

**BOROUGH OF BOUND BROOK
AGENDA MEETING MINUTES- FEBRUARY 11, 2014**

Mayor Mark Hasting called the meeting to order at 7:30 PM with a reading of the Open Public Meetings Law Statement, Opening Prayer read by the Borough Clerk followed by the Pledge of Allegiance.

ROLL CALL

Councilman John Paul Levin	present
Councilman Daniel Wright	absent
Councilman Vinnie Petti	present
Councilwoman Lisa Bogart	present
Councilwoman Beverly Pranzatelli	present
Councilman Peter Lazzaro	present

Also Present:

Donna Marie Godleski, Borough Clerk
Randy Bahr, Administrator
Judy Verrone, Esq. DeCotiis, Fitzpatrick, Cole, LLP, Borough Attorney
Police Chief Michael Jannone- Police Department
Lt. Kevin Rivenbark –Police Department
Robert Keady & Dale Leubner - T&M Associates- Engineer

Approval of Minutes:

Agenda Meeting January 28, 2014;
January 28, 2014 Executive Session Minutes For Content Only
Motion: C. Levin Second: C. Bogart All in favor: Ayes

Engineers Report – T&M Associates – January 1-31-2014

Mr. Leubner reported:

Bid opening scheduled for February 12 for the Segment T repairs.

Mr. Keady reported:

Church Street Culvert: contractor was tentatively scheduled to mobilize week of January 19; proposed shoring plan was rejected and is currently being re-designed; inclement weather has further delayed the physical start of construction.

2014 Capital Improvement Program-
Cleaning & Televising Inspection of Storm Sewer Main & Sanitary Sewer
Main-

Mr. Keady requested a contract award be considered this evening or for the next council meeting.

Engineers excused.

Advertised hearings or special presentations –

Presentation by Eileen Leahy-Public Affairs Manager –

Public Service Electric & Gas- A Resolution of Support for the Energy Strong Program.

Ms. Leahy reported that the program calls for 3.9 billion in investments over ten years to harden utility infrastructure and guard against increasingly extreme weather. The improvements will have far-reaching, long-lasting benefit to New Jersey, supporting the state's economy by creating 5,800 jobs. She urged Bound Brook to consider a resolution of support.

Mayor Hasting advised a resolution will be taken under consideration for the next council meeting.

Greetings for comments and invitation for discussion

Michele DeFazio-603 Church Street

She asked what role PSE&G plays when borough roads have undergone repaving. Mayor Pilato advised that there is a moratorium on roads that have been freshly paved within the borough.

Opening of bids - None

Introduction of ordinances - First Reading

ORDINANCE NO. 2014: 03

AN ORDINANCE AUTHORIZING THE TRANSFER OF TEMPORARY EASEMENT OVER MUNICIPAL PROPERTY TO THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, FOR THE UNITED STATES ARMY CORPS OF ENGINEERS GREEN BROOK FLOOD CONTROL PROJECT

Summary: Block 68/Lot 1.03 – perform emergency repairs to Segment U

Motion to introduce moved by C. Levin , Second: C. Petti
Roll Call: Unanimous
Second Reading scheduled for February 25, 2014 meeting.

Ordinance on Final Reading and Consideration: -

ORDINANCE NO. 2014:02

AN ORDINANCE AMENDING AND SUPPLEMENTING
SECTION 2-22, "FIRE DEPARTMENT," OF CHAPTER 2,
ADMINISTRATION, OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF BOUND BROOK

Summary:

The Bound Brook Fire Department has recommended various
amendments to Section 2-22, "Fire Department" of Chapter 2,
Administration, of the Revised General Ordinances of the
Borough of Bound Brook.

Motion to open to public for comment: C. Petti- Second: C. Bogart

All in favor: Ayes

Public Comment: None

Motion to close public comment: C. Bogart Second: C. Pranzatelli

Roll Call: Unanimous

Introduction/Discussion of Resolutions:

For the February 25th Regular Meeting:

A Resolution to approve a State of New Jersey Sage Application-
Police Department-2014 Distracted Driving Crackdown –
Mr. Bahr advised that this is a grant application that the Police Department
will be making application for.

A Resolution of support for the PSE&G's Energy Strong Program

Resolutions for consideration this meeting:

R2014: 26-

Mayor Hasting advised that contracts will be discussed in executive session first and then will take action on the resolution once back in open session.

