



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
April 26, 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

April 12, 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

- 2022 Municipal Budget Hearing
- Public Comment on 2022 Municipal Budget

R2022-087 Resolution to Amend 2022 Municipal Budget

Motion: Second:

Roll Call:

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

Adopting the 2022 Amending Municipal Budget

Motion: Movant: I move the 2022 Budget be adopted as amended.

Second:

Roll Call:

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

2022-088 Resolution Introducing the 2022 Special Improvement District Budget

Movant: I move the resolution be passed on first reading, advertised according to law and a public hearing be held on May 10, 2022

Second:

Roll Call:

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

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

2021 Road Program bid submission due April 27, 2022

ENGINEER’S REPORT- DALE LEUBNER, SUPERINTENDENT OF PUBLIC WORKS

COMMITTEE REPORTS

Chair of Finance – C. Dominic Longo

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

Chair of Public Works, Bldgs., Grounds & Utilities – C. Vinnie Petti

Liaison Committees:

Chair of Public Safety (Police & Fire) – C. Abel Gomez

Liaison Committees: Board of Engineers, Board of Education, Historic Preservation Commission, Office of Emergency Management, Rescue Squad, Parking Commission, Shade Tree Commission

Chair of Personnel, Administration & Ordinances - C. Anthony Pranzatelli

Liaison Committees: Architectural Review Advisory Committee, Cultural Arts Committee

Chair of Economic Development C. Jake Hardin

Liaison Committees: Planning Board, Special Improvement District

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

Liaison Committees: Board of Health, Library Advisory Committee

INTRODUCTION OF ORDINANCES – FIRST READING

Ordinance 2022-08 An Ordinance Granting Consent and Permission to New Jersey American Water, Inc. to Furnish Wastewater Conveyance Services in the Borough of Bound Brook, New Jersey

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on May 10, 2022.

Second:

Roll Call:

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

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

Ordinance 2022-09 An Ordinance Amending and Supplementing Chapter 21, Land Use, of the General Revised Ordinances of the Borough of Bound Brook to Include Amended Definition for Impervious Coverage

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on May 10, 2022.

Second:

Roll Call:

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

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

Ordinance 2022-10 An Ordinance Amending Chapter 2, Administration, Article IV, Departments, to Create Position of Special Law Enforcement Officer Class Two

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on May 10, 2022.

Second:

Roll Call:

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

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

ORDINANCES ON FINAL READING AND CONSIDERATION- SECOND READING

Ordinance 2022-07 Bond Ordinance Providing for Various Capital Improvements in and by the Borough of Bound Brook, in the County of Somerset, New Jersey, Appropriating \$2,333,000 Therefor and Authorizing the Issuance of \$2,216,350 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Motion to open public comment: Second:

Public Comment:

Borough of Bound Brook
Resolution 2022-087
RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2022 was introduced and approved on the 22nd of March, 2022 and
 WHEREAS, the public hearing on said budget has been held as advertised, and
 WHEREAS, it is desired to amend said approved budget, now
 THEREFORE, BE IT RESOLVED, by the Township Council of the Borough of Bound Brook, County of Somerset, that the following amendments to the approved budget of 2022 be made:

<u>RECORDED VOTE</u> (INSERT LAST NAMES)	<u>Ayes</u> (<u>Nays</u> (<u>Abstained</u> (<u>Absent</u> (
	((((
	((((
	((((
	<u>FROM</u>	<u>TO</u>		
Anticipated Revenues:				
1. Surplus Anticipated	961,241.08	983,673.08	22,432.00	
Total Surplus Anticipated	961,241.08	983,673.08	22,432.00	
3. Miscellaneous Revenues-Section A Local Revenues:				
Recreation Fees			0.00	
Total Section A - Local Revenues	0.00	0.00	0.00	
3. Miscellaneous Revenues-Section B: State Aid without Offsetting Appropriations				
Consolidated Municipal Property Tax Relief Aid	50,091.00	1,593.00	(48,498.00)	
Energy Receipts Tax	1,068,619.00	1,117,117.00	48,498.00	
Garden State Trust Fund		0.00	0.00	
Total Section B State Aid without Offsetting Appropriations	1,118,710.00	1,118,710.00	0.00	
3. Miscellaneous Revenues-Section F: Special Items of Revenue Anticipated With Prior				
Written Consent Director Of Local Government Services-Public and Private Revenues:				
Youth Services	0.00	10,000.00	10,000.00	
CHPP	0.00	4,600.00	4,600.00	
Local Art	0.00	3,500.00	3,500.00	
Historic Preservation	0.00	106,250.00	106,250.00	
			0.00	
Total Section F: Special Items of Revenue Anticipated With Prior				
Written Consent Director Of Local Government Services-Public and Private Revenues	0.00	124,350.00	124,350.00	

			0.00
Summary of Revenues:			
1. Surplus Anticipated	961,241.08	983,673.08	22,432.00
3. Miscellaneous Revenues			
Total Section A: Local Revenues	0.00	0.00	0.00
Total Section B: State Aid without Offsetting Appropriations	1,118,710.00	1,118,710.00	0.00
Total Section C: Dedicated Uniform Construction Code Fees offset with Appropriations\	0.00	0.00	0.00
Total Section D: Interlocal Agreements	0.00	0.00	0.00
Total Section F:Public and Private Revenues	0.00	124,350.00	124,350.00
Total Section G: Special Items of General Revenue	0.00	0.00	0.00
Total Miscellaneous Revenues	5,668,624.12	5,792,974.12	124,350.00
Receipt from Delinquent Taxes	400,000.00	375,000.00	(25,000.00)
Subtotal General Revenues	7,029,865.20	7,151,647.20	121,782.00
6. Amount to Be Raised By Taxes	9,054,807.80	9,054,807.80	0.00
7. Total General Revenues	16,084,673.00	16,206,455.00	121,782.00
			0.00
			0.00
			0.00
			0.00
Public and Private Programs Offset By Revenues			0.00
CHPP	0.00	4,600.00	4,600.00
Youth Services Program	0.00	10,000.00	10,000.00
Local Art	0.00	3,500.00	3,500.00
Historic Preservation	0.00	106,250.00	106,250.00
			0.00
Total Public and Private Programs Offset By Revenues	0.00	124,350.00	124,350.00
			0.00
Total Operations - Excluded From "CAPS"	45,220.00	169,570.00	124,350.00
			0.00
Detail:			0.00
Salaries and Wages	0.00	0.00	0.00
Other Expenses	45,220.00	169,570.00	124,350.00
			0.00
			0.00
			0.00
(N) Use of Local Schools (NJSA 40:48-17.1 & 17.3)	136,115.00	133,547.00	(2,568.00)
			0.00
(H-2) Total General Appropriations for Municipal Purposes Excluded From "CAPS"	2,435,025.00	2,556,807.00	124,350.00
(O) Total General Appropriations-Excluded From "CAPS"	2,435,025.00	2,556,807.00	121,782.00
(L) Subtotal General Appropriations {Items (h-1) and (o)}	15,133,673.00	15,255,455.00	121,782.00

(M) Reserve for Uncollected Taxes	0.00	0.00	0.00
9. TOTAL GENERAL APPROPRIATIONS	16,084,673.00	16,206,455.00	121,782.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the _____, 2022.

