



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
MAY 10, 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 26, 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

A/ 2022-094 Resolution Authorizing the Hire of Jose Corado Jr. as Patrol Officer for the Bound Brook Police Department

Motion: Second:

Roll Call:

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

B/ Oath of Office- Patrol Officer Jose Corado

C/ Proclamation Recognizing Falun Dafa Day

D/ Codrington Park Pool Construction – Charles Schneider, Brandstetter Carroll Inc.

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

INTRODUCTION OF ORDINANCES – FIRST READING

Ordinance 2022-11 An Ordinance Adopting the Salary Ranges for 2022

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on May 24, 2022.

Second:

Roll Call:

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

Ordinance 2022-12 An Ordinance Amending and Supplementing Chapter 21, Land Use, Section 21-10.14.E, “Parking” for the Mixed Use Two (MU-2) District of the Revised General 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 May 24, 2022.

Second:

Roll Call:

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

Ordinance 2022-13 An Ordinance of the Borough of Bound Brook, County of Somerset, New Jersey Approving the PILOT Application and Authorizing the Mayor and Borough Clerk Pursuant to N.J.S.A. 40A:20-1 et seq. to Execute a Financial Agreement by and between the Borough of Bound Brook and The View at 127 Urban Renewal, LLC for Property Located on Block 23, Lot 1.01 also known as 127 Talmage Avenue as Shown on the Official Tax Map of the Borough of Bound Brook and Located in the Downtown Redevelopment Area

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on May 24, 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 2022-08 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 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 2022-09 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 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 2022-10 An Ordinance Amending Chapter 2, Administration, Article IV, Departments, to Create Position of Special Law Enforcement Officer Class Two

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:

All in Favor:

- 2022-095 Resolution Approving Liquor License Holder Alley 14, #1804-33-007-012 for an Expansion of Premises
- 2022-096 Resolution Memorializing Confirmation of Acceptance of Ronald DeMarco's NJ State Firemen's Association Application for Membership to the Bound Brook Fire Department
- 2022-097 Chapter 159- Department of Transportation Bound Brook Train Station East Bound Waiting Room and Platform Renovation in the Amount of \$1,294,649.00
- 2022-098 Resolution Awarding Contract to Pennoni Associates for Professional Services Regarding the Inspection of Bound Brook Train Station Eastbound Waiting Room and Platform Renovations
- 2022-099 Resolution Awarding Contract to John O'Hara Company for Bound Brook Train Station Eastbound Waiting Room and Platform Renovations
- 2022-100 Resolution Authorizing Change Order No. 2-Reivax Construction for 2020 Road Program
- 2022-101 Resolution Awarding Contract to Reivax Construction for the 2021 Road Program
- 2022-102 Resolution Approving a Home Improvement Program Bid Award to NELA Carpentry & Masonry LLC for 729 Mountain Avenue
- 2022-103 Resolution Authorizing a Refund to Carolyn Bjorlo for a Construction Permit from Hurricane Ida
- 2022-104 Resolution Authorizing a Refund to Aranza Carballido for a Mayor's Ceremony Fee
- 2022-105 Resolution Extending the Conditional Designation of Redwood Real Estate Group as Redeveloper for Property Known as Tax Block 1, Lots 60 through 67 Located in the Downtown Redevelopment Area for Mixed Use Redevelopment Project
- 2022-106 Resolution Approving and Authorizing the Execution of a Redevelopment Agreement with The View at 127 Urban Renewal as Redeveloper for Property Known as Tax Block 23, Lot 1.01 Located at 127 Talmage Avenue in the Downtown Redevelopment Area for Redevelopment of a Mixed Use Project

UNFINISHED BUSINESS

NEW BUSINESS

APPROVAL OF VOUCHERS

2022-107 Resolution Approving Vouchers in the Amount of \$2,739,296.20

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

RESOLUTION 2022-094

RESOLUTION AUTHORIZING THE HIRE OF JOSE CORADO JR., AS PATROL OFFICER
FOR THE BOUND BROOK POLICE DEPARTMENT

WHEREAS, a vacancy exists for a Patrol Officer in the Police Department due to the retirement of officers; and

WHEREAS, interviews were conducted by the Bound Brook Police Department Command Staff; and

WHEREAS, the Police Chief has recommended Jose Corado Jr. be hired to fill the vacancy; and

