

**BOROUGH OF BOUND BROOK
AGENDA MEETING MINUTES FEBRUARY 14, 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

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

Present:

Borough Administrator-Randy Bahr, -Absent

Borough Clerk- Donna Marie Godleski, Borough Clerk

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

Borough Police Chief- Michael Jannone

Borough Engineers-T&M Associates- Robert Keady & Dale Leubner

Mayor Pilato announced Jimmy Schupper, a long term public works employee of the borough who was right in the trenches with Bound Brook in all five floods is now in the hospital. Jimmy is battling cancer. Mayor asked for a moment to offer best wishes for recovery and prayers for Jimmy and his family.

Approval of Minutes:

January 24, 2012 Regular Meeting

Motion moved by C. Miller; second by C. Buckley; All in favor: Ayes

Mayor Pilato gave a brief review of the agenda for the public. He noted after the Engineers Report the governing body will adjourn to a brief executive session.

The matters for discussion are the amended redevelopment plan of Area 1 and engineering issues with the Army Corps of Engineers in reference to the plan.

Engineers Report – January 1-31, 2012 –T&M Associates

In attendance-Robert Keady, P.E. and Dale Leubner, Senior Staff Designer

Mr. Leubner reported on the status of the Greenbrook Flood Control –

The report covered the New Jersey Transit Closure Gate; South Main Street Closure Gate; Segment R2 Levee and Pump Station; Segment T Pump Station Repair; Other Items of Interest.

Questions from the Mayor and council were addressed.

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Mr. Keady reported on other projects. Those projects were High Street; Metape Circle; Basin 6 Rehabilitation; Basin 4 Rehabilitation; Middlebrook; 2011 Road Reconstruction Program-West; 2011 Road Resurfacing Project; Road Reconstruction Program-East; 2012 NJDOT Aid Application; 2012 CDBG Applications. He also met with borough attorney on a cable easement. The property line is located at the downtown parking lot adjoining the establishment Torpedo's. Mr. Keady recommends having the cable company provide a plan as to where the property line is located.

Questions were addressed by the Mayor and councilmember's.

Mayor Pilato asked for a Resolution for the next meeting regarding Route 22 Bound Brook Corridor resurfacing. Consensus of council agreed.

Questions from the public were addressed by the engineer.

Roseanne Short- 169 Cherry Avenue –She asked for a status on the pipe issue at Smalley School. Mr. Leubner stated that depending on how wide the project, the public works department will try to resolve.

Hal Dietrich-639 Central Avenue –In regards to the GBFC Project; he expressed his concerns on the fire hoses and pumps remaining in town. The interface with the Office of Emergency Management is very important.

Jimmy Oakley-316 Talmage Avenue – Resident expressed his concerns about Rock Park. There is nowhere to walk. Mayor Pilato noted that the contractor doing work in the area must allow for pedestrian traffic.

Executive Session:

Mayor Pilato noted the purpose of executive session is to bring the council up to speed on the redevelopment draft plan and the Army Corp issues on the plan. For the public, the session should be very short.

Adjourn to executive session at 8:25 p.m. -

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

Adjourn to agenda session at 9:00 p.m.

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

Presentation of communications, petitions, etc. –none

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**Resource Center-of Somerset- Transitional Housing Program-
Somerset County Community Development 2012 Grant Application-Public Services**

In Attendance- Paloma Amar-Coleman, Director-

Ms. Coleman noted that the program provides direct domestic abuse services to residents of Bound Brook. There have been two new aspects to the program which include United Way and Allstate Foundation. After presentation she asked for the support of the governing body for the submission of the application in order to continue the program. The funding request is \$13,820.00.

Mayor Pilato thanked her organization for the services they provide to the residents of Bound Brook and Somerset County.

Motion moved by C. Pranzatelli; second by C. Miller; All in favor-Ayes to support the grant application.

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

Michele DeFazio-606 Church Street

She questioned the ordinance on the agenda for a traffic control monitoring system.

Mayor Pilato noted that he was not sure the ordinance will be discussed this evening.

This ordinance is required to be in place prior to the installation of a red light camera enforcement program.

Mr. Bahr, Administrator is absent so this discussion will be moved to the next meeting agenda.

Roseanne Short-169 Cherry Street

She stated that she hears pros and cons of a red light camera enforcement program.

Mayor Pilato noted that he was in favor of the enforcement. He noted that there is not enough information out there for the public on this. He noted that it will help intersections become safer. The Police Department reviews the data from the camera system in order to make an informed decision that a violation occurred.

