

**BOROUGH OF BOUND BROOK -
REGULAR MEETING MINUTES - FEBRUARY 28, 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 President 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 Police Chief- Michael Jannone

Absent:

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

Mayor Pilato gave a brief review of the agenda for the public.

Approval of Minutes:

February 14, 2012 agenda meeting -

Motion moved by C. Miller, second by C. Levin, All in Favor: Ayes

Abstain: C. Wagner

Presentation of communications, petitions, etc.

Mayor Pilato presented a request from the Red Cross to sign a proclamation for the month of March as Red Cross Month. The Mayor stated that the Red Cross has been a great partner through the borough’s five floods. They are very reliable and pragmatic in how they do things. During the last flood event they provided seven employees and 683 volunteers. The proclamation will be signed and posted on the Bulletin Board.

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

No comment

Introduction of ordinances-none

Ordinances on final reading and consideration – none

Resolutions for final reading and consideration

R2012: 22

Recognize Joanne Awtry –Construction Department Technical Assistant-
35 years of service -

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

Discussion: Mayor Pilato offered comments. He noted that everyone he talks to that comes into contact with borough hall says the person they would go to is Joanne Awtry. She has always believed in courtesy, professionalism and respect. We cannot say enough about her years of service. Joanne not only served in the Construction Department, but other departments as well. We wish her well on her retirement and thank her for her dedication to the Borough of Bound Brook.

All in Favor: Ayes

R2012: 23

Thank you to Samantha Velazquez for her service to the Planning Board –
Recording Secretary –

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

Discussion: Mayor Pilato offered comments. He noted that he shared an office with Samantha and served on the Planning Board with her. During her short tenure she served the board very well organizing the office applications and preparing for the meetings. We thank her for her service to the Borough of Bound Brook.

All in favor: Ayes

R2012: 24

Authorize Tax Collector to issue a refund - property tax overpayment –
123 E. Second Street

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

R2012:25

Authorize Tax Collector to issue a reimbursement to Big Top Contractors, Inc.
for the issuance of a permit not in Bound Brook

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

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R2012:26

Approve submission of a grant application -NJDOT -2012 Click it or Ticket Mobilization
Motion moved by C. Buckley; second by C. Hasting; All in favor: Ayes

R2012:27

Approve a submission of 2011 of Grant Application to the NJDOT –Highway Safety
Fund 2011
Motion moved by C. Buckley; second by C. Hasting All in favor: Ayes

R2012:28

Approve a submission of 2010 EMAA Grant Application- \$5,000 – (Office of
Emergency Management)
Motion moved by C. Buckley; second by C. Hasting; All in favor: Ayes

R2012:29

Support the New Jersey State Department of Transportation 2012 Budget Funding for the
resurfacing of Route 28-Bound Brook Corridor-
Motion moved by C. Buckley; second by C. Hasting: All in favor: Ayes

R2012:30

Approve the Interlocal Agreement between Middle-Brook Regional Health Commission
and the Borough of Bound Brook for Local Public Health Services
Motion moved by C. Levin; second by C. Pranzatelli; All in favor: Ayes

R2012:31

Approve 2012 Salaries for Police Dispatchers; Zoning Officer and Custodian
Motion moved by C. Buckley; second by C. Wagner; All in favor: Ayes

R2012:32

Authorize Emergency Appropriations in the 2012 Temporary Budget
Motion moved by C. Pranzatelli; second by C. Wagner;
Discussion: Mr. Bahr and Mayor Pilato gave a brief summary of the appropriations.
All in favor: Ayes

Unfinished Business

Ordinance establishing a traffic control signal monitoring system within the Borough of Bound Brook.

Mayor Pilato noted that the prior governing body was unanimous in moving forward with a red light traffic control signal monitoring system. As part of this package, the borough needs to adopt a local ordinance.

The governing body will decide to introduce the ordinance this evening and set public hearing for the next meeting. Mr. Bahr noted that it was not emergent to introduce. The application is in holding with the State Department of Transportation.

Consensus of the council agreed to introduce the ordinance.

ORDINANCE- FIRST READING-

2012-03

Ordinance establishing a traffic control signal monitoring system within the Borough of Bound Brook.