WHEREAS, a background investigation, physical and psychological evaluation have successfully been completed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Jose Corado Jr. be hired as Patrol Officer effective May 11, 2022, for an annual salary of \$49,791.88, as specified in the PBA contract.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: May 10, 2022

PROCLAMATION

Falun Dafa Day

May 13th, 2022

WHEREAS, Falun Dafa Day was first taught publicly in 1992 by Master Li Hongzhi, and has demonstrated a steadfast commitment to improving health in mind, body and spirit, and to enhance the well being of people from all walks of society;

WHEREAS, Falun Dafa, also known as Falun Gong, is a peaceful and advanced cultivation practice system that centers around the universal principals of Truthfulness, Compassion, and Forbearance;

WHEREAS, All Falun Dafa activities, including classes and practices, are offered by volunteers, opened to the public, and free of charge; over 100 million practitioners in 114 counties have been benefited from practicing Falun Dafa Day;

WHEREAS, Falun Dafa practitioners in the community including New Jersey and across the United States celebrate the 30th anniversary of the public introduction of Falun Dafa and the 21st World Falun Dafa Day;

NOW, THEREFORE, I Mayor Robert P. Fazen, on behalf of The Borough of Bound Brook do Hereby proclaim May 13th, 2022 to be the Falun Dafa Day, Honoring Truthfulness, Compassion, and Forbearance.

Mayor Robert P. Fazen
Mayor
Bound Brook, New Jersey

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-11

AN ORDINANCE ADOPTING THE SALARY RANGES FOR 2022

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

1. The salaries, wages or other compensation to be paid to the following officers and employees of the Borough of Bound Brook, in the County of Somerset, State of New Jersey, are hereby fixed and determined to be at amounts or rates hereinafter set forth.

ADMINISTRATIVE

PER ANNUM

	<u>MINIMUM</u>	<u>MAXIMUM</u>
Borough Administrator	60,000	160,000
Borough Administrator (P/T)	30,000	45,000
Assistant Borough Administrator	19,800	46,200
Assistant to the Borough Administrator	12,000	18,000
Mayor	3,600	3,600
Councilmembers	3,600	3,600
Borough Clerk	45,000	90,000
Deputy Borough Clerk	25,000	63,800
General Clerk/Registrar	25,000	45,000
Receptionist/Typist	25,000	35,000
Election Worker (P/T)	350	475
Election Tabulator (P/T)	75	175
Chief Finance Officer	35,000	80,000
Tax Collector	19,000	50,000
Tax Collector (P/T)	10,000	25,000
Deputy Tax Collector	25,000	52,000
Account Clerk	25,000	50,000
Account Clerk (P/T)	10,000	25,000
Finance Clerk	25,000	70,000
Tax Assessor (P/T)	20,000	50,000
Borough Attorney	8,000	22,000
Assistant Borough Attorney/Prosecutor (P/T)	18,000	40,000
Public Defender (P/T) (per session)	100	450
Municipal Court Judge (P/T)	15,000	46,000
Municipal Court Administrator	45,000	80,000
Deputy Court Administrator	25,000	47,000
Violations Clerk	25,000	47,000
Director of Code Enforcement/Officer	40,000	110,000
Technical Asst. to Construction Official	12,000	47,000

Property Maintenance/Housing Inspector	23,000	65,000
Housing Inspector/Deputy Fire Marshall	23,000	70,000
Zoning Officer	3,500	15,000
Project Manager	50,000	100,000
Police Dispatcher	37,000	55,000
Bilingual Coordinator	25,000	55,000
Plumbing Inspector (P/T)	4,500	16,000
Recreation Director (P/T)	3,500	25,000
Planning Board Secretary (P/T)	3,000	10,000
Website Administrator	1,000	3,000
Secretary-Police	25,000	55,000
Civilian Police Specialist	25,000	47,000
Civilian Police Specialist (P/T)	12,500	23,000

POLICE DEPARTMENT

Chief of Police	153,000	186,000
Captain	BY CONTRACT	
Lieutenant	BY CONTRACT	
Sergeant	BY CONTRACT	
Detective	BY CONTRACT	
Patrolman	BY CONTRACT	

ADDITIONAL COMPENSATION: Uniform Allowance, Court Attendance, on call pay and education credits shall be paid in accordance with the current contract between the Borough and the PBA, SOA, and Chief of Police.

