

**BOROUGH OF BOUND BROOK -
AGENDA MEETING MINUTES – TUESDAY, MARCH 13, 2012 @ 7:30 PM**

Council President Howard Wagner 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 Carey Pilato	absent
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, Chief Financial Officer;

Borough Clerk- Donna Marie Godleski,

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

Borough Police Chief- Michael Jannone

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

Council President Wagner provided a review of the items on the agenda for the public.

Approval of Minutes:

February 28, 2012 Regular Meeting

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

Abstain: C. Buckley

Engineers Report – February 1-29-2012

T&M Associates-

Mr. Leubner, Senior Staff Designer –

A status report was given on the Greenbrook Flood Control Project covering the NJ Transit Closure Gate. The gate across the railroad tracks has commenced with completion expected in late April 2012. Pipe installation for Diversion Pipes #4 is underway and 87% complete. Contractor is scheduled to resume with completing pipes over the next two weeks. Drake and Talmadge Pipe #5 still some utility work to be completed by PSE&G.

A status was provided for the South Main Street Closure Gate noting that the project is approximately 99% complete.

The Segment R2 Levee and Pump Station is 99% complete overall. The completion has been extended due to design issues and additional work.

Other items of interest-There are erosion concerns along the Middle Brook floodwall in Segment U (behind ShopRite). Repair to be completed by ACOE.

Page 2- 3/13/12 minutes

The pump station damage at Billian Park is under repair and also the East Street Apartments. The modification is pending on the overflow pipe on Tea Street; anticipate the install next month or two.

Question from C. Buckley on West Main Street underground work which was addressed by Mr. Leubner. Mr. Leubner noted that this Friday he meets with the Army Corp and West Main Street will be discussed.

Mr. Robert Keady gave a report on:

High Street- working on punch list items

Metape- Infrared paving repairs remain

Basin 6 Rehabilitation- Project to be advertised on March 14, 2012; bids to be received March 27, 2012

2011 Road Reconstruction Program- St. Johns Place –sanitary and drainage work to start back up in three to four weeks.

2011 Road Reconstruction Program- work to start back up in three to four weeks

2011 Road Reconstruction Project East- project bid opening is advertised for March 20, 2012

NJDEP Stormwater Certifications are due May 2; working on those for submission to the state.

Advertised hearings or special presentations-

Corinne Markulin-Program Administrator –Bound Brook Housing Rehab Program

Community Grants, Planning & Housing- Principal Offices- East Windsor, NJ

Ms. Markulin was present to provide an update on the program. The firm administers the housing program for the borough using funds from the Regional Contribution Agreement with the Township of Readington. The obligation is 57 homes and 30 have been completed and reported to the state; 27 remaining. The applicant pool is 117; 45 have applied. Of the 45; 22 did not qualify or voluntarily withdrew. We encourage more people into the applicant pool. It is a wonderful program. A ten year forgivable loan up to \$18,000 in home improvements.

We have created a program flyer and 11 x 17 laminated versions are to be distributed to the municipal building. We have two mass mailings which go out to organizations and employers. We work with the Chamber of Commerce and give presentations to the senior citizen groups. The program is up on the borough website and the Community Grants website.

C. John Paul Levin asked that Ms. Markulin give a presentation to the Board of Education and the Middle-Earth Organization. She stated she would be very happy to do that.

Presentation concluded.

Page No. 3- 3/13/12 minutes

Open to the public for questions to the Borough Engineer.
Motion moved by C. Wagner; second by C. Levin; all in favor-ayes.

R. Short-169 Cherry-

She asked if the entire St. John's Place would be done. Mr. Leubner stated that it would be done in two separate contracts.

She asked the status of the pipe at Smalley School. Mr. Leubner stated that Oswald Enterprises is cleaning out the 36" pipe.

Fred Holub-518 West Second Street –

He asked about the retention pond on Tea Street. Mr. Leubner noted the Army Corp plans to place an overflow pipe there to alleviate the ponding.

He asked about check valves over into the Raritan River. Mr. Leubner stated there are valves in place for any backup.

Abee Tarry- 17 Elmwood Avenue, Bernardsville, NJ

He asked if the pipe on Drake Street will help Union Avenue. Mr. Leubner noted extension of pipe should help with drainage.

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

Marla Gleason-362 Cherry Avenue

She asked why the borough is applying for a red light camera enforcement system. The borough attorney noted it is based on safety intersections. A high level of auto accidents and dangerous injuries.

Police Chief Jannone stated that it is in the preliminary stages. The borough attorney noted that the application must be approved by the Department of Transportation first. An engineering study must be conducted.

