



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
MARCH 8, 2022 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 Jake Hardin
C. Richard Jannuzzi
C. Abel Gomez
C. Vinnie Petti
C. Anthony Pranzatelli
C. Dominic Longo

APPROVAL OF MINUTES

February 8, 2022 Regular Meeting

Motion: Second:

Roll Call:

C. Jake Hardin____ C. Richard Jannuzzi____ C. Abel Gomez____

C. Vinnie Petti____ C. Anthony Pranzatelli____ C. Dominic Longo____



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 2022-05 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank for Calendar Year 2022

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on March 22, 2022.

Second:

Roll Call:

C. Jake Hardin___ C. Richard Jannuzzi___ C. Abel Gomez___

C. Vinnie Petti___ C. Anthony Pranzatelli___ C. Dominic Longo___

Ordinance 2022-06 An Ordinance Amending and Supplementing Chapter 7, Section 37, Loading Zones in the Revised General Ordinances of the Borough of Bound Brook to Create an Additional Loading Zone on Hamilton Street

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on March 22, 2022.

Second:

Roll Call:

C. Jake Hardin___ C. Richard Jannuzzi___ C. Abel Gomez___

C. Vinnie Petti___ C. Anthony Pranzatelli___ C. Dominic Longo___



ORDINANCE ON FINAL READING AND CONSIDERATION- SECOND READING

Ordinance 2022-03 An Ordinance Amending and Supplementing Chapter XVIII, Fire Prevention and Protection, of the General Revised Ordinances of the Borough of Bound Brook to Update Permit Fees and Alarm Activations

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. Jake Hardin___ C. Richard Jannuzzi___ C. Abel Gomez___
C. Vinnie Petti___ C. Anthony Pranzatelli___ C. Dominic Longo___

Ordinance 2022-04 An Ordinance Amending and Supplementing Chapter 28, Water and Sewer, Section 28-3.4, Sewer Usage Charges, of the General Revised Ordinances of the Borough of Bound Brook to Increase Sewer Usage Fees

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. Jake Hardin___ C. Richard Jannuzzi___ C. Abel Gomez___
C. Vinnie Petti___ C. Anthony Pranzatelli___ C. Dominic Longo___



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:	Roll Call:
2022-051		Resolution Waiving Requirement for Claimant Certifications in Certain Instances, in Accordance with N.J.A.C. 5:30-9A.6	
2022-052		Resolution Designating a Representative to the Somerset County Cultural & Heritage Commission Advisory Committee	
2022-053		Resolution Designating a Representative to the Somerset County Solid Waste Advisory Committee	
2022-054		Resolution of Statement of Intent to Pursue Plan Endorsement and Authorization to Submit the Municipal Self-Assessment Report to the Office of Planning Advocacy	
2022-055		Resolution Appointing Jasmine Mathis as Alternate JIF Commissioner	
2022-056		Resolution Authorizing a Budget Transfer	
2022-057		Award of Contract under Houston-Galveston Area Council, a National Cooperative, Contract# RCO1-21 for Refuse and Recycling Containers & Lifters	
2022-058		Resolution Approving 2021 LOSAP Qualifiers and Contributions	
2022-059		Resolution Acknowledging Applications to the 2022 Somerset County Community Development Block Grant by the Following Nonprofits with Intended Projects within the Borough of Bound Brook	
2022-060		Resolution of Support for a Stigma Free Community	
2022-061		Resolution Conditionally Designating DeMattheis Development as Redeveloper for Property Known as 127 Talmage Avenue also Known as Tax Block 23, Lot 1.01 Located in the Downtown Redevelopment Area for Redevelopment of a Residential Project	