Comments were offered by Police Chief Jannone. He noted that the department has submitted an application for the Tea Street and Route 28 intersection to eliminate a left turn into the Shop Rite Center. The red light camera monitoring system is another awareness tool for the department.

Public portion closed.

Reports of Committees

Finance: C. Pranzatelli

Reported that Mr. Bahr, Administrator/Chief Financial Officer provided the committee with a first month of expenditures. He noted that the committee did not have last year's data to compare it to. He discussed the concept of monthly budgeting with Mr. Bahr and Mr. Bahr noted that it was not practical but he will of course do what the governing body has requested. The consensus of the finance committee would like to see expenditures monitored on a monthly basis. C. Hasting noted we would like to see the department heads provide their budget broken down by month showing their expenditures.

C. Pranzatelli noted the committee would like to see the borough run more efficiently to keep spending and the taxpayer dollars down. Under finance we need to look at all departments versus services. We would like Mr. Bahr to run reports on different scenarios. We need to figure out what direction our public works department will move in.

We have asked the Finance Officer to pull together a report what discretionary spending there is. That report we would have been provided for this meeting but Mr. Bahr had an A family matter to attend to.

C. Buckley noted that the finance committee according to the by-laws approves all vouchers prior to their submission to the Mayor and Council. Mayor Pilato noted it has been in place in the by-laws, but just not followed.

Mayor Pilato noted that on January 1, 2012 the governing body passed a resolution that authorized Mr. Bahr, Administrator/Chief Financial Officer to submit a monthly report of revenues and appropriations to justify appropriations for the ensuing month. This is not an optional request. C. Pranzatelli noted that I am not saying Mr. Bahr is refusing to do this. We can give him a buy for today. Due to circumstances he is absent for this meeting. He will of course do what the governing body requests.

Mayor noted that reports can be generated from the system by a request to Mr. Bahr or a finance clerk in his office.

Mayor noted that we have a fixed budget amount we begin with every year. Then lines get adjusted multiple times; they should only be adjusted two or three times a year, not consistently.

We need to agree on a base line. Budgeting should be done as it should be done. Mayor noted that going to the department heads for a monthly accounting is not the solution; it only makes Mr. Bahr's job worse. As a governing body we need to correct this and force it to occur. There are points in doing a monthly; to get a department head a trajectory and better manage our day to day expenses. By having these budget runs, we see what our trajectory is. We have no budget reconciliation right now. Mayor noted that this has been an ongoing issue as part of the audit report that we are cited on.

This is a way of fixing our audit report.

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Public Works: C. Miller

Reported committee met with the public works department this past Thursday on the Public Works Contract. The next meeting is scheduled for March 8, 2012.

A meeting is scheduled tomorrow with Bill Nuse, the borough's IT person. The purpose is getting the Public Works Department connected and implementing an electronic calendar.

This will improve coordination of tasks within the department. The department is a 5 person team. The department requires direction in planning down the road.

Public Safety: Police & Fire- C. Hasting

The monthly report for January was read into the record of minutes.

A resignation was submitted by the municipal court deputy administrator which is noted on the agenda for acceptance.

Personnel, Administration and Ordinances: C. Buckley

Reported the committee met and areas of the by-laws were discussed. Discussion on the area of council interaction when questions come up from the public or each other. He expressed his concerns from the last council meeting not being able to speak.

Economic Development: C. Wagner- Absent

Mayor Pilato noted that later on the agenda we will address the Meridia Main Street Urban Renewal Project, a Capodaglia Property Company- The Former Bolmer Site -

Zoning/Construction & Code Enforcement: C. Levin

The monthly report for January was read into the record of minutes.

Advertised hearings or special presentations- none

Opening of bids – none

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Introduction of ordinance- Discussion: Carried over to next meeting....

Ordinance No. 2012-02-

Ordinance establishing a traffic control signal monitoring system

A contract was awarded to American Traffic Solutions on July 27, 2011

For a red light camera enforcement program

Ordinances on final reading and consideration – Adoption

Salary Ordinance -

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..

Summary: Salaries per Annum- Minimum-Maximum

Motion to open to public for comment moved by C. Pranzatelli; second by C. Hasting;

All in favor: Ayes

R. Short- 169 Cherry Avenue- Ms. Short asked about employee sick time. Mayor noted that this ordinance is not relative to sick time and it pertains to the salary range of employee positions. Her question would have to wait for public comment at end of the meeting.

M. DeFazio-606 Church Street- She asked where the borough falls in line with the salary ranges.

Mayor noted that in some positions it is more and some low. Mayor noted that it also depends on the size of the municipality.