STREETS AND ROADS

Director	32,000	120,000
Superintendent	32,000	120,000
Assistant Superintendent	30,000	65,000

PER HOUR

Leadman/Foreman		BY CONTRACT
Mechanic		BY CONTRACT
Assistant Mechanic		BY CONTRACT
Equipment Operator		BY CONTRACT
Driver		BY CONTRACT
Laborer		BY CONTRACT
Custodian (P/T)	13.00	25.00
Laborer (P/T or Temporary)	13.00	17.00
Transit Village Property Maintenance Assistant	13.00	20.00

ADDITIONAL COMPENSATION: Additional compensation shall be paid in accordance with the current contract in existence between the Borough and AFSCME.

<u>RECREATION (SEASONAL)</u>		<u>PER HOUR</u>
Deputy Recreation Director	15.00	20.00
Recreation Maintenance	13.00	15.00
Clock Operator		NJ State Minimum Wage
Gym Supervisor	13.00	13.00
Park Director	14.00	20.00
Assistant Park Director	13.00	19.00
Pool Manager	13.05	16.00
Pool/Parks Maintenance		NJ State Minimum Wage
Pool Manager	14.00	20.00
Arts and Crafts		NJ State Minimum Wage
Maintenance Supervisor	13.00	16.00
Concessions		NJ State Minimum Wage
Head Swim Instructor	14.00	17.00
Head Lifeguard	11.50	19.00
Lifeguards	13.00	20.00
Swim Instructors	12.00	15.00
Aqua-Aerobics Instructor	12.00	15.00
Gate Guards		NJ State Minimum Wage

<u>OTHER PERSONNEL</u>		<u>PER HOUR</u>
Parking Enforcement Officer	13.00	25.00
Building Sub-Code Official	20.00	50.00
Property Maintenance Official	20.00	23.00
Construction Code Official	20.00	50.00
Fire Sub-Code Official	20.00	50.00
Electric Sub-Code Official	20.00	50.00
Plumbing Sub-Code Official	20.00	50.00
Building Inspector	20.00	40.00
Fire Official	15.00	40.00
Deputy Fire Official/Housing Inspector	15.00	40.00
Assistant Finance Clerk	13.00	25.00
Secretary	13.00	20.00
Technical Assistant Contraction Office	13.00	20.00
Technical Assistant to the Clerk	13.00	20.00
Records Clerk Police Department	15.00	27.00
Custodian	15.00	25.00
Special II Police Officer	25.00	30.00

2. Salaries, wages or compensation, when applicable, shall be retroactive as of and from and after January 1, 2022 and shall continue active as of and from and after January 1, 2022.

3. In the event of future succession to any of the foregoing positions by a change of personnel, the salary or wage of such new officer or employee shall be fixed by a resolution of the Mayor and Council adopted therefore but not to exceed the amount or rate for such position as hereinabove set forth.
4. The Borough Council may also fix and determine from time to time the times at which and the installments in which or periods of time for which the salaries, wages or compensation of the officers and employees enumerated in section 1 of this ordinance shall be paid to them respectively.
5. This ordinance shall take effect immediately upon passage and publication as required by law, and all prior salary ordinances are hereby repealed.
6. Payment of salaries, wages or compensation described herein is subject to funding in the 2022 and subsequent budgets notwithstanding the effective date of this ordinance.
7. In any case in which the same person simultaneously holds more than one office or position within Borough government for each of which said offices or positions a salary is provided, the person shall be entitled to receive only one salary, that being the highest salary provided for the offices or positions involved; provided, however, the Mayor and Council, by resolution, may provide for additional compensation in the event of multiple office holding, but in no event shall such additional compensation exceed the amount authorized for the office or position for which the additional compensation is being provided.

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: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-12

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXI, LAND USE, SECTION 21-10.14.E “PARKING” FOR THE MIXED USE TWO (MU-2) DISTRICT OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

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

SECTION 1. Section 21-10.15.e., “Parking” for the Mixed Use Two (MU-2) District in Land Use of Revised General Ordinances of the Borough of Bound Brook is hereby deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold**, to read as follows:

21-10.15.e. Parking

Use	Minimum Number of Spaces - Vehicular	Minimum Number of Spaces - Bicycles
[Apartment] <u>Apartment/Condominium</u>	[1 per apartment] <u>In accordance with N.J.A.C. 5:21, Residential Site Improvement Standards, SUBCHAPTER 4.14 Parking: number of spaces.</u>	1 per apartment
Townhouse	2 per unit	1 per unit
Office and retail	3 per 1,000 square feet	1 per 1,000 square feet
Office (medical)	4 per 1,000 square feet	1 per 1,000 square feet
Services	3 per 1,000 square feet	1 per 1,000 square feet
Hospitality	1.5 per room	1 per employee
Civic/governmental	3 per 1,000 square feet	1 per 1,000 square feet
Sports/recreational	1 per 2 seats or exercise station	1 per 3 seats
Houses of worship	1 per 2 seats	1 per 2 seats
Theaters, PACs	1 per 2 seats	NA

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

Attest: _____
Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-13

AN ORDINANCE OF THE BOROUGH OF BOUND BROOK, COUNTY OF SOMERSET, NEW JERSEY APPROVING THE PILOT APPLICATION AND AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND THE VIEW AT 127 URBAN RENEWAL, LLC FOR PROPERTY LOCATED ON BLOCK 23, LOT 1.01 ALSO KNOWN AS 127 TALMAGE AVENUE AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BOUND BROOK AND LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA

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 an Amended Redevelopment Plan for Redevelopment Area 1 on August 11, 2015, which has been amended subsequently time to time; and

WHEREAS, Block 23, Lot 1.01 (the “**Property**”) is located in Redevelopment Area 2; and

WHEREAS, the Borough is expected to consider a redevelopment agreement prior to the adoption of this Ordinance (the “**Redevelopment Agreement**”) for the redevelopment of the Property with The View at 127 Urban Renewal, LLC, an approved urban renewal entity (the “**Redeveloper**” or “**Entity**”); and

WHEREAS, the Entity is the owner of Block 23, Lot 1.01, which make up the Property; and

WHEREAS, the Entity obtained preliminary and final major site plan approval from the Borough Planning Board for the construction of a building with 49-unit multi-family residential rental units and ground floor retail on February 24, 2022 (the “**Project**”); and

WHEREAS, the Entity was created for the purposes of acquiring, owning, holding, developing, maintaining, financing, mortgaging, improving, operating, leasing, managing, using, refinancing, selling, subdividing, or otherwise dealing with the Property and the Project; and

WHEREAS, pursuant to and in accordance with the provisions of the Long-Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto (the “**Long Term Tax Exemption Law**”, as codified in N.J.S.A. 40A:20-1 et seq.), the Borough is authorized to provide for payment in lieu of taxes within a redevelopment area; and

WHEREAS, the Entity submitted an application for the approval of a Project, as such term is used in the Long-Term Tax Exemption Law, all in accordance with N.J.S.A. 40A:20-8 (the “**Exemption Application**”, a copy of which is attached hereto as Exhibit B); and

WHEREAS, the Exemption Application requested a 20-year term for a financial agreement and an annual service charge based on 9% of annual gross revenues for years 1 through 10 and 11% of annual gross revenues for years 11 through 20.

WHEREAS, the Borough proposes and agrees to a 15-year term for a financial agreement and an annual service charge starting at 12.5% of annual gross revenues for years 1 through 8, increasing to 13% for years 9 through 12, and increasing to 13.75% for years 13 through 15.

WHEREAS, pursuant to the Long-Term Tax Exemption Law, the Borough is authorized to enter into a financial agreement with a redeveloper for payment of an annual service charge for municipal services in lieu of taxes for market rate housing and commercial projects; and

WHEREAS, the Entity has requested that the Borough enter into a financial agreement for payment of an annual service charge for municipal services in lieu of taxes (the “**Financial Agreement**”) for the Project; and

WHEREAS, the Borough and the Entity have reached agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charges and desire to execute the Financial Agreement, which terms and conditions are stated below.

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

Section 1. The Borough acknowledges that by effectuating the redevelopment of the Project, The View at 127 Urban Renewal, LLC will significantly limit its profits due to the extraordinary costs to be borne by the Entity, which will provide significant and long-term benefits to the Borough.

Section 2. The Borough makes the following findings:

A. Relative benefits of the Project when compared to the costs:

1. The Property currently generates approximately \$11,209 in real estate tax revenue to the Borough as the Property is underutilized with a small storage facility and vacant land. The projected Annual Service Charge over the 15-year term will generate an average annual revenue to the Borough of approximately \$____,000.00.