- 2022-062 Resolution Awarding a Non-Fair and Open Contract to Brandstetter Carroll Inc. for Engineering
- 2022-063 Resolution Authorizing Agreement with Somerset County for Certified Recycling Professional
- 2022-064 Resolution Supporting Somerset County's Application of Funds from the North Jersey Transportation Planning Authority for Local Safety Improvements to County Route 533 (Talmage Avenue, Columbus Place, Main Street) and County Route 527 (Main Street), Tea Street to Middlesex County Border, Borough of Bound Brook, Somerset County
- 2022-065 Resolution of Mayoral Appointments to Various Boards and Commission with the Advice and Consent of the Borough Council
- 2022-066 Resolution Authorizing a Refund for the Overpayment of Taxes

UNFINISHED BUSINESS

NEW BUSINESS

APPROVAL OF VOUCHERS

- 2022-067 Resolution Approving Vouchers in the Amount of \$3,789,196.10

Motion: Second:

Roll Call:

C. Jake Hardin____ C. Richard Jannuzzi____ C. Abel Gomez____
C. Vinnie Petti____ C. Anthony Pranzatelli____ C. Dominic Longo____

OPEN TO THE PUBLIC FOR COMMENT

AUTHORIZE EXECUTIVE SESSION

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-05

CALENDAR YEAR 2022
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Bound Brook in the County of Somerset finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$118,958.45 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Bound Brook, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Bound Brook shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 416,354.58, and that the CY 2022 municipal budget for the Borough of Bound Brook be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Attest: _____
Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-06

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, SECTION 37, LOADING ZONES, IN THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO CREATE AN ADDITIONAL LOADING ZONE ON HAMILTON STREET

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

SECTION 1. Chapter 7, Section 37, “Loading Zones”, 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:

7-37LOADING ZONES.

[1967 Code § 6-6]

Name of Street	Time	Side(s)	Location
Hamilton Street	8:00 a.m. and 6:00 p.m.	West	Beginning at a point 140 feet north of the northerly curblines of East Main Street and extending to a point 184 feet north of said northerly curblines
<u>Hamilton Street</u>	<u>8:00 a.m. and 6:00 p.m.</u>	<u>West</u>	<u>Beginning at a point 25 feet south of the southerly curblines of East Second Street and extending to a point 36 feet south of the southerly curblines of East Second Street</u>

The locations described are hereby designated as Loading Zones. No person shall park a vehicle in this location during the times indicated other than for the loading or unloading of goods and materials.

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: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-03

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVIII, FIRE PREVENTION AND PROTECTION, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO UPDATE PERMIT FEES AND FIRE ALARM ACTIVATIONS

WHEREAS, the Department of Code Enforcement has conducted a survey of surrounding municipalities to determine comparative rates charged for fire permits; and

WHEREAS, updates to the Borough fire detection and alarm activations are required;

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

SECTION 1: CHAPTER XVIII, Fire Prevention and Protection, of the General Revised Ordinances of the Borough of Bound Brook, Section 18-7.1 Permit Fees and Section 18-8.2 Installation of fire detection system required 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

18-7.1 Permit fees.

Type 1	[\$70] <u>\$115</u>
Type 2	\$258
Type 3	\$465
Type 4	\$685
Type 5	\$1,410

...

18-8.2 Installation of fire detection system [required] and fire alarm activations required.

a. **[Every building or structure constructed for single-family and two-family occupancy shall have installed therein and thereafter maintained an approved fire detection system. The detector shall be of the ionization or other approved type, sensitive to any of the products of combustion except that detectors sensitive to heat only are unacceptable. The detector shall be of the types operated by battery or electricity on a specific circuit. A minimum of one detector shall be required on each level and within 10 feet of any bedroom door. Alarm signaling devices shall be clearly audible in all bedrooms when all intervening doors are closed. For the purpose of installation and maintenance, only the applicable sections of National Fire Prevention Association (N.F.P.A.) No. 72, "Standard for the Installation, Maintenance, and Use of a House Fire Warning System,"**

shall constitute accepted practices.] Every rental property within the Borough of Bound Brook shall be equipped throughout with smoke detectors and carbon monoxide alarms compliant with the requirements of the New Jersey Uniform Construction Code and the New Jersey Uniform Fire Code. All Commercial establishments shall be equipped with a minimum of (1) 10 year internal sealed battery operated smoke detector. This requirement shall not be a substitute for any other fire detection or fire suppression system required by the New Jersey Uniform Construction Code or the New Jersey Uniform Fire Code.

