

Borough of Bound Brook
Regular Meeting – November 24, 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.

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:

November 10, 2020 Regular Meeting

Motion: Second: Discussion:

Roll Call:

C. Jake Hardin___C. Richard Jannuzzi___C. President Elizabeth Jannuzzi___
C. Brad Galeta___C. Abel Gomez___C. Vinnie Petti___

November 10, 2020 Executive Session

Motion: Second:

Roll Call:

C. Jake Hardin___C. Richard Jannuzzi___C. President Elizabeth Jannuzzi___
C. Brad Galeta___C. Abel Gomez___C. Vinnie Petti___

Advertised hearings or special presentations

- Covid-19 Update

Presentation of communications, petitions, etc.

Greetings for comments and invitation for discussion

Opening of bids

- 2021 Request for Qualifications for Professional Services were received on November 13, 2020
- Request for Proposals for Police Extra Duty Management were received on November 20, 2020

Engineer's Report-Dale Leubner, Superintendent of Public Works

Committee Reports

Chair of Finance - C. Elizabeth Jannuzzi

Liaison Committees: Cultural Arts Committee, BB Seniors

Chair of Public Works, Bldgs., Grounds & Utilities - C. Abel Gomez

Liaison Committees: Historic Preservation Commission, Shade Tree Commission, Board of Education

Chair of Public Safety (Police & Fire) - C. Vinnie Petti

Liaison Committees: Board of Engineers, Office of Emergency Management, Rescue Squad, Parking Commission,

Chair of Personnel, Administration & Ordinances - C. Brad Galeta

Liaison Committees: BB/SBB Municipal Alliance/Youth Services Commission, Recreation Commission

Chair of Economic Development C. Jake Hardin

Liaison Committees: Architectural Review Advisory Committee, Special Improvement District, Planning Board

Chair of Zoning, Construction & Code Enforcement - C. Richard Jannuzzi

Liaison Committees: Board of Health, Library Advisory Committee

Introduction of ordinances -First Reading

Ordinance on Final Reading and Consideration - Second Reading

Ordinance 2020-32 An Ordinance of the Borough of Bound Brook, in the County of Somerset, State of New Jersey, Providing for a Special Emergency Appropriation of \$887,035 Providing for the Funding of a Deficit in Operations of the Borough Directly Attributable to Covid-19 which is Anticipated to be Experienced by the Borough in the Current Fiscal Year

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:

2020-228 Chapter 159, Bulletproof Vests in the Amount of \$5,499.95

2020-229 Resolution Amending the Personnel Manual to Include Juneteenth Day as a Floater Holiday

2020-230 Resolution Memorializing Confirmation of Acceptance of Justin Kopecky's New Jersey State Firemen's Association Application for Membership to the Bound Brook Fire Department

2020-231 Resolution Memorializing Confirmation of Acceptance of Jakoh Long New Jersey State Firemen's Association Application for Membership to the Bound Brook Fire Department

- 2020-232 Resolution Authorizing Budget Transfers
- 2020-233 Resolution Appointing Ben Auletta to the Library Advisory Board for an Unexpired Term Ending December 2023
- 2020-234 Resolution Approving the Transfer of Public Property to Somerset County for Public Auction

Unfinished Business

New Business

- Reorganization Meeting Date
- Tree Lighting Ceremony

Approval of Vouchers

2020- 235 Resolution Approving Vouchers in the Amount of \$ 371,773.29

Motion: Second: Discussion: All in favor:

Roll Call:

C. Jake Hardin___C. Richard Jannuzzi___C. President Elizabeth Jannuzzi___
C. Brad Galeta___C. Abel Gomez___C. Vinnie Petti___

Open to the public for comment

Authorize Executive Session

2020-236 Resolution Authorizing Executive Session

Motion: Second: All in favor:

Adjournment

Motion: Second: Discussion: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2020-32

AN ORDINANCE OF THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION OF \$887,035 PROVIDING FOR THE FUNDING OF A DEFICIT IN OPERATIONS OF THE BOROUGH DIRECTLY ATTRIBUTABLE TO COVID-19 WHICH IS ANTICIPATED TO BE EXPERIENCED BY THE BOROUGH IN THE CURRENT FISCAL YEAR

WHEREAS, the Governor of the State of New Jersey (the “State”) has heretofore declared a public health emergency and a state of emergency in response to the outbreak of the coronavirus disease 2019 as announced by the World Health Organization on February 11, 2020, and first identified in Wuhan, China (“COVID-19”); and

