

**BOROUGH OF BOUND BROOK
REGULAR MEETING MINUTES – MAY 27, 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

Mayor Mark Hasting	present
Councilman John Paul Levin	present
Councilman Daniel Wright	absent-arrived at 8:15 p.m.
Councilman Vinnie Petti	absent-arrived at 8:25 p.m.
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
Lt. Kevin Rivenbark

Approval of Minutes:

May 13, 2014 Agenda Minutes;
May 13, 2014 Executive Session Minutes
Motion moved by Councilman Levin; second by Councilwoman Pranzatelli; Councilman Levin asked for a correction to minutes to include his comments of the discussion of the B/R Zone and the Melvin Group Design;
All in favor: Ayes

Presentation of communications, petitions, etc. –None

Greetings for comments and invitation for discussion
Robert Fazen-571 Watchung Road

Mr. Fazen asked for a status on the east bound train station waiting room renovations. Mayor Hasting stated that it is still in anticipated litigation. Mr. Fazen asked if the borough still has the architectural plans. Mayor Hasting stated yes.

Carol Holub-518 West Second Street

Carol complained of very bad potholes between Park Place and in between Second and High Streets. Also, Second Street as you pass Lamonte Avenue toward Romney Road. There is so much water in this area when it rains. Mayor Hasting stated that the town does have plans to take care of these potholes.

Roseann Short-169 Cherry Street-

Roseann asked the location of Bound Brook property alongside Bridgewater Chevrolet that is on the agenda. Mayor Hasting stated the section is on the east side of their building. They would like to landscape the section.

Joseph Gullia- 642 Winsor Street- Deputy Fire Chief

Mr. Gullia thanked the town for the sponsorship of the firemen's carnival. It was very successful. He thanked the police department for working with the fire department.

He will have equipment issues for the next council meeting.

Committee reports

Finance: C. Peter Lazzaro

Councilman Lazzaro advised that committee held another meeting with Mr. Bahr, Councilwoman Pranzatelli and Councilman Wright. We have been working very hard on the budget. There is a resolution on the agenda this evening to approve the cancellation of unexpended and dedicated balances of the general capital appropriations. The net results will reduce our property taxes just under ½ percent of a tax increase.

Public Works, Bldgs., Grounds & Utilities-C. Daniel Wright –

Not present to give report.

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

Not present to give report.

Personnel, Administration & Ordinances- C. Lisa Bogart

The committee had met to oversee the B/R zone before it was passed on to the Planning Board. The committee will be meeting with Mary Sworvek

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who is well advised in the historic preservation area on June 3rd regarding recommendations to the Historic Preservation Ordinance.

Economic Development- C. Beverly Pranzatelli

Councilwoman Pranzatelli advised that the committee has two developers ready to present to the council.

Mayor Hasting advised that the first developer will be scheduled for June 10 and the second will be scheduled for June 24 council meeting.

The suggested amendments to the SID Ordinance will be discussed later under Unfinished Business.

Zoning, Construction & Code Enforcement- C. John Paul Levin

Councilman Levin advised that committee has not met due to some conferences and scheduling.

He has spoken with Mr. Bahr regarding setting up meetings to discuss the restructuring of the code enforcement department and to talk about some personnel issues. We have received responses to the posting of the code enforcement position. We are also looking at possible new ordinances or amendments with regards to maintenance.

The April activity report was read into the record of minutes.

Introduction of ordinances - none

Ordinance on Final Reading and Consideration: - none

Resolutions for final reading and final consideration:

R2014: 69

Support the Click It or Ticket Mobilization May 19 – June 1-2014

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

R2014: 70

Approve cancellation of unexpended and dedicated balances of the General Capital Appropriations

Motion: C. Levin Second: C. Lazzaro

Councilwoman Pranzatelli questioned ordinances not lining up with what was on the annual financial statement..

Mr. Bahr advised that it was the cancellation of outstanding purchase orders that are not needed when project is complete.

