

Borough of Bound Brook  
Regular Meeting – September 8, 2020

Call To Order at 7:00 p.m.

Reading of the Open Public Meetings Law Statement:

This meeting is being held in compliance with the Open Public Meeting Law in that the requirements of the law have been met with the posting of the meeting notice on the Municipal Bulletin Board, filed with the Borough Clerk and forwarded to The Courier News and The Star Ledger.

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Pledge of Allegiance

Opening Prayer

Roll Call

Mayor Robert Fazen \_\_\_\_

C. Jake Hardin\_\_C. Richard Jannuzzi\_\_C. President Elizabeth Jannuzzi\_\_

C. Brad Galeta\_\_C. Abel Gomez\_\_C. Vinnie Petti\_\_

Approval of Minutes:

August 25, 2020 Regular Meeting

Motion:           Second:           Discussion:

C. Jake Hardin\_\_C. Richard Jannuzzi\_\_C. President Elizabeth Jannuzzi\_\_

C. Brad Galeta\_\_C. Abel Gomez\_\_C. Vinnie Petti\_\_

August 25, 2020 Executive Session

Motion:           Second:           Discussion:

C. Jake Hardin\_\_C. Richard Jannuzzi\_\_C. President Elizabeth Jannuzzi\_\_

C. Brad Galeta\_\_C. Abel Gomez\_\_C. Vinnie Petti\_\_

Advertised hearings or special presentations

Childhood Cancer Month Proclamation

Presentation of communications, petitions, etc.

Greetings for comments and invitation for discussion

Introduction of ordinances -First Reading

Ordinance 2020- 23 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO CREATE SECTION 7-40.7, "ELECTRIC VEHICLE CHARGING STATIONS"

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on September 22, 2020.

Second: Discussion:

Roll Call:

C. Jake Hardin\_\_\_C. Richard Jannuzzi\_\_\_C. President Elizabeth Jannuzzi\_\_\_  
C. Brad Galeta\_\_\_C. Abel Gomez\_\_\_C. Vinnie Petti\_\_\_

Ordinance 2020-24 AN ORDINANCE OF THE BOROUGH OF BOUND BROOK, COUNTY OF SOMERSET, NEW JERSEY APPROVING THE PILOT APPLICATION AND AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND 17-19 WMS URBAN RENEWAL LLC FOR PROPERTY LOCATED AT 17-19 WEST MAIN STREET ON BLOCK 7, LOT 29 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BOUND BROOK AND LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on September 22, 2020.

Second: Discussion:

Roll Call:

C. Jake Hardin\_\_\_C. Richard Jannuzzi\_\_\_C. President Elizabeth Jannuzzi\_\_\_  
C. Brad Galeta\_\_\_C. Abel Gomez\_\_\_C. Vinnie Petti\_\_\_

Ordinance 2020- 25 An Ordinance of the Borough of Bound Brook Amending and Supplementing Chapter XXIX, “Solid Waste Management”, of the General Revised Ordinances of the Borough of Bound Brook to Amend the Regulations and Enforcement of the Collection of Solid Waste

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on September 22, 2020.

Second: Discussion:

Roll Call:

C. Jake Hardin\_\_\_C. Richard Jannuzzi\_\_\_C. President Elizabeth Jannuzzi\_\_\_  
C. Brad Galeta\_\_\_C. Abel Gomez\_\_\_C. Vinnie Petti\_\_\_

Ordinance on Final Reading and Consideration - Second Reading

Ordinance 2020-21 AN ORDINANCE OF THE BOROUGH OF BOUND BROOK, COUNTY OF SOMERSET, NEW JERSEY APPROVING THE PILOT APPLICATION AND AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND MERIDIA 1 URBAN RENEWAL, BOUND BROOK, LLC FOR PROPERTY LOCATED ON BLOCK 8, LOTS 9.01, 9.03 AND 9.04 ALSO KNOWN AS 1, 7-11 EAST MAIN STREET AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BOUND BROOK AND LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA

Motion to open public comment: Second:

Public Comment:

Motion to close public comment: Second:

Motion: Movant: I move the ordinance be passed on second reading and advertised according to law.

Second:

Roll Call:

C. Jake Hardin\_\_\_C. Richard Jannuzzi\_\_\_C. President Elizabeth Jannuzzi\_\_\_  
C. Brad Galeta\_\_\_C. Abel Gomez\_\_\_C. Vinnie Petti\_\_\_

Ordinance 2020-22 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII, TRAFFIC, SECTION 7-12, PARKING TIME LIMIT ON CERTAIN

**STREETS, OF THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF BOUND BROOK**

Motion to open public comment:      Second:

Public Comment:

Motion to close public comment:      Second:

Motion: Movant: I move the ordinance be passed on second reading and advertised according to law.

Second:

Roll Call:

C. Jake Hardin\_\_\_C. Richard Jannuzzi\_\_\_C. President Elizabeth Jannuzzi\_\_\_  
C. Brad Galeta\_\_\_C. Abel Gomez\_\_\_C. Vinnie Petti\_\_\_

Introduction/Discussion of Resolutions

The resolutions listed below were submitted to the Governing Body for review and will be adopted by one motion.

If separate discussion is desired, the resolution may be removed by council action.

