



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
JULY 12, 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 Abel Gomez
C. Richard Jannuzzi
C. Vinnie Petti
C. Anthony Pranzatelli
C. Dominic Longo

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

A/ Bound Brook Republic Executive Committee Borough Council Vacancy Nomination

APPROVAL OF MINUTES

June 28, 2022 Regular Meeting

Motion: Second:

Roll Call:

C. Abel Gomez____ C. Richard Jannuzzi____

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



June 28, 2022 Executive Meeting

Motion: Second:

Roll Call:

C. Abel Gomez____ C. Richard Jannuzzi____

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

ADVERTISED HEARING OR SPECIAL PRESENTATION

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

INTRODUCTION OF ORDINANCES – FIRST READING

Ordinance 2022-23 An Ordinance Amending and Supplementing Chapter 17, Property Maintenance, of the General Revised Ordinances of the Borough of Bound Brook to Impose Property Registration Fees as a Municipal Charge Pursuant to Tax Sale Law R.S. 54:5-1 et seq

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on July 26, 2022.

Second:

Roll Call:

C. Abel Gomez____ C. Richard Jannuzzi____

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

Ordinance 2022-24 An Ordinance of the Borough Council of the Borough of Bound Brook Amending the Amended Redevelopment Plan for Redevelopment Area 1 Pursuant to N.J.S.A. 40a:12a-1 et seq To Increase the Maximum Building Height and to Revise the Stepback Requirements

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on July 26, 2022.

Second:



Roll Call:

C. Abel Gomez____ C. Richard Jannuzzi____

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

ORDINANCE ON FINAL READING AND CONSIDERATION- SECOND READING

Ordinance 2022-18 An Ordinance of the Governing Body of the Borough of Bound Brook Amending the Amending Redevelopment Plan for Redevelopment Area 1 Pursuant to N.J.S.A. 40A:12A-1 ET SEQ to Revise the Stepback Requirements

Motion to open public comment: Second:

Public Comment:

Motion to close public comment: Second:

Motion: Movant: I move the ordinance be passed on second reading and advertised according to law.

Second: Discussion:

Roll Call:

C. Abel Gomez____ C. Richard Jannuzzi____

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

Ordinance 2022-19 An Ordinance of the Governing Body of the Borough of Bound Brook Amending the Amended Redevelopment Plan for Redevelopment Area 2 Pursuant to N.J.S.A. 40A: 12-1 et seq to Remove Block 1 Lot 42

Motion to open public comment: Second:

Public Comment:

Motion to close public comment: Second:

Motion: Movant: I move the ordinance be passed on second reading and advertised according to law.

Second: Discussion:

Roll Call:



C. Abel Gomez____ C. Richard Jannuzzi____

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

Ordinance 2022-20 An Ordinance Amending the Salary Ranges for 2022

Motion to open public comment: Second:

Public Comment:

Motion to close public comment: Second:

Motion: Movant: I move the ordinance be passed on second reading and advertised according to law.

Second: Discussion:

Roll Call:

C. Abel Gomez____ C. Richard Jannuzzi____

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

Ordinance 2022-22 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

Motion to open public comment: Second:

Public Comment:

Motion to close public comment: Second:

Motion: Movant: I move the ordinance be passed on second reading and advertised according to law.

Second: Discussion:

Roll Call:

C. Abel Gomez____ C. Richard Jannuzzi____

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:
2022-163	Resolution Memorializing the Conditions Placed on Cheers Restaurant Plenary Retail Consumption License No. 1804-32-011-009 for the License Year 2022-2023	
2022-164	Resolution Authorizing the Local Unit's Participation in the Pooled Loan Financing Program of the Somerset County Improvement Authority	
2022-165	Amending Dennis Kowal Architects Construction Administration \$106k	
2022-166	Resolution Appointing Dale Leubner as Director of Public Works	
2022-167	Resolution Promoting Matthew Hupfer to Laborer C in the Department of Public Works	
2022-168	Resolution Promoting Joseph Lucariello to Laborer C in the Department of Public Works	
2022-169	Resolution Promoting Ryan Seiler from Laborer C to Laborer B in the Department of Public Works	
2022-170	Resolution Authorizing the Police Department Promotion Process for Lieutenant	
2022-171	Resolution Authorizing Change Order No 1. for Design Solutions	
2022-172	Resolution Amending the Accrued Leave Policy and Use During FMLA and NJFLA Leave of the Personnel Policies and Procedures of the Borough of Bound Brook	
2022-173	Resolution Authorizing the Hire of Grace Lambertz as Part Time Police Records Clerk	
2022-174	Resolution Authorizing the Submission and Execution of New Jersey Department of Transportation for the Emergency Enforcement Vehicle Project Grant Application	



2022-175 Resolution Authorizing the Grant Submission and Executive With New Jersey Department of Transportation for the MA-2023-Reconstruction of West Franklin Street Project

2022-176 Resolution Authorizing the Grant Application and Execution with the New Jersey Department of Community Affairs for Turnout Gear for the Bound Brook Fire Department

UNFINISHED BUSINESS

NEW BUSINESS

APPROVAL OF VOUCHERS

2022-177 Resolution Approving Vouchers in the Amount of \$ 419,507.38

Motion: Second:

Roll Call:

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

OPEN TO THE PUBLIC FOR COMMENT

AUTHORIZE EXECUTIVE SESSION

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-23

AN ORDINANCE AMENDING AND SUPPLEMENT CHAPTER 17, PROPERTY MAINTENANCE, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO IMPOSE PROPERTY REGISTRATION FEES AS A MUNICIPAL CHARGE PURSUANT TO TAX SALE LAW R.S. 54:5-1 ET SEQ

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

SECTION 1. Chapter 17, Property Maintenance, Section 17-26.10, “Borough’s Authority to Abate and Impose Lien” and Section 17-30.9, “Borough’s Authority to Abate and Impose Lien”, of the Revised General Ordinances of the Borough of Bound Brook is hereby amended and supplemented by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text underlined and marked in bold, to read as follows:

17-26.10 Borough's authority to abate and impose lien.

Nothing contained in this Section 17-26 shall prevent the Borough from taking action to abate a nuisance or correct a violation where the owner or creditor, as applicable, has failed to abate the nuisance or correct the violation on a vacant property or a property in foreclosure after notice and the opportunity to abate or correct. In such situations, the Borough may impose a lien against the property for costs to correct the violation or abate the nuisance. Property registration fees imposed pursuant to § 17-26.5 hereof shall be considered a municipal charge pursuant to the “tax sale law,” R.S. 54:5-1 et seq. Such lien shall hereafter form part of the taxes next to be assessed and levied upon said lands, the same to bear interest at the same rate as such taxes, to be collected and enforced by the same officers and in the same manner as such taxes.

...

17-30.9 Borough's authority to abate and impose lien.

Nothing contained in this Section [~~17-26~~] 17-26 shall prevent the Borough from taking action to abate a nuisance or correct a violation where the owner or creditor, as applicable, has failed to abate the nuisance or correct the violation on a vacant property or a property in foreclosure after notice and the opportunity to abate or correct. In such situations, the Borough may impose a lien against the property for costs to correct the violation or abate the nuisance. Property registration fees imposed pursuant to § 17-26.30.4 hereof shall be considered a municipal charge pursuant to the “tax sale law,” R.S. 54:5-1 et seq. Such lien shall hereafter form part of the taxes next to be assessed and levied upon said lands, the same to bear interest at the same rate as such taxes, to be collected and enforced by the same officers and in the same manner as such taxes.

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

BOROUGH OF BOUND BROOK

Jasmine D. Mathis
Borough Clerk

Mayor Robert Fazen

Date of Introduction: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-24

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BOROK AMENDING THE AMENDED REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 1 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ TO INCREASE THE MAXIMUM BUILDING HEIGHT AND TO REVISE THE STEPBACK REQUIREMENTS

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

SECTION I Pursuant to the “Local Redevelopment and Housing Law,” P.L.1992, c.79 (C.40A:12A-1 et seq.), the Bound Brook Borough Council (“Borough Council”), by a Resolution adopted in February 2000, determined that a significant portion of the Borough of Bound Brook, including its downtown, was an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 6 (the “Redevelopment Area”).

