



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
DECEMBER 14, 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

November 23, 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

INTRODUCTION OF ORDINANCES – FIRST READING

Ordinance 2021-034 An Ordinance Amending and Supplementing Chapter 7, Traffic, Section 7-39.2, “Handicapped Parking on Street for Private Residences” of the General Revised Ordinances of the Borough of Bound Brook

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

Second:

Roll Call:

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

Ordinance 2021-035 An Ordinance Amending and Supplementing Chapter 7, Traffic, Section 70-40.1, “Regulation for the movement and the parking of traffic on municipal property and Board of Education property” of the General Revised Ordinances to Amend the Extended Parking Fee

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on December 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 2021-030 An Ordinance Amending and Supplementing Chapter 29, Solid Waste Management, Section 29-1.2, Included Users and Charges, of the Revised General Ordinances of the Borough of Bound Brook to Increase the Annual Charge Per Dwelling Unit for the Disposal of Garbage

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 2021-031 Ordinance of the Borough Council of the Borough of Bound Brook, Somerset County, New Jersey Authorizing the Acquisition by Negotiated Purchase of Property Identified on the Tax Map of the Borough of Bound Brook as Block 1, Lot 8 Located at 282 West Main Street for a Public Purpose

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 2021-032 An Ordinance Granting Consent and Permission to New Jersey American Water Company to Furnish Wastewater Conveyance Service in the Borough of Bound Brook, New Jersey

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 2021-033 Bond Ordinance Providing for the Acquisition of Real Property Commonly Known as Block 1, Lot 8 Located at 282 West Main Street, In and By the Borough of Bound Brook, in the County of Somerset, State of New Jersey; Appropriating \$310,000 Therefor and Authorizing the Issuance of \$295,000 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:
2021-235		Resolution Authorizing an Award of Contract Under Sourcewell, A National Cooperative, Contract #091219-LEG for Leach Model 2RIII Rear Loader to Sanitation Equipment Corp., in the Amount of \$267,792.39	
2021-236		Resolution Authorizing Contract Award to New Jersey Fire Equipment for Protective Personal Gear in the Amount of \$279,108.20	
2021-237		Resolution Authorizing a Commodity Resale Agreement with the County of Somerset and the Borough of Bound Brook	
2021-238		Resolution Authorizing the Release of a Performance Bond for 7-15 West Main Street, Block 7, Lot 28, and Requiring a Maintenance Bond	
2021-239		Resolution Authorizing Budget Transfers	
2021-240		Resolution Authorizing the Hire of Mark Illario to the Department of Public Works as Driver	
2021-241		Resolution Authorizing the Hire of Matthew Hupfer as Laborer D for the Department of Public Works	
2021-242		Resolution Authorizing the Hire of Joseph Lucariello as Laborer D for the Department of Public Works	

UNFINISHED BUSINESS

NEW BUSINESS

Reorganization Meeting Date January 4, 2021 at 7 p.m. in-person



APPROVAL OF VOUCHERS

2021-243 Resolution Approving Vouchers in the Amount of \$256,384.10

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

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-034

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC,
SECTION 7-39.2, HANDICAPPED PARKING ON STREET FOR PRIVATE RESIDENCES
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK
TO INCLUDE

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 7 Traffic, Section 7-39.2, “Handicapped Parking on Street for Private Residences” 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:

7-39.2 Handicapped Parking on Streets for Private Residences.

In accordance with the provisions of N.J.S.A 39:4-197.6 and 39:4-197.7, the following on-street locations are designated as handicapped parking spaces in front of private residences occupied by handicapped persons. Such spaces are for use by persons who have been issued special identification cards or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No person, other than the permit-holder of the permit identified below, shall be permitted in these spaces.

Street	Side	Permit Number	Location
...			
<u>North Street</u>	<u>WEST</u>	<u>SN991A</u>	<u>Beginning at a point 28 feet between the driveway of 35 and 37 North Street</u>
...			