Motion:	Second:	Discussion:	All in Favor:
2020-173		Resolution Renewing LFR Inc.'s Retail Plenary Consumption License No. 1804-33-020-009 for the License Year 2020-2021 Without Conditions	
2020-174		Resolution to Award a Professional Services Contract for Appraisal Consulting Services to Mark Tinder Appraisals, LLC to Perform an Appraisal of the Market Value of Property Known as Block 3, Lot 1 Located at 432 Talmage Avenue to be Acquired in Part with Green Acres Funding	
2020-175		Resolution Approving Liquor License Renewals for 2020-2021	
2020-176		Resolution Extending Summer Hours to December 31, 2020	
2020-177		Resolution Approving and Authorizing the Execution of a Redevelopment Agreement with 17-19 WMS Urban Renewal, LLC as Redeveloper for Property Known as Tax Block 7, Lot 29 Located at 17-19 West Main Street in the Downtown Redevelopment Area for Redevelopment of a Mixed Use Project	

Unfinished Business

New Business

Approval of Vouchers

2020- 178      Resolution Approving Vouchers in the Amount of \$1,662,713.71

                 Motion:            Second:            Discussion:      All in favor:

Open to the public for comment

Authorize Executive Session

2020-179      Resolution Authorizing Executive Session

                 Motion:            Second:            All in favor:

Adjournment

Motion:            Second:            Discussion:            All in favor:



# PROCLAMATION

## CHILDHOOD CANCER AWARENESS MONTH SEPTEMBER 2020 Borough of Bound Brook, New Jersey

Whereas, childhood cancer is the leading cause of death by disease in children, and 1 in 285 children in the United States will be diagnosed by their 20th birthday, and;

Whereas, 43 children per day are diagnosed with cancer annually in the U.S. and approximately 40,000 children are on active treatment at any given time, and;

Whereas, the average age of childhood diagnosis is 6 years old, compared to 66 years for adults' cancer diagnosis and 80% of childhood cancer patients are diagnosed late and with metastatic disease, and;

Whereas, in the last 20 years only four new drugs have been approved by the FDA to specifically treat childhood cancer, and;

Whereas, the National Cancer Institute recognizes the unique research needs of childhood cancer and the associated need for increased funding to carry this out.

Now therefore, I, Mayor Robert Fazen, Bound Brook, New Jersey do hereby proclaim September 2020 as Childhood Cancer Awareness Month in Bound Brook and encourage all residents to observe and support this cause.

PROCLAIMED this 8<sup>th</sup> Day of September 2020

Robert P Fazen  
Mayor

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2020-22

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII, TRAFFIC, SECTION 7-12, PARKING TIME LIMIT ON CERTAIN STREETS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

BE IT ORDAINED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey as follows:

**SECTION 1.** Chapter VII, “Traffic”, Section 7-12, “Parking Time Limit on Certain Streets”, of the Revised Ordinances of the Borough of Bound Brook is hereby amended and supplemented by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold** to read as follows:

7-12 PARKING TIME LIMITED ON CERTAIN STREETS.

No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

a. Parking time limited.

....

John Street	East	Two hours	8:00 a.m. to 6:00 p.m. Monday through Saturday	Between East Main Street and East Second Street Beginning at a point 35 feet from the southeast corner of East Second Street to a point 85 feet southerly therefrom and from a point <b>[35] 65</b> feet from the northeast corner of East Main Street extending to a point <b>[220] 180</b> feet northerly therefrom
<b><u>John Street</u></b>	<b><u>East</u></b>	<b><u>Ten minutes</u></b>	<b><u>At all times</u></b>	<b><u>From the northeast corner from East Main Street to a point 65 feet north</u></b>

**SECTION 2. Severability Clause.**

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared severable.

**SECTION 3. Repealer.**

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4. Effective Date**

This Ordinance shall take effect, following adoption and publication in accordance with the laws of the State of New Jersey.

ATTEST:

BOROUGH OF BOUND BROOK

\_\_\_\_\_  
Jasmine D. Mathis  
Borough Clerk

By: \_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: August 25, 2020



BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2020-23

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO CREATE SECTION 7-40.7, "ELECTRIC VEHICLE CHARGING STATIONS"

WHEREAS, the Borough was awarded It Pay\$ to Plug In: NJ's Electric Vehicle Grant to purchase and install electric vehicle charging stations; and

WHEREAS, downtown Municipal Lot #6 has been identified an accessible location for charging stations; and

WHEREAS, the Borough wishes to regulate, enforce and establish a fee schedule for the use of the charging stations;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, that Section 7-40.7, "ELECTRIC VECHICLE CHARGING STATIONS" be created as follows:

**SECTION 1.**

**§7-40.7 ELECTRIC VEHICLE CHARGING STATIONS**

- a. Definitions. As used in this section, the following terms shall have the following meanings:

**CHARGING STATION**

A location that is fitted with electric charging station equipment.

**CHARGING STATION EQUIPMENT**

The conductions, including undergrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging status or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicle.

**CHARGING STATION SPACE**

A dedicated, marked and signed parking space that is fitted with charging station equipment and exclusively used for the charging of electric vehicles.

**ELECTRIC SCOOTER and/or ELECTRIC MOTORCYCLE**

A two-wheel or three-wheel electric vehicle that operates exclusively on electrical energy stored in the vehicle's batteries.

**ELECTRIC VEHICLE**

A vehicle that operates, either partially or exclusively, on electrical energy from the charging station or other electrical energy source that is stored in the vehicle's battery for propulsion purposes. "Electric vehicle" includes: a battery electric vehicle; a plug-in hybrid electrical vehicle; a neighborhood electric vehicle; and electric scooters or electric motorcycles.

**NEIGHBORHOOD ELECTRIC VEHICLE**

An electric vehicle that is a low-speed vehicle, built to have a top speed of 25 miles per hour and to have a maximum loaded weight of 3,000 pounds.

**NONELECTRIC VEHICLE**

A vehicle that does not meet the definition of "electric vehicle" as provided herein.

**PLUG-IN HYBRID ELECTRIC VEHICLE or PHEV**

An electric vehicle that contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; charges its battery primarily by connecting to a charging station or other electrical source not on board the vehicle; may additionally be able to sustain a battery charge using an on-board internal-combustion-driven generator; and has the ability to be propelled through the use of electricity.