b. In the case of rental properties, the occupants of the dwelling units shall be responsible for replacing batteries in fire detection devices whenever new batteries are required. **All fire detection devices exceeding 10 years of age shall be replaced using the following guidelines:**

<u>120 Volt hard wired detectors must be replaced with:</u>	<u>120 Volt hard wired detectors with 10 year internal battery back-up</u>
<u>Battery operated detectors must be replaced with:</u>	<u>10 year internal battery powered detectors</u>
<u>120 Volt hard wired interconnected detectors must be replaced with:</u>	<u>120 Volt hard wired interconnected detectors with 10 year internal battery back-up</u>

c. Failure to install and/or maintain a fire detection system as mandated by this section will subject the offender to a fine not to exceed \$500 per each location of violation.

d. Fire alarms activations shall be reported to the Fire Prevention Bureau by the Officers of the Bound Brook Fire Department. If the fire alarm activations are determined to be a nuisance alarm by the Fire Marshal a penalty shall be issued in accordance with following guidelines:

<u>1st alarm activation</u>	<u>No penalty issued</u>
<u>2nd alarm activation</u>	<u>No penalty issued</u>
<u>3rd alarm activation within 30 days</u>	<u>Penalty of \$1000</u>
<u>Additional alarm activations within 30 days</u>	<u>Penalty of \$500 per activation</u>

e. Fire alarm systems located in offices, places of assembly, multifamily dwellings and other commercial buildings that are monitored by a central station or other proprietary agency shall not be reset prior to the arrival and approval of the Fire Department or Fire Marshal.

f. All commercial properties that have fire alarm systems shall provide a list of twenty-four-hour contact persons. There shall be a minimum of two contacts. All emergency contacts must be capable of responding to the effected property within 30 minutes, have the authority to make proper notifications for emergency repairs and shall have access to all areas of the affected property.

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: February 8, 2022

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-04

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 28, WATER AND SEWER, SECTION 28-3.4, SEWER USAGE CHARGES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO INCREASE SEWER USAGE FEES

WHEREAS, sewer usage fees are annually assessed to account for Middlesex County Utility Authority fees;

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

SECTION 1. Chapter 28, Water and Sewer, Section 28-3.4, Sewer Usage Charges, 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:

[From ~~[\$5.70]~~ to:]

1.	Residential users	[\$6.40] <u>\$6.53</u> per 1,000 gallons.
2.	Tax exempt users	[\$6.40] <u>\$6.53</u> per 1,000 gallons.
3.	Commercial users Class 1	[\$6.40] <u>\$6.53</u> per 1,000 gallons.
4.	Commercial users Class 2	[\$8] <u>\$8.16</u> per 1,000 gallons.
5.	Industrial users	[\$8] <u>\$8.16</u> per 1,000 gallons.
6.	Significant industrial users	[\$8] <u>\$8.16</u> per 1,000 gallons.
7.	Integrated health services and its successors	[\$8] <u>\$8.16</u> per 1,000 gallons.
8.	Mixed residential/commercial users (Class 2)	[\$8] <u>\$8.16</u> per 1,000 gallons.
9.	Multiple-dwelling user	[\$7.04] <u>\$7.18</u> per 1,000 gallons.
10.	Non-Bound Brook residential users	[\$7.50] <u>\$7.65</u> per 1,000 gallons <u>or if reading not provided by NJAW the billing shall be calculated based on the average residential billing plus \$100 administrative fee</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: February 8, 2022

