

**BOROUGH OF BOUND BROOK
REGULAR COUNCIL MEETING -APRIL 27-2010**

Mayor Carey Pilato called the meeting to order at 7:00 PM with a reading of the Open Public Meeting Law Statements, Opening Prayer read by the Borough Clerk and the Pledge of Allegiance.

Roll Call

Mayor Pilato-present

C. President Pranzatelli-absent

C. Dietrich- present

C. Petti –present

C. Buckley-present

C. Wagner-present

C. Hasting –present

Present:

Randy Bahr, Administrator,
Borough Clerk,

Cindy Lee Tierney, Deputy

Louis Rainone, Borough

Attorney (arrived at 7:10PM)

Attendees:

Deputy Police Chief Michael

Jannone, Lt. Spolarich,
hearing

Chip Fleming - Towing

Mark Judson - Energy Audit

Approval of Minutes: Agenda/Workshop Meeting April 13, 2010

Motion moved by C. Dietrich; seconded by C. Buckley; abstention C. Wagner; adopted

Mayor Pilato reviewed items that were to be discussed and opened the meeting to the public.

Howard Berkowitz - 733 Cedarcrest Drive

Requested a status on the Carriage Park Project and on our current sticker program.

Mayor advised that a recent buyer looked promising because the project would be Condominiums rather than apartments which had been suggested by a prior party and that we would try to keep the project moving.

On the refuse question, Randy Bahr advised that we were looking at 7 options from Private haulers and that all options would do away with stickers (except perhaps for bulk items).

Michele DeFazio - 603 Church Street

Spoke eloquently and emotionally about the School Board's painful deliberations which led to a flat school tax. She stated that the price paid was overwhelming but that the Board did the right thing. She challenged the Borough as to where we were cutting and stated that she was outraged when she learned about overtime hours on the municipal side.

Mayor Pilato, Council Buckley, Council Wagner

Mayor and C. Buckley and C. Wagner assured Ms. DeFazio that "everything is on the table". Decisions to cut our budget would mean cutting services and in many instances this was unacceptable. C. Buckley said that we are trying to make "Smart Changes" regarding long term contracts. C. Wagner said that we are looking at possible mergers to county services; outsourcing trash, using a purchasing coop, consolidating administrative offices. He still felt that if everything on his list was accomplished, savings would come to a half million and we need another half million. Randy asked that the School board look at the fact that we cut employees in 2007 and are still dealing with flood expenses and that we have a flat ratable base with increasing costs.

Donna Kubalski - 370 West High Street

Asked when the new garbage law would be in effect and asked about the number of trucks maintained by the borough. Randy Bahr said that the law would be in effect at the end of June and we have 2 trucks.

Howard Berkowitz - 733 Cedarcrest Drive

Wanted to know what the major factor will be in a tax increase and Randy told him "revenues". He asked if we would apply for extraordinary aid and the Mayor said that we would certainly apply but it will be very hard to justify.

PROCLAMATION HONORING BOUND BROOK ELKS

Mayor presented a proclamation to Elks Members Manny Puar, Bert Villaneuva, and Gene Perone on behalf of the Elks for services rendered during the recent flooding

PROCLAMATION FOR AWARENESS OF MULTIPLE BIRTHS

Mayor did not read into the record but stated that proclamation would be posted and sent to the requesting party.

MARKJUDSON

Mr. Judson from Metro Energy presented an Energy Audit which he provided to council members in bound form. Stated that rebates were available. Council Wagner had questions about vacancy issues with heating and cooling and possible installation of sensors. He wanted to discuss task lighting and had questions regarding the brightness of our lights. Mayor and Randy both stated that a consultant has provided a plan to convert to gas.

NOTES OF CHARGES AND HEARING - CHIPS, Inc

Lt. Spolarich outlined violations regarding overcharging and not providing service according to the ordinance which is signed on an annual basis by Middlebrook Exxon and all other Towing Companies.