SECTION II Subsequently, the Redevelopment Area was divided into two (2) parts, known as Redevelopment Area 1 (the eastern portion) and Redevelopment Area 2 (the western portion).

SECTION III On February 17, 2000, the Borough Council adopted a Redevelopment Plan for Redevelopment Areas 1 and 2.

SECTION IV In April 2012, the Borough Council adopted an amendment to the Redevelopment Plan for Redevelopment Area 1, which was prepared by Carlos Rodrigues, FAICP/PP, creating a new Sub-district 1.1 and adopting an amended redevelopment plan for Sub-district 1.1.

SECTION V On August 11, 2015, the Borough Council adopted an ordinance further amending the Redevelopment Plan for Redevelopment Area 1, which was prepared by Carlos Rodrigues, FAICP/PP and is entitled “Amended Redevelopment Plan for Redevelopment Area 1: Sub-Areas 1.1, 1.2, 1.3 and 1.4. Additional amendments were adopted in 2017, 2018 and 2019.

SECTION VI At the Borough’s direction, further amendments (hereinafter referred to as the “Amendments”) to the Amended Redevelopment Plan for Redevelopment Area 1, Sub-Area 1.4 have been prepared by Carlos Rodrigues, FAICP/PP. New language is underscored, while deleted language is indicated by a ~~strikethrough~~.

- (a) Section 1.1 – Introduction for Redevelopment Area 1: Sub-Areas 1.1, 1.2, 1.3 and 1.4, Page 3: Block 1, lots ~~43-49~~ 42.1, 44-49 [the rest of this section remains unchanged].

- (b) Section 5.6(a)– Bulk Standards, Page 48
Exemption from the requirements of Sections 21-10.15.E.5(b) and (c), Section 21.10.15.F.6 and Section 21.10.15.G.4:
Maximum building height is set at ~~six (6)~~ eight (8) stories or ~~70~~ 90 feet in the area West of the intersection of John Street and West Main Street, and four (4) stories or 50 feet in the area East of the intersection of John Street and West Main Street. Building setbacks are ~~not~~ required along Main Street ~~or East Street, given Main Street’s East/West orientation, the width of the Main Street right-of-way, and the resulting ratios of building height to street width.~~ The front elevation of buildings located on the South side of West Main Street, West of the intersection of John Street and West Main Street, shall observe a ten (10) foot setback at level four (4), a ten (10) foot setback at level six (6) and a ten-foot setback at level eight (8). No setbacks are required in the rear elevation. Corner features/elements up to five (5) stories are not subject to setback requirements. The rear elevations of buildings located on the North side of West Main Street, West of the intersection of John Street and West Main Street, shall observe a ten (10) foot setback at level four (4) and a ten (10) foot setback at level five (5). No setbacks are required in the front elevation of these buildings. The front elevation of buildings located on the South side of West Main Street, East of the intersection of John Street and West Main Street, shall observe a ten (10) foot setback at level three (3). No setbacks are required in the rear elevation. No setbacks are required for the front elevation of buildings located on the North side of West Main Street, East of John Street, but the rear elevations of these buildings shall observe a ten (10) foot setback at level three (3). Along Hamilton Street, a 10-foot setback is required above the fourth floor. Buildings that are setback 20 feet, or more, from the curb line, do not require a setback above the fourth floor. [Note: the rest of this sub-section is left as is].

SECTION VII Upon introduction of this Ordinance, these Amendments shall be referred to the Borough Planning Board (the “Planning Board”) for its review and consideration pursuant to N.J.S.A. 40A:12A-7.e.