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: _____
Jasmine D. Mathis, Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: December 14, 2021

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-035

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, “TRAFFIC,” SECTION 70-40.1, “REGULATION FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON MUNICIPAL PROPERTY AND BOARD OF EDUCATION PROPERTY” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO AMEND THE EXTENDED PARKING FEE

SECTION 1. Chapter 7, "Traffic", Section 70-40.1, “Regulation for the movement and the parking of traffic on municipal property and Board of Education property”, of the Revised General 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:

7-40.1 Regulation for the movement and the parking of traffic on municipal property and Board of Education property

- a. In accordance with the provisions of N.J.S.A. 39:4-197, the following Municipal and Board of Education property shall have the movement of traffic controlled by the type of regulation indicated. No person shall operate or park a vehicle in violation of the regulations indicated.

Property	Location	Time Limit	Cost	Regulation*
Municipal Parking Lot #1	1-hour metered parking is only permitted on the west side of Municipal Lot 1. Parking on the north, south and east portion of the plaza are designated to the business occupying the former NJ transit passenger station	1 hour	Parking meters - \$0.25 per hour	
Municipal Parking Lot #2	The lot south of Main Street between the former passenger station of N.J. Transit and the former freight station of the Central Railroad of N.J., now commonly known as the "Park and Ride" facility	24 hours (extended parking)	Hang tags – [\$90] <u>\$105</u> per month	
		Commuter parking 5:00 a.m. - 11:00 p.m.	Hang tags - \$50 per month	
Municipal Parking Lot #3	The lot on the south side of Main Street, now commonly known as the "Park and Ride," upon which was	24 hours	Slot box - \$4 for 24 hours	

Property	Location	Time Limit	Cost	Regulation*
	located the former freight station of the Central Railroad of N.J.	24-hour - extended parking	Hang tags - [\$90] \$105 per month	
		Commuter Parking 5:00 a.m. - 1:00 a.m.	Hang tags - \$50 month	
Municipal Parking Lot #4	The lot located at the present Municipal Building at the corner of Hamilton Street and Somerset Street	24 hours	\$2 per day	
Municipal Parking Lot #5	The lot on the north side of Main Street at Block 12, Lot 5.01, commonly known as "Archie's Parking Lot"	2 hours at parking meters on west side	Parking meters- \$0.25 per hour	
		24hours at hang tag spaces on east side	Hang tags - [\$90] \$105 per month	
Municipal Parking Lot #6	The lot on the south side of Main Street at Block 1, Lot 56.01, commonly known as "Kurtz's Parking Lot"	2 hours when using parking meters	Parking meters - \$0.50 per hour	
		24 hours	Slot box - \$4 for 24 hours	

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: _____
Jasmine D. Mathis, Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: December 14, 2021

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-030

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29, SOLID WASTE
MANAGEMENT, SECTION 29-1.2, INCLUDED USERS AND CHARGES, OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO
INCREASE THE ANNUAL CHARGE PER DWELLING UNIT FOR THE DISPOSAL
GARBAGE

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 29, Solid Waste, Section 29-1.2, Included users and charges, 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:

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~~
\$268] 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 approved garbage containers (as
specified in Section 29-1.4b) per week during the months of January, February, March,
April, May, June, September, October, and November, and the collection of two
approved garbage containers plus one approved garbage bag (as specified in Section 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.

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: November 23, 2021

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-031

ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK, SOMERSET COUNTY, NEW JERSEY AUTHORIZING THE ACQUISITION BY NEGOTIATED PURCHASE OF PROPERTY IDENTIFIED ON THE TAX MAP OF THE BOROUGH OF BOUND BROOK AS BLOCK 1, LOT 8 LOCATED AT 282 WEST MAIN STREET FOR A PUBLIC PURPOSE

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

SECTION I:

Pursuant to N.J.S.A. 40A:12-1, et seq., the Local Lands and Buildings Law, the Borough of Bound Brook (the “Borough”) has the power to acquire any real property for a public purpose through negotiated agreement or by the exercise of the power of eminent domain.

SECTION II:

The Borough determines that it is in the public interest and for a public purpose and use to acquire a fee simple interest in an approximate 3-acre property with a single family dwelling identified as Block 1, Lot 8, located 282 West Main Street, Bound Brook, New Jersey (the “Property”).

SECTION III:

The Property, as valued by an appraisal prepared by Sterling DiSanto & Associates, LLC, dated October 12, 2021 and prepared for the Borough, is \$290,000.

