

**BOROUGH OF BOUND BROOK -  
REGULAR MEETING MINUTES – TUESDAY, JANUARY 24, 2012**

Mayor Pilato called the meeting to order at 7:30 PM with a reading of the Open Public Meetings Law Statement.

The Borough Clerk read the opening prayer followed by the Pledge of Allegiance.

ROLL CALL

Mayor Pilato	present
Council John Buckley	present
Council Howard Wagner	present
Council Mark Hasting	present
Council Anthony Pranzatelli	present
Council John Miller	present
Council John-Paul Levin	present

Present:

Borough Administrator-Randy Bahr,

Borough Clerk- Donna Marie Godleski, Borough Clerk

Borough Attorney –James G. O’Donohue, Esq. Hill, Wallack LLP

Borough Police Chief- Michael Jannone

Mayor Pilato noted the following order of business shall be observed for the Regular Meetings. He gave a brief review of the agenda for the public.

Approval of Minutes:

January 10, 2012 Agenda Meeting

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

Presentation of communications, petitions, etc. – none

Greetings of the Public and Invitation for discussion on agendized matters only

R. Short-169 Cherry Avenue

Ms. Short asked about the resolution on the agenda for a sewer look back.

Mayor stated that the idea behind this is to see where the ends met with the new user fee in place. Is there an overage; do we change the rates. If there is not an overage, are we in the right place. The question is how we can reduce the overall tax burden on the residents. Also, on the resolution for a refuse look back, we reduced the overall garbage fees.

Ms. Short asked about the professional services contracts on the agenda.

Mayor noted that we are approving these contracts early in the year versus last year’s contracts were not approved until November.

Ms. Short asked if the borough was going to take her advice on tracking employee sick time.

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Mayor stated that this question may have to wait until the end of the agenda to address. This is germane to the salary ordinance on the agenda. Mayor noted that an accounting of employee sick time is duly noted.

C. Pranzatelli wanted to offer a comment. Mayor noted that he has the prerogative to allow a councilperson to speak and this is according to the by-laws adopted on January 1<sup>st</sup>.

C. Buckley noted that the by-laws do state that the Mayor has the option to allow a councilperson to speak and what you are saying now is no.

Mayor stated the idea of the by-laws is to make the meetings more efficient for the Mayor, Council and the public.

Introduction of ordinances- First Reading

Ordinance No. 2012: 01- Salary Range Ordinance –

The salaries, wages or compensation to be paid to the following officers and employees of the Borough of Bound Brook, in the County of Somerset, State of New Jersey, are hereby fixed and determined to be at the amounts or rates hereinafter set forth.. Salaries Per Annum- Minimum-Maximum

Motion moved by C. Hasting; second by C. Miller

Discussion: Mr. Bahr gave a brief summary stating the purpose is to adopt the appropriate range for salaries.

Roll Call: Unanimous

Second Reading: Agenda Meeting- February 14, 2012

Ordinances on final reading and consideration –none

Resolutions for final reading and consideration

R2012: 13 Approve professional services contracts for the 2012 Appointments-

Municipal Attorney; Auditor; Bond Counsel; Prosecutor; Public Defender;

Tax Appeal Counsel; Labor Counsel;

Motion moved by C. Hasting; second by C. Levin;

Discussion:

C. Buckley noted he reviewed all the agreements earlier and he noted that the attorney's agreement prepared and his proposal was different. He noted that has been corrected.

Mayor stated to C. Buckley that all questions are to be directed toward the Mayor.

C. Buckley noted that it was a statement. Mayors stated, and then make your statement toward the Mayor. C. Buckley stated that if I am not looking at you, this is to you anyway.

C. Buckley questioned the attorney's agreement for this year versus last year's agreement.

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The rate will be double the cost to the taxpayers for attendance at meetings. He noted that he was not involved in the negotiation of the contracts.

C. Buckley also addressed the billing rate for bond counsel services per hour vs. per project.

Is the council aware that we will be costing the taxpayers more for legal services?

Mayor asked if other council wished to be heard.

