

**BOROUGH OF BOUND BROOK -
REGULAR MEETING MINUTES–TUESDAY, APRIL 26, 2011**

Mayor Pilato called the meeting to order at 7PM with a reading of the Open Public Meetings Law Statement, Opening Prayer read by the Borough Clerk and the Pledge of Allegiance

ROLL CALL

Mayor Pilato	present
Council Dietrich	present
Council Petti	present
Council Buckley	present
Council Wagner	absent
Council Hasting	present
Council President Pranzatelli	present

Also Present:

Judy Verrone, Esq. – Attorney
Michael Jannone – Deputy Police Chief
James Schupper – Foreman, Department of Public Works

Mayor Pilato announced that the flags in the courtroom are being cleaned and also a county and borough seal are in the works for the courtroom. The seals will be placed on the wall in back of the dias. The seal will match the historic nature of the flag.

Mayor announced the order of business on the agenda.

Mayor asked for a moment of silence for Martha Burke who passed away over the weekend. She is the owner of property referenced in Bond Ordinance set on the agenda for introduction. He noted that she was a close friend of family and well known in Bound Brook.

Page Two
April 26, 2011 minutes

Presentation: Redevelopment-Bolmer Site- Meridia, Inc. –
George Capodagli/Capodagli Property Company, LLC

George Capodagli opened up the presentation with a background of himself and how he got started in the management of apartment houses. He noted that his daughter, Kimberly and husband Larry were present. They are very much an integral part in the management and development of the company. Larry noted that he is in the transportation industry. He rides the train every day. He is a local to Somerset. He noted the importance of the train in the community. The train is the lifeline of this area.

George thanked the Mayor and Council for the opportunity to give this presentation. He also thanked C. Pranzatelli and C. Buckley for their time and direction to get to know all about Bound Brook. Also, Frank Regan, Esq. of DeCotis, Fitzpatrick was a point person. He noted that Bound Brook Borough has a lot of potential.

George noted that developing the town is a process; it needs a catalytic base; a spark to get it going.

George noted he bought his first apartment house in 1970. It is a family business. They own many apartment houses and manage them. They are a very reliable company and their goal is developing relationships of belonging.

Meridia's virtual concierge creates a sense of belonging through their sponsored social activities and business networking. They are committed to social and business interacting at affordable prices. People can live secure in their buildings. The buildings offer convenience facilities, amenity areas, business facilities; complimentary services; they also offer insurance to their renters.

George provided handouts of the proposed development area prepared by the company. The primary development would consist of 100-one bedroom with Office and 48-2 bedrooms along with 138 parking spaces. An Interior terrace balcony would be facing the street with parking below. They would ask to dress up the meridian. They would also want to make arrangements with the church across the street for additional parking. They would also undertake the cleanup of the property.

The extended development would consist of 48-1 bedroom w/office and 8-2 bedrooms along with 42 parking spaces.

He noted that he was a bulk distributor for FIOS which he would bring into Bound Brook Borough.

He reviewed the borough's Master Plan and noted that an intense study of the direction of the town was done. He thanked whoever prepared. Mayor acknowledged Mr. Richard Shive in the public who was responsible for the plan.

Page Three
April 26, 2011 minutes

Comments by council-

C. Pranzatelli asked for more detail on the building in phases. George stated that the extended development would be later on. He asked what the rent would start at.

George stated price point of 2.50-1.70/ft. and begin at \$1200-1600- max.

C. Buckley asked about the average turnover rate of rentals. George's daughter Kimberly noted for the past two years basically no turnover. Kimberly noted that they offer luxury living at affordable prices. They are highly interactive with their properties, we are always there. We also run background checks, credit checks. If people like where they are living they will stay. We treat them with respect.

C. Dietrich asked about the ratio of parking spaces to the units.

George stated that parking would be short and would want to speak with Hope Church across from the site to make an arrangement. Mayor noted that there is a parking lot at Billian Park that can be looked into as well.

Mayor noted the layout of the building. Right of ways would be required on east and west where the flood gate is. The property next to the site a right of way does exist but he does not own the property.

Mayor offered comments on a dual hallway, that the back room is tandem to take the brunt of the rail train in back.

