

**BOROUGH OF BOUND BROOK -  
AGENDA MEETING MINUTES–  
TUESDAY, JULY 8, 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	present
Councilman Vinnie Petti	present
Councilwoman Lisa Bogart	present
Councilwoman Beverly Pranzatelli	present
Councilman Peter Lazzaro	present

Also Present:

Randy Bahr, Administrator  
Donna Marie Godleski, Borough Clerk  
Judy Verrone, Esq. DeCotiis, Fitzpatrick, Cole, LLP, Borough Attorney  
Police Chief Michael Jannone –Police Department

Approval of Minutes:

June 24, 2014 Regular Meeting Minutes  
June 24, 2014 Executive Session Minutes for content only  
Motion moved by C. Levin; second by C. Pranzatelli; All in favor: Aye

Engineers Report – June 1-June 30 2014 T&M Associates –

Dale Leubner reported on the Greenbrook Flood Control Commission Project.

The final as-builts are going back and forth on the South Main Street Closure Gate.

Segment T Billian Park levee repair work is underway.

Robert Keady reported the 2013 Road Program has been advertised for bid and looking to award the end of the month.

An Aerial map was passed out based on regulations and discussions regarding quiet zones at the last meeting.

He provided a walk-through stating that as a train approaches a train station there is a one horn signal. As a train approaches crossings, there are four 4 signals. Vosseller Avenue was looked at as a quiet zone and would extend pass Lamonte Avenue a quarter mile to west and east of Vosseller.

He recommended the DOT railroad engineering assist with the process.

He would reach out and request a meeting and bring existing intersections to be looked at for quiet zones. The consensus of the council agreed.

Mr. Keady will report back to the council. This will help determine a feasibility study.

Questions were addressed by the council.

Presentation of communications, petitions, etc. –none

Greetings for comments and invitation for discussion

Paul Shrone-135 Vosseller Avenue

Mr. Shrone advised that there is not one single stop sign or speed bumps on Vosseller Avenue. The speed limit is 25 mph. The cars are going 60 to 70 mph no matter what time of the day. He asked if the town can look into speed bumps or a stop sign, especially on a street that has a school. He has called the police department several times about this.

Mayor Hasting advised that his concern would be addressed.

C. Petti, Public Safety Committee chair will speak with Police Chief Jannone.

Jim Winters-222 Hamilton Street

Mr. Winters advised that speed limits are disregarded no matter what streets. He walks his dog every day so he sees the cars going by and also not stopping for pedestrians.

He advised that a year and a half ago he addressed a hole in a sidewalk on East Street. This has not been taken care of. A person is going to break an ankle or fall down. He asked if a cover can be placed over it to make it safe. He advised that the garbage can at the bus stop at Mountain/East Street has been missing for quite awhile. He asked that it be replaced. People are just dropping their waste on the street/sidewalk.

He advised that every year the tax office requests from businesses proof of private garbage hauling. This poses a problem with excess refuse from businesses when they have residences in the building. Do we know how many persons are residing in these buildings? The overload of refuse is inevitable.

He asked if Meridia will have adequate depositories for waste collection. He expressed his concerns with quality of life, safety and beautification of the town.

C. Wright advised that he would look into the public works issues. He noted that the aspect of littering takes a multifaceted approach. It takes work from multiple departments.

John Buckley 213 Main Street

Mr. Buckley spoke on the relationship the borough has with the Billian Family regarding Billian-Legion Park. There has not been the best communication between the family and the borough. The main driving force had been Doug Billian who passed away. The legacy was left to the family foundation. Mrs. Billian does not have the same passion and drive as Doug had. He encouraged the borough to establish a good communication line. We should be appreciative of what the family has done for the park and offer a proclamation or a thank you to them.

Councilwoman Bogart stated that she appreciated Mr. Buckley's comments. She advised that she is moving forward with an ad hoc committee to discuss strategizing going forward. The committee is making sure both sides are alright and beginning to build and mend relationship. We do not want to lose their support. This will place an additional burden on the budget.