C. Miller stated that he believes all professional contracts have been thought out and there are no errors.

C. Pranzatelli stated that what may make sense is to put together a finance and personnel committee to review the contracts and compare to last years. He had a conversation with Council President Wagner on setting a fee for the work Hill -Wallack does for the year. He noted it is worth looking at all different angles. In the past we have negotiated with our professionals.

Mayor asked again that all comments by council be directed to him when they are speaking. C. Pranzatelli stated that I will look directly at you Mayor.

C. Levin asked C. Pranzatelli if he was comparing this proposal to last year's proposal for attorney. C. Pranzatelli stated that we should compare; not only this proposal but all others as well.

Mayor stated that he would like to comment on this.

C. Buckley asked to have the floor again to speak. Mayor stated that he has the floor and you had your say. He may if he chooses give C. Buckley the opportunity to speak again. Mayor stated it is up to him.

Mayor noted it is interesting to hear C. Buckley and C. Pranzatelli's comments.

He stated that the town had to wait until after the election last year to get the contracts for professionals approved.

This council said we are not going to do this to the taxpayers. This is not a right way to do business.

Mayor stated let us talk about the \$200/hour for this year's attorney versus \$170/hour for last year's attorney. What we are getting here this year is an attorney that knows the town, the ordinances and delivers quality when he shows up. You could not say the same with last year's attorney.

We as a council majority said we want to talk about quality not the quantity; the price.

This attorney has a pretty good track record with the town and our redevelopment agreements. He has experience in all other contracts involved with the borough.

If C. Buckley and C. Pranzatelli are so concerned about this, last year you would have passed these contracts in January not November. You may not agree with it but majority in this case will rule.

C. Buckley was given the floor by the Mayor. He offered additional comments. He agrees with C. Pranzatelli that all contracts need to be reviewed and did not want to act on those contracts this evening.

C. Pranzatelli offered a motion to Table; second by C. Buckley

Discussion: Comments by C. Pranzatelli-

First comment he asked to be noted is that the attorney last year did the job well and I am sure the attorney for this year will do well. This is not a negotiation time for this. It is just that one is charging more.

Second comment as far as the contracts. They were ready early. The Mayor did not want to sign them. C. Pranzatelli stated that he signed them and Mr. Bahr advised that those contracts were rejected by Trenton. The borough was under a "Memo of Understanding" with the State.

Mayor stated that we did not have a resolution on the contracts until November. If you did sign them at that time you were doing something that should not have been done.

C. Pranzatelli noted that he would like to put together a committee to discuss all of this. No other comments wished to be heard by council.

Roll Call:

Council John Buckley	Yes
Council Howard Wagner	No
Council Mark Hasting	Yes
Council Anthony Pranzatelli	Yes
Council John Miller	No
Council John-Paul Levin	No
TIE VOTE – 3- Ayes 3-Nayes	
Mayor Pilato:	No

MOTION TO TABLE NOT PASSED

Mayor asked for a roll call on the approval of the Professional Contracts:

Roll Call:

Council John Buckley	No
Council Howard Wagner	Yes
Council Mark Hasting	Yes
Council Anthony Pranzatelli	No
Council John Miller	Yes
Council John-Paul Levin	Yes

RESOLUTION PASSED

4-Ayes 2-Nayes

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R2012:14 Approve compensation agreements for the Municipal Judge Appointment  
Motion moved by C. Buckley; second by C. Hasting; All in favor: Ayes

R2012: 15 Approve the Appointment of Borough Officials  
Deputy Borough Clerk; Tax Collector; Tax Search Officer; Assessment Search Officer  
Motion moved by C. Buckley; second by C. Hasting; All in favor: Ayes

R2012: 16 Approve the Adoption of Police Department Rules and Regulations  
Motion moved by C. Buckley; second by C. Hasting; All in favor: Ayes

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R2012:17 Approve 2012 Recycling Agreement between the Borough of Bound Brook and Somerset County  
Motion moved by C. Buckley; second by C. Wagner; All in favor: Ayes

R2012-18 Authorize Emergency Appropriations in the 2012 Temporary Budget  
Motion moved by C. Hasting; second by C. Buckley; All in favor: Ayes

R2012: 19 Approve a Sewer Look Back-

R2012: 20 Approve a Refuse Look Back -

Mr. Bahr stated that an ordinance is not necessary this evening on those resolutions. The information the council is a look back at revenues versus expenditures last year. This will include the Middlesex County Utility Authority billing, mailing, public works man-hours, sewer trucks, other equipment, etc.