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-051

**RESOLUTION WAIVING REQUIREMENT FOR CLAIMANT CERTIFICATIONS
IN CERTAIN INSTANCES, IN ACCORDANCE WITH N.J.A.C. 5:30-9A.6**

WHEREAS, N.J.S.A. 40A:5-16 requires that all claims for payment being made include claimant certifications for the processing of purchase orders for payments; and

WHEREAS, N.J.A.C. 5:30-9A.6 gives municipalities discretion to not require claimant certification by enacting a standard policy by resolution for vendors or claimants who do not provide such certification as part of its normal course of business; and

WHEREAS, generally, vendors do not provide such certification as part of the normal course of business which can create unnecessary confusion and delay in processing claims for payment; and

WHEREAS, the claimant certification cannot be waived for reimbursement of employee expenses, or for services provided exclusively and entirely by an individual; and

WHEREAS, the Borough of Bound Brook previously passed a resolution authorizing a waiver of vendor certification for the purchase orders under \$2,000; and

WHEREAS, the Borough of Bound Brook desired to amend this amount of \$4,000.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook in the County of Somerset, State of New Jersey that, effective immediately pursuant to N.J.A.C. 5:30-9A.6, the Borough exercises its discretion to not require claimant certifications except as required for reimbursement of employee expenses, or for services provided exclusively and entirely by an individual on any purchases under \$4,000.00.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-052

RESOLUTION DESIGNATING A REPRESENTATIVE TO THE SOMERSET COUNTY
CULTURAL & HERITAGE COMMISSION ADVISORY COMMITTEE

WHEREAS, the purpose of the Cultural & Heritage Commission Advisory Committee is to bring Cultural and Heritage Commission matters relating to their municipality, as well as disseminating pertinent information from the Commission back to their municipality; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Bound Brook, County of Somerset, that the Borough representative to the Somerset County Cultural & Heritage Commission Advisory Committee is as follows for 2022:

Hector Herrera, Borough Administrator

BE IT FURTHER RESOLVED, a copy of this resolution be filed with Somerset County.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-053

RESOLUTION DESIGNATING A REPRESENTATIVE TO THE SOMERSET COUNTY
SOLID WASTE ADVISORY COMMITTEE

WHEREAS, the purpose of the Somerset County Solid Waste Advisory Committee is to consult with the County Commissioner Board in the development of and formulation of the district solid waste management plan.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Bound Brook, County of Somerset, that the Borough representative to the Somerset County Solid Waste Advisory Committee is as follows for 2022:

Mayor Robert Fazen

BE IT FURTHER RESOLVED, a copy of this resolution be filed with Somerset County.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-054

STATEMENT OF INTENT TO PURSUE ENDORSEMENT AND AUTHORIZATION TO
SUBMIT THE MUNICIPAL SELF-ASSESSMENT REPORT TO THE OFFICE OF PLANNING
ADVOCACY

WHEREAS, the State Planning Act recognizes that New Jersey requires sound and integrated land use planning and coordination of planning at all levels of government in order to conserve the state's natural resources, revitalize the urban centers, protect the quality of the environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal; and

WHEREAS, Plan Endorsement is a voluntary review process developed by the State Planning Commission to provide the technical assistance and coordination of the State for municipalities, counties, and regional agencies to meet the goals of the State Planning Act and State Development and Redevelopment Plan (State Plan); and

WHEREAS, the purpose of the Plan Endorsement process is to increase the degree of consistency among municipal, county, regional and state agency plans with each other and with the State Plan and to facilitate the implementation of these plans and guide where and how development and redevelopment can be accommodated in accordance with the State Plan; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines incorporate, and expand upon, the principles of the Municipal Land Use Law in order to help towns plan for a sustainable future; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines require the preparation and submission of a Municipal Self-Assessment Report as the means by which a municipality assesses the consistency of its existing community vision and planning documents with the State Plan; and