**SITTING**

An electric vehicle remaining in a charging station space after charging is complete.

b. Designation of spaces

1. Parking spaces at the following location(s) shall be designated exclusively for use as electric vehicle charging stations:
  - (a) 7 spaces in Municipal Parking Lot# 6 located on East Main Street.
2. Notice of reserved parking for recharging of electric vehicles shall be posted on a sign not less than 12 inches by 18 inches in size that clearly and conspicuously states the electric vehicle charging station space is for electric vehicles only and all others are subject to a violation and towing.

c. Fees. The following fees shall apply to each designated electric vehicle charging station:

Type	Fee
Hourly Rate	
Up to 1 hour	\$2.50
Up to 2 hours	\$5

Type	Fee
Up to 3 hours	\$8.50
Up to 4 hours	\$12
Maximum time limit	4 hours
Minimum fee	\$2.50
"Sitting" up to 5 hours	\$10 per hour or part there of or to a maximum \$50
After 5 hours	\$50

d. Use of designated electric vehicle charging station spaces.

1. Electric vehicles are authorized to park in spaces designated as electric vehicle charging station spaces only during the time when the vehicles are connected for electric charging purposes or up to four hours, whichever is less. Owners/operators shall be required to remove the vehicle from the charging station space within 15 minutes past the time the vehicle is no longer charging. Vehicles sitting in a charging station space past the fifteen-minute grace period shall be subject to a sitting fee, a violation, and further subject to towing at the owner's expense in accordance with § 7-3 of this chapter.
2. It shall be unlawful for any person to park or leave standing a vehicle in a stall or space designated for the recharging of electric vehicles unless the vehicle is connected for electric charging purposes. Any vehicle violating this requirement is subject to parking fees, a violation and towing at the owner's expense in accordance with § 7-3 of this chapter.
3. It shall be unlawful for any person to obstruct, block or otherwise bar access to a designated electric vehicle charging station.

e. Violations.

1. Any person in violation of Subsection 7-40.1 shall be liable for additional parking fees and a penalty not to exceed \$100.

**SECTION 2. Severability Clause.**

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

**SECTION 3. Repealer.**

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4. Effective Date.**

This ordinance shall take effect, following adoption and publication in accordance with the laws of the State of New Jersey.

ATTEST:

\_\_\_\_\_

Jasmine D. Mathis  
Borough Clerk

BOROUGH OF BOUND BROOK

By:

\_\_\_\_\_

Mayor Robert Fazen

Date of Introduction: September 8, 2020

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2020- 24

AN ORDINANCE OF THE BOROUGH OF BOUND BROOK, COUNTY OF SOMERSET, NEW JERSEY APPROVING THE PILOT APPLICATION AND AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND 17-19 WMS URBAN RENEWAL LLC FOR PROPERTY LOCATED AT 17-19 WEST MAIN STREET ON BLOCK 7, LOT 29 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BOUND BROOK AND LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA

WHEREAS, in January 2000, the Borough Council of the Borough of Bound Brook (the “Borough”) designated various properties in its downtown along the Main Street corridor as an area need of redevelopment (“Redevelopment Areas 1 & 2”) and adopted a redevelopment plan for Redevelopment Areas 1 & 2 in February 2000, and subsequently adopted a Redevelopment Plan for Redevelopment Area 2 (“Redevelopment Area 2”) only in December 2008, which was last amended on August 11, 2015 and as subsequently amended; and

WHEREAS, Block 7, Lot 29, also known as 17-19 West Main Street (the “Property”) is located in Redevelopment Area 2; and

WHEREAS, on September 8, 2020, the Borough approved a redevelopment agreement (the “Redevelopment Agreement”) for the redevelopment of the Property with 17-19 WMS Urban Renewal LLC, an approved urban renewal entity (the “Redeveloper” or “Entity”); and

WHEREAS, the Entity is the owner of Block 7, Lot 29, also known as 17-19 West Main Street, which make up the Property; and

WHEREAS, the Entity proposes the construction of 28 residential rental units with ground floor gallery space and 32 parking spaces on the Property (the “Project”); and

WHEREAS, the Entity was granted site plan approval for the Project on the Property by the Borough Planning Board on December 12, 2019; and

WHEREAS, the Entity was created for the purposes of acquiring, owning, holding, developing, maintaining, financing, mortgaging, improving, operating, leasing, managing, using, refinancing, selling, subdividing, or otherwise dealing with the Property and the Project; and

WHEREAS, pursuant to and in accordance with the provisions of the Long-Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto (the “Long Term Tax Exemption Law”, as codified in N.J.S.A. 40A:20-1 et seq.), the Borough is authorized to provide for payment in lieu of taxes within a redevelopment area; and

WHEREAS, the Entity submitted an application on or about July 8, 2020 for the approval of a Project, as such term is used in the Long-Term Tax Exemption Law, all in accordance with N.J.S.A. 40A:20-8 (the “Exemption Application”, a copy of which is attached hereto as Exhibit B); and

WHEREAS, the Exemption Application requested a 15-year term for a financial agreement and an annual service charge based on 10% of annual gross revenues for years 1 through 15.

WHEREAS, the Borough proposes and agrees to a 15-year term for a financial agreement and an annual service charge based on 10% of annual gross revenues for years 1 through 10 and increasing to 12% for years 11-15.

WHEREAS, pursuant to the Long-Term Tax Exemption Law, the Borough is authorized to enter into a financial agreement with a redeveloper for payment of an annual service charge for municipal services in lieu of taxes for market rate housing and commercial projects; and

WHEREAS, the Entity has requested that the Borough enter into a financial agreement for payment of an annual service charge for municipal services in lieu of taxes (the “Financial Agreement”) for the Project; and

WHEREAS, the Borough and the Entity have reached agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charges and desire to execute the Financial Agreement, which terms and conditions are stated below.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Bound Brook, County of Somerset, New Jersey, as follows:

Section 1. The Borough acknowledges that 17-19 WMS Urban Renewal LLC, by effectuating the redevelopment of the Project, will significantly limit its profits due to the extraordinary costs to be borne by the Entity, which will provide significant and long-term benefits to the Borough.