Public portion was closed.

Engineer and presentation closed.

Presentation of communications, petitions, etc. –none

Reports of Committees –

Finance: C. Pranzatelli

Councilman noted the monthly report prepared by Mr. Bahr, Chief Financial Officer showing the expenditures of February and March. Also the committee received more detailed information on monthly budgeting which is available e-mail to the public or councilmember's. Mr. Bahr is working on a fiscal analysis for the purchase of a street sweeper. We are also looking at the revenues of collection sewer fees. There is good news and bad news. The bad is we have not collected enough; the good news is the cost of processing is to go down. We are waiting on an audit review.

A very small percentage of the budget is discretionary. Mr. Bahr is working on a report for committee which will be discussed at next Tuesday's committee meeting.

Public Works: C. Miller

Councilman noted the committee is discussing several options for the public works department. An option we have is talking further with Somerset County for shared services. We can review how the county can help the department with leadership and tracking software. Somerset County has helped other towns. At the present we are focusing on getting the public works department back on keel with the help of the county. This is a shared service and we are just not taking advantage of it. As a taxpayer, you are paying for this shared service.

The public works negotiations will be discussed in closed session as well as a discussion of shared services with Somerset County.

Public Safety: C. Hasting

The February Police Activity Report was read into the record of minutes.

The February Fire Report will be given next month.

Personnel: C. Buckley

Councilman noted he has been working on the issues of how council meetings are run; following parliamentary procedure. He met with council over the past weeks and we do agree on several points. Meetings should conduct the business of the borough; no politicking and run smoothly according to Roberts Rules of Order and the council by-laws. We have not been fully adhering to Roberts Rules of Order. C. Buckley noted that he did not think everyone fully knows Roberts Rules of Order so we are working together as a council on this.

He has shared several quotes with council on Roberts Rules of Order. We will discuss this later in closed session to consolidate some discrepancies as to what is the intention of the bylaws.

In the meantime, let us move beyond this issue and treat each other with respect and allow everyone an equal opportunity to be heard. C. Buckley noted that he wanted the public to hear this as well. He noted that the full council wants things to run smoothly. We will work together to make it happen.

Economic Development: C. Wagner

He noted the committee has held one meeting. We discussed things with the Redevelopment Plan affecting the downtown and where we are going forward. Recommendations were made to the Mayor for appointments to the EDAC committee. He noted that C. Pranzatelli who is no longer an official of the committee is still attending the meetings and he will bring us up to date.

C. Pranzatelli noted that the term of our current downtown business manager is coming to an end. We need to talk about how we will be moving forward on this. This will be discussed further in closed session. We also need to decide on the Riverfest Event for this year. We have a proposal before us. The Bound Brook Rotary Organization is interested in managing the event. This will be discussed further in closed session. We are also working on a marketing plan for the borough. C. John Paul Levin will give an update. C. Levin noted that the EDAC committee feels the borough needs a marketing plan. A brochure to hand out is very professional in soliciting perspective developers. Once a plan is in place we will develop a website which will be implemented into the borough website with a link. We need to target certain and specific areas of commerce to come into town. We need outsiders coming in. In his opinion, a town of our size cannot sustain itself on residents alone. The EDAC is trying real hard discussing a lot of ideas which will hopefully come to fruition.

C. President Wagner noted that we have one firm recommendation of appointment to the EDAC committee which will be discussed in closed session. He noted that anybody can attend the Economic Development meetings. It is important for Bound Brook. There is a list of meeting dates up on the website. The full council has a keen interest in the development of the borough. We need to get more people from the public to show interest and implement these ideas. We also need to capitalize on the Riverfest Event. He thanked the council for working together on this.

C. Pranzatelli noted that the EDAC meetings are very informal and it would be great to have more attended.

Code Enforcement: C. Levin – no report -

Council President Wagner noted for the next meeting-

Presentation scheduled for the March 27th Regular Meeting-

- Senator Michael Doherty- District 23 Representative – It would be good to get the word out to addresses our concerns and interests.

Opening of bids – Contract Awards

Scheduled for March 20, 2012 @ 10 a.m.- Road Reconstruction Program- East

Scheduled for March 27, 2012 @ 10 a.m. – Basin 6 Sanitary Sewer Rehabilitation

Introduction of ordinance- Discussion: none

Ordinances on final reading and consideration – Adoption

BOROUGH OF BOUND BROOK ORDINANCE NO. 2012-03

AN ORDINANCE SUPPLEMENTING CHAPTER VII-“TRAFFIC” –ADD SECTION 7-42 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO ESTABLISH A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM

Motion to open to public for comment: C. Hasting; Second: C. Levin; All in favor: Ayes
Public Comment: Marla Gleason- 362 Cherry Avenue- She addressed concerns about the ongoing costs with the system.