Section VIII Prior to the adoption of the Amendments, the Planning Board shall, within 45 days after referral by Borough Council, transmit to Borough Council a report containing its recommendation concerning the Amendments pursuant to N.J.S.A. 40A:12A-7.e.

SECTION IX Upon receipt of the Planning Board’s recommendations, Borough Council shall act upon this Ordinance adopting, or not, these Amendments pursuant to N.J.S.A. 40A:12A-7.f. and no further review by the Borough Planning Board is required.

SECTION X Borough Council hereby adopts these Amendments.

SECTION XI Upon adoption of this Ordinance, the Amendments to the Redevelopment Plan for Redevelopment Area 1, Sub-Area 1.4 shall include the date of adoption of this Ordinance.

SECTION XII This Ordinance shall take effect after publication in accordance with applicable law.

ATTEST

BOROUGH OF BOUND BROOK

Jasmine D. Mathis
Borough Clerk

Mayor Robert Fazen

Date of Introduction: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-18

AN ORDINANCE OF THE GOVERNING BODY OF THE BOROUGH OF BOUND BROOK AMENDING THE AMENDED REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 1 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ. TO REVISE THE STEPBACK REQUIREMENTS

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

SECTION I Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), the Bound Brook Borough Council ("Borough Council"), by a Resolution adopted in February 2000, determined that a significant portion of the Borough of Bound Brook, including its downtown, was an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 6 (the "Redevelopment Area").

SECTION II Subsequently, the Redevelopment Area was divided into two (2) parts, known as Redevelopment Area 1 (the eastern portion) and Redevelopment Area 2 (the western portion).

SECTION III On February 17, 2000, the Borough Council adopted a Redevelopment Plan for Redevelopment Areas 1 and 2.

SECTION IV In April 2012, the Borough Council adopted an amendment to the Redevelopment Plan for Redevelopment Area 1, which was prepared by Carlos Rodrigues, FAICP/PP, creating a new Sub-district 1.1 and adopting an amended redevelopment plan for Sub-district 1.1.

SECTION V On August 11, 2015, the Borough Council adopted an ordinance further amending the Redevelopment Plan for Redevelopment Area 1, which was prepared by Carlos Rodrigues, FAICP/PP and is entitled "Amended Redevelopment Plan for Redevelopment Area 1: Sub-Areas 1.1, 1.2, 1.3 and 1.4. Additional amendments were adopted in 2017, 2018 and 2019.

SECTION VI At the Borough's direction, further amendments (hereinafter referred to as the "Amendments") to

the Amended Redevelopment Plan for Redevelopment Area 1, Sub-Area 1.4 have been prepared by Carlos Rodrigues, FAICP/PP. New language is underscored, while deleted language is indicated by a ~~strikethrough~~.

- (a) Section 1.1 - Introduction for Redevelopment Area 1: Sub-Areas 1.1, 1.2, 1.3 and 1.4, Page 3: Block 1, lots ~~43-49~~ 42.1, 44-49 [the rest of this section remains unchanged].
- (b) Section 5.6(a)- Bulk Standards, Page 48
Exemption from the requirements of Sections 21-10.15.E.5(b) and (c), Section 21.10.15.F.6 and Section 21.10.15.G.4:
Maximum building height is set at ~~six (6)~~ seven (7) stories or 70 80 feet in the area West of the intersection of John Street and West Main Street, and four (4) stories or 50 feet in the area East of the intersection of John Street and West Main Street. Building setbacks are ~~not~~ required along Main Street ~~or East Street, given Main Street's East/West orientation, the width of the Main Street right of way, and the resulting ratios of building height to street width.~~ The front elevation of buildings located on the South side of West Main Street, West of the intersection of John Street and West Main Street, shall observe a ten (10) foot setback at level four (4), a ten (10) foot setback at level five (5) and a ten-foot setback at level six (6). No setbacks are required in the rear elevation. The rear elevations of buildings located on the North side of West Main Street, West of the intersection of John Street and West Main Street, shall observe a ten (10) foot setback at level four (4) and a ten (10) foot setback at level five (5). No setbacks are required in the front elevation of these buildings. The front elevation of buildings located on the South side of West Main Street, East of the intersection of John Street and West Main Street, shall observe a ten (10) foot setback at level three (3). No setbacks are required in the rear elevation. No setbacks are required for the front elevation of buildings located on the North

side of West Main Street, East of John Street, but the rear elevations of these buildings shall observe a ten (10) foot stepback at level three (3). Along Hamilton Street, a 10-foot stepback is required above the fourth floor. Buildings that are setback 20 feet, or more, from the curb line, do not require a stepback above the fourth floor. [Note: the rest of this sub-section is left as is].