Also, metrics is important. It is important to look at some of the other complexes in Somerset County that are successful. This will be covered when you do a market study. From a pricing perspective you are spot on. Flood Control will have a major bearing on this building. The Planning Board will be easy; then you have to go to the Department of Environmental Protection. Until this property is remapped the DEP is a major in it. The current completion of the Green brook Flood Control Project is October 2012. Then remapping can take place. This is done by FEMA and National Insurance Flood Control Plan.

Public Questions:

M. DeFazio-Church Street

She asked about a timeline. C. Pranzatelli noted that it depends on the council. We have a few other developers interested. We need to speak to those as well.

John Paul Levin-Metape Circle North-

He asked about the residents living there and walking to town. Concerns for crosswalks. Mayor noted that a discussion on properly moving pedestrians to the crosswalks would be necessary.

Mr. Levin asked what happens if you have to de-evaluate the pricing?

Mayor offered comments on the metrics. A study is important.

Page Four
April 26, 2011 minutes

Deputy Police Chief Jannone asked what their track record of emergency services was during the stages of construction. George stated they were very cooperative with the Police Departments. They would also hire off duty police officers for those areas. Deputy Chief expressed concerns about the underground parking. He needs to factor in all issues of crime. He asked if the developer would be willing to listen to all of the concerns of the police department.

Mayor suggested that the Deputy Police Chief submit a list to the Economic Development Committee and Mayor and Council.

Presentation closed.

Approval of Minutes –April 12, 2011

Motion to approve moved by C. Dietrich; second by C. Petti; all in favor-ayes

Greetings of the Public and Invitation for Discussion

R. Short-

She expressed a thank you to the Public Works Department prepare for the Battle of Bound Brook Event.

She noted that Rubinetti Disposal truck did not stop at Cherry and Hayward Street. They also dumped bags of garbage out of their truck; the smell was terrible. Mr. Bahr will report this to the company.

M. DeFazio

She stated that the council noted that sewer charges will be taken out of the property taxes.

The borough is not applying for aid. Is that where the borough is making up the difference?

Mayor noted that a full budget presentation will be made at the May 10th meeting.

R. Short

She noted that the April 25, 2011 presentation given by Pfizer on the American Cyanamid Superfund Site was very interesting. We should also gather interest in the schools.

C. Holub-518 W. Second St.

She mentioned this Thursday was a senior's trip. She asked if the seniors will be able to use the Billian Parking Lot. Mr. Bahr noted that they will be able to use the lot.

Presentation: Recognition –Al Sena- World War II Hero-

Mayor Pilato noted that the recognition will be set at a later meeting. The information is being gathered from Councilman Quinlan, South Bound Brook Borough and family members. C. Dietrich will get official comments from the police department on Veterans Memorial Drive.

Approval of Minutes –April 12, 2011

Motion to approve moved by C. Dietrich; second by C. Petti; all in favor-ayes

Committee Reports:

Economic Development-C. Pranzatelli-

Reported on -

- East Bound Train Station Waiting Room-making progress; the list is getting smaller.
- American Cyanamid Superfund Cleanup Site Meeting was held in Bridgewater on April 25th. To finalize a broader stakeholder outreach, education and community involvement program. As Council President, I need to know what is going on once the cleaning begins. We will have trucks going in and out. A presentation by Pfizer was held at my store downtown. I will be meeting with the Senior Group as well. The more information we have to share with the community is a benefit.
- Taking a course in Somerville on Leadership Somerset. Very impressed by the presentations given. They gave us a history as to how they began and revolved into a SID. I have asked Somerville's Business Management Team Person and Downtown Manager present to the EDAC and council.
- TOD Plan- discussed a list of grants, applications and setting up a nonprofit.
- Committee has two more developers to interview and will report on.
- C. Pranzatelli noted his involvement as a Rotarian; a group study exchange. He spent Easter Holiday with an exchange from Lebanon, Cypress. It was a very good experience.

Finance-C. Wagner-absent

Personnel, Administration & Ordinances –C. Hasting

C. Hasting noted one of his goals was to complete the job descriptions and personnel policy. We will have those in place very shortly. Mr. Bahr advised he will have a draft mid June.

Public Safety- Police,Fire & Rescue - C. Dietrich

The Fire Department March Report was read into the record of minutes.

The Firemen's Carnival is scheduled for May 10-15th. The department asks for your support.

The Police Department March Report was read into the record of minutes.