All in favor: Ayes

R2014:71

Approve Change Order No. 2 & Payment Certificate No. 3&Final
to Adamsville Maintenance, Inc. for the Church Street Culvert Upstream
Extension Replacement

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

R2014:72

Approve the hire of David Brimmer and Chris Stitley as temporary seasonal
help for the Public Works Department

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

Unfinished Business

Riverfest Event-September 20, 2014-

Borough Attorney to review the promoter (Street Fairs, Inc.) contract.

Judy Verrone, borough attorney advised that the contract form was fine.

Motion to approve the event as a borough sponsored event pending approvals by department was moved by C. Pranzatelli; second by C. Levin;

Comments: C. Pranzatelli noted that members of the EDAC would like to go out for sponsorships to help defray costs. It was questioned whether this was appropriate for committee to solicit funds on behalf of the town.

The borough attorney will review this. The EDAC will be advised not to move forward until we hear back from borough attorney.

C. Levin commented that this is a good event for the town. He stated that certain councilpersons suggested that certain departments have said or done things to delay the approval of this event. The only delay was the contract. He stated that for the record there was no blame on any departments in the borough.

All in favor to approve: Ayes

Request from Bridgewater/Bound Brook Chevrolet to clean up a section of Bound Brook property on the east side of building

Judy Verrone, borough attorney offered a question on easement to gain access to the property. Mr. Bahr recommended vehicular access.

It is wide enough by foot. Mr. Bahr will meet with the owner next week.

ADDED RESOLUTION: R:2014:75

Finance Committee:

A Resolution to Amend Budget Amendment R2014:61

Motion: C. Pranzatelli; second by C. Bogart

Summary: Mr. Bahr advised in speaking with auditor it was recommended to amend the first resolution and still have the public hearing in a timely fashion.

Roll Call:

C. John Paul Levin- yes C. Daniel Wright-absent C. Vinnie Petti-absent

C. Lisa Bogart –yes C. Beverly Pranzatelli-yes C. Peter Lazzaro-yes

Amendment to be published in the Courier News on June 5th.

Public hearing on the amendment to be held on June 24th.

Councilwoman Pranzatelli asked about the quiet zones that she brought up at the last council meeting. We were advised that our crossings do not qualify. She asked if there was a feasibility study done. Mr. Bahr stated no. She asked where we got this information from. Mr. Bahr reported from New Jersey Transit. He will follow up on this information.

Councilwoman Pranzatelli addressed the Special Improvement District Amendments. She presented a copy of the ordinance as it stands now and the amendments. She asked for council approval to send these over to the borough attorney for review and possible amendments to the ordinance. C. Levin addressed comments. He stated whether or not this is good or not, time will tell. He was not happy with the process. This was never discussed with the full council whether or not to approach or go forward with the SID. Councilwoman Pranzatelli stated that she has mentioned the SID many times. If anyone did want to move forward they were to say something. C. Levin advised that we should move forward and have the attorney review. Councilwoman Pranzatelli offered a resolution to send the amendments to the borough attorney for review and possible amendments to the present ordinance; second by C. Levin; All in favor: Ayes

Councilwoman Pranzatelli advised the economic development committee received advice from the Economic Development Advisory Committee and the Downtown Manager regarding the SID.

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Mayor Hasting noted that the council never formed the SID committee which was noted were members of the Economic Development; members of the EDAC; Downtown Manager and Economic Development Advisor.

New Business

For Approval: Special Event Permit Application

Troop 41 –Camping/Flag Ceremony- Billian Legion Park

June 13-15-2014 – 4PM Friday- 1PM Sunday

Motion: C. Bogart, second by C. Levin; All in favor: Ayes

Approval of Vouchers

R2014: 73

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

Mr. Bahr advised that there was a councilperson that filed a tax appeal and it was necessary to appoint a conflict attorney and assessor for tax appeal.

Our borough assessor cannot hear it.