2. It is estimated that the Project will create jobs during construction and permanent jobs;

3. The Project should stabilize and contribute to the economic growth of existing local business and to the creation of new business, which will serve the new residents and attract additional people to the Borough;

4. The Project will further the redevelopment objectives of the Redevelopment Plan for Redevelopment Area 2; and

5. The redevelopment of the Property will greatly improve the downtown neighborhood.

6. The Borough has determined that the benefits of the Project significantly outweigh the costs to the Borough.

B. Assessment of the importance of the tax exemption defined in obtaining development of the Project and influencing the locational decisions of probable occupants:

1. The relative stability and predictability of the Annual Service Charge will make the Project more attractive to investors and lenders needed to finance the Project; and

2. The relative stability and predictability of the Annual Service Charge will allow stabilization of the Project operating budget, allowing a high level of urban design and aesthetics as well as the use of high quality materials which will maintain the appearance of the building over the life of the Project, which will insure the likelihood of the success of the Project and insure that it will have a positive impact on the surrounding area.

C. Based upon the above determinations by the Borough and the provisions of N.J.S.A. 40A:20-12, this Agreement contains appropriate tax exemption provisions and an appropriate Annual Service Charge schedule.

Section 3. The Exemption Application is hereby accepted and approved.

Section 4. The Financial Agreement shall be for a fifteen (15) year term with an annual service charge based on 12.5% of annual gross revenues for years 1 through 8, increasing to 13% for years 9-12 and increasing to 13.75% for years 13-15, all in accordance with the Long-Term Tax Exemption Law.

Section 5. The Financial Agreement is hereby authorized to be executed and delivered on behalf of the Borough by the Mayor in substantially the form attached hereto as Exhibit B. The Borough Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor and to affix the corporate seal of the Borough to the Financial Agreement.

Section 6. This ordinance shall take effect upon final passage and publication as required by law.

Attest: _____
Jasmine D. Mathis
Borough Clerk

By: _____
Mayor Robert Fazen

Date of Introduction: May 10, 2022

EXHIBIT A

EXEMPTION APPLICATION

EXHIBIT B

FORM OF FINANCIAL AGREEMENT

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

Date of Adoption: May 10, 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

Date of Adoption: May 10, 2022



BOROUGH OF BOUND BROOK

PLANNING BOARD

April 29, 2022

Honorable Robert Fazen, Mayor
Borough of Bound Brook
230 Hamilton Street
Bound Brook, NJ 08805-2017

Re: Ordinance 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

At its meeting on Thursday, April 28, 2022, the Planning Board, pursuant to N.J.S.A. 40:55D-26a, found the following ordinance by the Borough Council to not be inconsistent with the Borough's Master Plan

Howard Wagner motioned Ordinance 2022-09 is not inconsistent with the 1988 Borough Master Plan. Keith Krauser seconded the motion.

Roll Call: Ayes: Scott Sloan, Linda Brnicevic, Howard Wagner, Jim Ayotte, Wale Adewunmi, Keith Krauser, Mark Speed

Nay: None

Absent: Mike Witt, Mayor Robert Fazen, Councilman Jake Hardin

Very truly yours,

Michael D. Witt, Chairman

Bound Brook Municipal Land Use Board

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

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-095

RESOLUTION APPROVING LIQUOR LICENSE HOLDER, ALLEY 14, LICENSE #1804-33-007-012 FOR AN EXPANSION OF PREMISES

WHEREAS, Alley 14 has submitted an application for an Expansion of Premises of Plenary Retail Consumption License 1804-33-007-012 located at 12 Church Street; and

WHEREAS, the applicant wishes to include the lower level of their establishment under their license; and

WHEREAS, said application has been accompanied with a filing fee of \$200.00 to the Borough and \$200.00 filing fee to the Division of ABC;

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 Expansion of Premises for Alley 14, License 1804-33-007-012 located at 12 Church Street is hereby approved.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Division of Alcoholic Beverage Control; Trenton, New Jersey.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-096

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

WHEREAS, Ronald DeMarco has applied to become a volunteer firefighter to Watchung Fire Company 3; and

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

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 New Jersey State Firemen's Association Application for Membership for Ronald DeMarco to Watchung Fire Company 3 is hereby accepted.