SECTION IV:

Subject to the availability and separate authorization of funding, the Borough and the Property owner have negotiated and agreed to the sale of the Property to the Borough for \$290,000 to be paid at closing on the conveyance of the Property.

SECTION V:

The Borough authorizes all actions necessary and convenient for the acquisition of the Property by negotiated purchase.

SECTION VI:

The Mayor and Borough Clerk are hereby authorized to execute and witness a contract of sale in a form to be approved by the Borough's legal counsel and any other documents necessary to effectuate the acquisition of title in and to the Property by the Borough.

SECTION VII:

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 VIII:

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 IX:

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

Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: November 23, 2021

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-032

AN ORDINANCE GRANTING CONSENT AND PERMISSION TO NEW JERSEY-AMERICAN WATER COMPANY TO FURNISH WASTEWATER CONVEYANCE SERVICE IN THE BOROUGH OF BOUND BROOK, NEW JERSEY

WHEREAS, the Borough of Bound Brook, County of Somerset and State of New Jersey (the “Borough”), hereby grants consent and permission to New Jersey-American Water Company (“New Jersey-American”), a New Jersey Corporation to furnish wastewater conveyance service within the Borough; and

WHEREAS, New Jersey-American is in the process of acquiring the wastewater system (the “System”) currently owned and operated by the Borough, subject to the approval of the voters of the Borough as set forth in N.J.S.A. 40:62-5 and other regulatory approvals; and

WHEREAS, The Borough is desirous of having New Jersey-American acquire the Systems; and

WHEREAS, New Jersey-American is a regulated public utility corporation of the State of New Jersey presently seeking the municipal consent of the Borough to permit New Jersey-American to provide wastewater conveyance service through the System; and

WHEREAS, New Jersey-American has requested the consent of the Borough as required by N.J.S.A. 48:19-17 and 48:19-20, as amended, to lay its pipes beneath and restore such public roads, streets and places as it may deem necessary for its corporate purposes, free from all charges to be made for said privilege (except that fees for road opening permits shall be paid), provided that all said pipes installed after the date of this ordinance shall be laid at least three feet (3’) below the surface and shall not in any way unnecessarily obstruct or interfere with the public travel or cause or permit other than temporary damage to public or private property; and

WHEREAS, it is deemed to be in the best interests of the citizens of the Borough to provide this consent;

WHEREAS, the Mayor and Council of the Borough have concluded that granting of said consent shall enhance the health, safety and welfare of the citizens of the Borough.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH AS FOLLOWS:

Section 1. That exclusive and perpetual consent and permission to furnish wastewater conveyance to the Borough and all residents, businesses and government buildings therein is hereby given and granted to New Jersey-American, its successors and assigns, subject

to approval of such consent and permission by the Board of Public Utilities of the State of New Jersey.

Section 2. That exclusive consent and permission is given to New Jersey-American, its successors and assigns, under the provisions of N.J.S.A. 48:19-17 and N.J.S.A. 48:19-20, as amended, without charge therefore, (except fees for road opening permits which shall be paid) as the same may be required in order to permit New Jersey American-Water to own and operate the System, add to, extend, replace, operate and maintain said System in the public property described herein in order to provide said wastewater conveyance service. This shall include permission to lay pipes beneath the public roads, streets, public property and public places.

Section 3. That a certified copy of this Ordinance, upon final passage, shall be sent to New Jersey-American, the New Jersey Department of Environmental Protection and the Board of Public Utilities of the State of New Jersey.

Section 4. That the consent granted herein shall be subject to New Jersey-American complying with all applicable laws of the Borough and/or the State of New Jersey including, but not limited to, any and all applicable statutes and administrative agency rules and/or regulations and contingent upon the Borough and New Jersey American Water Company, Inc. executing the *Agreement of Sale Between the Borough of Bound Brook and New Jersey American Water Company, Inc.*

Section 5. The Mayor and the Clerk of the Borough are authorized to execute the documents and agreements necessary to effectuate this municipal consent.

Section 6. 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 7. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that if any portion of this Ordinance shall be declared invalid as a matter of law, such declaration shall not affect the remainder of said Ordinance; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication.

Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: November 23, 2021

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2021-033

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY COMMONLY KNOWN AS BLOCK 1, LOT 8 LOCATED AT 282 WEST MAIN STREET, IN AND BY THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY; APPROPRIATING \$310,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$295,000 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 \$310,000, said sum being inclusive of a down payment in the amount of \$15,000 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 \$310,000 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 \$295,000 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 \$295,000 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 real property commonly known as Block 1, Lot 8 located at 282 West Main Street as referenced on the Official Tax Map of the Borough, to be used for municipal purposes, and including any structures, buildings, improvements, personal property, fixtures, easements, rights-of-way or other property rights currently located thereon.

(b) The estimated maximum amount of bonds or notes to be issued by the Borough for said improvements and purposes is \$295,000.

(c) The estimated cost of said improvements and purposes to the Borough is \$310,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$15,000 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 forty (40) 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 \$295,000, 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 \$20,000 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.

Attest:

Jasmine D. Mathis, Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: November 23, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-235

RESOLUTION AUTHORIZING AN AWARD OF CONTRACT UNDER SOURCEWELL, A NATIONAL COOPERATIVE, CONTRACT #091219-LEG FOR A LEACH MODEL 2RIII REAR LOADER TO SANITATION EQUIPMENT CORP. IN THE AMOUNT OF \$267,792.39

WHEREAS, the Borough of Bound Brook wishes to purchase Leach Model 2RIII Rear Loader for the Department of Public Works from a national cooperative pricing system under N.J.S.A. 52:32-6.2; AND

WHEREAS, the Borough of Bound Brook has conducted its due diligence and legally advertised Notice of Intent to Award under a National Cooperative Purchasing Agreement on November 17, 2021 in the Courier News and November 18, 2021 in the Star Ledger; and

WHEREAS, the Borough Clerk did not receive prospective bids; and

WHEREAS, Sanitation Equipment Corp., 80 Furler Street, Totowa, New Jersey 07512 has been awarded Sourcewell Contract#091219-LEG for this equipment; and

WHEREAS, Hector Herrera, Qualified Purchasing Agent, recommends the utilization of this contract for this purchase; and

WHEREAS, the cost for the equipment is \$267,792.39; and

WHEREAS, the Chief Finance Officer has certified the availability of the funds for the purchase from account # 04- 2021-202123- 0000- 4- 00000;

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 Sanitation Equipment Corp. be awarded the contract for the Leach Model 2RIII Rear Loader.

BE IT FURTHER RESOLVED that the Finance Department shall issue the appropriate purchase order in the amount of \$267,792.39.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: December 14, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-236

AWARD OF CONTRACT UNDER NEW JERSEY STATE APPROVED CONTRACT 17-FLEET-00819 FOR PERSONAL PROTECTIVE EQUIPMENT FOR THE FIRE DEPARTMENT TO NEW JERSEY FIRE EQUIPMENT CO. IN THE AMOUNT OF \$279,108.20

WHEREAS, the Borough of Bound Brook wishes to purchase personal protective equipment for the Fire Department from an approved New Jersey State Contract authorized by the Local Public Contract Law, N.J.S.A. 40A:11-12; and

WHEREAS, New Jersey Fire Equipment Co, 119-131 Route 22 East, Green Brook, New Jersey 08812 has been awarded New Jersey State Contract #17-FLEET-00819 for personal protective equipment; and

WHEREAS, Hector Herrera, Qualified Purchasing Agent recommends the utilization of this contract for this purchase; and

WHEREAS, the cost for the equipment is \$279,108.20; and

WHEREAS, the Chief Finance Officer has certified the availability of the funds for the purchase from the following accounts in the amount of:

Acct# 02- 2021- 0240- 0541- 0- 00000 in the amount of \$30,552.38 and
Acct# 04-2021-202128-0-4-0 in the amount of \$248,555.82

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough Bound Brook that New Jersey Fire Equipment Co. be awarded the contract for the aforementioned personal protective equipment.