Mr. Bahr will provide spreadsheets for the agenda session in February.

Mayor noted that we will refrain from taking up the two resolutions at this time. Mr. Bahr has the information he needs for right now.

### Unfinished business

#### \*\*Bound Brook Train Station Waiting Room Renovation Bid –

Mr. O'Donohue, borough attorney stated that he sent out an extension letter of forty-five (45) days to the three low bidders on the project. The bid date on the project was November 2011 with an award within sixty (60) days. He noted that two bidders responded, the low bidder did not. He noted that the council expressed concerns on the low bid and suggested this item be further discussed in executive session.

Mayor noted that it would be added to executive session.

C. Buckley noted he was absent for the Reorganization meeting on January 1<sup>st</sup>. He offered his apologies and noted that he had a short message prepared that he wanted to give at this time.

He congratulated the Mayor on winning the election and offered the ability to work together in the best interest of the borough.

C. Hasting gave the December Report for Municipal Court which was not ready at the last meeting. The Report was read into the record of minutes.

C. Levin offered his comments on the professional contract awards. He noted in terms of negotiation, you get what you pay for.

C. Pranzatelli offered his comments stating that we will be paying more for some of our professionals because we did not negotiate those contracts.

### **New Business**

#### **Approve Firemen's Membership Applications:**

- 1) Matthew Goodman- America Hose Co. #2
- 2) Adam Fulmore - Relief Fire Co. #4
- 3) Robyn E. Meyer – America Hose Co. #2

Motion moved by C. Hasting; second by C. Buckley, All in favor-Ayes

#### **Approve an Appointment to the Recreation Commission:**

Dominic Longo- Regular Member- Term: 2015

Motion moved by C. Buckley; second by C. Miller; all in favor-ayes

#### **Accept Resignation Letter of January 7, 2012 from the Planning Board Secretary and authorize the Administrator to advertise the position**

Motion moved by C. Buckley; second by C. Hasting; all in favor-ayes

#### **Authorize the Administer Randy Bahr to advertise for the position of crossing guards**

Motion moved by C. Hasting; second by C. Wagner; all in favor-ayes

### **Approval of Vouchers**

R2012:21

Motion moved by C. Hasting; second by C. Wagner; all in favor-ayes.

Mayor offered the floor to C. Pranzatelli who had an item for New Business.

C. Pranzatelli asked for a re-discussion of the by-laws that were adopted on January 1<sup>st</sup>. He noted that he received an e-mail 24 hours before January 1<sup>st</sup>. He read them and he noted that there were radical changes that were given to us so close to Reorganization Day.

Those significant changes include the time of meetings and also the public does not have a chance to speak at the beginning of the meeting. He stated again that he would like to propose a committee to explore the by-laws and perhaps change them.

C. Hasting stated that he had no problem re-visiting the by-laws just to make sure there is nothing we want to change.

Mayor Pilato stated that all members of the council every year are asked to review the by-laws and approve them. Any year, any councilperson can offer a revision to the by-laws. These revisions were not done in a vacuum. These revisions were agreed to as a majority of this council and the reorganization packet was distributed out to the council before the reorganization meeting. The purpose of these revisions is to get the council to do their business.

To suggest that this was radical; it was not. This majority council made changes. They asked the Mayor to work with them on those changes in getting the council to do its business and getting everyone home at a decent hour.

C. Pranzatelli offered comments stating that maybe some of this was done in haste; that is why I am requesting these by-laws be looked at. I am not pointing fingers at anyone. I would like to be able to state my opinion and more often.

Mayor noted that the by-laws allow you to state. If you cannot agree to the decorum of this council you do not have to be recognized at all.