Approve the award of professional services contracts to:

DeCotiis, Fitzpatrick, Cole, LLP-Municipal Attorney

DeCotiis, Fitzpatrick, Cole, LLP-Municipal Bond Counsel

Suplee, Clooney & Company- Municipal Auditor

T&M Associates-Municipal Engineer

John E. Bruder, Esq.-Municipal Prosecutor

Robert Spengler, Esq.-Municipal Public Defender

DeCotiis, Fitzpatrick, Cole, LLP-Municipal Labor Counsel

Shain, Schaffer & Rafanelli, P.C.- Municipal Tax Appeal Counsel

R2014:27

Authorize the execution of various documents in connection with the Somerset County Improvement Authority's Somerset Municipal Banc Program

Motion: C. Levin Second: C. Bogart

Discussion: Mr. Bahr gave a brief summary. Various towns within the county and the county submit a request to the authority to borrow funds from the banc program to finance a lease purchase of certain capital equipment and if applicable other personal property.

All in favor: Ayes

Unfinished Business

Councilwoman Pranzatelli- Special Improvement District Ordinance- She heard back from Jim Kennedy, downtown management consultant regarding the recommendations of the SID. The ordinance will be passed on to the borough attorney for final review and then council will review at that point.

Councilwoman Pranzatelli- Historic Preservation Commission She recommended starting from scratch. This commission has not been active. It looks like most of the terms of the members appointed have expired.

Councilman Levin recommended to the council to re-visit the ordinance because it was written in 2008 and the economic climate was different then what it is today.

In his review there are recommended changes. It is a good ordinance; a good tool. The ordinance is harsh right now in this climate. We want to encourage businesses in town.

Mayor Hasting recommended the council review and offer suggestions for the next meeting.

Mr. Bahr advised that there was a lot of controversy with this ordinance. He suggested to the council they carefully review.

Councilwoman Bogart- Resolution for Consideration: Support the goals and purposes of the 2014 Highlands Water Protection and Planning Act
She offered a support of the resolution. Mr. Stafford, the Outreach Director of the Highlands Coalition has come before the council twice in the last six months asking for the support of the council.

Councilman Levin asked why we should not support the resolution.

Mayor Hasting noted that it does place burdens on businesses and towns that are impacted. Also, there are additional regulations and costs.

C. Bogart noted that Bound Brook does not have a direct impact. There are no direct implications in terms of development. This is a small portion of water that comes down from the Highlands Area and down to the Raritan River.

Mayor Hasting recommended the council formally review the resolution for the next council meeting.

Councilman Levin stated that there are many residents that are not aware of Ordinance No. 2011-22 –Temporary Parking Prohibition for snow plowing and removal after a snowfall. Residents are required to remove their vehicles within 24 hours in order to properly plow the streets. This is not being done. How can we enforce this? He noted that the ordinance has been posted on the website. He asked if the council would allow him to speak with the schools. A notice on this can be sent home with each child in their backpacks.

Councilwoman Bogart noted that residents can register for Nixle alerts. The police department encourages residents to register. You will receive all weather, road closing and emergency alerts.

Police Chief Jannone offered his comments. The public works department cannot plow the streets if there are cars parked. The police department

works with two companies as far as removing cars from the streets. This entails a collaborative force during extreme weather conditions.

Councilwoman Pranzatelli asked what the status was on the ordinance passed last year for municipal energy aggregation.

Mr. Bahr advised that he never heard back from the consultant.

Judy Verrone, borough attorney informed the council that there was some discussion and concerns last year upon signing onto the program but nothing formally was executed. The ordinance authorizes the Mayor and Administrator to execute an agreement.

Councilwoman Pranzatelli recommended the town look into energy aggregation. Mr. Bahr advised that the council can also look into the county.

Councilwoman Pranzatelli advised she was given information that each town should do their own contract; each town is unique. She was not sure if this was correct information, but we should look into this.

Mayor Hasting recommended the town look at all options.

Mr. Bahr noted that the county is doing this right now. When the county receives information as to how many towns are interested they will then go out to bid. Once they contract with a vendor that is when they will reach out to the towns if they are interested.

Councilwoman Pranzatelli suggested that the town do a Request for Proposal and also let the county know that we are interested.

Motion moved by C. Pranzatelli; second by C. Lazzaro; All in favor: Ayes

Mayor Hasting asked for a status on the replacement of bus stop shelters.

A company came before the council last year with an agreement.

Mr. Bahr advised that he had no good answer as to where this was left off.

He noted that this company would install and maintain New Jersey Transit bus shelters that will provide digital advertising and lighting powered through solar panels. They will own the bus shelters. The agreement would be in place for ten years. All revenue generated from the bus shelter is paid to the company.

Judy Verrone, borough attorney advised that she would research this for the council and bring back for next meeting.

Councilwoman Pranzatelli asked the attorney if the borough had an ordinance agreement with Good Energy for the municipal energy aggregation. The attorney advised that Good Energy was retained as the

consultant for the Middlesex Regional Educational Services Commission. They selected Good Energy for the procurement. The ordinance authorizes the town to have any energy aggregation program. At some point the borough needs to do another ordinance. She noted that residents with Public Service Electric and Gas that are in the program can opt out.