Section 2. The Borough makes the following findings:

A. Relative benefits of the Project when compared to the costs:

1. The Property currently generates \$24,576.00 in real estate tax revenue to the Borough as the Property is underutilized. The projected Annual Service Charge over the 15-year term will generate revenue at full build out to the Borough of approximately \$73,854.00.

2. It is estimated that the Project will create jobs during construction and one (1) new permanent jobs;

3. The Project should stabilize and contribute to the economic growth of existing local business and will serve the new residents and attract additional people to the Borough;

4. The Project will further the redevelopment objectives of the Redevelopment Plan for Redevelopment Area 2; and

5. The redevelopment of the Property will greatly improve the downtown neighborhood.

6. The Borough has determined that the benefits of the Project significantly outweigh the costs to the Borough.

B. Assessment of the importance of the tax exemption defined in obtaining development of the Project and influencing the locational decisions of probable occupants:

1. The relative stability and predictability of the Annual Service Charge will make the Project more attractive to investors and lenders needed to finance the Project; and

2. The relative stability and predictability of the Annual Service Charge will allow stabilization of the Project operating budget, allowing a high level of urban design, aesthetics and amenities as well as the use of high quality materials which will maintain the appearance of the building over the life of the Project, which will insure the likelihood of the success of the Project and insure that it will have a positive impact on the surrounding area.

C. Based upon the above determinations by the Borough and the provisions of N.J.S.A. 40A:20-12, this Agreement contains appropriate tax exemption provisions and an appropriate Annual Service Charge schedule.

Section 3. The Exemption Application is hereby accepted and approved.

Section 4. The Financial Agreement shall be for a fifteen (15) year term with an annual service charge starting at ten percent (10%) of annual gross revenues from the Project for the first ten (10) years and shall increase to twelve percent (12%) for the remaining five (5) years of the term, all in accordance with the Long Term Tax Exemption Law.

Section 5. The Financial Agreement is hereby authorized to be executed and delivered on behalf of the Borough by the Mayor in substantially the form attached hereto as Exhibit B. The Borough Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor and to affix the corporate seal of the Borough to the Financial Agreement.

Section 6. This ordinance shall take effect upon final passage and publication as required by law.

ATTEST:

BOROUGH OF BOUND BROOK

\_\_\_\_\_  
Jasmine D. Mathis  
Borough Clerk

By: \_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: September 8, 2020



BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2020-25

An Ordinance of the Borough of Bound Brook Amending and Supplementing Chapter 29, “Solid Waste Management”, of the General Revised Ordinances of the Borough of Bound Brook to Amend the Regulations and Enforcement of the Collection of Solid Waste

WHEREAS, the Mayor and Council of the Borough of Bound Brook wish to promote the health, safety and welfare of the residents of the Borough; and

WHEREAS, the Mayor and Council agree there is a need to revise Chapter 29 to update the solid waste management regulations and to authorize the Department of Code Enforcement to enforce the sections contained herein;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Bound Brook, in the County of Somerset, State of New Jersey as follows:

SECTION 1: CHAPTER 29, “Solid Waste Management”, of the General Revised Ordinances of the Borough of Bound Brook, are hereby amended and supplemented by deleting all text **[bracketed and marked in bold]** and inserting the text **underlined and marked in bold** to read as follows:

29-1.2 Included users and charges.

- a. Each single-family, two-family, three-family and four-family residence as well as every church, every private school, and the Post Office shall pay an annual charge of \$220 per dwelling unit for the disposal of their garbage through the Borough of Bound Brook. This charge shall entitle each such residential dwelling unit, church, private school and the Post Office to the collection of two **[bags/] approved garbage** containers **(as specified in 29-1.4b.)** per week during the months of January, February, March, April, May, June, September, October, and November, and the collection of [three bags/containers] **two approved garbage containers plus one approved garbage bag (as specified in 29-1.4b)** per week during the months of July, August, and December. All garbage in excess these numbers of bags/containers per week placed curbside for removal must be identified with a solid waste disposal sticker. If the garbage is placed in bags, a sticker must be affixed. If placed in containers, the top item must have a sticker affixed to it so that it is plainly visible.
- b. {No changes }
- c. {No changes }
- d. {No changes }
- e. {No changes }
- f. {No changes }
- g. {No changes }

29-1.3 Excluded users: proof of service. {No changes}

29-1.4 Preparation for collection and disposal.

a. {No changes}

b. **[Container specifications]. Approved Garbage Container and Approved Garbage Bag Specifications**

1. **[The containers] Approved Garbage Containers** shall be galvanized or plastic composition, shall not exceed 40 gallons in capacity, shall be no heavier than 25 pounds when filled, shall have a lid or cover and shall have two sturdy handles.

2. **[Plastic bags] Approved Garbage Bags must be contractor grade black garbage bags** not less than **[two] eight** mils thick nor larger than 42 gallons may be used if properly tied, and shall be no heavier than 25 pounds.

c. {No changes}

d. {No changes}

e. **[Leave's, brush, grass. Leaves, brush and grass will not be collected as part of the regular garbage pickup. These items shall be collected as part of the special collection programs to be established by the Borough from time-to-time. The Borough will provide homeowners with notice at least seven days prior to such collection by publication in the newspaper in general circulation in the municipality.] Leaves, Tree Limbs and Brush shall be disposed of as outlined in Chapter 26-9 Removal of Leaves, Tree Branches, and Brush of the General Code of the Borough of Bound Brook.**

Homeowners shall place such items curbside no earlier than 24 hours prior to the collection time.

f. {No changes}

g. {No changes}

h. {No changes}

i. {No changes}

j. {No changes}

k. {No changes}

l. {No changes}

m. {No changes}

n. {No changes}

o. {No changes}

p. {No changes}

29-1.5 Collection schedules; time for placement at curb. {No changes}

29-1.6 Conduct of collectors and vehicles. {No changes}

29-1.7 Transportation from outside municipality. {No changes }

29-1.8 Violations, penalties and enforcement.