Certified by me

_____, 2022

Municipal Clerk

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-088

RESOLUTION INTRODUCING THE 2022 SPECIAL IMPROVEMENT DISTRICT BUDGET
IN THE AMOUNT OF \$188,686.00

WHEREAS, the Bound Brook Revitalization Partnership (Special Improvement District) has submitted their annual budget, January 1, 2022 to December 31, 2022, in the amount of \$188,686.00 attached hereto and made a part hereof; and

WHEREAS, per the Chapter II, Article VII, of the General Revised Ordinances of the Borough of Bound Brook, the budget shall be introduced, advertised, subject to a public hearing, amended and adopted by not less than a majority of the full membership of the Governing Body in accordance with the procedures set forth in N.J.S.A. 40:56-84; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset that the Special Improvement District be introduced and advertised according to law and a public hearing scheduled for May 10, 2022.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: April 26, 2022

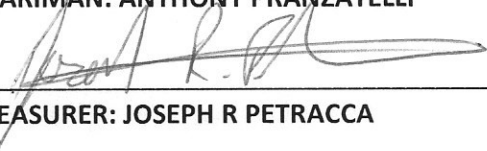
**BOUND BROOK REVITALIZATION PARTNERSHIP
SPECIAL IMPROVEMENT DISTRICT (SID) BUDGET**

JANUARY 1 2022 TO DECEMBER 31 2022

DATE: 03/22/22

SOURCES OF REVENUE:	AMOUNT
Income:	
ASSESSMENTS AT .00160	159,386.00
FUND RAISING	7,000.00
GRANTS	1,300.00
DONATIONS	21,000.00
SURPLUS	
Total sources of Revenue/ Income	<u><u>188,686.00</u></u>
USES OF REVENUE:	
Expenses:	
FULL TIME EXECUTIVE DIRECTOR SALARY	71,400.00
MAINTENANCE WORKER	33,000.00
PROFESSIONAL SERVICES (ACCOUNTING LEGAL AUDIT)	7,600.00
INSURANCE WORKERS COMP OTHER	4,500.00
ADMINISTRATIVE EXPENSES	6,000.00
PAYROLL TAXES	5,000.00
OFFICE EXPENSES	1,000.00
PROGRAM EXPENSES	28,000.00
FLOWER GARDENS	12,000.00
UTILITIES	4,900.00
RENT	10,000.00
OFFICE SUPPLIES	2,000.00
WEBSITE	1,200.00
MISCELLANEOUS EXPENSES	2,086.00
Total uses of Revenue/ Expenses	<u><u>188,686.00</u></u>
Surplus/ (deficit)	<u><u>0.00</u></u>

CHARIMAN: ANTHONY PRANZATELLI



TREASURER: JOSEPH R PETRACCA

**BOUND BROOK REVITALIZATION PARTNERSHIP
SPECIAL IMPROVEMENT DISTRICT (SID) BUDGET**

JANUARY 1 2022 TO DECEMBER 31 2022

EXPENSES NARRATIVE:

FULL-TIME EXECUTIVE DIRECTOR SALARY- this position is responsible for following and carrying out the mission of the Bound Brook Revitalization Partnership established by the Board of Trustees. This includes providing support and resources for downtown businesses, marketing and promotion of businesses and business opportunities to participate in events within the district, managing the maintenance of the downtown, planning and executing special events and programs that provide benefit to the downtown merchants and community, the Hometown Heroes program, grant writing, management of the BBRP's website, newsletter, communications with businesses and the public regarding all issues including resources for covid 19 as there are still a few lingering issues with that, social media platforms, creation of flyers and advertisements for the SID. This position is not considered an employee position. It is an independent contractor position that receives no benefits e.g. health insurance.

MAINTENANCE WORKER SALARY- this is an employee position. Responsibilities include cleaning areas within the Downtown Bound Brook SID boundaries. The maintenance worker also maintains the train station in exchange for the clean communities grant from the Borough. Also takes care of reporting any issues within the Downtown that the DPW needs to take care of e.g. streetlights that are out, potholes, etc.

PROFESSIONAL SERVICES (ACCOUNTING LEGAL AUDIT)- this is for the annual audit.

