. He spoke after the presentation of Meridia II with the representative and expressed concerns about the aesthetics of the building. The design needs to enhance the street. This is the Segway to the west end and Talmadge Commons. C. Gomez advised that the Planner stated that same concern at the planning board meeting. The board will review this.

All in favor: Aye C. Gomez-abstain

R2015:147

Approve the 2015-2016 Liquor License for the Outback Saloon and Cheers Restaurant

Motion: Councilwoman Pranzatelli Second: C. Gomez

All in favor: Aye

Approval of Vouchers

R2015: 148

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

Unfinished Business

Resolution to enter into shared service agreement with the Special Improvement District for the DPW employee assigned to the maintenance of the train station –

Mr. Regan advised that there are two areas in the agreement which need to be filled. The first is the number of years entered into the agreement with the SID and the minimum insurance coverage from the SID.

Councilmembers agreed to five (5) years for the agreement.

The council did not know what the SID currently has in insurance coverage.

Council suggested that this be tabled to next council meeting.

Motion to table moved by C. Fiadino; second by Councilwoman Pranzatelli;

All in favor: Aye; Abstain-Councilman Pranzatelli

Bid Opening-9/22 @ 10 a.m.-Recommendation of award for the Bound Brook Memorial Library Project –Masonry Repairs

Administrator advised three bids received and are being reviewed for legal and technical. The next meeting will have a report.

C. President Pranzatelli: American Legion-Projects

Council heard from the Mayor that the Legion is interested in helping out with Billian Legion Park. Their proposal is to contribute \$5,000 a year and they would like a fundraiser held in the park. They would also like input on what goes on in the park.

Request that the attorney draw up an agreement with the Legion and the borough setting forth conditions and contributions.

Have both parties agree and set for approval at council meeting.

Hal Dietrich , Commander of the American Legion felt that the legion should have some kind of a vote or say as to what goes on at the park; Especially the plantings and trees.

Councilwoman Pranzatelli suggested scheduling a meeting with the Legion to discuss.

C. President Pranzatelli: Status of misappropriated borough funds

Administrator advised that at the last council meeting he was directed to reach out to the school superintendent for the return of the parking permits. These permits were issued to the teachers to park in the municipal lot Before the first day of school began.

30 parking permits were issued to the school superintendent on September 1st

25 were returned by the school superintendent to the borough clerk on September 14

The remaining 5 were returned by school superintendent on September 15 to the borough clerk

25 x 4.00 day used for 8 days 800.00 in lost revenue

Additional 5 at \$4.00 that were used for 9 days 160.00 lost revenue

Total-\$960.00

Councilwoman Pranzatelli stated that the teachers were parking for free in transit lot that was not approved by the council.

If they paid, the town would have received \$960.00

She asked if there were any recommendations on how the town can be compensated for this money.

Councilman Pranzatelli suggested Mayor Fazen pay or the school.

Administrator stated that the school should not have to pay. The board of education had nothing to do with this.

Councilwoman Pranzatelli recommended that the Mayor pay.

The Mayor stated he had no comment and facts at this time.

Councilwoman Pranzatelli advised according to planning board minutes

Dr. Gallagher mentioned 26 permits but he was given 30 permits.

I asked Dr. Gallagher about this and he said to ask the Mayor.

Mayor Fazen stated that he could not answer.

She did not understand why it was mentioned 26 and he was given 30 permits. So I guess the town will not be compensated for this.

Councilwoman Pranzatelli advised that we had an agreement in place with Natures Choice for one month for the drop off of grass clippings. After the one month we were going to check to see how many residents dropped off. We paid Nature's Choice \$1,200/month.

Also residents could bring their clippings up to the P.W. Garage. P.W. Foreman advised that no residents brought up.

It was noted that there has not been any rain so there is less cutting of grass. There still needs to be a plan for the grass clippings.

As an alternative, it was suggested to try for one month that residents can bring their grass up to the public works garage.

It was suggested that Nature's Choice be contacted.

New Business

Mayor Fazen appoints w/advice and consent of council
An appointment to the Board of Health –

Richard Frederick Eschle

Alternate No. 1

Term- September 22-2015- 12/31/2015

Motion: Councilwoman Pranzatelli Second: Councilman Pranzatelli

All in favor: Aye

C. President Pranzatelli –

Proposal-Talmage Avenue-PSE&G Outdoor Lighting Service Agreement and Cost Summary

She advised that the proposal was brought to the administrator by Captain Rivenbark. Public Service will increase lighting in the Talmage Avenue corridor, add lights to Vosseller to Drake Street, railroad crossing, new lights heading east to the train station. This will improve lighting at night for the entire area. The cost is \$82.59/month.

The finance committee was in favor.

C. Gomez thanked Captain Rivenbark for the agreement.

C. Fiadino-

Center for Educational Advancement-consideration/introduction of services to the community

Council announced the center is in Flemington. The director sent a letter to see if Bound Brook would take 5 students for work opportunity at no cost; fully insured; supervised.

The students have barriers of communication skills, not mentally challenged. They could work with the special improvement district or in borough hall.

C. Gomez suggested that we flush out an idea first and find actual jobs first and put a plan together for supervision.

A suggestion to clean up the areas around borough hall.

Open meeting to the public for comment

Hal Dietrich – 639 Central Avenue

Regarding R-2015-141 approving a salary increase because an employee was offered another position opens up a can of worms.

Any employee can come to you now and say I was offered a position in another town for more and I want a pay raise.

Carol Holub 518 West Second Street

She asked if we could still bring grass clippings to Nature's Choice.

Councilwoman Pranzatelli advised only yard debris, no grass.

She asked if every space is taken up at the municipal lot.

Councilwoman Pranzatelli stated that most employees that work downtown pay for the parking space.

Mayor asked if this was about the parking at St. Joseph's School.

She asked where do the teachers park. Mayor advised they park in their lot behind the school. The students recess in the gym or cafeteria in the basement.

Councilwoman Pranzatelli advised that we asked the administrator to talk with Dr. Gallagher to come up with a mutual resolution for parking.

We also need to reserve parking for tenants for new development downtown.

R. Short- 169 Cherry Avenue

She felt the town should make sure there are enough parking spaces. She suggested that the approved lots on the agenda should state where they are located.

She felt that the error made with misappropriation of funds the council should forget about it. It is now in the past.

Michele Defazio-603 Church Street

She reviewed the minutes of the board regarding the permits for teachers to park in the municipal lot. She advised that C. Gomez stated that when Dr. Gallagher was before the planning board he said he was promised these spaces. He was asked if he would be purchasing permits for the commuter lot or the daily lot. He said no.

Dr. Gallagher stated that in discussions with the Mayor I asked him for permission to use 26 spots. He had gone to the parking commission and we are awaiting an answer. If we do not get permission to park there we are going to use the lot.

As representative of the school board she wanted to make that clear.

Mayor Fazen stated at the last council meeting he stated that Superintendent of Schools Dr. Gallagher was a liar. Mayor based this on quotes that were attributed to him, and he publicly apologized.

After reading the Planning Board transcript and listening to the council meeting audio recording, he confirmed that the Superintendent Dr. Gallagher did not lie and regrets making the statement.

R2015: 149- no session

Authorize executive session

Adjournment @ 9:20 p.m.

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

All in favor: Aye

Respectfully submitted by,

Donna Marie Godleski, Borough Clerk