Motion to close public comment moved by C. Hasting; second by C. Buckley;

All in favor: Ayes

Motion to adopt moved by C. Miller; second by C. Levin

Roll Call: Unanimous

Resolution:

R2012: 21- Approve the hire of six (6) Substitute Crossing Guards

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

Police Chief Jannone stated the hire of substitute crossing guards will eliminate an officer having to fill in.

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Mayor Pilato reviewed the resolutions that will be on the agenda for the February 28, 2012 meeting-

- 1) Recognize Joanne Awtry -Building Department Coordinator -35 years of service
- 2) Thank you to Samantha Velazquez for her service to the Planning Board – as Recording Secretary
- 3) Approve a refund - property tax overpayment – 123 E. Second Street
- 4) Approve a reimbursement to Big Top Contractors, Inc. –issuance of a permit Not in Bound Brook
- 5) Approve submission of a grant application -NJDOT -2012 Click it or Ticket Mobilization
- 6) Approve a submission of 2011 of Grant Application to the NJDOT –Highway Safety Fund 2011
- 7) Approve a submission of 2010 EMAA Grant Application- \$5,000 – (Office of Emergency Management)
- 8) Approve the Interlocal Agreement between Middle-Brook Regional Health Commission and the Borough of Bound Brook for Local Public Health Services

Unfinished Business

Mayor Pilato noted this agenda item will be addressed at the end of the meeting-

Amended Redevelopment Plan –Redevelopment Area 1- Sub-District 1 –
Defined as east of South Main Street and the South Main Street traffic circle;
South of East Main Street; north of the NJ Transit Railroad tracks; and east of
The Bound Brook channel and the Borough Line.

Mayor/Council to speak on any unfinished business –

C. Buckley noted that he will have further discussion on changes to the by-laws for the next council meeting.

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New Business

Mayor Pilato reviewed the applications and appointments that will be on the February 28th meeting agenda.

Firemen's Applications-

**Hernan Galan-America Hose Co. No. 2

**Paul Lasko- America Hose Co. No. 2

Appointments:

Board of Health-

**Mariella Milanova-Alternate Member No. 2-

Term- 1 year-

Economic Development Advisory Committee

**Reverend Clifford Wright –

**Curt Schmidt –

Terms to be reviewed and confirmed by committee.

Accept Letter of Resignation-2/6/2012

Joseph Lemire-Transit Village Property Manager Position

Authorize Administrator to advertise –

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

Accept Letter of Resignation-2/10/12

Yesenia Rios-Deputy Court Administrator

Authorize Administrator to advertise –

Motion moved by C. Miller; second by C. Hasting; All in favor- ayes

Resolution Dated 1/23/12-Bound Brook School District – Board of Education

A Resolution of Adoption was approved by the Board of Education to Eliminate the Vote on the Annual Budget and to Move the Election of School Board Members to the General Election in November.

A resolution of support by the governing body was moved by C. Pranzatelli; second by C. Buckley; all in favor- ayes

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Mayor/Council to speak on any New Business.....None

Open meeting to the public for comments

Jimmy Oakley- 316 Talmadge Avenue –

He stated that he has a service dog. He expressed his concerns of the many dogs he sees around that are off a lease and unlicensed. He has had encounters with pit bulls which tried to attack him twice. The police department did come out but they could not do much. He asked if there was something the town could do about this.

He complained about the dog feces that is all over down at the Rock Machine Park.

He also complained about walking down Columbus; the Talmadge Commons area. You cannot walk through. Mayor Pilato noted that we can take that fencing down in that area. The owner of that property still has mitigation and debris piles to take care of.

We can also increase signage in that area.

Mayor noted that unfortunately pit bulls do get a bad rap; the owners are the problem.

Mayor Pilato noted that C. Miller will work on increasing the signage at both parks;

The former lodge at the corner of Vosseller and West Main Street and the Rock Machine Park.

Mayor stated to Mr. Oakley to continue to call the police. We do not want people not caring for their animals. It is an infringement on your right to walk with your dog.

We do have a contract with St. Hubert's for animal control services.

Mr. Oakley also noted that behind his house there is a person that is breeding puppies all the time and he has spoken with the Police Chief on this.

Mayor stated that is a good piece of information; if there is breeding taking places that person should be following state laws.

Police Chief Jannone noted that he is working with the ASPCA. Our Police Officers will continue to write up unleashed and unlicensed pets.

Roseanne Short- 169 Cherry Avenue-

She stated that the borough should improve the tracking of employee sick time.

Sick time should not be based on salary at time the employee leaves employment. It should be paid at the salary they took the sick day. This will save a considerable amount of money for towns.

Mayor Pilato noted that the state is coming to a close compromise of this area.