Frank Betts- Conflict Assessor

Frank Linnus-Conflict Attorney

A resolution was moved to appoint by C. Bogart; second by C. Lazzaro; All in favor: Ayes

Councilwoman Pranzatelli advised in Belmar New Jersey, they recently adopted “no smoking” only in designated areas on their beach. She asked if there a possibility the borough can look into this for the downtown area. It is a big issue. The borough attorney was asked to review the possibility and report back to the council. C. Levin expressed concerns with enforcement.

Mayor Hasting addressed a letter received from the Billian Family Charitable Foundation. He advised that the foundation has been supporting for many years. As of January 1, 2015, the foundation has decided to no longer provide maintenance at the park other than the flag.

This will be a significant cost to the borough now. The borough only maintains the ball field.

Councilwoman Bogart asked how the town can proceed forward for other opportunities for the foundation not to withdraw their support for Bound Brook.

Mayor Hasting advised that the borough can speak with the Legion regarding funding for the park.

Further comments were made by Mayor and councilmember's.

A motion was moved by Councilwoman Bogart, Second by Councilman Levin to form a committee to review Billian Park.

The committee will consist of C. Bogart, C. Levin; Randy Bahr and a member of the Recreation Commission.

All in favor: Ayes; Abstain: C. Petti- arrived late

Open meeting to the public for comments

Philip- 571 Helfin Street

He offered comments about the borough's relationship with the Billion Foundation. He remarked that it is a beautiful park. He asked if the town loses their support, which is responsible for the park. Mayor Hasting stated that it is the town's park. Philip stated that if the issue is the carnival then the town should consider moving it to another location.

Roseann Short-169 Cherry Avenue

She asked who the liaison was to Billian Park. Mayor Hasting stated that the Recreation Director is Doreen Todaro.

She stated she would hate to see what the park is going to look like if we do not receive the funding.

Mayor Hasting remarked that the Billian Foundation does not listen to the town with regards to the plantings in the park. The park is on a landfill. The Department of Environmental Protection states that you cannot disrupt a landfill. There is no permit. The DEP can come back to the town on this. According to the DEP it is still an active landfill. Mayor Hasting reported that the town has submitted a report requesting closure.

Council expressed their concerns noting that we need to proceed on this.

Mayor Hasting stated that we need the advice from the borough engineer on this area of concern.

Carol Holub-518 West Second Street

She remarked that she hopes the committee will come to an agreement on Billian Park. She asked the council to explain the Special Improvement District. Councilwoman Pranzatelli provided a brief summary.

R. Short- 169 Cherry Avenue

She asked if the garden club could help out with planting around the roundabout downtown. She offered her comments on the SID.

Jim Kennedy- Downtown Business Manager

He spoke on the Special Improvement District stating that it is very effective if managed well. The districts range in all different sizes and you can budget certain fields such as maintenance for the downtown. He encouraged the SID.

Councilman Levin remarked that if the SID is not managed properly, the chances of failure increase.

R2014: 74 -

Authorize executive session @ 9:00 p.m. for (Personnel; Litigation)

Councilman Levin offered his comments on the “Personnel” matter for discussion. He asked how this was authorized. As far as a “Rice Notice” this should have full support and discussed with council.

The borough attorney explained there is no local rule as to how it gets on the agenda. This matter was requested by a councilperson to be placed on the agenda for discussion. Once this request is made, you cannot have that discussion with respect to a person without issuing a “Rice Notice”.

Councilman Levin stated that he felt this could have been discussed in committee first; we need to communicate with each other.

Police Chief Jannone advised the governing body that he has a personnel matter for closed session discussion.

Mayor Hasting thanked the police department, public works department and the office of emergency management for their outstanding performances.

A person’s life was saved during the Bicycle Race Event.

Motion to authorize session moved by C. Levin; second by C. Wright;

All in favor: Ayes

No action will be taken after session.

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Motion to adjourn meeting at 10:30 p.m. moved by Councilwoman Bogart; second by Councilman Petti; All in favor -Ayes

Respectfully submitted by,

Donna Marie Godleski, Municipal Clerk