WHEREAS, N.J.S.A. 40A:4-53(m) provides that a municipality may, subject to the approval of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs (the “Director”), adopt an ordinance providing for a special emergency appropriation for the funding of a deficit in operations of the Borough directly attributable to COVID-19; and

WHEREAS, the Chief Financial Officer of the Borough of Bound Brook, in the County of Somerset, State of New Jersey (the “Borough”) has executed a certification in the form prescribed by the Director, certifying that the deficit balance anticipated to be reported on the Borough’s “Results of Operations” schedule of the annual financial statement for the current fiscal year is \$887,035.00; and

WHEREAS, by resolution adopted on November 10, 2020, the Municipal Council of the Borough approved such certification, together with the Borough's application to the Director seeking approval of the adoption of this ordinance; and

WHEREAS, the Borough has applied for financial assistance that may be available to the Borough from the federal government, the State and other sources to offset such anticipated operating deficit balance, and has obtained \$0.00 for such purpose (which amount will be utilized to offset such anticipated operating deficit balance);

WHEREAS, the Municipal Council of the Borough has determined to provide for the funding of such anticipated operating deficit balance, as offset by the amount of financial assistance received, in the net amount of \$887,035; and

WHEREAS, the Borough seeks to make a special emergency appropriation in accordance with N.J.S.A. 40A:4-53(m).

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:4-53(m), the sum of \$887,035 is hereby appropriated for the funding of a deficit in operations of the Borough directly attributable to COVID-19 which is anticipated to be experienced by the Borough in the current (2020) fiscal year, and the same shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-53.

Section 2. The portion of the authorization financed shall be provided for in succeeding annual budgets by the inclusion of at least one fifth of the amount authorized by this

ordinance beginning in the year after the year in which the resulting deferred charge appears in the Borough's unaudited financial statements, as provided in N.J.S.A. 40A:4-55.

Section 3. The Mayor and Chief Financial Officer are each hereby authorized and directed to determine all matters in connection with the special emergency appropriation not determined by this or a subsequent ordinance, all in consultation with the Borough Attorney or Bond Counsel, and the manual or facsimile signature of the Borough's Mayor or Chief Financial Officer upon any documents shall be conclusive as to all such determinations. The Mayor, Chief Financial Officer, Borough Clerk and any other Borough Representative, including but not limited to, Bond Counsel, the Borough Attorney, Municipal Advisor and the Auditor (collectively, the "Borough Representatives"), are each hereby authorized and directed to take such actions or refrain from such actions as are necessary to undertake the special emergency appropriation, including but not limited to, the negotiation of any and all contracts, agreements and documents for the special emergency appropriation, and any all such actions or inactions taken by the aforesaid Borough Representatives heretofore are hereby ratified and confirmed, *nunc pro tunc*.

Section 4. A copy of this ordinance shall be filed with the Director of the Division of Local Government Services.

Section 5. This ordinance shall take effect upon final passage and publication as required by law; provided that the approval of the Director has been obtained.

ATTEST:

BOROUGH OF BOUND BROOK

Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: November 10, 2020
Date of Adoption: November 24, 2020

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2020-228

PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)

US DOJ Bulletproof Vest \$5,499.95

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount; and

NOW, THEREFORE, BE IT RESOLVED That the Borough Council of the Borough of Bound Brook hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2020, in the amounts listed below, which item is now available as a revenue from the US DOJ

Bulletproof Vest, Other Expenses \$5,499.95

BE IT FURTHER RESOLVED that a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: November 24, 2020

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2020-229

RESOLUTION AMENDING THE PERSONNEL MANUAL TO INCLUDE JUNETEENTH
AS A FLOATER HOLIDAY

WHEREAS, on September 10, 2020, Governor Phil Murphy signed legislation (S19), which designates the third Friday in June as a State and public holiday, known as Juneteenth Day; and

WHEREAS, Juneteenth commemorates June 19, 1865, when Union General Gordon Granger rode into Galveston, Texas to inform enslaved people of the 1863 Emancipation Proclamation and their freedom; and

WHEREAS, the Borough Administrator has recommended to amend the Personnel Manual to increase the amount of floater holidays to include Juneteenth Day for Borough employees;

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 Personnel Manual be amended to increase the amount of floater holidays to include Juneteenth Day for Borough employees effective January 1, 2021.