WHEREAS, the Mayor and Council of the Borough of Bound Brook desire to obtain Plan Endorsement from the State Planning Commission and continue a fruitful and long standing partnership with the State Planning Commission and with all relevant Agencies and Departments of the State of New Jersey; and

WHEREAS, the Borough of Bound Brook has prepared a Municipal Self-Assessment Report pursuant to the State Planning Rules and Plan Endorsement Guidelines; and

WHEREAS, the Borough's Economic Development Advisory Committee has reviewed the Municipal Self-Assessment Report and recommends that the Mayor and Council approve it for

submission to the State Planning Commission and the Office of Planning Advocacy towards the Municipality's pursuit of Plan Endorsement.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Bound Brook hereby expressly state the intention of the Borough to pursue Plan Endorsement by the State Planning Commission; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Bound Brook approves the Municipal Self-Assessment Report and authorizes it be submitted to the Office of Planning Advocacy for consideration and review as part of the effort to pursue Plan Endorsement.

NOW THEREFORE BE IT FURTHER RESOLVED that the Clerk of the Borough of Bound Brook shall transmit a copy of this Resolution and the Notice as required by the State Planning Rules to the State Planning Commission and the Office of Planning Advocacy.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-055

RESOLUTION APPOINTING JASMINE MATHIS AS ALTERNATE JIF COMMISSIONER

WHEREAS, the Borough of Bound Brook is a member of the Garden State Municipal Joint Insurance Fund for the purposes of securing types of insurance coverage; and

WHEREAS, during this period of membership an alternate Commissioner is appointed the Commissioner for the Borough of Bound Brook; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Jasmine Mathis is appointed as the alternate JIF Commissioner for the term of membership expiring December 31, 2022.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-055

WHEREAS, various 2021 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year, and were not covered at the time of transfers between the 2021 budget in the last two months of 2021; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and all transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, and State of New Jersey that the transfer in the amount of \$103,500.00 be made between the 2021 Budget Appropriation Reserves as follows:

	<u>TO:</u>	<u>FROM:</u>
GENERAL GOVERNMENT		
General Administration		
Other expenses	22,000.00	
Municipal Clerk		
Salaries and Wages		7,900.00
Other Expenses	3,000.00	
Tax Collector		
Salaries and Wages		3,500.00
Other Expenses		8,000.00
Tax Assessment		
Other Expenses	20,000.00	
Legal Services		
Other expenses	30,000.00	
IT Services		
Other Expenses	10,000.00	

INSURANCE

Insurance

Other Expenses

Group Health Insurance

Other Expenses

PUBLIC SAFETY

Fire Hydrants Services

Other Expenses

LAND USE

ADMINISTRATION

Planning Board

Other Expenses 5,500.00

CODE

ENFORCEMENT

Uniform Construction Code

Salaries and Wages 50,000.00

Housing Inspections

Other Expenses 7,000.00

PUBLIC WORKS

Building and Grounds

Other expenses 1,000.00

UTILITIES

Gasoline

other Expenses 12,000.00

103,500.00 103,500.00

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk
Date of Adoption: March 8, 2022

Mayor Robert P. Fazen

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-057

AWARD OF CONTRACT UNDER HOUSTON-GALVESTON AREA COUNCIL, A
NATIONAL COOPERATIVE, CONTRACT #RCO1-21, REFUSE AND RECYCLING
CONTAINERS & LIFTERS

WHEREAS, the Borough of Bound Brook wishes to purchase refuse and recycling containers and lifters for solid waste collection from National Cooperative Purchasing Agreement H-GAC Contract #RCO1-21 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 February 20, 2022.

WHEREAS, the Borough Clerk did not receive prospective bids;

WHEREAS, Schaefer Systems International Inc., 10021 Westlake Drive, Charlotte, NC 28273 has been awarded Contract #RCO1-21 for refuse and recycling containers and lifters;

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

WHEREAS, the cost for the equipment is \$194,398.00; 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# 04-2021-202123-0000-4- 00000 in the amount of \$194,398.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough Bound Brook that Schaefer Systems International Inc. be awarded the contract for the aforementioned refuse and recycling containers and lifters.