SECTION VII Upon introduction of this Ordinance, these Amendments shall be referred to the Borough Planning Board (the "Planning Board") for its review and consideration pursuant to N.J.S.A. 40A:12A-7.e.

Section VIII Prior to the adoption of the Amendments, the Planning Board shall, within 45 days after referral by Borough Council, transmit to Borough Council a report containing its recommendation concerning the Amendments pursuant to N.J.S.A. 40A:12A-7.e.

SECTION IX Upon receipt of the Planning Board's recommendations, Borough Council shall act upon this Ordinance adopting, or not, these Amendments pursuant to N.J.S.A. 40A:12A-7.f. and no further review by the Borough Planning Board is required.

SECTION X Borough Council hereby adopts these Amendments.

SECTION XI Upon adoption of this Ordinance, the Amendments to the Redevelopment Plan for Redevelopment Area 1, Sub-Area 1.4 shall include the date of adoption of this Ordinance.

SECTION XII This Ordinance shall take effect after publication in accordance with applicable law.

ATTEST

BOROUGH OF BOUND BROOK

Jasmine D. Mathis
Borough Clerk

Mayor Robert Fazen

Date of Introduction: June 28, 2022

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-19

AN ORDINANCE OF THE GOVERNING BODY OF THE BOROUGH OF BOUND BROOK AMENDING THE AMENDED REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 2 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ. TO REMOVE BLOCK 1 LOT 42

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

SECTION I Pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.), the Bound Brook Borough Council ("Borough Council"), by a Resolution adopted in February 2000, determined that a significant portion of the Borough of Bound Brook including its downtown was an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 6 (the "Redevelopment Area").

SECTION II Subsequently, the Redevelopment Area was divided into two (2) parts, known as Redevelopment Area 1 (the eastern portion) and Redevelopment Area 2 (the western portion).

SECTION III On February 17, 2000, the Borough Council adopted a Redevelopment Plan for Redevelopment Areas 1 and 2.

SECTION IV In November 2009, the Borough Council adopted an amendment to the Redevelopment Plan creating a separate redevelopment plan for Redevelopment Area 2.

SECTION V On August 11, 2015, the Borough Council adopted an ordinance amending the Redevelopment Plan for Redevelopment Area 2, which was prepared by Carlos Rodrigues, FAICP/PP and is entitled "Amended Redevelopment Plan for Redevelopment Area 2: Sub-Areas 2.1, 2.2. and 2.3. Additional amendments were adopted in 2019.

SECTION V At the Borough's direction, further amendments to the Amended Redevelopment Plan for Redevelopment Area 2 have been prepared by Carlos Rodrigues,

Final Reading Ordinance 2022-19

FAICP/PP, and are hereinafter referred to as the "Amendments". New language is underscored, while deleted language is indicated by a ~~strikethrough~~.

(a) Amend Table 1 (page 7) to remove block 1 lot 42.

SECTION VII Upon introduction of this Ordinance, the Amendments shall be referred to the Borough Planning Board (the "Planning Board") for its review and consideration pursuant to N.J.S.A. 40A:12A-7.e.

Section VIII Prior to the adoption of the Amendments, the Planning Board shall, within 45 days after referral by the Borough Council, transmit to the Borough Council, a report containing its recommendation concerning the Amendments pursuant to N.J.S.A. 40A:12A-7.e.