- a. **This section shall be enforced by the Borough Department of Code Enforcement or its designees. In the event an inspector in Department of Code Enforcement determines that a violation of this section or any regulation promulgated pursuant thereto has occurred, the inspector may file a summons and/or complaint in the municipal court or cause the issuance of the same, whether or not a notice of violation or order have been served.** -Any person violating any provision of this chapter shall be liable, upon conviction to the penalty stated in Chapter 1 § 1-5 with a minimum fine of **\$150**. [**\$100. No person shall be subject to any fine under this section unless they shall first be provided with a written warning for a first violation. For any subsequent violations, the penalties set forth above shall be imposed.**]
- b. {No changes }
- c. Any and all provisions of this chapter shall be enforced **by the Department of Code Enforcement** [by any and all officers or employees of the municipality, or the Health Officer or any of their authorized representatives] or any Bound Brook Police Officer.

29-2 COLLECTION OF RECYCLABLE MATERIALS. {No changes }

29-3 SEPARATION OF RECYCLABLE MATERIAL AND NON-GARBAGE ITEMS FROM REFUSE.

29-3.1 Mandatory separation. {No changes }

29-3.2 Preparation for collection.

- a. {No changes }
- b. {No changes }
- c. {No changes }
- d. {No changes }
- e. {No changes }
- f. **Leaves, Tree Limbs and Brush shall be disposed of as outlined in Chapter 26-9 Removal of Leaves, Tree Branches, and Brush of the General Code of the Borough of Bound Brook.** Homeowners shall place such items curbside no earlier than 24 hours prior to the collection time. [Yard and tree clippings will be tied securely in bundles not to exceed four feet in length and of such weight as to allow being handled by one person. Leaves and other loose material will be placed in a plastic garbage bag and securely tied. The bundles and bags will be placed at the curb line on such days as shall be scheduled for collection. During the period September 1 to November 30, leaves may be placed at the curb for collection. ]
- g. {No changes }
- h. {No changes }

- i. {No changes}
- j. {No changes}
- k. {No changes}

29-3.3 Time for placement. {No changes}

29-3.4 Recyclable curb placements; county property; violations. {No changes}

29-3.5 Authorization to make regulations. {No changes}

29-3.6 Determination of compliance. {No changes}

29-3.7 (Reserved) {No changes}

29-3.8 Enforcement.

This section shall be enforced by a the Borough [**Council designated Local Enforcement Officer**] **Department of Code Enforcement** who shall investigate alleged violations called to [**his**] its attention by a collector of non-recyclable solid waste. In the event the [**Local Enforcement Officer**] **an inspector in Department of Code Enforcement** [shall] determines that a violation of this section or any regulation promulgated pursuant thereto has occurred, **the inspector may file a summons and/or complaint in the municipal court or cause the issuance of the same, whether or not a notice or violation or order have been served. [he shall notify the party responsible for the violation detailing the particulars thereof. In the event a second violation of this section or any regulation promulgated pursuant thereto should occur, the Local Enforcement Officer shall file a complaint therefor in Municipal Court.]**

29-3.9 Violations and penalties. {No changes}

29-4 DISPOSAL OF YARD WASTE.

29-4.1 Definitions.

As used in this section:

**CONTAINERIZED**

The placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

**PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**STREET**

Any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, County, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

**YARD WASTE**

Leaves [**and grass clippings**] **tree branches and brush.**

29-4.2 Prohibited conduct {No changes}

29-4.3 Enforcement.

This section shall be enforced by the Police Department and the **Department of Code Enforcement [Code Enforcement Office]** of the Borough of Bound Brook.

29-4.4 Penalty. {No changes}

**SECTION 2: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**SECTION 3: SEVERABILITY**

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 4: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon passage and publication as provided by law.

**SECTION 5: CODIFICATION**

This ordinance shall be a part of the Code of Borough of Bound Brook as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

ATTEST:

BOROUGH OF BOUND BROOK

\_\_\_\_\_  
Jasmine D. Mathis  
Borough Clerk

By: \_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: September 8, 2020

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2020-21

AN ORDINANCE OF THE BOROUGH OF BOUND BROOK, COUNTY OF SOMERSET, NEW JERSEY APPROVING THE PILOT APPLICATION AND AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND MERIDIA 1 URBAN RENEWAL, BOUND BROOK, LLC FOR PROPERTY LOCATED ON BLOCK 8, LOTS 9.01, 9.03 AND 9.04 ALSO KNOWN AS 1, 7-11 EAST MAIN STREET AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BOUND BROOK AND LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA

WHEREAS, in January 2000, the Borough Council of the Borough of Bound Brook designated various properties in its downtown along the Main Street corridor as an area need of redevelopment (“Redevelopment Areas 1 & 2”) and adopted a redevelopment plan for Redevelopment Areas 1 & 2 in February 2000 and subsequently adopted an Amended Redevelopment Plan for Redevelopment Area 1 on August 11, 2015, which has been amended subsequently time to time; and

WHEREAS, Block 8, Lots 9.01, 9.03 and 9.04, also known as 1, 7-11 East Main Street (the “Property”) is located in Redevelopment Area 1; and

WHEREAS, on August 25, 2020, the Borough approved a redevelopment agreement (the “Redevelopment Agreement”) for the redevelopment of the Property with Meridia 1 Urban Renewal, Bound Brook, LLC, an approved urban renewal entity (the “Redeveloper” or “Entity”); and

WHEREAS, the Entity is the contract purchaser of Block 8, Lots 9.01, 9.03 and 9.04, also known as 1, 7-11 East Main Street, which make up the Property; and