Ordinance will include a public summary. The system will install cameras at various intersections approved by the Commissioner of Transportation.

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

Roll Call: Unanimous

Second Reading- Public Hearing is scheduled for the Agenda Meeting March 13, 2012.

Mayor Pilato noted that the borough engineers will be in attendance if the public has any questions.

Other Items:

C. Buckley- He asked Administrator, Mr. Bahr what the status was on the purchase of a street sweeper for the borough. Mr. Bahr noted that several options are being reviewed. He is preparing a financial analysis. He may have an update for the governing body in two weeks.

C. Buckley- He addressed discussion to the by-laws at a prior meeting. C. Buckley noted he prepared a report from the last committee meeting that was held. Mayor Pilato asked if the committee had prepared a recommendation to the council. C. Buckley noted that he has a report; the committee met and had discussions. There is not a final recommendation yet.

Mayor Pilato noted the process we are seeking to follow via the by-laws is for the committee to make a recommendation.

C. Buckley called for a "Point of Order" asking for the Mayor to point out in the by-laws where it states that this cannot be discussed.

C. Miller called for regular order for the by-laws to be followed; second by C. Levin;
All in favor: Ayes

C. Buckley stated that he does not disagree with regular order; please point out where in the by-laws it states that this cannot be discussed.

C. Buckley stated the Mayor shall on all occasions preserve the strictest order in the quorum. He stated that Mayor Pilato's remarks to him were 'snippy'.

Mayor Pilato noted that it is not regular order; you made an inquiry and it was not correct. We are both going to stick to the by-laws; you brought the by-laws up at a prior meeting and it was referred to personnel committee for review. The other members of committee did not vote on anything being brought back to the council.

C. Buckley stated again that he wants to see in the by-laws where it says that this cannot be discussed prior to a recommendation to the council.

C. Buckley stated that the Mayor is misquoting the by-laws. The Mayor disagreed.

C. Buckley stated that the whole point is that you were misquoting the bylaws the first time.

C. Buckley stated that the Mayor is going to silence my voice again. Mayor Pilato stated that the personnel committee members did not take action.

Mayor stated to C. Buckley that if you want to bring up an amendment to the by-laws, do so. Ask for a second and move forward; otherwise stop wasting the council's time on this. C. Buckley wished to continue the discussion with the council. C. Pranzatelli stated would it not make sense for us to hear this. C. Buckley stated that we did agree on something in committee which he wanted to report.

Mayor stated to C. Buckley that you are reporting on behalf of the committee.

C. Buckley stated that the Mayor has no idea what is in his report.

Mayor noted in following parliamentary procedure, this was referred to committee then it should come back with a recommendation.

Mayor stated that this council decided and passed by-laws to have the meetings run like a business meeting and the decorum of meetings be maintained.

Mayor noted again that the by-laws were brought up at a previous meeting and it was referred to committee. This is not the right forum for this.

C. Buckley asked again where it is in the by-laws. He reviewed Section 1 of the by-laws where it states that the Mayor shall preside over all deliberations. It does not say if it was referred to committee that it cannot be discussed again. Section 2 of the by-laws does not say that.

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Mayor addressed Roberts Rules of Order. C. Buckley asked where it says if something is appointed to committee that it cannot be discussed in open forum again.

Mayor asked the council what they wanted to do. C. Buckley stated to the Mayor that you are silencing me again.

A motion moved by C. Miller for Regular Order; second by C. Levin;

Mayor noted there is a motion and second on regular order; All in favor-Ayes

C. Buckley- Nay; C. Pranzatelli- Nay

C. Pranzatelli offered a review of Roberts Rules of Order.

Regular order of business moved.

C. Hasting: Announced a Public Meeting scheduled for March 8, 2012 Superfund Site-American Cyanamid proposed remediation. Reports are available at the Bridgewater Township Library. Public comments are to be in by March 31, 2012.

R. Bahr: A committee is requested by the AOC for the open Municipal Deputy Court position. A panel needs to be put together. The AOC is looking for dates and times. The position has been advertised on the AOC website, borough website, NJLOM website and Bulletin Board. Mayor Pilato addressed changes in terms of rules and procedures for the position. Mr. Bahr will review this.