Mayor noted that the council wished to allow these business meetings to take place; allow for councilmember's to discuss ordinances and resolutions. If the Mayor deems appropriate he can defer to a council chair. The majority council determined that these by-laws were a more efficient way of conducting business.

So far he felt these changes were working with the last meeting and this meeting.

Mayor noted that the Personnel Committee and the Council President will review the By-Laws as offered by C. Pranzatelli.

**Open meeting to the public for comments**

**Roseanne Short-169 Cherry Avenue**

Ms. Short offered her comments on having to wait until the end of the meeting to speak on any issue.

She stated that if she was a lot younger she would be cleaning up the town.

She stated that her daughter mentioned that in listening to Radio Station 101 regarding overcrowding issues, there was a property in Bound Brook mentioned. It was stated that a backyard was being used as a bathroom facility.

Mayor asked that her daughter call the administrator with that information and we will investigate.

Mayor noted that he would like to bring community service back into town to help keep the borough clean.

Ms. Short stated that residents are afraid to report issues that are going on in town.

Her neighbor calls her to call the police.

Mayor noted that residents need to come forward.

Comments offered by Chief Jannone.

As an example he gave a quality of life issue citing the noise ordinance.

Without the cooperation of the person reporting it there is little the police can do.

We are video taping more and more observation is being done before we go out on these calls.

If people are not scared to come to court on these penalties, we need that information for the person that wishes to remain anonymous.

Attorney offered his comments stating that case law police officers cannot be offended by language. You cannot charge somebody with being offended or harassed. It has to be a private citizen.

Mayor noted again that the information helps the police do their job better.

Chief the 1200 are police related calls. need to see the numbers going up; and the more information you give me is best.

Seniors need to know this information. They should have a decent status and proper enjoyment of their property.

**Defazio, Michele- 606 Church Street**

She asked what the status is with a building on West Second Street between Lafayette and Fairview Avenue.

Mayor noted that there are health and safety code violations on this property. This has been in court three years ago. C. Levin is talking with the code official. Are there things we can do in height of public interest a taking; force the landlord to do something.



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It has gone up to Superior Court and now it is back to us.

The owner of this property owns other properties in town. He is a cost causer.

Our mission is to go after cost causers as municipal government.

C. Levin has talked with the Board of Health; they can be strong in this matter.

The Mayor asked Code Official for an update and provide to C. Levin.

Michele asked house on Central. The fire department will not enter if there is any fire activity there.

Carol Holub-518 West Second Street

Ms. Holub stated that there is furniture left out across from the Sons of Italy Building.

The time change of the meetings has worked out fine for her. She had some concerns about the change. She noted that she was disappointed on the Little League area on Tea Street. She noted that the borough is making headway regarding her complaints that you cannot see inside the store fronts because of so many signs in the windows.

Fred Holub-518 West Second Street

Mr. Holub commented on the early part of the meeting. He did not like to see the bickering that took place between the Mayor and Councilpersons. I hope this is not an indication of what the meetings will be like. We need to do well for the town. He hopes that it will go much better.

Hal Dietrich – 639 Central Avenue

Mr. Dietrich offered his comments on the by-laws. Why was the public not given a heads up as to the revisions in the by-laws way before the reorganization meeting or at a seniors meeting. The time change of the meetings was not even brought up at a seniors meeting. Mayor stated that is fair.

The Mayor did not that the time change was noted at the Reorganization Meeting when we came to the meeting schedule resolution.

**Authorize Executive Session @ 8:50 p.m.**

**R2012: 22 (Contracts; Negotiations; Personnel )**

**Matters for discussion: Meridia; Railroad Eastbound Train Station Waiting Room; Dirt pile on West Main Street; Purchase of Property-West Second Street; Personnel Matter**

Motion moved by C. Hasting; second by C. Wagner; all in favor-ayes.

Potential action may be taken.

Motion to close executive moved by C. Hasting; second by C. Buckley;

All in favor-ayes.

Motion to adjourn regular meeting at 10:40 p.m. moved by C. Buckley; second by C. Hasting; All in Favor-Ayes

Respectfully submitted by,

  
Donna Marie Godleski, Borough Clerk