WHEREAS, the Entity proposes the construction of 75 residential rental units with approximately 1,836 square feet of ground floor commercial space and 12 parking spaces on the Property (the “Project”); and

WHEREAS, the Entity was created for the purposes of acquiring, owning, holding, developing, maintaining, financing, mortgaging, improving, operating, leasing, managing, using, refinancing, selling, subdividing, or otherwise dealing with the Property and the Project; and

WHEREAS, pursuant to and in accordance with the provisions of the Long-Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto (the “Long Term Tax Exemption

Law”, as codified in N.J.S.A. 40A:20-1 et seq.), the Borough is authorized to provide for payment in lieu of taxes within a redevelopment area; and

WHEREAS, the Entity submitted an application on or about for the approval of a Project, as such term is used in the Long-Term Tax Exemption Law, all in accordance with N.J.S.A. 40A:20-8 (the “Exemption Application”, a copy of which is attached hereto as Exhibit A); and

WHEREAS, the Exemption Application requested a 25-year term for a financial agreement and an annual service charge based on 10% of annual gross revenues for years 1 through 25.

WHEREAS, the Borough proposes and agrees to a 15-year term for a financial agreement and an annual service charge based on 11% of annual gross revenues for years 1 through 10 and increasing to 13% for years 11-15.

WHEREAS, pursuant to the Long-Term Tax Exemption Law, the Borough is authorized to enter into a financial agreement with a redeveloper for payment of an annual service charge for municipal services in lieu of taxes for market rate housing and commercial projects; and

WHEREAS, the Entity has requested that the Borough enter into a financial agreement for payment of an annual service charge for municipal services in lieu of taxes (the “Financial Agreement”) for the Project; and

WHEREAS, the Borough and the Entity have reached agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charges and desire to execute the Financial Agreement, which terms and conditions are stated below; and

WHEREAS, the Borough acknowledges that Meridia 1 Urban Renewal, Bound Brook, LLC, by effectuating the redevelopment of the Project, will significantly limit its profits due to the extraordinary Property costs to be borne by the Entity, which will provide significant and long-term benefits to the Borough; and

WHEREAS, the Entity has requested that the Borough enter into a financial agreement for payment of an annual service charge for municipal services in lieu of taxes (the “Financial Agreement”) for the Project; and

WHEREAS, the Borough and the Entity have reached agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charges and desire to execute a Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Bound Brook, County of Somerset, New Jersey, as follows:

Section 1. The Borough acknowledges that by effectuating the redevelopment of the Project, Meridia 1 Urban Renewal Bound Brook, LLC will significantly limit its profits due to the extraordinary costs to be borne by the Entity, which will provide significant and long-term benefits to the Borough.

Section 2. The Borough makes the following findings:

- A. Relative benefits of the Project when compared to the costs:
  1. The Property currently generates approximately \$22,176.00 in real estate tax revenue to the Borough as the Property is underutilized and part is exempt as municipal property. The projected Annual Service Charge over the 15-year term will generate an average annual revenue to the Borough of approximately \$212,996.00.
  2. It is estimated that the Project will create jobs during construction and up to 11 permanent jobs in the residential and commercial uses;
  3. The Project should stabilize and contribute to the economic growth of existing local business and to the creation of new business, which will serve the new residents and attract additional people to the Borough;
  4. The Project will further the redevelopment objectives of the Redevelopment Plan for Redevelopment Area 1; and
  5. The redevelopment of the Property will greatly improve the downtown neighborhood.
  6. The Borough has determined that the benefits of the Project significantly outweigh the costs to the Borough.
- B. Assessment of the importance of the tax exemption defined in obtaining development of the Project and influencing the locational decisions of probable occupants:
  1. The relative stability and predictability of the Annual Service Charge will make the Project more attractive to investors and lenders needed to finance the Project; and
  2. The relative stability and predictability of the Annual Service Charge will allow stabilization of the Project operating budget, allowing a high level of urban design and aesthetics as well as the use of high quality materials which will maintain the appearance of the building over the life of the Project, which will



insure the likelihood of the success of the Project and insure that it will have a positive impact on the surrounding area.

- C. Based upon the above determinations by the Borough and the provisions of N.J.S.A. 40A:20-12, this Agreement contains appropriate tax exemption provisions and an appropriate Annual Service Charge schedule.

Section 3. The Exemption Application is hereby accepted and approved.

Section 4. The Financial Agreement shall be for a fifteen (15) year term with an annual service charge based on 11% of annual gross revenues for years 1 through 10 and increasing to 13% for years 11-15, all in accordance with the Long-Term Tax Exemption Law.

Section 5. The Financial Agreement is hereby authorized to be executed and delivered on behalf of the Borough by the Mayor in substantially the form attached hereto as Exhibit B. The Borough Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor and to affix the corporate seal of the Borough to the Financial Agreement.

Section 6. This ordinance shall take effect upon final passage and publication as required by law.

ATTEST:

BOROUGH OF BOUND BROOK

\_\_\_\_\_  
Jasmine D. Mathis  
Borough Clerk

By: \_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: August 25, 2020

Date of Adoption: September 8, 2020

EXHIBIT A  
EXEMPTION APPLICATION

EXHIBIT B

FORM OF FINANCIAL AGREEMENT

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2020-22

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII, TRAFFIC, SECTION 7-12, PARKING TIME LIMIT ON CERTAIN STREETS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

BE IT ORDAINED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey as follows:

**SECTION 1.** Chapter VII, “Traffic”, Section 7-12, “Parking Time Limit on Certain Streets”, of the Revised Ordinances of the Borough of Bound Brook is hereby amended and supplemented by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold** to read as follows:

7-12 PARKING TIME LIMITED ON CERTAIN STREETS.

No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

a. Parking time limited.

....