Mayor Hasting commented. He stated that more improvements to the park results in more expense to maintain. It also becomes less usable for functions at the park, including the carnival. There has always been a threat to pull the funding by the Billian Foundation. We had an agreement in place and they went against the resolution. He asked how long we are willing to let them do whatever they want.

Mr. Buckley encouraged the borough to open up communication. The original structure has changed and we should move forward.

Mayor Hasting recommended an agreement with the Billian Foundation to be put in place.

Hal Dietrich- 639 Central Avenue

Mr. Dietrich stated that the park is Billian-Legion Park. The Billian Foundation has not followed the precepts of the original plans for the park.

Carol Holub-518 West Second Street

Ms. Holub expressed her concerns about the comments made at the last meeting about people being afraid to come into Bound Brook.

The annual Farmers Market used to be a big event for the downtown. Now the market is down to nothing. She asked who on council can help with this. She suggested art in the park and a jazz band or orchestra. The Farmers Market has always been a big event bringing in so many people. The market is down to nothing. She asked why Bound Brook does not take care of the flowers downtown. C. Pranzatelli stated that it is not that we do not want to take care of flowers for the downtown, the problem is money. Also the maintenance and staff. The town is looking into this as well as more events for the town. We are trying to come up with ways to move forward on this. She asked about the maintenance at Rosinas Restaurant downtown. Mr. Bahr advised that there is an agreement in place for Rosina's to maintain the restaurant area.

Phil Fiadino 517 Helfin Street

Mr. Fiadino stated that many towns adopt a space. For example, the American Legion can adopt a space and work with the council. It is very inexpensive.

He stated that the Farmers Market was thriving ten years ago. He went to the farmers market when it opened and complained that there was no sign for the market. He stated that he called the applicant for the market and she stated that she was too busy to do it all alone. She has special needs children. She asked Mr. Fiadino if he would want to be on the committee. He said yes. He is going to meet with the director of the Morristown Farmers Market. He was not sure where that was going to go. If we are attempting to improve the downtown, a farmers market is an improvement. Ms. Holub suggested going to various farmers market to see what they have and ask if they would be willing to come to Bound Brook.

Mayor Hasting appreciated their help. He stated the market is not a borough sponsored event.

Scott Canny- 219 East Main Street Business

Mr. Canny thanked the town for the flower boxes on Main Street, the police department foot patrol and the art school paintings on the windows of his store.

Lt. Kevin Rivenbark came to thank him for the paintings on his windows. As we were talking outside of the store on Main Street, we saw a 33 foot long, 9 foot tall, and 9 ton truck being loaded from the shop next store. This is metered parking and pedestrian retail. Next store to him is zoned retail/administrative. This is a fabrication shop at 221 East Main Street. They move tons of material every day on this 200 block of Main Street. Their trucks are parked on Main Street.

When Lt. Rivenbark left his store, the members of the fabrication shop started pounding on his window for a half an hour and were also accosting customers not to shop at his Dollar Store.

He asked the council for help. We should not have a fabrication shop delivering materials on Main Street. We lost two very good shops downtown and he does not want to be a third. He invited councilmember's to go visit this shop. He stated that your vacancies go sky high if you have a fabrication shop within the 200 block of Main Street. If you bring a cluster of retail stores, you will have customers.

Councilman Levin advised he would be looking into this.

Advertised hearings or special presentations – none

Opening of bids -

Mayor Hasting advised there is a Bid Opening scheduled for July 18, 2014 @ 10 a.m. – 2013 Road Reconstruction Program.