INSURANCE WORKERS COMP OTHER- this is needed in case of any issues that may arise with an employee or a temporary hire

ADMINISTRATIVE EXPENSES- covers the cost of handling book records, tax returns, budgets, financial operations of the non-profit, payroll services, issues with the budget, workers' comp issues, full-time bookkeeper

PAYROLL TAXES- pays for maintenance worker, federal, state, local and unemployment

OFFICE EXPENSES- For any necessary maintenance work on computer, printer, connectivity issues- any technical issues that might arise, any outside graphic design support

PROGRAM EXPENSES- Covers cost of putting on events/programs and the activities included with these events. This year's tentative lineup (subject to any lingering covid restrictions) includes a bi-weekly Farmers Market, Classic Car Cruise Nights, Drive-In Movies in the Park series, Riverfest Street Fair, Halloween Trunk or Treat, Christmas Tree Lighting, and the Battle of Bound Brook soldier lunch. This line item also includes programs that support beautification efforts in Downtown including additional planters and seasonal decorations that are very popular with the business owners.

FLOWER GARDENS- This will include seasonal flowers and mulch throughout the Downtown. Please note that in the past according to records, the median strips, pocket park and tree underplanting were a shared cost with the Borough. We understand that the Borough's budget may not be able to assist with this as it has in years past, however, any additional support for beautifying Downtown this summer is appreciated.

UTILITIES- covers cost of heat, electric, internet, water, telephone for the office.

RENT- cost to rent physical office space and storage space in Bound Brook.

OFFICE SUPPLIES- cost of ink, paper, additional printing materials, labels, envelopes, pens, stamps, mailers, paper products, hand soap, cleaning supplies, etc.

WEBSITE- includes cost of domain, email, Office 365, Go Daddy, WordPress, digital advertising, email marketing platform (decrease in budgeted amount this year because of savings due to switching to a new platform.)

MISCELLANEOUS EXPENSES- this is for potential excess for programs. This covers any extra cost of events/programs that go over what was allotted. Also, additional supplies such as garbage bags, and other sanitizing products for the maintenance worker.

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-08

AN ORDINANCE GRANTING CONSENT AND PERMISSION TO NEW JERSEY AMERICAN WATER, INC. TO FURNISH WASTEWATER COLLECTION AND 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, Inc. (“NJAW”), a New Jersey Corporation to furnish potable water service within the Borough; and

WHEREAS, NJAW is in the process of acquiring the wastewater system (the “System”) currently owned and operated by the Borough, which has been approved by the voters of the Borough on November 2, 2021, pursuant to N.J.S.A. 40:62-5; and

WHEREAS, the Borough is desirous of having NJAW acquire the System; and

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

WHEREAS, NJAW 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; and

WHEREAS, notice of this Ordinance was published in accordance with the requirements of N.J.S.A. 48:3-13 and N.J.S.A. 48:3-14; and

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 collection and conveyance to the Borough and all residents, businesses and government buildings therein is hereby given and granted to NJAW, its successors and assigns for the maximum duration permitted by law, subject to the permission by the Board of Public Utilities of the State of New Jersey.

Section 2. That exclusive consent and permission is given to NJAW, 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 NJAW 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 collection and 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 NJAW, 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 NJAW 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 NJAW executing the *Agreement of Sale Between the Borough of Bound Brook and New Jersey American Water, Inc, as the same may be amended from time to time.*

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 5. 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 6. 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.

Attest: _____
Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: April 26, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-09

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 21, LAND USE, SECTION 21-2, DEFINITIONS, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO AMEND DEFINITION FOR IMPERVIOUS COVERAGE

WHEREAS, the Mayor and Council of the Borough of Bound Brook received a recommendation from the Bound Brook Department of Code Enforcement to redefine what is counted as impervious coverage and what exceptions can be made towards the calculation for impervious coverage,

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 21, Land Use, of the General Revised Ordinances of the Borough of Bound Brook, Section 21-2 “Definitions” is hereby amended and supplemented deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold text** to read as follows:

21-2 DEFINITIONS.