Chip Fleming, owner, claimed that he overcharged because he had been before council some years before and stated that allowable towing charges were too low. He stated that he had worked for the Borough for 30 years and felt that should count for something. When questioned by Atty Rainone, Mr. Fleming stated that he signed the papers saying he would abide by the ordinance and he did not do so.

Motion to go into closed session - C. Dietrich Second -C Hasting all in favor 8:26 PM

Back to Open Session - 8:39 PM

Attorney Rainone

Asked if anyone would like to speak on this matter before hearing the decision.

Kristen Diamente, complainant

Stated that she would like a refund on the overcharge and was told that she would be refunded.

Atty Rainone advised Mr. Fleming that his towing license with the Borough of Bound Brook is immediately terminated and that the police would send him a bill for the amount of the overcharges to be returned to the claimants. He stated that signing an agreement every year and disregarding that agreement were not permissible and that such a situation could conceivably jeopardize the Borough and subject us to a lawsuit.

Motion by C Dietrich to terminate license and have money refunded Second - C. Buckley all in favor

COMMITTEE REPORTS

Economic Development

C. Buckley delivered report for C. Pranzatelli

- Veronique Cordier coordinating Downtown Cleanup Day
- Plans underway for a fall festival - Would like to combine with Holy Family Carnival
- Work with County SCOOT and DASH to increase bus service
- Working to set up outdoor art venues and music

Finance Committee

C. Wagner

- Looking at shared services
- Will go to the borough garage and see if any equipment can be sold
- Suggested that space in garage might be leased back to the county
- Would like to work on energy costs at the garage
- Mayor distributed Governor's toolkit for reform and a league of municipalities memo which supported everything but the cap.
- Mayor will testify before senate finance committee tomorrow in Atlantic City

Personnel, Administration & Ordinances C.

Hasting

- Is working to develop a uniform personnel policy

Public Safety- Police, Fire & Rescue C.

Dietrich

- Enumerated calls to date for police and fire
- Cited huge amount of hours put in by all services
- Will provide a list so we may thank those who helped

Public Works. Buildings. Grounds & Utilities

C. Petti

- Read a list of jobs completed by DPW: included potholes, trash and flood pickups etc.

Zoning. Construction & Code Enforcement C.

Buckley

- Working to streamline new business process, making it easier for businesses to come to town
- Eliminate need to come before Planning Board in some instances
- Distributed a packet including sample ordinances from other municipalities regarding site plan review

Second Reading- Adoption

Ordinance No. 10-08-

AN ORDINANCE TO ESTABLISH A CAP BANK

Motion to open to public: C. Dietrich Second: C. Buckley unanimous

Motion to close to public: C. Dietrich Second: C. Wagner unanimous

Motion to adopt: C. Wagner Second: C. Hasting

Roll Call:

C. Pranzatelli - absent

C. Dietrich Y C. Petti Y C. Buckley Y C. Wagner Y C. Hasting Y

Resolutions:

R-10-59-

Authorize Hire of Two (3) Crossing Guards -Pearl Fusco/Kimberly Marie Williams/Christy Kaladas

Motion: C. Dietrich Second: C. Petti All in favor: Unanimous

R-10-60

Accept Resignations of Gary Toth/Tax Assessor, Public Works Employees Tom Miller, James Barglowski, Lawrence Schraeder

Motion: C. Buckley Second: C. Petti All in favor: Unanimous

R-10-61-

Approve Agreement with (This Is It Productions) for Fall Event September 18, 2010

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Keith Krauszer 201 Piedmont Drive

Stated that Holy Family has had their carnival for four years at Codrington Park and have reservations about using Billian Park: doesn't feel that it is safe for the rides (area is on an old landfill and can't hold the weight of the rides), feels that two carnivals at the same location would not be as profitable, if Billian Park is used-the walk from the town festival to the park would be too long.

Mayor stated that the area has been deemed safe by all agencies. C. Dietrich felt that Billian Park was the gateway to town and the carnival would be more visible. C. Buckley said that the street fair could be moved closer to the carnival and that the street fair would forego any rides in deference to the carnival.