BE IT FURTHER RESOLVED, that the Finance Department shall issue the appropriate purchase order in the amount of \$194,398.00.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-058

RESOLUTION APPROVING 2021 LOSAP QUALIFIERS AND CONTRIBUTIONS

WHEREAS, the list for qualification for the Length of Service Awards Program (LOSAP) has been posted with the 35 firefighters that have qualified for 2021; and

WHEREAS, the Fire Chief has met all the requirements of the program in order to make contribution on behalf of its membership,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook, County of Somerset and State of New Jersey that the Chief Finance Officer submits the contribution of \$950.00 per qualified member for a total of \$33,250.00.

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-059

RESOLUTION ACKNOWLEDGING APPLICATIONS TO THE 2022 SOMERSET COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT BY THE FOLLOWING NONPROFITS WITH INTENDED PROJECTS WITHIN THE BOROUGH OF BOUND BROOK

WHEREAS, the following non-profit groups located or implementing projects in the Borough of Bound Brook desire to participate in the 2022 Somerset County Community Development Block Grant Program:

WHEREAS, the Borough of Bound Brook governing body has been made aware of the intended projects from the each of the following non-profit groups;

Middle Earth

NOW, THEREFORE BE IT RESOLVED, by the Borough of Bound Brook Council that the Mayor and Clerk are also authorized to execute the applications from the non-profit groups listed above indicating that the Borough has been made aware of these applications.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-060

RESOLUTION OF SUPPORT FOR A STIGMA FREE COMMUNITY

WHEREAS, the Somerset County Board of Chosen Freeholders, along with the Somerset County Department of Human Services, supports the designation of Stigma-Free Communities in every municipality, and;

WHEREAS, at their September 26, 2017 meeting, the Somerset County Board of Chosen Freeholders unanimously passed a resolution supporting the designation of Somerset County as a Stigma-Free Community, and;

WHEREAS, Somerset County recognizes that one in five Americans has experienced mental health and substance use disorders, in a given year according to the National Institute of Mental Health, and;

WHEREAS, mental health problems are more common than cancer and heart disease combined, affecting children and adults, including more than half of our Iraq and Afghanistan Veterans treated at Veteran's Administration hospitals, and;

WHEREAS, given the serious nature of this public health problem, we must continue to reach the millions who need help;

WHEREAS, the stigma associated these conditions is identified as the primary reason individuals fail to seek the help they need to recover from the disease, and;

WHEREAS, Stigma-Free Communities aim to inspire public interest and open dialogues about stigma, raise awareness of mental health and substance use disorders and create a culture wherein residents feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma and;

WHEREAS, promoting awareness that there can be no "health" without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed, and;

WHEREAS, local resources are available to treat mental health and substance use so no one resident needs to suffer alone or feel hopeless, and;

WHEREAS, establishing Stigma-Free Communities will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided, and;

NOW THEREFORE BE IT RESOLVED that Bound Brook recognizes the community needs and supports the efforts of the County of Somerset in designating Bound Brook as a Stigma-Free Community.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-061

RESOLUTION CONDITIONALLY DESIGNATING DEMATTHEIS DEVELOPMENT AS REDEVELOPER FOR PROPERTY KNOWN AS 127 TALMAGE AVENUE ALSO KNOWN AS TAX BLOCK 23, LOT 1.01 LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA FOR REDEVELOPMENT OF A RESIDENTIAL PROJECT

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

WHEREAS, the Borough of Bound Brook (the “Borough”) has been promoting the redevelopment of public and privately-owned properties in Redevelopment Areas 1 & 2; and

WHEREAS, Block 23, Lot 1.01, also known as 127 Talmage Avenue is located in Redevelopment Area 2 (the “Property”); and