C. Buckley noted that the borough can look at ways of savings. The public works contract froze rate pay for uncompensated vacation and sick time at the 2011 rate.

We can continue to chip away at this.

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218 West Maple-

Resident asked when the sewer bills were going out.

Mayor Pilato stated that the finance/tax department is waiting on a data run from the American Water Company.

Abee Tarry- 17 Elmwood Avenue; Bernardsville , N.J.

Mr. Tarry noted that he was having some problems with code enforcement.

He has been issued a summons for property he owns in Bound Brook. He offered a suggestion to the town to look at tenant responsibility. The tenants do not care. They are not being held responsible. Can we work together to have the tenant share some responsibility.

The borough attorney noted that you as a landlord hold your tenant accountable. You require a security deposit from your tenant. You have a contractual relationship with the tenant; the borough does not.

Mayor Pilato noted when you rent as a landlord; it is a privilege. You have a responsibility as to what happens with your property. It is the property owner's responsibility to find out who is responsible for the violation.

Also, you have the ability to mitigate before it goes into a summons stage.

A suggestion was given to Mr. Tarry to review the ordinance on-line and he can then submit a recommendation to the governing body.

Hal Dietrich -639 Central Avenue

He stated that the borough is far too lenient in the code enforcement mitigation process.

ORDINANCE NO. 2012-02

AN ORDINANCE ADOPTING AN AMENDMENT TO THE BOROUGH OF BOUND BROOK'S REDEVELOPMENT PLAN FOR AREA 1 SO AS TO CREATE A NEW SUB-DISTRICT 1 PURSUANT TO THE MUNICIPAL LAND USE LAW, N.J.S.A. 40:55d-1, et seq. AND THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40a:12A-7(e)

Mr. O'Donohue, Esq. borough attorney gave a brief purpose of the Ordinance being introduced this evening. He noted this ordinance will implement an amendment to the borough's redevelopment plan to create a new sub-district 1 pursuant to land use laws.

The Borough of Bound Brook Borough has its intention to redevelop the downtown. This section is on the east side of town. The former Bolmer Site of the public works building.

Discussions were had with the Redeveloper, Meridia as to what is the most beneficial use for the property.

A plan has been prepared and finalized for the redevelopment of the site. The Plan is on file with the Borough Clerk. The plan will be placed back on the table for a future meeting for adoption. It will become a zoning overlay.

The Plan is then submitted to the zoning board for them to provide the mayor and council an analysis of this plan. Once it comes back within 45 days; then the council will be in a position to adopt the plan. Then we sit down for the design phase. The implementation of a site plan then goes to the Planning Board. Then we get to see exactly what is going to be built.

The second meeting in March, the governing body is looking at a possible adoption.

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

Discussion:

Mayor Pilato thanked James O'Donohue, the borough attorney, Carlos Rodriquez, the borough planner and Redeveloper, Mr. George Capodaglia, in terms of the plan itself. This is a very good first step. We are working jointly to educate the Army Corps of Engineers in terms of the project.

Roll Call For Adoption: Unanimous approvals

Mr. O'Donohue, borough attorney will prepare correspondence to be forwarded to the Planning Board for review and comment. The Board has 45 days to submit a report to the Mayor and council with their recommendations and comments.

The Redeveloper, Meridia c/o Capodaglia Property Management Company; George Capodaglia thanked everyone for their cooperation.

He stated that he works with a lot towns and he needed to mention Bound Brook.

He placed a sign on the bolmer site property advertising the project back when the town had its street fair. He was impressed that the sign was never touched or damaged in any way. I do not think you realize what that means. That tells a lot about the town. You may be too hard on yourself.

He stated the other towns signs that he has placed were touched and damaged in some way. Those towns were very upscale-affluent.

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Bound Brook School District – Move the Election of School Board Members to the General Election in November

Resolution of Adoption was approved on January 23, 2012 by the Bound Brook Board of Education. The purpose is to eliminate the vote on the annual budget and to move the election of school board members to the general election in November.

The consensus of the governing body supported the Board of Education's resolution. The County Clerk is to be notified by February 17, 2012.

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

Authorize Executive Session: 10:30 p.m.

R2012: 22: Matters for discussion: East Bound Train Station Waiting Room; Pfizer(American Cyanamid Superfund Site); Dirt pile-Main Station.

Mayor Pilato noted he will recuse himself from discussion on Pfizer Matter-

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

Motion moved by C. Pranzatelli; second by C. Levin to adjourn meeting at 10:45 p.m.

Respectfully submitted by,

Donna Marie Godleski, RMC, Borough Clerk