The consensus of the council agreed to the panel consisting of Randy Bahr, Administrator, Municipal Court Administrator Loretta Duardo, Municipal Court Judge Katherine Howes, and Public Safety Chair C. Mark Hasting.

New Business

C. Hasting: He offered a Proposed Ordinance for introduction for second hand merchants licensing. The committee has reviewed the ordinance and recommends.

The consensus of the council agreed the ordinance be reviewed by the borough attorney.

The details of the ordinance can be worked out later.

Police Chief Jannone noted the purpose of this ordinance would be to get a handle on all the thrift stores operating in town. This is a way we can prevent and control the fencing of stolen property.

Approve Firemen's Membership Application

- John S. Meyer, Jr.- Bound Brook Hose Co. No. 1
- Todd B. Stine- Bound Brook Hose Co. No. 1
- Hernan Galan-America Hose Co. No. 2
- Paul Lasko- America Hose Co. No. 2
- Brayan Alvarado –Relief Fire Co. No. 4

Motion to approve all applications moved by C. Buckley; second by C. Hasting:
All in favor: Ayes

Appointments:

Appointment by Mayor Pilato with the advice and consent of council:

Board of Health-

- Mariella Milanova-Alternate Member No. 2– One (1) year term

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

Economic Development Advisory Committee

- Reverend Clifford Wright –
- Curt Schmidt –

Motion to approve appointments moved by C. Pranzatelli; second by C. Hasting,
All in favor: Ayes

Special Event Permit Applications:

- Relief Fire Company No. 4-Coin Toss-March 10; July 14; August 18; December 15; Location: Vosseller and Union Avenue

Rain Date: March 17; July 21; August 25; December 22;

Motion to approve permit application moved by C. Buckley, second by C. Pranzatelli,
All in favor: Ayes

- Bound Brook Memorial Day Parade Committee

Memorial Day Parade: May 28, 2012 @ 10:00 – 11:00 a.m.

Parade Route: Memorial Library to corner of Vosseller & Union Avenue

Motion to approve permit application moved by C. Buckley; second by C. Hasting,

All in favor: Ayes

Randy Bahr, Administrator- Items for Discussion:

Mr. Bahr noted those items will be reviewed by the governing body and discussed at the March 13 Agenda Meeting.

- Hazard Mitigation Grant Program- Letter of Intent – From FEMA in reference to the October 2011 Storm. Ideas from the council can be discussed at the next meeting. A letter of intent can be submitted at that time.
- New Jersey Historic Trust – Capital Needs Survey – The survey is voluntary and gathers information on historic buildings. It does not tie us to a grant application. Mayor Pilato inquired if we do the survey would historical member Brian Faulks be able to work with Denise Katula who runs the grant program for Somerset County.
- Proposed Housing Rehabilitation Contract-Community Grants, Planning & Housing – Community Grants and Planning provides the borough's rehabilitation program. The agreement will be reviewed for the next meeting. Mayor Pilato recommended a presentation be given by Community Grants and Planning to advise as to what they have done so far. It is very impressive so far. Mr. Bahr noted that they would be very happy to attend a meeting.
- Taxi Ordinance- amend the expiration of annual licenses from December 31st to expire January 31st- Mr. Bahr noted that the Police Department met with all the Taxi Cab Owners and reviewed with them all the procedures. Mayor Pilato credited the police department in moving these procedures forward. We are certainly more orderly in year's past. Mr. Bahr noted the Clerk's Office is doing very well maintaining the procedures and working with the Police Department. Police Chief Jannone offered comments. He noted that the department staff met with the Taxi Cab Owners. We want to work with all who operate their service in the borough and help them with gypsy cab operation. They are working closely with us. We want to make sure we are solid on the number of companies we allow and other areas. Mr. Bahr noted that we will hold off on the change to the licensing period which would not go into effect till next year. We will include other changes to the ordinance that the police department will propose.

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Approval of Vouchers

R2012: 33

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

All in favor: Ayes; C. Buckley- Nay

Open meeting to the public for comments

Rosanne Short- 169 Cherry Avenue

She asked if flu shots were scheduled for the seniors this year.