IMPERVIOUS COVERAGE (LOT COVERAGE)

That portion of a site which is improved or is proposed to be improved with principal and accessory buildings and structures, including driveways, parking lots, pedestrian walkways, roads, **[swimming pools]** and other improvements on the ground surface which are less permeable than the natural surface. Impervious coverage computations must include the impervious areas for improvements required by ordinance, such as parking areas. The building coverage plus the area of all introduced paved surfaces which have less permeability than the soil, such as: required parking spaces, including necessary maneuvering areas, passageways and driveways giving access thereto, service areas, accessways, streets, walkways, patios and plazas.

Exceptions: Board Decks (provided water can drain directly into the ground surface underneath) and swimming pool water surface area provided water level remains 6” below top of pool.

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: April 26, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-10

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE IV, DEPARTMENTS ESTABLISHED, TO CREATE POSITION OF SPECIAL LAW ENFORCEMENT OFFICER CLASS TWO

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

SECTION 1. That Chapter 2, Administration, Article IV, Departments Established, be and is hereby amended and supplemented to add a new Section 2-21.14, “Special Law Enforcement Officers,” as follows:

2-21.14 Special Law Enforcement Officers

- A. Creation of position; statutory authority. There is hereby created the position of Special Law Enforcement Officer Class Two (“SLEO II”) for the Borough of Bound Brook, Somerset County, New Jersey. The position of SLEO II so created shall be subject to and governed by N.J.S.A. 40A:14-146.8 et seq (the “SLEO Act”).
- B. Limitation on number. The number of SLEO IIs shall be limited to one (1), which number may, from time to time as deemed necessary by the governing body, be increased by ordinance, except that in no event shall the number exceed 25% of the total number of regular police offices then members of the Bound Brook Police Department.
- C. Appointment; term. Appointment to the position of SLEO II shall be for a term not to exceed one year, and an appointment may be revoked by the Borough after adequate hearing, unless the appointment is for four months or less, in which event the appointment may be revoked without cause or hearing. Nothing herein contained shall be construed to require reappointment upon the expiration of the term. A SLEO II so appointed shall not be a member of the Bound Brook Police Department, and their powers and duties as determined pursuant to the SLEO Act shall cease at the expiration of the term for which they were appointed.
- D. Oath of office. Every SLEO shall, before entering upon the performance of his/her duties, take and subscribe to an oath or affirmation to bear true faith and allegiance to the government established in this State under the authority of the people, to support the Constitution of the State of New Jersey and to enforce

and obey all local ordinances and regulations of the Police Department, and to faithfully, impartially and justly discharge and perform all the duties of his/her office, which oath or affirmation shall be filed with the Municipal Clerk, and a copy thereof maintained in the Police Department personnel files. The oath or affirmation shall conform to the wording of the relevant State statute, as same may be amended from time to time.

- E. Compensation. Compensation for the position of SLEO II shall be in accordance with the Borough's then-current salary ordinance.

SECTION 2. Severability Clause. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

SECTION 3. Repealer. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon passage and publication in accordance with law.

ATTEST:

BOROUGH OF BOUND BROOK

Jasmine D. Mathis,
Borough Clerk

By: _____
Robert Fazen,
Mayor

Date of Introduction: April 26, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-07

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, NEW JERSEY, APPROPRIATING \$2,333,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,216,350 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Bound Brook, in the County of Somerset, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,333,000, including a \$442,500 State of New Jersey Department of Transportation Grant expected to be received for the purpose described in Section 3(e)(1) (the "State Grant") and a Community Development Block Grant expected to be received in the amount of \$100,000 for the purpose described in Section 3(e)(2) (the "CDBG") and further including the aggregate sum of \$116,650 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and in anticipation of receipt of the State Grant and the CDBG, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,216,350 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Police Department:</u> The acquisition of police tasers and interview room camera update, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$49,000	\$46,550	10 years
b) <u>Administration Department</u> 1) Information technology upgrades, including all work and materials necessary therefor and incidental thereto and further including all			