Mr. Krauszer said he would try to work with Veronique Cordier and the town.

Motion: C. Buckley Second: C. Wagner All in favor: Unanimous

- R-10-62-
- Approval of Vouchers
- Motion: C. Hasting Second: C. Wagner All in favor: Unanimous

- R-10-63-
- Authorize Executive Session
- Motion: C. Dietrich Second: C. Wagner All in favor: Unanimous

Unfinished Business-

- Holy Family Carnival is to be tabled until next council meeting after Mr. Krauszer has spoken with his board. Mayor feels that we need to have these two activities and should find a way to do this. Mr. Krauszer understands that we might not be able to help with refuse pickup or putting up a fence because we don't know what the status of DPW will be at that time.
- Sample Site Plan Ordinances-site plan review Mayor feels that we need to include a definition of what is an approved use. Attorney Rainone stated that this was Master Plan Material.
- Model Noise Control Ordinance Deputy Chief Jannone stated that this ordinance would not be of use to him unless he had officers who could issue complaints based on decibel reading. Attorney Rainone stated that only licensed operators can take the readings and that health officers were most often certified. Deputy Chief Jannone did not find this workable because he needed something that could be used in court and did not think that calling the health officer could respond to a scene at 2AM. The attorney said that there was much good and immediately available in the ordinance and that situations where a decibel reading would be necessary are not common. Deputy Chief Jannone felt that this was not the case in Bound Brook. We will look into what is required to obtain certifications before next meeting. Ordinance will be introduced at next meeting.

- Model Ordinance-Imposing Sanctions on Landlords who permit repeated quality of life violations by their tenants Much discussion as to who could be the hearing judge. Attorney Rainone advised that the hearing officer cannot be the issuing judge. It was suggested that a judge be appointed every January (perhaps by contract) and that the fees from violators be used to cover the cost of the hearing officer. Ordinance will introduced at the next meeting.

New Business

- Bound Brook School District Defeated School Budget Process A decision was made to go with a small subcommittee process and use recommendations from Auditors, Supplee Clooney. Borough's committee would be C. Hasting, C Wagner and C. Dietrich who will meet this Thursday at 5:30 (C. Hasting will arrive at 6 PM).
Motion to approve subcommittee and process: C. Buckley Second: C. Wagner All in favor: Unanimous
- Appointment to Shade Tree Commission
Marsha Longshore-311 W. Maple Avenue-
Alternate Member-Term-One Year
Motion: C. Dietrich Second: C. Petti All in favor: Unanimous

Approval of Special Event Permit Application-

- Bound Brook Rescue Squad-Coin Toss-
May 15, 2010-9 a.m. - 2 p.m. - Vosseller Avenue (North & South of Union)
Mountain Avenue (North & South of Union)
Motion: C. Dietrich Second: C. Buckley All in favor: Unanimous
- Garofalo DMD 5K Event Fundraiser/Fun Dav-Codrington Park-October 9, 2010
8-4 p.m.
Motion: C. Dietrich Second: C. Wagner All in favor: Unanimous

Open to Public on Agendized Matters Only

Michele DeFazio

Stated that she would probably be on the School Board Committee and asked that council consider that our schools are already inadequately funded and that this must be taken into consideration. C. Dietrich wondered why the school board did not make a presentation to seniors. C. Wagner felt that if teachers do not "come to the table", the process will be difficult. C. Petti felt that the Teachers Union should be encouraged to "come to the table." Ms. DeFazio said that the Board did not have any power to make the union sit down. It was a general consensus that in today's economic climate, contracts are being renegotiated. This is being done in other municipalities and such negotiation could conceivably save jobs.

Meeting Adjourned to Closed Session at 10:45 PM

Executive Session (Matters for Personnel. Negotiations)

Motion: C. Dietrich Second: C. Wagner All in favor: Unanimous

Motion to Adjourn Meeting at 12:15 AM

Motion: C. Wagner Second: C Buckley

Respectfully submitted,

Cindy Lee Tierney
Deputy Clerk