



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
NOVEMBER 9, 2021 AT 7:00 P.M.**

CALL TO ORDER

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
Council President Abel Gomez
C. Jake Hardin
C. Richard Jannuzzi
C. Brad Galeta
C. Vinnie Petti
C. Anthony Pranzatelli

APPROVAL OF MINUTES

October 26, 2021 Regular Meeting

Motion: Second:

Roll Call:

C. Abel Gomez____ C. Jake Hardin____ C. Richard Jannuzzi____
C. Brad Galeta____ C. Vinnie Petti____ C. Anthony Pranzatelli____



ADVERTISED HEARING OR SPECIAL PRESENTATION

Covid-19 Update

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

2022 RFP for Professional Services due November 10, 2021

INTRODUCTION OF ORDINANCES – FIRST READING

Ordinance 2021-029 An Ordinance Amending and Supplementing the Revised General Ordinances of the Borough of Bound Brook, in the County of Somerset, Chapter XXI, Land Use, to Regulate the Location of Certain Cannabis Establishments Within Certain Zoning Districts Within the Municipality

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on November 23, 2021.

Second:

Roll Call:

C. Abel Gomez___ C. Jake Hardin___ C. Richard Jannuzzi___
C. Brad Galeta___ C. Vinnie Petti___ C. Anthony Pranzatelli___

ORDINANCE ON FINAL READING AND CONSIDERATION- SECOND READING

Ordinance 2021-027 An Ordinance Amending and Supplementing Chapter 17, Property Maintenance, Section 17-26.5, Registration Fees, Term of Registration; Renewals and Section 17-30.4, Fees, 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: Discussion:

Roll Call:

C. Abel Gomez____ C. Jake Hardin____ C. Richard Jannuzzi____
C. Brad Galeta____ C. Vinnie Petti____ C. Anthony Pranzatelli____

Ordinance 2021-028 Bond Ordinance Providing for the Acquisition of Personal Protective Equipment for the Fire Department, in and by the Borough of Bound Brook, in the County of Somerset, State of New Jersey; Appropriating \$260,000 Therefor and Authorizing the Issuance of \$247,000 Bonds or Notes to Finance Part of the Cost Thereof

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: Discussion:

Roll Call:

C. Abel Gomez____ C. Jake Hardin____ C. Richard Jannuzzi____
C. Brad Galeta____ C. Vinnie Petti____ C. Anthony Pranzatelli____



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:
2021-220		Resolution Authorizing the Release of a Performance Bond for Ridge Apartments	
2021-221		Resolution Authorizing Budget Transfers	
2021-222		Resolution Authorizing Treatment Works (TWA) Application for The Hopkinson, Located at 26 West Main Street, Block 1, Lots 38.02, 39, 39.01, 40 and 41	
2021-223		Resolution Authorizing Refund of 2021 4 th Quarter Property Taxes to Corelogic in the Amount of \$16,914.34	
2021-224		Resolution Authorizing Refund of 2021 4 th Quarter Property Taxes to Wells Fargo in the Amount of \$2,556.87	
2021-225		Resolution Authorizing the Transfer of Public Property to Somerset County for Public Auction	

UNFINISHED BUSINESS

NEW BUSINESS

APPROVAL OF VOUCHERS

2021- 226 Resolution Approving Vouchers in the Amount of \$433,013.62

Motion: Second:

Roll Call:

C. Abel Gomez____ C. Jake Hardin____ C. Richard Jannuzzi____
C. Brad Galeta____ C. Vinnie Petti____ C. Anthony Pranzatelli____



OPEN TO THE PUBLIC FOR COMMENT

AUTHORIZE EXECUTIVE SESSION

2021-227 Resolution Authorizing Executive Session- Litigation

Motion: Second: All in favor:

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-029

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMMERSET, CHAPTER XXI -- LAND USE, TO REGULATE THE LOCATION OF CERTAIN CANNABIS ESTABLISHMENTS WITHIN CERTAIN ZONING DISTRICTS WITHIN THE MUNICIPALITY

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

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least twenty-one years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16 (N.J.S.A. 24:61-31 et seq), known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of cannabis by adults twenty-one years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six (6) marketplace classes of licensed businesses, including:

- Class 1 - Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 - Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 – Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 – Cannabis Distributer license, for business involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 – Cannabis Retailer license, for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 – Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer; and

WHEREAS, section 31a of the ACT (N.J.S.A. 24:61-45a) authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors allowed to operate within their boundaries, as well as the location, manner and times of operation of such establishments; and

WHEREAS, the Mayor and Council recognize that a majority of Bound Brook’s voters were in favor of legalization of adult-use cannabis, and are committed to honoring the will of its residents in a reasonable fashion; and

WHEREAS, not every part of the Borough provides an appropriate location for cannabis-related establishments, nor does the Borough wish to host every class of cannabis establishments.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of Bound Brook as follows:

Section 1. Chapter XXI -- Land Use Regulations of the Borough of Bound Brook are hereby supplemented as follows (new language is underscored):

1. Amend Section 21-2 Definitions, to add the following:

“Cannabis Business” shall mean a business regulated under NJAC 17:30 by the New Jersey Cannabis Regulatory Commission or its successor, and shall include the following:

Class 1 - Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis.

Class 2 - Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items.

Class 3 – Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees.

Class 4 – Cannabis Distributer license, for business involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another.

Class 5 – Cannabis Retailer license, for locations at which cannabis items and related supplies are sold to consumers.

Class 6 – Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

“Cannabis Microbusiness” shall mean a business regulated under N.J.A.C. 17:30 by the New Jersey Cannabis Regulatory Commission or its successor, and that has no more than 10 employees, occupies no more than 2,500 square feet of gross leasable area, processes no more than 1,000 cannabis plants per month or 1,000 lbs. of dry cannabis products per month, and, for

wholesaler and retailer licenses, processes no more than 1,000 lbs. of cannabis products per month.

“Consumption Area” shall mean an enclosed, designated space within a Class 1 cannabis establishment, whether or not it constitutes a cannabis micro-business, that is set-aside for the purpose of on-premise consumption of cannabis products, and that meets or exceeds the Borough’s standards for internal and external ventilation”.

2. Amend Section 21-10.11 NB/R Neighborhood Business/Residential (NB/R), subsection a1, as follows:

Neighborhood business such as retail sales, and offices, including business offices of a Class 6 Cannabis Delivery license [..].

3. Amend Section 21-10.14 Mixed Use Two (MU-2) District, subsection 21-10.14b1c (Permitted Uses), as follows:

Retail, including grocery stores, including one establishment with a Class 5 Cannabis Retailer license with a designated consumption area, and offices, including business office of a Class 6 Cannabis Delivery license, limited to upper floors only [..]

4. Amend Section 21-10.15 Business Residential District (B-R), subsection 21-10.15 Figure 2 (Permitted and Prohibited Principal Uses in Main Street District), and Figure 16 (Principal Uses in Arts District) to allow as permitted uses:

Retail Sales, including establishments with a Class 5 Cannabis Retailer license, which also qualify as a cannabis microbusiness, but limited to one establishment.

Office, Professional, including business offices with a Class 6 Cannabis Delivery license, limited to upper floors only.

5. Amend Section 21-10.18 RB/R Regional Business/Residential District, subsection 21-10.18a1 Principal Permitted Uses to allow as a permitted use:

Retail Sales, including establishments with a Class 5 Cannabis Retailer license, which also qualify as a cannabis microbusiness, but limited to one establishment.

6. Amend Section 21-10.17 RC Riverfront Commercial District, subsection 21-10.17c Permitted Uses, to allow as permitted uses: (r) Class 1 and Class 2 cannabis establishments, limited to one (1) establishment in one (1) building.

7. No Class 5 cannabis retail establishment shall be located within 1,000 feet of any school property as shown on the Drug Free School Zone Map, which is adopted by reference.

Section 2. Referral to Borough Land Use Board.

Following its introduction on first reading, a copy of this ordinance shall be referred to the Bound Brook Land Use Board for review pursuant to N.J.S.A. 40A:55D-26a.

Section 3. 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 the Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

Section 4. 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 other prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinance of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 5. Effective Date.

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

Section 6. Applicability.

The provisions of this ordinance shall be applicable within the entire Municipality of Bound Brook upon final adoption and shall become a part of the Borough Code.

Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: November 9, 2021

STATEMENT OF PURPOSE: The purpose of this ordinance is to authorize and regulate certain classes of cannabis businesses in certain locations and zoning designations within the Borough of Bound Brook pursuant to the “New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act (N.J.S.A. 24:61-31 et seq) and consistent with N.J.A.C. 17:30 -- the administrative rules adopted on August 19, 2021 by the New Jersey Cannabis Regulatory Commission.

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-027

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17, PROPERTY MAINTENANCE, SECTION 17-26.5, REGISTRATION FEES, TERM OF REGISTRATION; RENEWALS AND 17-30.4, FEES, 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 17, "Property Maintenance", Section 17-26.5, "Registration Fees, Term of Registration; Renewals" and 17-30.4, "Fees" of the Revised General Ordinances of the Borough of Bound Brook are 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:

17-26.5 Registration fees; term of registration; renewals

a. The [initial] registration fee shall be \$500 **per year due on the anniversary of the original registration date.** **[and must accompany the registration form. The initial registration shall be valid for six months from the initial registration; subsequent renewals shall be valid for a period of six months. The fee for the first renewal shall be \$1,500; the fee for the second renewal shall be \$3,000; and the fee for all subsequent renewals shall be \$5,000.]**

b. No governmental agency shall be required to pay the annual or renewal registration fee.

[c. In the event property ownership is changed, the registration fee progression continues according to the schedule detailed in Section 17-26.5a. There is no reset of fees.]

17-30.4 Fees.

a. The [initial] registration fee shall be \$500 **per year due on the anniversary of the original registration date.** **[and must accompany the registration form. The initial registration shall be valid for six months from the initial registration; subsequent renewals shall be valid for a period of six months. The fee for the first renewal shall be \$1,500; the fee for the second renewal shall be \$3,000; and the fee for all subsequent renewals shall be \$5,000.]**

[b. In the event property/unit ownership is changed, the registration fee progression continues according to the schedule detailed in Section 17-29.4. There is no reset of fees.]

c. No governmental agency shall be required to pay the annual or renewal registration fee.

SECTION 2. Severability

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 3. Effective Date

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: October 26, 2021

Date of Adoption: November 9, 2021

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-028

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PERSONAL PROTECTIVE EQUIPMENT FOR THE FIRE DEPARTMENT, IN AND BY THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY; APPROPRIATING \$260,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$247,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Bound Brook, in the County of Somerset, State of New Jersey (the “Borough”) as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$260,000, said sum being inclusive of a down payment in the amount of \$13,000 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq., as amended and supplemented (the “Local Bond Law”). Said down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$260,000 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount of \$247,000 pursuant to, and within the limitations prescribed by, the

Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in an aggregate principal amount not exceeding \$247,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the acquisition of personal protective equipment for the Fire Department of the Borough, including, but not limited to, air packs, including, as applicable, all work, materials, equipment and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued by the Borough for said improvements and purposes is \$247,000.

(c) The estimated cost of said improvements and purposes to the Borough is \$260,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$13,000 available for such improvements and purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Somerset make a contribution or grant in aid to the Borough for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Somerset. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Somerset shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then

such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Borough. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer of the Borough upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer of the Borough is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer of the Borough is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the

adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$247,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The

obligations shall be direct, unlimited obligations of the Borough and, unless paid from other sources, the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of the obligations of the Borough authorized herein and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer of the Borough is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of the obligations of the Borough authorized herein and to amend such undertaking from time to time in

connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all tax-exempt bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: October 26, 2021

Date of Adoption: November 9, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-220

RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE BOND FOR RIDGE APARTMENTS, 215 EAST SECOND STREET, BLOCK 34 LOT 4.01, FORMERLY BLOCK 34, LOTS 4 AND 5 AND REQUIRING A MAINTENANCE BOND

WHEREAS, a final site inspection was performed by the Borough Engineer for 215 East Second Street, Block 34, Lots 4.01 formerly Block 34, Lots 4 and 5; and

WHEREAS, the Borough Engineer recommends the release of Performance Bond # CT024675 on the on the condition that a Maintenance Bond in the amount of \$15% (or \$31,766.00) of the Improvements for a period of two (2) years from January 7, 2021 ending January 6, 2023 in accordance with the NJ Municipal Land Use Law Section 40:55D.a.(2).