WHEREAS, DeMattheis Development (“DeMattheis”) contacted the Borough with regards to its interest in redeveloping the Property; and

WHEREAS, DeMattheis is the owner of the Property; and

WHEREAS, DeMattheis previously presented a concept proposal to redevelop the Property with a residential project to the Economic Development Committee and the Borough has had subsequent discussions with DeMattheis regarding its proposal; and

WHEREAS, the concept proposal from DeMattheis was reviewed and found consistent with the Borough's goals for redeveloping the downtown redevelopment area and on or about February 24, 2022 DeMattheis received development approvals for the Property from the Borough Planning Board; and

WHEREAS, the Borough is desirous of designating DeMattheis as redeveloper of the Property subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bound Brook that DeMattheis Development, 110 Fairview Avenue, Suite 1, Verona, New Jersey 07044 is hereby conditionally designated as redeveloper for the redevelopment of 127 Talmage Avenue, also known as Block 23, Lot 1.01 located in Redevelopment Area 2 for the reasons set forth herein.

BE IT FURTHER RESOLVED, that said conditional designation is subject to the following conditions:

1. That the conditional designation is limited to a period of one (1) year from the date of this Resolution at which time it will automatically expire and be of no further force and effect, and the parties will no longer have any obligation to the other, except as to final payment of any Borough costs under the Escrow Agreement required herein. The Borough may, in its sole discretion, extend and re-extend the conditional designation provided sufficient progress is being made in negotiation of a redevelopment agreement, which determination is at the sole discretion of the Borough and which extension must be in the form of a duly adopted resolution of the Borough Council.
2. That DeMattheis and/or an affiliated entity agrees to pay all costs incurred by the Borough from the date of the conditional designation to execution of a redevelopment agreement or termination of the redeveloper designation, as set forth herein.
3. Within fourteen (14) days of the adoption of this resolution, DeMattheis and/or an affiliated entity and the Borough shall enter into an escrow agreement. The escrow deposit shall be in the amount of \$10,000.00 and shall be replenished once it reaches a balance of \$5,000.00.
4. That DeMattheis and/or an affiliated entity and the Borough shall negotiate and agree upon the terms and conditions of a redevelopment agreement within the period of the conditional designation, as such period may be extended by the Borough in its sole discretion.

BE IT FURTHER RESOLVED, that upon completion of negotiations on a redevelopment agreement, the same shall be presented to the Borough Council of the Borough of Bound Brook for consideration along with all other related documents necessary to effectuate the completion and implementation of this project.

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

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-062

RESOLUTION AWARDING A NON-FAIR AND OPEN CONTRACT TO BRANDSTETTER
CARROLL, INC. FOR CONSULTANT SERVICES TO ENGINEERING SERVICES FOR
THE RENOVATION OF THE BOUND BROOK COMMUNITY POOL

WHEREAS, the Borough of Bound Brook has a need to acquire engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, there is a need to renovate the main pool at Codrington Park;

WHEREAS, the Brandstetter Carroll Inc., has determined and certified in writing that professional services are compensated at eight percent of the total construction cost of the project; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended as approved by this governing body; and

WHEREAS, at least ten (10) days prior hereto, Brandstetter Carroll Inc. has completed and submitted a Chapter 271 Political Contribution Disclosure Statement and Business Entity Disclosure Certification which certifies that Design Solutions has not made any reportable contributions to a political or candidate committee in the Borough of Bound Brook in the previous one year, and that the contract will prohibit Brandstetter Carroll Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer certified that the funds are available in an amount not to exceed \$112,000.00 in account #06-9999-0000-0000-2-01000

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Bound Brook, in the County of Somerset and the State of New Jersey, authorizes that a contract for the Services described herein be and is hereby awarded to Brandstetter Carroll Inc.; and

BE IT FURTHER RESOLVED that the Chapter 271 Political Contribution Disclosure Statement and Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to publish notice of the award of the contract in the official newspaper of the borough, in accordance with N.J.S.A. 40A:11-5(1)(ii).