John Street	East	Two hours	8:00 a.m. to 6:00 p.m. Monday through Saturday	Between East Main Street and East Second Street Beginning at a point 35 feet from the southeast corner of East Second Street to a point 85 feet southerly therefrom and from a point <b>[35] 65</b> feet from the northeast corner of East Main Street extending to a point <b>[220] 180</b> feet northerly therefrom
<b><u>John Street</u></b>	<b><u>East</u></b>	<b><u>Ten minutes</u></b>	<b><u>At all times</u></b>	<b><u>From the northeast corner from East Main Street to a point 65 feet north</u></b>

**SECTION 2. Severability Clause.**

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared severable.

**SECTION 3. Repealer.**

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4. Effective Date**

This Ordinance shall take effect, following adoption and publication in accordance with the laws of the State of New Jersey.

ATTEST:

BOROUGH OF BOUND BROOK

\_\_\_\_\_  
Jasmine D. Mathis  
Borough Clerk

By: \_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: August 25, 2020

Date of Adoption: September 8, 2020

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2020-173

RESOLUTION RENEWING LFR INC.'S RETAIL PLENARY CONSUMPTION  
LICENSE NO. 1804-33-020-009 FOR THE LICENSE YEAR 2020-2021, WITHOUT  
CONDITIONS

WHEREAS, LFR Inc. submitted an application for the renewal of its Plenary Retail Consumption License for the premises located at 224-226-228 East Main Street; and

WHEREAS, LFR Inc.'s application complies with the Rules and Regulations of the Division of Alcoholic Beverage Control, and was accompanied by the required license fee, filing fee and tax clearance; and

WHEREAS, the Mayor and Council adopted Resolution NO. 2020-145 to renew LFR Inc.'s License with certain conditions; and

WHEREAS, the Mayor and Council desire to remove the conditions imposed on LFR Inc.'s Plenary Retail Consumption License; and

WHEREAS, the Mayor and Council now desires to renew LFR Inc.'s License without additional conditions.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Resolution No. 2020-145 renewing LFR Inc.'s retail plenary consumption license with conditions is hereby repealed.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Plenary Retail Consumption License No. 1804-33-020-009 held by LFR Inc., 224-226-228 East Main Street, Bound Brook, New Jersey (the "Licensed Premises"), is hereby renewed for the license year 2020-2021.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Division of Alcoholic Beverage Control, Trenton, New Jersey.

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

\_\_\_\_\_  
Jasmine D. Mathis, Borough Clerk  
Date of Adoption: September 8, 2020

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2020-174

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR APPRAISAL CONSULTING SERVICES TO MARK TINDER APPRAISALS LLC TO PERFORM AN APPRAISAL OF THE MARKET VALUE OF PROPERTY KNOWN AS BLOCK 3, LOT 1 LOCATED AT 432 TALMAGE AVENUE TO BE ACQUIRED IN PART WITH GREEN ACRES FUNDING

WHEREAS, there exists for the Borough of Bound Brook (the “Borough”), a need for the services of a firm specializing in appraisal consulting services to perform an appraisal of the market value for property known as Block 3, Lot 1 located at 432 Talmage Avenue with Green Acres funding (the “Property”); and

WHEREAS, Mark Tinder Appraisals LLC has submitted a proposal, dated August 11, 2020, to perform an appraisal of the Property and prepare a complete appraisal report, a copy of which is attached hereto and made part of this Resolution; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that resolutions authorizing the award of contracts for a professional service be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bound Brook that:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute for the Borough, subject to the availability of funds, a professional services contract with Mark Tinder Appraisals LLC, 29 Somerset Street, Somerville, NJ 08876 to provide services in accordance with its proposal, which shall remain on file in the Borough’s office and available for public inspection.
2. The appraisal shall be prepared in accordance with Green Acres appraisal requirements since it is anticipated that the Property may be acquired in part with the use of Green Acres funding.
3. That this contract shall be in an amount not to exceed a total of \$4,250.00 payable upon completion of the appraisal as outlined in the proposal.
4. This agreement is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) because it is a recognized profession, licensed and regulated by law, the performance of which services requires knowledge of an advanced type pursuant to N.J.S.A. 40A:11-2 (6).

5. A notice of this action shall be printed in the Legal Newspaper of the Borough as required by law within ten (10) days of its passage. Attached hereto is the certification of the Chief Financial Officer of the Borough, which states that there are legally appropriated sufficient funds to be provided by the Borough to cover the cost of this contract, which certification is required on all contracts as per regulations of the Director of Local Government Services.

Approved:

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Mayor Robert P. Fazen

Attest:

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Jasmine D. Mathis, Borough Clerk

Date of Adoption: September 8, 2020



BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2020-175

RESOLUTION APPROVING LIQUOR LICENSE RENEWALS FOR 2020-2021

WHEREAS, the following applications were received for renewal of their Plenary Retail Consumption, Plenary Retail Distribution and Club Licenses; and

WHEREAS, said applications comply with the Rules and Regulations of the Division of Alcoholic Beverage Control, each being accompanied by the required license fee, filing fee and tax clearance; and

WHEREAS, the Borough Clerk has informed this body that no objections have been received by against any of said applications; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the following applications are hereby approved and the Borough Clerk is hereby authorized to issue licenses to the applicants for the fiscal year 2020-2021.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Division of Alcoholic Beverage Control; Trenton, New Jersey.

	License Number	Fee	License Holder	Address
Plenary retail consumption	1804-33-007-012	\$2,500	Alley 14, LLC	12 Church Street
Plenary retail Consumption	1804-33-001-005	\$2,500	America’s Florist	227 W. Union Avenue
Plenary retail consumption	1804-33-009-001	\$2,500	Bound Brook Lodge NO. 1388 BPO Elks	305 East Second Street
Plenary retail Consumption	1804-33-021-004	\$2,500	Bound Brook Hotel	507 East Main Street
Plenary retail Consumption with Broad Package Privilege	1804-32-022-006	\$2,500	Café Imperial	200 Talmage Avenue

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

\_\_\_\_\_  
Jasmine D. Mathis, Borough Clerk  
Date of Adoption: September 8, 2020

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2020-176

RESOLUTION APPROVING THE EXTENSION OF BOROUGH HALL SUMMER HOURS

WHEREAS, Resolution 2020-108 approved summer hours beginning May 29, 2020 and ending September 4, 2020; and

WHEREAS, due to COVID-19, Borough Hall has been closed to the public and online services have increased; and

WHEREAS, it is the recommendation of the Borough Administrator to extend summer hours to December 31, 2020.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook that summer hours shall be extended to December 31, 2020.