Introduction of ordinances - None

Ordinance on Final Reading and Consideration: - None

Introduction/Discussion of Resolutions:

R2014: 91

Authorize Finance Officer to issue a refund for overpayment of Construction Department permit fee

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

R2014: 92

Authorize Finance Officer to issue a refund for overpayment of Recreation Department pool registration fee

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

R2014: 93

Approve the appointment of an assistant prosecutor for a liquor license hearing -

Motion: C. Pranzatelli    Second: C. Bogart    All in favor: Aye

R2014: 94

Authorize the process for the police department to begin the hire of two police officers

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

R2014:95

Approve agreement between Bound Brook Board of Education and the Borough of Bound Brook for a Special Resource Officer

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

R2014:96

Authorize Tax Collector to issue a refund for tax overpayment on property 649 Hanken Road-Block 53, Lot 12.

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

R2014:97

Approve the hire of part time seasonal laborer for the public works department

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

Unfinished Business

Mayor Hasting advised that the Liquor License Hearing for the Bound Brook Hotel LLC scheduled for July 8<sup>th</sup> meeting has been rescheduled to August 26, 2014 council meeting.

Councilwoman Pranzatelli- Benches for Billian Park

She advised that she was at the park over the weekend with her husband and saw that benches were unsafe to sit on. She recommended that council approve the benches that Mrs. Billian would like to purchase with the stipulation that the footings do not go any deeper than six inches.

Comments by Mayor and councilmembers.

Councilwoman Pranzatelli then offered a resolution to move the benches forward; second by C. Petti-

Further comments by Mayor and councilmember's.

Councilwoman Pranzatelli then offered another resolution to move on the benches without a footing; second by C. Lazzaro All in favor: Ayes

Attorney Judy Verrone advised that the resolution will state the placement of benches is approved at Billion-Legion Park subject to the recommendation and coordination with the borough engineer and borough administrator with respect to the manner and type of benches to be placed.

New Business

For Discussion:

Resolution/Agreement- Management and Planning Consultant for Downtown Main Street Area

Ms. Judy Verrone, borough attorney advised that she reviewed last year's resolution and Mr. Kennedy's agreement has expired. His agreement does allow him to utilize subcontractors, employees and agents of his firm.

Comments from councilmember's.

A motion was moved by C. Levin; second by C. Wright; All in favor: Ayes to award a contract to Mr. Kennedy of Skye Consulting with the following revisions: (i) the term of the agreement shall be for one year commencing on July 8, 2014 and ending on July 17, 2015; (ii) Consultant shall provide a monthly report to the Business Administrator, describing services performed by Consultant in the preceding month; (iii) in addition to all other services to be rendered as outlined in Consultant's Proposal, Consultant shall provide

such other services as the Borough may assign from time to time; and (iv) the agreement shall provide for an annual retainer of \$30,000, payable in monthly installments of \$2,500, except that it shall be subject to the availability of funds in calendar year 2015.

Councilman Lazzaro advised he attended the Board of Education Meeting and the board passed a resolution for a special election to approve the issuance of bonds for capital improvement projects. The project is to undertake and renovate its existing facilities.

Mayor Hasting reported that the tennis courts are in need of repair. He suggested having Councilman Lazzaro, council liaison approach the school board to share the cost jointly. The cost is \$500,000.00. Mr. Bahr advised that the National Tennis Association offers grants and we may qualify. Mr. Bahr and C. Lazzaro will meet with the school superintendent.

For Review:

Approve an Application for Tax Abatement/Exemption-  
Queens Gate Urban Renewal

Introduction of Ordinance – Authorize the execution of Financial Agreement  
Mayor Hasting and Mr. Bahr recommended the council review the packet of information and discuss at the next council meeting.

Mr. Regan advised that the first building is under construction and should be complete in September. He would be happy to attend a meeting to discuss the application and financial agreement.

Mayor Hasting suggested the council review the packet of information for discussion at the next council meeting. He asked that all questions send to borough attorney Judy Verrone. Mr. Regan advised that he was not able to attend the next council meeting.

For Discussion:

Request for Redeveloper Designation -Meridia LLC –George Capodaglia  
Francis Regan Esq. Redevelopment Attorney –Decotiis, Fitzpatrick Cole  
LLP will be in attendance.