A “Statement of Circumstances” was read into the record of minutes. The report covered a Rescue Squad Call to 610 Welch Road on 2/18/11. Officer Munoz and Officer Gianotto were dispatched to the call and advised neighbor at 606 Welch Road had performed CPR on the person. Officers then continued the life savings efforts as Rescue Squad arrived and person was taken to the hospital. That person is doing fine and will have a full recovery. A commendation was offered to the officers for their dedication and professionalism. A commendation and a resolution were offered to the citizen that helped save his neighbor’s life. A resolution will be prepared for a later meeting.

C. Dietrich noted he missed the Parking Commission Meeting. We are still working on the parking ordinances and will present a report at the next meeting or two.

C. Pranzatelli asked about the progress for a revamp borough wide on parking.

C. Dietrich noted that we are working towards this goal of revamping the parking in the borough. We are discussing this in Public Safety Committee along with Parking Commission. We are reaching out to South Bound Brook Borough to review of few of their ordinances.

C. Dietrich added to his report that the Firefighters Foundation will have a Drive at the Baskin Robbins on 4/27/ downtown. The proceeds will benefit National Firefighters Foundation.

Public Works, Bldgs, Grounds & Utilities - C. Petti

C. Petti read the March report into the record of minutes.

The detailed report is on file.

C. Dietrich asked about the ongoing plan to start on the potholes. Mr. Schupper, P.W. foreman stated that the plan has begun and we are doing street by street.

Mr. Bahr noted that Somerset County has a machine pothole filler that is being offered to towns. The borough can look at this to offset the costs on time it takes to fill potholes. Mayor Pilato asked about crack filling. Mr. Bahr reported that he will reach out for a contact to do this.

C. Pranzatelli asked for a status on leaf pickup. The committee stated that it would cost the borough; more overtime; increase dumping fees so this is not on the list right now.

Zoning, Construction & Code Enforcement- C. Buckley

Reported on the progress of the Downtown Manager. At this point she is complete with the education process of the sign ordinance. We are now moving on to Code Enforcement. She is putting together concepts for the merchants that government can offer and marketing classes. She has completed an inventory of all available properties in the downtown. The River Fest Event has an early start this year. We are also looking at live music for the downtown if we can or cannot do. A lot has to do with fire codes. We want to encourage a more diverse culture in the downtown.

The March Monthly report was read into the record of minutes.

A committee goal is reviewing all fees. We adjusted fees for Code Enforcement last year. We are looking at the Uniform Construction Code Fee Schedule. At some point we will present this. Also, when property is sold, the seller has to receive a Certificate of Occupancy for this. We would like to add requirements that all open permits are closed out before a CO is approved. This will leave the illness of a permit on the current owner.

C. Pranzatelli asked how Economic Development and Code Enforcement can work together. C. Buckley noted that we are looking at what we can do to entice business.

Mayor Pilato noted that this requires a simple zoning change. If council determines live music in the downtown, we want to encourage this and move forward.

Mayor Pilato noted that Economic Development issues should go to the Committee Chair to report as well as Code Enforcement Issues. The council is to stay within the By-Laws to keep the meetings moving.

Mayor noted another observation in reference to signs. We need to be very careful about precedent we are setting from a municipal court perspective. Are we doing this education on every ordinance that has a fine attached to it? This has ramifications for code enforcement and the police department as well.

C. Pranzatelli noted that the end goal is create a nice downtown. He asked the attorney if we are in danger of putting too much focus on sign ordinance.

Borough attorney noted that it is not problematic; it is an enforcement prerogative; an accepted principle in municipal law.

Page Eight
4/26/11 minutes

INTRODUCTION -BOND ORDINANCE NO. B11-08

BOND ORDINANCE TO AUTHORIZE THE MAKING OF ACQUISITION OF PROPERTY LOCATED AT 454 WEST UNION AVENUE IN, BY AND FOR THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$450,000 TO PAY THE COST THEREOF TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Mr. Bahr stated the purpose of the ordinance is to allow the Rescue Squad to move to Union Avenue. A lease agreement will be set up and hopefully next meeting we will have all documents for approval.

Roll Call: Unanimous

The second reading and adoption is scheduled for the May 10th meeting.

Public Hearing-Second Reading-Adoption

Ordinance No. -11-07

Authorize Ordinance to Establish a Cap Bank –Calendar Year 2011

Motion to open public comment moved by C. Dietrich; second by C. Hasting; all in favor-ayes.