Mayor Pilato stated that he did not know if the service was in the contract this year.

Mr. Bahr will check this with Mr. Sumner, Regional Officer -Middle-Brook Health Commission.

She inquired about the funds the school district is receiving and the school election being moved to November. Mayor Pilato noted the Board of Education passed a resolution To stay within the 2% Cap and moved the election of school board members to November.

Ms. Short stated that she hopes that the borough will not have this bickering amongst mayor and councilmember's. She felt that a councilmember should be allowed to ask questions. As a member of the public, I would like to hear what everyone has to say.

C. Buckley stated that as an elected official, we have a right and ability to be able to speak and have our voice heard. He felt that if you did not speak up, this will continue. What you are observing now is the Mayor trying to assert the by-laws. He does not have the right to silence councilmember's from speaking. C. Buckley apologized if the public sees it as bickering. It is councilmember wants to be heard.

Mayor Pilato stated that C. Buckley and C. Pranzatelli were not present when the by-laws were adopted on January 1st. The majority of the council acted. We passed a set of rules we deemed to set forth in order to conduct a business meeting. A different order of business; so when you ask a question, you should ask it of the Mayor. We try to have one person speak. When a member of the public asks questions, the Mayor speaks on behalf of the council.

C. Buckley stated that is not what it says in the by-laws.

Mayor Pilato stated C. Buckley was out of order.

C. Buckley stated it does not give the Mayor the right to silence councilmember's.

C. Miller offered a motion for Regular Order; second by C. Levin;

All in favor: Ayes; C. Buckley-Nay

Mayor Pilato reviewed again the regular order of the by-laws.

Council President Howard Wagner was recognized by the Mayor to comment on the by-laws. C. Wagner stated the by-laws were revised to maintain order and procedure. He read a section of the by-laws stating that the Mayor shall respond to all questions when a member of the public makes an inquiry to the governing body. If appropriate, the Mayor shall respond to all questions when members of the public make inquiry of the Mayor and Council. If appropriate, the Mayor may have a councilmember respond.

C. Buckley stated that the by-laws determine what is appropriate based on our council liaison positions and our committees.

Mayor Pilato noted C. Buckley wishes to delay these meetings and we wish to move the people's business forward. Mayor noted that C. Buckley and C. Pranzatelli are able to bring up any act they so desire. Then the council decides. It is not a question of do overs or re do's. This violates Roberts Rules of Order. The Mayor's job is to follow the by-laws and it is the majority of the council wishes for me to do so.

C. Buckley and C. Pranzatelli may not want to agree with this, but we have to move business forward.

C. Buckley asked for Regular Order stating the Mayor was out of order on the By-Laws; C. Pranzatelli offered a second;

C. Pranzatelli asked to point out where a councilman cannot speak in public session.

Mayor stated you are misreading Robert Rules of Order. He asked C. Wagner, Council President if he was miss-stating Roberts Rules of Order parliamentary law. C. Wagner Noted that the council will all have a chance to speak when it is appropriate time.

C. Miller stated that he no conflict with this.

Session concluded.

C. Holub- 518 W. Second Street

She asked for a status on the Dirt pile downtown. Mayor Pilato stated that right now we have a location to take the dirt to. We had the trucks willing to transport but the teamsters are protesting.

She inquired about Frascella's Liquor Store asking if it is up for sale and the liquor license. Police Chief Jannone stated that a liquor license transfer has been filed (from current owner to a new owner). Ms. Holub also brought up an earlier complaint about the many signs in their window. Can someone take a look into that? There is also a lot of litter around their store.

Mr. Bahr will check into this with Mr. Ruscetta/Zoning Officer/Code Enforcement

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Ms. Holub noted that South Bound Brook Borough will not have the Battle of Bound Brook this year. Is our town planning anything?

Mayor Pilato stated that we may do something at the Library in town; that is possible. We are able to contain this activity there. He mentioned this to resident Linda Brnicevic, a volunteer member of the Battle of Brook. She will get back to the Mayor on this.

Authorize Executive Session: None

Adjournment @ 8:50 p.m.

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

Respectfully submitted by,

Donna Marie Godleski, Borough Clerk