BE IT FURTHER RESOLVED, that the Finance Department shall issue the appropriate purchase order in the amount of \$279,108.20.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: December 14, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-237

RESOLUTION AUTHORIZING A COMMODITY RESALE AGREEMENT WITH THE
COUNTY OF SOMERSET AND THE BOROUGH OF BOUND BROOK

WHEREAS, the County of Somerset and the Borough of Bound Brook agree to enter into an agreement pursuant to cooperative purchasing N.J.A.C. 5:34-7.15; and

WHEREAS, the County will offer the commodities listed on Exhibit A of the agreement through the Commodity Resale System (SYSTEM IDENTIFIER #201SCCRS); and

WHEREAS, the agreement shall be in effect from date of execution and shall continue in effect for a period NOT TO EXCEED five (5) years;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, Somerset County, that the Commodity Resale Agreement is approved.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: December 14, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-238

RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE BOND FOR 7-15 WEST MAIN STREET, BLOCK 7, LOT 28 AND REQUIRING A MAINTENANCE BOND

WHEREAS, a final site inspection was performed by the Borough Engineer for 7-15 West Main Street, Block 7, Lot 28; and

WHEREAS, the Borough Engineer recommends the release of Performance Bond # on the condition that a Maintenance Bond in the amount of 15% (or \$14,477.25) of the Improvements for a period of two (2) years from November 15, 2021 ending November 14, 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 # F-311012 is released on condition of a Maintenance Bond in the amount of 15% (or \$14,477.25) be posted.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: December 14, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-239

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	10,000.00	
Tax Assessor	OE	5,000.00	
Building and Grounds	OE	10,000.00	
PEOSHA	OE	500.00	
Parks and Playgrounds	OE	15,500.00	
Audit Services	OE	20,000.00	
Municipal Clerk	OE	2,000.00	
Planning Board	SW	1,000.00	
Shade Tree	OE		1,000.00
Health Insurance Benefits	OE		60,000.00
Economic Development	OE		3,000.00
		\$	\$
		<u>64,000.00</u>	<u>64,000.00</u>

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: December 14, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-240

RESOLUTION APPROVING THE HIRE OF MARK ILLARIO TO THE DEPARTMENT OF
PUBLIC WORKS AS DRIVER

WHEREAS, the Superintendent of Public Works conducted interviews for the Driver position;
and

WHEREAS, the Superintendent of Public Works recommends the hire of Mark Illario as Driver;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound
Brook that Mark Illario be hired as Driver at \$29.50 per hour per the ASCFME Contract.

BE IT FURTHER RESOLVED, the effective date of hire shall be December 13, 2021.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: December 14, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-241

RESOLUTION APPROVING THE HIRE OF MATTHEW HUPFER TO THE DEPARTMENT
OF PUBLIC WORKS AS LABORER D

WHEREAS, the Superintendent of Public Works conducted interviews for the Laborer D position; and

WHEREAS, the Superintendent of Public Works recommends the hire of Matthew Hupfer as Laborer D;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Matthew Hupfer be hired as Laborer D at \$15.75 per hour per the ASCFME Contract.

BE IT FURTHER RESOLVED, the effective date of hire shall be December 13, 2021.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: December 14, 2021

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2021-242

RESOLUTION APPROVING THE HIRE OF JOSEPH LUCARIELLO TO THE
DEPARTMENT OF PUBLIC WORKS AS LABORER D

WHEREAS, the Superintendent of Public Works conducted interviews for the Laborer D position; and

WHEREAS, the Superintendent of Public Works recommends the hire of Joseph Lucariello as Laborer D;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Joseph Lucariello be hired as Laborer D at \$15.75 per hour per the ASCFME Contract.

BE IT FURTHER RESOLVED, the effective date of hire shall be December 13, 2021.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: December 14, 2021

BOROUGH OF BOUND BROOK
RESOLUTION 2021-243

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 \$256,384.10.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 146,001.57
GRANT FUND	\$ 7,227.04
GENERAL CAPITAL FUND	\$ 75,024.00
GENERAL TRUST FUND	\$ 24,344.99
RECREATION TRUST	\$ 2,103.83
DOG/CAT TRUST	\$ 16.20
SEWER	\$ 1,666.47
TOTAL	<u>\$ 256,384.10</u>

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: December 14, 2021