Motion to close public comment: C. Buckley; Second: C. Hasting; All in favor: Ayes

Discussion: Comments by C. Pranzatelli; C. Miller and C. Wagner

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

Roll Call: Unanimous

Page 7- 3/13/12 minutes

Council President Wagner reviewed the resolutions for the next meeting-

Questions were asked by councilmember's which were addressed by Mr. Bahr.

Introduction/discussion of Resolutions for the 3/27/12 meeting:

R2012: 34

Authorize execution of a shared service agreement for the resale of commodities and other related services with the Somerset County Department of Public Works January 1-2012-December 31-2021

R2012:35

Authorize Chief Financial Officer to issue a refund on extra refuse stickers- Block 19; Lot 30

R2012:36

Authorize settlement of 2009, 2010 and 2011 Tax Appeals Filed by Bound Brook, LLC For Codrington Apartments; Block 69, Lot 3

R2012:37- Mr. Bahr will provide a status; this will be discussed in closed session.

Authorize the hire of a Planning Board Recording Secretary

R2012:38

Approve Change Order No. 4- Reivax Contracting Corporation-Reconstruction of Metape Circle

R2012:39

Approve Change Order No. 2 & Final- Jenicar Builders Contractors Co., Inc.- Reconstruction of Church Street

Unfinished Business

Randy Bahr, Administrator- Items for Discussion:

- Hazard Mitigation Grant Program- Letter of Intent – Mr. Bahr noted that FEMA has asked if there is any mitigation from the October snowstorm. Mr. Bahr noted he did not think there was any. C. Buckley suggested looking into damages that occurred in town from falling trees; fallen wires and plows running into buildings; benches, etc.
Mr. Bahr noted that is a very good suggestion and he will review those areas.

- New Jersey Historic Trust – Capital Needs Survey – Mr. Bahr noted that the Bound Brook Library Board has asked to participate in this survey. The library would do this on their own. They have a volunteer who would fill out the survey.
- Proposed Housing Rehabilitation Contract-Community Grants, Planning & Housing – Mr. Bahr noted that is a renewal contract for the housing rehab program for Bound Brook.
- March 7-2012- Planning Board Comments- Amended Redevelopment Plan-Redevelopment Area 1, Sub-District 1 – Second Reading-Public Hearing-scheduled for the March 27th regular meeting –
The borough attorney provided a summary noting the recommendation report from the Planning Board. The borough does encourage the adoption of this amendment. The council by statute must move forward with adoption. Mr. Bahr noted that the plan is on file in the borough clerk's office.

C. Hasting- Public Safety /Police & Fire Chair:

- A Draft Ordinance was prepared by the borough attorney-Second Hand Merchants Licensing Ordinance –

C. Hasting brought forward the ordinance for review. The borough attorney asked that it be read over and submit any concerns to him. He has spoken with the police department on the ordinance. The consensus of the council agreed to discuss the draft ordinance now.

Questions and concerns were addressed by council. Police Chief Jannone addressed his comments for the purpose of the ordinance. We want to protect victims of theft.

We do not want to find going into a store for an intended use and find they are now selling other items like a flat screen television.

Several areas of concern will be incorporated into the ordinance by the borough attorney.

New Business

Council President Wagner noted that Somerset County is asking for recommendations.

Submit to the Clerk –

Recommendations due for the Somerset County Solid Waste Advisory Committee and the Somerset County Cultural and Heritage Advisory Committee for 2012

- Solid Waste-2 names- one Mayor's recommendation and one Council recommendation
- Cultural and Heritage- one name for consideration

Open meeting to the public for comments

R. Short- 169 Cherry

She asked if the hazard mitigation grant can be submitted to the shade tree commission. She noted that all the trees on East Street are losing their dirt and it is all coming on to the sidewalk area. This is hazardous for people walking. She is afraid one of these trees will come down. She thought the grant would be good for that purpose.

She noted that the trees in the cemetery area should be preserved and the wall should be built up higher.

She asked if there was a collection of yard debris schedule for this year. She stated that people do not have a way to get it over to Natures Choice in Bridgewater.

Councilman John Miller stated that the option of shared services with Somerset County will be discussed later in closed session. At this time, there is no plan for Bound Brook to do this. An option is to take it over to Natures Choice.

After this meeting and in the next few weeks we may have other options.

Ms. Short stated there are very large holes on Hamilton Street and can they be filled.

Mr. Bahr stated that the street is in the middle of reconstruction project.