Mr. Regan reported on the letter from Meridia requesting redeveloper designation for certain properties in the downtown redevelopment area. It is the borough's decision of how to move forward on this. The process for the designation is conditional. The borough can impose certain conditions on that designation. The time period is usually 90 to 120 days with possible



extensions. A redevelopment agreement is negotiated. The redeveloper is to acquire those properties. An escrow agreement would cover costs of professionals.

Questions and comments were addressed by the mayor and councilmember's.

C. Wright asked Mr. Regan to explain the purpose of a redeveloper designation. C. Levin expressed his concerns on placing all our eggs in one basket with one developer. Both proposals submitted by Meridia and Diversified were very nice. He stated before we move forward, certain questions need to be answered. Why was the Meridia Hackensack project halted? He suggested looking long and hard as to what and who we want, where we want it and how we want to get there. He appreciated George Capodaglia for his ambition wanting to do this.

Mayor Hasting stated that this does not prevent us from pursuing Diversified at same time. Diversified presented their concept plan to the borough as well for the downtown redevelopment.

Mr. Regan stated that the borough's next step is your decision to do so. This meeting was for discussion on this designation letter. He advised that he can draft a resolution for the council's review for the next meeting. You can think about what properties you want to designate. Throughout negotiations, you can add or take away. In the resolution he stated that he will leave the properties in that were in the designation letter and then the council can decide what is in and what is out. He will revise the resolution after the fact. A redevelopment handbook will be given to the Clerk for distribution to councilmember's.

C. Wright encouraged partnership with other developers in the process. You want each other to succeed which gives us a better opportunity. He would like to see the borough receive more than one developer's interest.

The transit village is a key part necessary for the future of Bound Brook. Let us not do anything to hinder the process to take Diversified off the table. Mayor Hasting agreed. Mr. Regan advised that both developers are looking at Bound Brook; one cannot do it all. He advised that New Jersey Transit controls its property. That piece takes a long time. They have started the RFP process. Councilwoman Pranzatelli asked Mr. Regan if the town can ask for extras from the redeveloper such as the renovation of the train station.

Mr. Regan replied yes.

Mr. Regan was excused.

Approve a Special Event Permit Application:

Applicant: Bound Brook Police Department

Event: National Night Out

Date: August 5, 2014

Time: 5-9 pm

Location: Hamilton Street between East Second Street and East Main Street

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

Mr. Bahr advised at the last council meeting that the fire department was not serving alcohol. He was informed by the fire department that they would be serving beer to members only in a designated area at the park.

Approve a Waiver : Special Event Permit Application

Bound Brook Fire Department

Event: Picnic –Members Only- Codrington Park

July 27, 2014: Time 12 noon – 5 p.m.

Raindate: August 3, 2014

Police Restrictions:

If alcohol is to be consumed, permission and waiver of alcohol in public parks is to be granted and can only be served in a designated area.

Motion to grant a waiver: C. Petti      Second: C. Wright

All in favor: Ayes

Approve (3) Transfers- Firemen's Membership Application:

Aldo J. Caruso- Relief Fire Co. #4

Dominick F. Calderone Jr.- Relief Fire Co. #4

Michael L. Ostrowski-Relief Fire Co. #4

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

Approve (1) New Firemen's Membership Application:

Bruce E. Karabinos Jr.-Relief Fire Co. #4

Motion: C. Petti      Second: C. Wright      All in favor: Ayes

July 8, 2014 agenda minutes

Open to the public for comments

Carol Holub -518 West Second Street

She asked if the town was collecting land tax on the Queens Gate property behind ShopRite. Mr. Bahr replied yes.

She asked what the downtown planning consultant has done for the town. Mayor Hasting stated that he works with the Economic Development Advisory Committee.

R2014: 98 – no session

Authorize executive session for (\_\_\_\_\_)

Adjournment @ 10:45 p.m.

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

Respectfully submitted by,

Donna Marie Godleski, Clerk