Councilman Petti asked if the borough can pick up the cost for public safety at the Firemen's Carnival this year.

Mr. Bahr requested that the organization file a special event permit application first. It will then be discussed once the application is before the governing body for approval.

New Business

Administrator Randy Bahr: Bound Brook Library Advisory Board-Amendments to By-Laws

Mr. Bahr noted that he sent information out to the council to review regarding the library board. The board made amendments to their by-laws eliminating the mayor or designated alternate and the school superintendent or designated alternate from the board. Mr. Bahr informed the library director that they could not do that. The board is a borough committee and the council would make that decision. The director noted that since the town does not have a say there was no point in having those appointees on the advisory board.

Councilman Petti noted that the borough is still responsible for the library and the maintenance.

Councilman Levin noted that the mayor and school is a liaison information tool. Councilman Petti recommended changing the ordinance to have the school board appoint a person to the board.

Councilman Lazzaro who is the board of education liaison will speak with the school board.

Councilman Levin noted that the library board is an advisory committee to the council and under the direction and guidance of the council.

Councilwoman Bogart advised that she is an employee of the Somerset County Library System and she cannot make any comments.

Mayor Hasting stated that these seats should not be removed from the board.

Mr. Bahr will send a notice to the Library Director that the council has no interest in removing those persons from the committee.

Mayor Hasting- A revision to the Planning Board Appointments- submitted to the Borough Clerk on February 7, 2014.

Mayor Hasting advised that one member is not able to serve.

Karen Carroll is appointed to a Class 4 member.

Michele DeFazio is appointed to an Alternate No. 1

Mr. Bahr advised that the engineer recommended a contract be awarded to American Pipe & Cleaning for the 2013 capital improvement program- cleaning and televises inspection of storm sewer main & sanitary sewer main.

Motion to approve moved by C. Levin; second by C. Bogart; All in favor:
Ayes

Open to the public for comments –

Kevin Flanagan- homeless-

He asked what the town is going to do about the ice in the areas of sidewalks. It is very difficult for himself in a wheelchair. It is hard to get up onto the sidewalks.

Mr. Bahr noted that it is the responsibility of the homeowner. It is unfortunate that we have had a very cold weather. No snow has melted and the last storm created a slush and ice over. Even if the residents shoveled walkways they are very narrow.

Also salt is a problem... we will have the code enforcement officer take a look at this.

Anthony Pranzatelli – 108 East Maple Avenue

He advised he is a member of the Economic Development Advisory Committee. The committee has decided on two dates to be approved by the council.

The first is the Riverfest Event- September 20

The second is the August 8-9-10 Hispanic Event.

There will be discussion with the police department.

C. Levin noted that a special event permit application needs to be filled out for both events. Those applications will then come before the council for approval.

Adjourn to Executive Session: @ 8:45 p.m.

R2014: 28

Authorize executive session for (Contracts;)

Matters: Professional Services Contracts; Rescue Squad;

Motion: C. Levin Second: C. Bogart All in favor: Ayes

Action will be taken after session.

Motion moved by C. Bogart to close executive session and adjourn to open session at 9:15 p.m.

Second by C. Petti; All in favor: Ayes

Mayor Hasting advised that two resolutions will be considered for council adoption:

R2014: 26

Resolution to award 2014 professional services contracts to:

DeCotiis, Fitzpatrick, Cole, LLP-Municipal Attorney

DeCotiis, Fitzpatrick, Cole, LLP-Municipal Bond Counsel

Suplee, Clooney & Company- Municipal Auditor

T&M Associates-Municipal Engineer

John E. Bruder, Esq.-Municipal Prosecutor

Robert Spengler, Esq.-Municipal Public Defender

DeCotiis, Fitzpatrick, Cole, LLP-Municipal Labor Counsel

Shain, Schaffer & Rafanelli, P.C.- Municipal Tax Appeal Counsel

Motion moved by Councilwoman Pranzatelli, second by Councilwoman Bogart

Discussion: C. Bogart advised that all contracts are for one year including the borough engineer.

All in favor: Ayes

RESOLUTION NO. 2014-29

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK DIRECTING THE PLANNING BOARD OF THE BOROUGH OF BOUND BROOK TO TERMINATE THE PUBLIC HEARING PROCESS AND CONSIDERATION OF THE REDEVELOPMENT STUDY AND PRELIMINARY INVESTIGATION REPORT PREPARED BY T&M ASSOCIATES FOR SOUTH OF MAIN STREET, DOWNTOWN FOR BLOCK 1, LOTS 38-57, 68.01, 68.02 AND 70

Motion moved by C. Levin, second by C. Pranzatelli

All in favor: Ayes

Agenda meeting adjourned at 9:30 p.m.

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

All in favor: Ayes

Respectfully submitted by,

Donna Marie Godleski, Borough Clerk