Page 10- 3/13/12 minutes

Hal Dietrich- 639 Central Avenue-

Mr. Dietrich asked why there is no plan for the Public Works Department to pick up yard debris, etc.

Councilman John Miller stated that it was due to the manning of our current public works department. We can look at hire as an option; shared services with the county. We do not have a managerial staff that oversees the day to day activities. Later this evening, we can discuss putting some type of guidance together. At the present time, there is no schedule in place.

Fred Holub- 518 W. Second Street

Mr. Holub asked if there was a list of tree scheduled for removal in the borough. Mr. Bahr stated that there is a list in spreadsheet form. There are also tree removal and new tree forms in the Clerks Office.

Mr. Holub noted that there was a tree on the corner of his property that he was concerned about falling. It needs to be removed. It is at the corner of 518 W. Second and Tea Street.

Councilman John Miller stated that the public works department has plotted out the outstanding jobs for the trees and also for stumps.

Vinnie Petti- 216 Talmadge Avenue

Mr. Petti noted at the corner of High Street and Maiden Lane there is a sign down which needs replacement. He also applauded the Police Department in getting to the site of a fight that took place a few weeks ago in the area of West Main Street and Talmadge Avenue. They arrived in a matter of a few minutes. We need our boys.

Council President Howard Wagner offered his comments. He complimented the Police Chief and the department for making their presence downtown. The culture is changing and we are raising the bar in order to make the people feel safe.

Joe Gullia- Assistant Fire Chief- 642 Winsor Street-

Mr. Gullia requested the council sanction the firemen's carnival scheduled for May 9-12 at Billian-Legion Park. Council Mark Hasting stated that the council will speak about this at the next council meeting.

Mr. Gullia asked if the fire department does purchase material for an electrical box, can it be placed right when you enter the parking lot at Billian Park. It is the Main Entrance to the Billian Legion Park-Veterans Memorial. We want to install a receptacle so we can run power for all of our vendors during the carnival event. He asked permission of the council to do this. Is this OK with the council?

Page 11- 3/13/12 minutes

Mr. Bahr noted that the borough owns it. He asked that the fire department submit a proposal to the borough in written form. A special event permit applications for the use of the park must be filled out. For the electrical upgrade a license and insurance to be submitted.

Mr. Gullia asked if there was any other building taking place or property taken being taken away at the Billian-Legion Park.

Council President Wagner stated to his knowledge there is nothing planned.

Council John Paul Levin stated nothing has been said from the Recreation Commission.

Mr. Bahr noted that council has not approved any capital improvements at the park.

Council Mark Hasting noted that Mr. Billian does want to do other work but nothing formal has been submitted to the council on this.

Hal Dietrich- 639 Central Avenue

Mr. Dietrich stated that he differs with Mr. Bahr in that before any work is planned at the Billian Park, council must give approval. There was a Plan that Mr. Billian drew up that did not have the approval of the council.

Council Mark Hasting noted that there was a master plan of the park. All phases were completed. There is no additional work to be scheduled.

Roseanne Short- 169 Cherry Avenue

Ms. Short remembers at last year's carnival that the trucks had a hard time getting around the boulder area in the park.

She asked if an electrical box is going to be placed down at Billian Park, will it stay there to be used by others.

Comment by a fire department member- if the council allows this; their intention of department is to place an outlet there and they would allow others to use it.

Vinnie Petti – 216 Talmadge Avenue

Mr. Petti stated that he agrees with Police Chief Jannone on the regulation of pawn shops. He asked about the second hand merchants licensing ordinance. When a store owner asks for the sellers name will it be kept confidential so as the person in the store will not sell their name and address.

The attorney noted that it would not be part of a record that would be marketed.

There is no confidentiality provision in this ordinance.

We can have a provision in it where after the information is provided to the police department and it is not activated within three days, and no suspicion, the police department will destroy those records. The attorney did not know why the police department would maintain those documents anyway.

Close public comment.

Page 12 -3/13/12 minutes

R2012: 35- Authorize Executive Session @ 9:30 p.m.

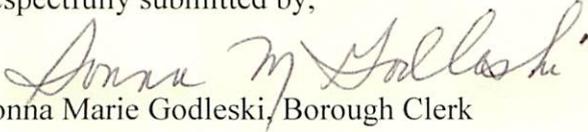
Contracts; Personnel; Legal Advice;

Action may be taken after session.

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

Motion to adjourn agenda meeting @ 10:45 p.m. moved by C. Pranzatelli,
Second by C. Hasting; All in favor: Ayes

Respectfully submitted by,


Donna Marie Godleski, Borough Clerk