BE IT FURTHER RESOLVED that the Borough Administrator, Borough Clerk, and the CFO are hereby authorized to take all necessary steps to effectuate the intent of this Resolution.

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

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: November 24, 2020

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2020-230

RESOLUTION MEMORIALIZING CONFIRMATION OF ACCEPTANCE OF JUSTIN
KOPECKY'S NEW JERSEY STATE FIREMEN'S ASSOCIATION APPLICATION FOR
MEMBERSHIP TO THE BOUND BROOK FIRE DEPARTMENT

WHEREAS, Justin Kopecky has applied to become a junior volunteer firefighter in the Borough of Bound Brook Fire Department Hose Company No. 1; and

WHEREAS, evidence of physical fitness has been produced.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the New Jersey State Firemen's Association Application for Membership for Justin Kopecky to Bound Brook Hose Company No. 1 is hereby accepted.

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: November 24, 2020

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2020-231

RESOLUTION MEMORIALIZING CONFIRMATION OF ACCEPTANCE OF JAKOH
LONG NEW JERSEY STATE FIREMEN'S ASSOCIATION APPLICATION FOR
MEMBERSHIP TO THE BOUND BROOK FIRE DEPARTMENT

WHEREAS, Jakoh Long has applied to become a volunteer firefighter in the Borough of Bound Brook Fire Department Watchung Fire Company No. 3; and

WHEREAS, evidence of physical fitness has been produced and a background check has been performed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the New Jersey State Firemen's Association Application for Membership for Justin Kopecky to Bound Brook Watchung Fire Company No. 3 is hereby accepted.

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: November 24, 2020

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2020-232

RESOLUTIN AUTHORIZING BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A:4-58 provides that Budget transfers may be made during the last two months of the fiscal year; and

WHEREAS, there has been determined a need for such transfers;

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 transfers be made:

DEPARTMENT	CATEGORY	TO	FROM
Celebration of Public events	OE	\$13,000.00	
COVID 19	OE	\$10,000.00	
Building and Grounds	OE	\$1,000.00	
Group Health Insurance	OE		\$24,000.00
		<hr/>	
		\$24,000.00	\$24,000.00

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: November 24, 2020

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2020-233

RESOLUTION APPOINTING BEN AULETTA TO THE LIBRARY ADVISORY BOARD
FOR AN UNEXPIRED TERM ENDING DECEMBER 2023

WHEREAS, a Library Advisory Board was established to act as liaison between the Borough of Bound Brook and the Somerset County Library Commission and to perform such other functions as shall from time to time be appropriate for the continuation of a public library within the Borough of Bound Brook; and

WHEREAS, each member of the Library Advisory Board is appointed by the Mayor with the advice and consent of the Borough Council; and

WHEREAS, there exists an unexpired term ending on December 31, 2023; and

WHEREAS, the Mayor has recommended the appointment of Ben Auletta to fill the unexpired term.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, Ben Auletta be appointed to the Library Advisory Board for the unexpired term ending on December 31, 2020.

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: November 24, 2020

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2020-234

RESOLUTION APPROVING THE TRANSFER OF PUBLIC PROPERTY TO SOMERSET
COUNTY FOR PUBLIC AUCTION

WHEREAS, there is various public property no longer needed for public use; and

WHEREAS, N.J.S.A. 40A:11-36 requires that said sale take place at public auction to the highest bidder; and

WHEREAS, the Borough of Bound Brook desires to participate in the 2021 Somerset County Auction;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the following items shall be transferred to Somerset County for public auction.

VEHICLES

VIN#

2003 3-Wheel Mechanical Sweeper

P-3994-D

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: November 24, 2020

BOROUGH OF BOUND BROOK
RESOLUTION 2020-235

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 \$ \$ 371,773.29.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 305,177.89
GENERAL TRUST	\$ 39,312.66
RECREATION TRUST	\$ 69.79
HOUSING REHAB	\$2,935.20
DEVELOPERS ESCROW	\$ 9,682.00
ENGINEERING ESCROW	\$ 8,432.08
GENERAL CAPITAL	\$ 1,187.88
PAYROLL FUND	\$ 4,975.79
TOTAL	<u>\$ 371,773.29</u>

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: November 24, 2020

BOROUGH OF BOUND
County of Somerset

RESOLUTION 2020-236

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: November 24, 2020