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-097

Department of Transportation Bound Brook Train Station East
Bound Waiting Room and Platform Renovation -\$1,294,649.00

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

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

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

DOT, Other Expenses \$1,294,649.00

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

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-098

RESOLUTION AWARDING CONTRACT TO PENNONI ASSOCIATES FOR
ENGINEERING INSPECTION SERVICES OF BOUND BROOK TRAIN STATION
EASTBOUND WAITING ROOM AND PLATFORM RENOVATIONS

WHEREAS, the Borough was awarded Federal Project No. Tap-D00S (380), NJDOT Job No. 7204309 grant in a reimbursable amount of \$1,294,649.00 for Bound Brook Train Station Eastbound Waiting Room and Platform Renovations; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4 et. seq., the Borough of Bound Brook solicited Request for Proposals for Engineering and Inspections Services of Bound Brook Train Station Eastbound Waiting Room and Platform Renovations and received two (2) submissions, T&M Associates and Pennoni Associates; and

WHEREAS, the submissions were reviewed in accordance with N.J.S.A. 40A:11-4 et. seq., and rated based on the following criteria: Qualifications/Experience of Firm in Similar Work, Qualifications/Experience/Ability of Key Personnel, Understanding of Scope of Work and Project Needs, Technical Approach, Experience of Firm with NJDOT and FHWA Procedures, and Presentation of Proposal;

WHEREAS, Pennoni Associates was deemed the most qualified submission; and

WHEREAS, the cost proposal is \$197,635.85; and

WHEREAS, the Chief Financial Officer has certified the funds in account# 02-2022-240-805-2-229

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 Pennoni Associates be awarded the contract for Engineering and Inspections Services of the Bound Brook Train Station Eastbound Waiting Room and Platform Renovation in the amount of \$197,635.85; contingent upon the availability of grant funds.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-099

RESOLUTION AWARDING CONTRACT TO JOHN O'HARA COMPANY INC. FOR THE
CONSTRUCTION OF BOUND BROOK TRAIN STATION EASTBOUND WAITING ROOM
AND PLATFORM RENOVATIONS

WHEREAS, the Borough was awarded Federal Project No. Tap-D00S (380), NJDOT Job No. 7204309 grant in a reimbursable amount of \$1,294,649.00 for Bound Brook Train Station Eastbound Waiting Room and Platform Renovations; and

WHEREAS, the Borough of Bound Brook solicited bids for the Construction of Bound Brook Train Station Eastbound Waiting Room and Platform Renovations and received four (4) bid proposals as follows:

Dell-Tech Inc.	\$1,664,428.00
Tekcon Construction	\$ 2,108,088.00
John O'Hara Company	\$ 2,407,480.98
Hahr Construction	\$ 2,418,294.00

WHEREAS, John O'Hara Company Inc., was determined to be the lowest qualified bidder and satisfied the Civil Rights Goal Requirement, in the amount of \$2,407,480.98; and

WHEREAS, the Chief Financial Officer has certified the funds in account# 02-2022-240-805-2-229;

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 John O'Hara Company Inc. be awarded the contract for the Construction of the Bound Brook Train Station Eastbound Waiting Room and Platform Renovation in the amount of \$2,407,480.98; contingent upon the availability of grant funds.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-100

RESOLUTION AUTHORIZING CHANGE ORDER NO. 2-REIVAX CONSTRUCTION FOR
THE 2020 ROAD PROGRAM

WHEREAS, the Borough of Bound Brook awarded a contract to Reivax Construction for the 2020 Road Program; and

WHEREAS, there is an increase in the overall project of \$4,265.00; and

WHEREAS, the total contract price is now \$785,827.22; and

WHEREAS, the Chief Financial Officer has certified the funds in account #04-2020-202017-1704-4-0;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, Change Order No. 2 is authorized to Reivax Construction for the 2020 Road Project is approved.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-101

RESOLUTION AWARDING CONTRACT TO REIVAX CONSTRUCTION FOR THE 2021
ROAD PROGRAM

WHEREAS, the Borough of Bound Brook solicited a Request for Bids for the 2021 Road Program; and

WHEREAS, the Borough received on April 27, 2022 from the following bidders:

Seacoast Construction	\$1,375,086.02
Topline Construction	\$ 958,980.84
Styler Excavation	\$1,048,406.98
DeSantis Construction	\$1,167,347.39
Reivax Construction	\$ 930,005.41
Black Rock Enterprise	\$ 960,000.00
CCM Contracting	\$1,135,610.47