Public Comment: R. Short- 169 Cherry- She asked what the cap bank is.

Mr. Bahr stated the limit is 2.0% unless authorized by ordinance to increase to 3.5%.

Motion to close public comment moved by C. Dietrich: second by C. Buckley

Motion to adopt moved by C. Pranzatelli; second by C. Buckley

Roll Call: Unanimous

Resolutions

R11:54-

**Authorize Payment Certificate No. 1&Change Order No. 1-
AMC Industries, LLC-Reconstruction of High Street**

Motion: C. Pranzatelli; second by C. Buckley;

Mayor Pilato comments- He stated that the work has not been organized along with resident complaints. Is there a way to meet with Borough Engineer T&M Associates on this?

Mr. Bahr stated he would speak with the engineer.

Page Nine
4/26/11 minutes

R11: 55-

Authorize submission of 2009 Tonnage Report to New Jersey Department of Environmental Protection –

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

R11-56-

Authorize submission of 2010 Tonnage Report to New Jersey Department of Environmental Protection

Motion: C. Pranzatelli; second by C. Hasting; all in favor-ayes

R11:57-

Authorize contract award to (Sheridan Mechanical Corporation)- HVAC Renovation – Bound Brook Municipal Building –

Motion: C. Dietrich; second by C. Buckley;

Mr. Bahr noted that the award is base bid only-\$244,000.00. This is a ten week project. The renovation will include replacement of existing units and installing new heat pumps with hot water.

All in favor-Ayes

R11:58- Authorize professional agreement to Rock Brook Consulting Group for construction management for HVAC Renovation of the Municipal Building –

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

R11:59-Authorize shared services agreement between Franklin Township and Borough of Bound Brook for street sweeping services

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

Mr. Bahr noted that Franklin Twsp. does not have a licensed operator; we do. So when we are not using the street sweeper they will use our licensed operator. Mayor Pilato noted that this is a good savings for both towns. In moving forward, signs will be placed.

All in favor-Ayes

R11:60- Authorize litigation settlement agreement between Car-Bill, Inc. and the Borough of Bound Brook –

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

R11:61-Authorize Emergency Appropriation in 2011 Temporary Budget –

Motion: C. Dietrich; second by C. Hasting; all in favor-ayes

R11:62-Approve Vouchers

Motion: C. Pranzatelli ; second by C. Hasting; all in favor-ayes

Old Business

- Tabled Appointment -Somerset County Solid Waste Advisory Board –
Mr. Bahr stated that he needs to check this further and will report back.
- Schedule Presentation-Representative New Jersey American Water Company-
Water Conservation Tips –Mayor Pilato noted he would reach out to a representative.

Mayor Pilato asked about Defino Contracting Company's Performance Bond which was discussed at the last meeting. The borough attorney noted she received all information today from the borough engineer. She will review and prepare a draft letter to Defino Contracting's Bond Company. A report will be given at the May 10th council meeting.

Mayor Pilato noted that folks who own a 4 wheeler took advantage of riding the levees. We talked about an ordinance last year to prohibit this activity. We need to act on this. Let us look at the two ordinances discussed last year and review for the next meeting. Mr. Bahr noted that he would work on this.

New Business

Approval of Special Event Permit-

- Coin Toss- Bound Brook Rescue Squad- May 14, 2011 – 8:30 a.m. – 1:30 p.m. –
Rain Date- May 21, 2011
Vosseller North & South of Route 28; Mountain Avenue North & South of Route 28-Hamilton & Main Street -

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

- St. Joseph Church- June 5, 2011- Church Picnic – 10:00 – 7:00 PM
Codrington Park

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

Page Eleven
4/26/11 minutes

Mayor Pilato noted that he will be attending the New Jersey Conference of Mayors. He will be speaking with representatives at the conference about police cars, the DEP regarding the dirt pile on Main Street, NJ American Water Company representative to attend a council meeting, potholes and crack fillers. He will also speak with the State Commission on the East Bound Waiting Room at the Train Station.

Open to public on agendized matters only

No public comment.

R11: Authorize Executive Session @ 10:00 p.m. – Contract; Negotiation;

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

No action will be taken afterwards.

Regular Meeting adjourned at 10:05 p.m.

Respectively submitted by,

Donna Marie Godleski, Borough Clerk