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, Performance Bond # CT024675 is released on condition of a Maintenance Bond in the amount of \$15% (or \$31,766.00) be posted.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: October 26, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-221

RESOLUTION 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:

<i>DEPARTMENT</i>	<i>CATEGORY</i>	<i>FROM</i>	<i>TO</i>
tax Collector	SW	37,300.00	
Tax Assessor	OE	25,000.00	
Municipal Clerk	SW	30,000.00	
Parking	OE	4,000.00	
Economic Development	OE	10,000.00	
Finance and Administration	SW		35,000.00
IT	OE		30,000.00
Engineering	OE		500.00
Code Enforcement	OE		1,000.00
Shade Tree	OE		1,200.00
Liabiliuty Insurance	OE		4,000.00
Parking	SW		5,000.00
Aid to the rescue	OE		6,000.00
Street Lights	OE		15,000.00
Telephone	OE		5,000.00
PERS	OE		3,600.00
		<hr/>	
		\$ 106,300.00	\$ 106,300.00
		<hr/> <hr/>	<hr/> <hr/>

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: November 9, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-222

RESOLUTION AUTHORIZING TREATMENT WORKS (TWA) APPLICATION FOR THE HOPKINSON, LOCATED AT 26 WEST MAIN STREET, BLOCK 1, LOTS 38.02, 39, 39.01, 40 AND 41

WHEREAS, The Hopkinson intends to submit a Treatment Works Approval (TWA) application to the New Jersey Department of Environmental Protection (NJDEP) for The Hopkinson project located at 26 West Main Street to construct 64 residential units and 2,000 square feet of commercial space;

WHEREAS, the Superintendent of Public Works has recommended that the Borough approve the TWA application.

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 aforementioned TWA application be authorized and directed the Borough Administrator to sign the WQM-003 form and any other related and necessary documents on behalf of the Borough in order to effectuate the purpose of this resolution.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: November 9, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-223

RESOLUTION AUTHORIZING REFUND OF 2021 4TH QUARTER PROPERTY TAXES TO
CORELOGIC IN THE AMOUNT OF \$16,914.34

WHEREAS, the records of the Tax Collector of the Borough of Bound Brook reflect an overpayment of 2021 4th Quarter Property Taxes on the following property:

<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
Corelogic	401 Talmage	003/004	\$1,928.68
	37 Talmage	023/023	\$1,580.87
	4 West High	031/017	\$1,950.08
	115 Franklin	063/013	\$2,793.60
	729 Crescent	069/051	\$2,256.94
	437 West Maple	080/017	\$1,902.52
	12 Village Ct	090/040.11	\$1,477.61
	603 Church	092/08	\$3,024.04

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 Property Tax overpayment be refunded as per the list above.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: November 9, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-224

RESOLUTION AUTHORIZING REFUND OF 2021 4TH QUARTER PROPERTY TAXES TO
WELLS FARGO IN THE AMOUNT OF \$2,556.87

WHEREAS, the records of the Tax Collector of the Borough of Bound Brook reflect an
overpayment of 2021 4th Quarter Property Taxes on the following property:

<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
Wells Fargo	217 Somerset St	066/010	\$2,556.87

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 Property Tax overpayment be
refunded as per the list above.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: November 9, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-225

RESOLUTION AUTHORIZING 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 2019 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 / EQUIPMENT

VIN

2003 Sweeper

P-3994-D

Marlow Bypass Pump

630414

1990 Ford F350 32' Bucket Truck

1FDKF37H7LNA98001

2006 Crown Victoria

2FAFP71W27X113175

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: November 5, 2021

BOROUGH OF BOUND BROOK
RESOLUTION 2021-226

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 \$433,013.62

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 408,874.59
GRANT FUND	\$ 1,311.86
GENERAL TRUST FUND	\$ 6,072.80
RECREATION TRUST	\$ 16.37
UNEMPLOYMENT TRUST FUND	\$ 2,448.00
GENERAL CAPITAL FUND	\$ 14,290.00
TOTAL	<u>\$433,013.62</u>

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: November 9, 2021

BOROUGH OF BOUND
County of Somerset

RESOLUTION 2021-227

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 10:4-12a(7); 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 – Litigation

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 9, 2021