related costs and expenditures incidental thereto.	\$51,000	\$48,450	5 years
<p>c) <u>Fire Department</u></p> <p>1) The acquisition of turn out gear and hoses, including all related costs and expenditures incidental thereto.</p> <p>2) The acquisition of pagers and radios, including all related costs and expenditures incidental thereto.</p> <p>3) The acquisition of a pick up truck, including all related costs and expenditures incidental thereto.</p>	\$34,000	\$32,300	5 years
	\$43,000	\$40,850	10 years
	\$51,000	\$48,450	5 years
<p>d) <u>Library</u></p> <p>Renovations to the library, including, but not limited to, windows and roof and further including all work and materials necessary therefore and incidental thereto.</p>	\$306,000	\$290,700	15 years
<p>e) <u>Department of Public Works</u></p> <p>1) The reconstruction of West Second Street, including all work and materials necessary therefor and incidental thereto.</p>	\$720,000 (includes a grant from the State of New Jersey)	\$684,000	10 years

<p>2) The reconstruction of Upper Maiden Lane, including all work and materials necessary therefor and incidental thereto.</p> <p>3) The reconstruction of Park Avenue, including all work and materials necessary therefor and incidental thereto.</p> <p>4) Milling/overlaying of various roads, all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.</p>	<p>Department of Transportation expected to be received in the amount of \$442,500)</p> <p>\$154,000 (includes a Community Development Block Grant expected to be received in the amount of \$100,000)</p> <p>\$310,000</p> <p>\$255,000</p>	<p>\$146,300</p> <p>\$294,500</p> <p>\$242,250</p>	<p>10 years</p> <p>10 years</p> <p>10 years</p>
<p>5) The acquisition of solid waste totes and a landscape trailer, including all related costs and expenditures incidental thereto.</p> <p>6) The acquisition of a hook truck with a salt spreader,</p>	<p>\$55,000</p>	<p>\$52,250</p>	<p>15 years</p>

including all related costs and expenditures incidental thereto.	\$263,000	\$249,850	5 years
f) <u>Parking Department</u>			
1) The acquisition of parking machines, including all related costs and expenditures incidental thereto.	\$21,000	\$19,950	10 years
2) The acquisition of an electric all-terrain vehicle, including all related costs and expenditures incidental thereto.	<u>\$21,000</u>	<u>\$19,950</u>	5 years
Total	<u>\$2,333,000</u>	<u>\$2,216,350</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to

the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. 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 6. 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. They are all improvements or purposes that 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 benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.87 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been

filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. 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 and notes provided in this bond ordinance by \$2,216,350, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. 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 obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer 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 obligations of the Borough 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 10. 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 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 of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Attest: _____
Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: March 22, 2022

Date of Adoption: April 22, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-089

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 2022 Somerset County Auction;

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

VEHICLES

VIN#

2004 Ford Explorer
2014 Ford Explorer
2014 Ford Explorer
2001 GMC Yukon

1FMPU16L94LA17275
1FM5K8AR8EGC38717
1FM5K8ARXEGC38718
3GKGGK26G61G187724

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: April 26, 2022

BOROUGH OF BOUND BROOK
RESOLUTION 2022-090

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 \$ 415,725.84.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 119,473.72
GRANT FUND	\$ 7,950.00
GENERAL CAPITAL FUND	\$ 132,797.72
GENERAL TRUST FUND	\$ 10,200.00
RECREATION TRUST	\$ 33,701.25
DOG/CAT TRUST	\$ 12.60
TAX COLLECTOR TRUST	\$ 21,000.00
TAX TITLE LIEN REDEMPTION	\$ 77,466.80
DEVELOPERS ESCROW	\$ 10,423.75
ENGINEERING ESCROW	\$ 2,700.00
TOTAL	<u>\$ 415,725.84</u>

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: April 26, 2022