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

\_\_\_\_\_  
Jasmine D. Mathis, Borough Clerk

Date of Adoption: September 8, 2020

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2020-177

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 17-19 WMS URBAN RENEWAL LLC AS REDEVELOPER FOR PROPERTY KNOWN AS TAX BLOCK 7, LOT 29 LOCATED AT 17-19 WEST MAIN STREET IN THE DOWNTOWN REDEVELOPMENT AREA FOR REDEVELOPMENT OF A MIXED USE PROJECT

WHEREAS, in January 2000, the Borough Council of the Borough of Bound Brook designated various Property in its downtown along the Main Street corridor as an area need of redevelopment (“Redevelopment Areas 1 & 2”) and adopted a redevelopment plan for Redevelopment Areas 1 & 2 in February 2000 and subsequently adopted an Amended Redevelopment Plan for Redevelopment Area 1 on August 11, 2015, which has subsequently been amended from time to time; and

WHEREAS, the Borough has been promoting the redevelopment of public and privately-owned Property in Redevelopment Areas 1 & 2; and

WHEREAS, Block 7, Lot 29 are located in Redevelopment Area 2 (referred to as the “Property”); and

WHEREAS, Block 7, Lot 29 is privately owned; and

WHEREAS, 17-19 WMS Urban Renewal LLC (the “Redeveloper”), under an affiliate entity bearing the West Main St. Urban Renewal, LLC, is currently developing the adjacent property at 7-15 West Main Street also known as Block 7, Lot 28 pursuant to a separate redevelopment agreement with the Borough dated November 22, 2016 which contemplated the redevelopment of the Property; and

WHEREAS, the proposal from the Redeveloper has been reviewed and found consistent with the Borough's goals for redeveloping the downtown area and site plan approval for the Property was granted by the Borough Planning Board on December 12, 2019; and

WHEREAS, the Borough and Redeveloper have agreed to the terms and conditions with respect to the redevelopment of the Property, the construction of the improvements and the payment of certain costs in connection; and

WHEREAS, the Borough believes that the redevelopment of the Property in the manner proposed by the Redeveloper is in the vital and best interests of the community and promotes the health, safety, morals and welfare of the Borough’s residents and is in accord with the public purpose and provisions of the Local Redevelopment and Housing Law and all other applicable laws; and

WHEREAS, the Borough and the Redeveloper desire to fully and thoroughly address the rights and obligations of the Parties hereto in connection with the redevelopment of the Property by way

of a redevelopment agreement, in a form substantially consistent with that attached and annexed hereto, and the Borough and the Redeveloper acknowledge that the mutual promises contained in the redevelopment agreement shall be good and valuable consideration for the binding execution of the redevelopment agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bound Brook that it hereby approves and authorizes the execution of a redevelopment agreement with 17-19 WMS Urban Renewal, LLC, 188 East Franklin Turnpike, Ho-Ho-Kus, New Jersey 07423 as redeveloper for the redevelopment of Tax Block 7, Lot 29 located at 17-19 West Main Street.

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk are hereby authorized to execute any and all documents, including the redevelopment agreement substantially consistent with the form of agreement attached hereto, to effectuate the completion and implementation of this project, subject to final review by general counsel as to legal form and content.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Approved:

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Mayor Robert P. Fazen

Attest:

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Jasmine D. Mathis, Borough Clerk

Date of Adoption: September 8, 2020

BOROUGH OF BOUND BROOK  
RESOLUTION 2020-178

APPROVAL OF VOUCHERS

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, and State of New Jersey that vouchers are approved for the following funds in the amount of \$1,662,713.71

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 1,543,169.79
GRANT FUND	\$ 18,105.00
GENERAL CAPITAL	\$ 41,325.93
GENERAL TRUST FUND	\$ 9,636.18
RECREATION TRUST	\$ 4,024.41
DOG TRUST	\$ 6.00
DEVELOPERS ESCROW	\$ 1,998.00
TAX COLLECTOR TRUST	\$ 31,000.00
TAX TITLE LIEN REDEMPTION	\$8,472.61
PAYROLL FUND	\$4,975.79
TOTAL	<u>\$1,662,713.71</u>

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

\_\_\_\_\_  
Jasmine D. Mathis, Borough Clerk

Date of Adoption: September 8, 2020

BOROUGH OF BOUND  
County of Somerset

RESOLUTION 2020-179

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, NJSA 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Borough of Bound Brook has deemed it necessary to go into closed session to discuss matters which are exempted from the public; and

WHEREAS, the regular meeting of the Borough of Bound Brook will reconvene.

NOW THEREFORE BE IT RESOLVED, that the Borough Council will go into closed session for the following reasons as outlined in NJSA 10:4-12; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Borough of Bound Brook hereby declares that the discussion of subject(s) may be made public at a time when the Borough Attorney advises the Borough Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion. That time is currently estimated as the time of said matter.

NOW THEREFORE BE IT FINALLY RESOLVED that the Borough is excluded from the portion of the meeting during which the discussion(s) shall take place and hereby directs the Municipal Clerk to take the appropriate action to effectuate the terms of this resolution.

Reason for Closed Session –

Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the borough's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact.

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

\_\_\_\_\_  
Jasmine D. Mathis, Borough Clerk

Date of Adoption: September 8, 2020