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk
Date of Adoption: March 8, 2022

Mayor Robert P. Fazen

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-063

RESOLUTION AUTHORIZING AGREEMENT WITH SOMERSET COUNTY FOR
CERTIFIED RECYCLING PROFESSIONAL

WHEREAS, New Jersey municipalities are required by the Recycling Enhancement Act (REA) to have mandatory Annual Recycling Tonnage reports approved and signed by a Certified Recycling Professional (CRP); and

WHEREAS, Bound Brook desires to retain CRP services of Somerset County for signing of said Annual Recycling Tonnage report for the period commencing January 1, 2022 to December 31, 2022 at an hourly rate of \$43.51; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the account # 01-2022-126-301-2-99;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, Somerset County does approve the agreement with the County of Somerset for the above referenced services.

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-064

RESOLUTION SUPPORTING SOMERSET COUNTY'S APPLICATION OF FUNDS FROM THE NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY FOR LOCAL SAFETY IMPROVEMENTS TO COUNTY ROUTE 533 (TALMAGE AVENUE, COLUMBUS PLACE, MAIN STREET) AND COUNTY ROUTE 527 (MAIN STREET), TEA STREET TO MIDDLESEX COUNTY BORDER, BOROUGH OF BOUND BROOK, SOMERSET COUNTY

WHEREAS, the crash history along CR 533 and CR 527 has been analyzed and rated by the North Jersey Transportation Authority. These findings indicate a high rate of vehicle and pedestrian crashes; and

WHEREAS, the Somerset County Engineer has determined that safety improvements will reduce crashes along this segment of roadway; and

WHEREAS, Somerset County has been notified that it may apply for funding for safety improvements from the North Jersey Transportation Planning Authority under the FY 2022 Local Safety Program.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Bound Brook, County of Somerset, support Somerset County's application submission to North Jersey Transportation Planning Authority.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-065

RESOLUTION OF MAYORAL APPOINTMENTS TO VARIOUS BOARDS AND
COMMISSIONS WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL

WHEREAS, vacancies exist for various boards and commissions; and

WHEREAS, Mayoral appointments various Boards and Commissions with the advice and consent of the Borough Council are as follows:

<u>Member</u>	<u>Board/Commission</u>	<u>Position</u>	<u>Expiring Term</u>
Philip Fiadino	Historic Preservation Commission	Alternat	December 31, 2023

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that the above appointment is approved.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk
Date of Adoption: January 4, 2022

Mayor Robert P. Fazen

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-066

RESOLUTION AUTHORIZING A REFUND FOR THE OVERPAYMENT OF TAXES

WHEREAS, the records of the Tax Collector of the Borough of Bound Brook reflect an overpayment of recording fees for the redemption of lien certificate # 20-0009 on the following property:

<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
Shane Newell	321 Longwood Ave	061/008	\$53.00

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 lien redemption overpayment be refunded as per the list above.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: March 8, 2022

BOROUGH OF BOUND BROOK
RESOLUTION 2022-067

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 \$ 3,789,196.10.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 3,413,216.95
GRANT FUND	\$ 38,779.36
GENERAL CAPITAL FUND	\$ 279,839.23
GENERAL TRUST FUND	\$ 16,715.06
RECREATION TRUST	\$ 14,303.00
DOG/CAT TRUST	\$ 385.80
HOUSING REHAB	\$ 2,562.20
TAX COLLECTOR TRUST	\$ 4,800.00
TAX TITLE LIEN REDEMPTION	\$ 4,585.08
DEVELOPERS ESCROW	\$ 6,701.25
SEWER	\$ 812.11
PAYROLL	\$ 6,496.06
TOTAL	<u>\$ 3,789,196.10</u>

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk
Date of Adoption: March 8, 2022