WHEREAS, the Borough Engineer reviewed the lowest bid submitted by Reivax Construction and have determined that it complies with the bid specification, making Reivax Construction the lowest responsible bidder; and

WHEREAS, the Chief Financial Officer has certified funds in account 04-2021-202110-211008-4-0; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook in the County of Somerset that the Borough hereby accepts the lowest responsible bidder, Reivax Construction to award contract in the amount of \$930,005.41 for the 2021 Road Program.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-102

RESOLUTION APPROVING A HOME IMPROVEMENT PROGRAM BID AWARD TO
NELA CARPENTRY & MASONRY, LLC FOR 729 MOUNTAIN AVENUE

WHEREAS, the Somerset County Community Development Consortium program provides substantial benefits to persons of low and moderate income including the elderly and disabled; and

WHEREAS, 729 Mountain Avenue applied to the Home Improvement Program for various home improvements; and

WHEREAS, NELA Carpentry & Masonry, LLC in Saddle Brook, New Jersey is the lowest bidder in the amount of \$20,100.00;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, that NELA Carpentry & Masonry, LLC be awarded the bid.

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-103

RESOLUTION AUTHORIZING A REFUND TO CAROLYN BIORLO FOR A
CONSTRUCTION PERMIT FROM STORM IDA

WHEREAS, Resolution 2021-189 authorized the waiver of building permit fees for recovery from the flooding of Hurricane Ida; and

WHEREAS, the Construction Office received a request for a construction permit refund in the amount of \$260.00 from Carolyn Biorlo;

WHEREAS, the Director of Code Enforcement has confirmed the the permit is related to Hurricane Ida;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, that the Chief Financial Officer is hereby authorized to refund the amount of \$260.00 to Carolyn Biorlo.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-104

RESOLUTION AUTHORIZING A REFUND TO ARANZA CARBALLIDO FOR MAYOR'S
CEREMONY FEE

WHEREAS, the Clerk's Officer received a request to refund a marriage ceremony fee in the amount of \$150.00 to Aranza Leticia Carballido.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook, the Finance Department is hereby authorized to issue a refund in the amount of \$150.00 to Aranza Leticia Carballido.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-105

RESOLUTION EXTENDING THE CONDITIONAL DESIGNATION OF REDWOOD REAL ESTATE GROUP AS REDEVELOPER FOR PROPERTY KNOWN AS TAX BLOCK 1, LOTS 60 THROUGH 67 LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA FOR MIXED USE REDEVELOPMENT 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

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 1, Lots 60 through 67 are located on East Main Street in Redevelopment Area 1 (referred to as the “Properties”); and

WHEREAS, Redwood Real Estate Group (“Redwood”) is a fourth-generation real estate investment, management, and development company based in Manhattan that operates property across the United States with a focus in New York City, New Jersey, Long Island, Pennsylvania, Westchester, and Connecticut; and

WHEREAS, Redwood is the contract redeveloper with the Borough for properties located on Block 12; and

WHEREAS, Block 1, Lots 61, 62 and 65 are owned by Redwood and Block 1, Lots 60, 63, 64, 66 and 67 are owned by others; and

WHEREAS, Redwood has requested designation as conditional redeveloper for the Properties regarding its concept proposal to redevelop the Properties for a mixed-use redevelopment project; and

WHEREAS, the concept proposal from Redwood was considered by the Borough and found consistent with the Borough's goals for redeveloping the downtown area; and

WHEREAS, on October 26, 2021, the Borough adopted a resolution conditionally designating Redwood (the “Redeveloper”) as redeveloper of the Property for a period of 180 days subject to certain conditions, which has expired and the Borough desires to extend such designation; and

WHEREAS, the Borough and the Redeveloper subsequently entered into an escrow agreement, which requires the Redeveloper 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 regarding the redevelopment of the Property; and

WHEREAS, the Borough and the Redeveloper have been working diligently to negotiate the terms and conditions of a Redevelopment Agreement, additional time is required for the parties to complete these tasks and a further extension of the conditional redeveloper designation is necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bound Brook that the conditional designation of Redwood Real Estate Group, 227 East 56th Street, Suite 401, New York, NY 10022 as redeveloper of Block 1, Lots 60 through 67 located in Redevelopment Area 1 for the redevelopment of the Properties is hereby extended for the reasons set forth herein.

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

1. That the conditional designation is retroactively extended from the expiration of the designation on or about April 24, 2022 and is further extended for a 180-day period from the date of adoption 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 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 Redwood and/or an affiliated entity agrees to pay any and 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. That Redwood 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.
4. That Redwood and/or an affiliated entity shall acquire the Properties which it does not currently own from the current owners in order for the redevelopment of the Properties as provided for in a redevelopment agreement.

BE IT FURTHER RESOLVED, that upon completion of negotiations on a redevelopment agreement, the Borough Council of the Borough of Bound Brook shall be required to review and authorize execution of any and all related documents in order to effectuate the completion and implementation of this project.

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

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: May 10, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-106

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH THE VIEW AT 127 URBAN RENEWAL, LLC AS REDEVELOPER FOR PROPERTY KNOWN AS TAX BLOCK 23, LOT 1.01, ALSO KNOWN AS 127 TALMAGE AVENUE, LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA

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 an Amended Redevelopment Plan for Redevelopment Areas 1 and 2, which have been subsequently amended from time to time; and

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

WHEREAS, Block 23, Lot 1.01 also known as 127 Talmage Avenue is in Redevelopment Area 2 and privately owned (collectively referred to as the “Properties”); and

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

WHEREAS, DeMattheis owns Block 23, Lot 1.01; 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, DeMattheis requested that the Borough consider designating it as the conditional redeveloper for the Property; 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, on March 8, 2022, the Borough adopted a resolution conditionally designating DeMattheis as redeveloper of the Property for a period of one (1) year subject to certain conditions; and

WHEREAS, the Redeveloper obtained Preliminary and Final Site Plan approval for the Project from the Borough Planning Board on February 24, 2022 and such approval has been memorialized in a resolution adopted on March 24, 2022; and

WHEREAS, the Redeveloper has formed a new entity to assume all rights, title and obligations of the Redeveloper for the Project pursuant to the Redevelopment Agreement, known and referred to hereinafter as The View at 127 Urban Renewal, LLC; and

WHEREAS, the Borough and the Redeveloper subsequently entered into an escrow agreement, which requires the Redeveloper to pay any and 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 regarding the redevelopment of the Property; and

WHEREAS, the Borough and Redeveloper have agreed to the terms and conditions with respect to the redevelopment of the Property, the construction of the improvements and the payment of certain costs in connection.

WHEREAS, the Borough believes that the redevelopment of the Property in the manner proposed by the Redeveloper is in the best interests of the community and promotes the health, safety, morals and welfare of the Borough's residents and is in accord with the public purpose and provisions of the Redevelopment Law and all other Applicable Laws; and

WHEREAS, the Borough has determined that it is in the best interest of the community for it to enter into a redevelopment agreement with the Redeveloper for the purposes of facilitating the redevelopment of the Property and to specify each parties' respective rights and obligations for the effectuation of the goals and objective(s) of redevelopment of the Property; and

WHEREAS, the Borough and the Redeveloper desire to fully and thoroughly address the rights and obligations of the Parties hereto in connection with the redevelopment of the Property by way of a redevelopment agreement, in a form substantially consistent with that attached and annexed hereto, and the Borough and the Redeveloper acknowledge that the mutual promises contained in the redevelopment agreement shall be good and valuable consideration for the binding execution of the redevelopment agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bound Brook that it hereby approves and authorizes the execution of a redevelopment agreement with The View at 127 Urban Renewal, LLC, c/o DeMattheis Real Estate, 110 Fairview Avenue, Verona, New Jersey 07044 as redeveloper for the redevelopment of Tax Block 23, Lot 1.01, also known as 127 Talmage Avenue.

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk are hereby authorized to execute any and all documents, including the redevelopment agreement substantially consistent with the form of agreement attached hereto, to effectuate the completion and implementation of this project, subject to final review by general counsel as to legal form and content.

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: May 10, 2022

BOROUGH OF BOUND BROOK
RESOLUTION 2022-107

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 \$ 2,739,296.20.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 2,119,526.83
GRANT FUND	\$ 3,498.21
GENERAL CAPITAL FUND	\$ 309,288.31
GENERAL TRUST FUND	\$ 8,679.19
RECREATION TRUST	\$ 476.00
SEWER	\$ 276,646.33
DEVELOPERS ESCROW	\$ 16,416.00
PAYROLL	\$ 4,765.33
TOTAL	<u>\$ 2,739,296.20</u>

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: May 10, 2022