SECTION IX Upon receipt of the Planning Board's recommendation, the Borough Council shall act upon this Ordinance adopting the Amendments pursuant to N.J.S.A. 40A:12A-7.f. and no further review of the Borough Planning Board is required.

SECTION X The Borough Council hereby adopts the Amendments to the Amended Redevelopment Plan for Redevelopment Area 2.

SECTION XI Upon adoption of this Ordinance, the Amendments to the Amended Redevelopment Plan for Redevelopment Area 2 shall include the date of adoption of this Ordinance.

SECTION XII This Ordinance shall take effect after publication in accordance with applicable law.

ATTEST

BOROUGH OF BOUND BROOK

Jasmine D. Mathis
Borough Clerk

Mayor Robert Fazen

Date of Introduction: June 28, 2022

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-20

AN ORDINANCE AMENDING SALARY RANGES FOR 2022

WHEREAS, the salary ordinance for 2022 was already adopted; and

WHEREAS, there is a need to create additional positions for the recreation department;

NOW THEREFORE 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. 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.

<u>RECREATION (SEASONAL)</u>	<u>PER HOUR</u>	
Camp Director	13.00	27.00
Assistant Camp Director	13.00	27.00
Camp Counselor	13.00	14.00

<u>POLICE DEPARTMENT</u>	<u>PER ANNUM</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
FT Special II Police Officer	27,040.00	40,000.00

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

Borough of Bound Brook

Jasmine D. Mathis
Borough Clerk

Mayor Robert Fazen

Date of Introduction: June 28, 2022

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-22

**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 amended by deleting [marked in bold and enclosed in brackets] and inserting the text **underlined and marked in bold** below in the chart as follows:

21-10.15.e. Parking

Delete Townhouse Use and Minimum Number of Spaces – Vehicular [**two (2) per unit**].

Add/Replace with Townhouse Use and Minimum Number of Spaces – Vehicular **In accordance with N.J.A.C. 5:21, Residential Site Improvement Standards, SUBCHAPTER 4.14 Parking: number of spaces.**

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: June 28, 2022

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-164

RESOLUTION OF THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "LOCAL UNIT") AUTHORIZING THE LOCAL UNIT'S PARTICIPATION IN THE POOLED LOAN FINANCING PROGRAM OF THE SOMERSET COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Borough of Bound Brook, in the County of Somerset, State of New Jersey (the "Local Unit"), has previously duly adopted or will be duly adopting various bond ordinances authorizing the issuance of bonds or notes to finance the costs of various capital improvements (the "Capital Improvement Project"); and

WHEREAS, the Local Unit desires to issue bonds to permanently finance the Local Unit Projects; and

WHEREAS, the Local Unit believes that there is volatility in the long-term bond market for municipalities resulting in the following problems: (1) increased and unpredictable interest rates causing interest rate risk and budgeting problems, (2) shrinking investor pools to purchase municipal bonds, and (3) a reduced number of bids at municipal bond sales; and

WHEREAS, the Local Unit has reviewed the Pooled Loan Financing Program proposed by The Somerset County Improvement Authority (the "SCIA"), whereby the Local Unit would issue bonds (collectively, the "Local Unit Bonds") through the Pooled Loan Financing Program of the SCIA; and

WHEREAS, the Local Unit believes that the SCIA's Pooled Loan Financing Program cures many of the problems of the volatile bond market by providing (1) a more predictable interest rate, whereby the Local Unit will benefit from reduced interest costs as a result of the "AAA" guaranty by the County of Somerset, State of New Jersey (the "County Guaranty") on the debt service of the SCIA Pooled Loan Financing Program, (2) market access to sell the Local Unit Bonds, (3) a certain investor pool to purchase the Local Unit Bonds, (4) a guaranteed purchaser of the Local Unit Bonds, and (5) decreased costs due to all the local units in the Pooled Loan Financing Program sharing in the costs of the SCIA Pooled Loan Financing Program; and

WHEREAS, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of financial instability, is of utmost importance to its community and accordingly, the Local Unit desires to issue its Local Unit Bonds through the Pooled Loan Financing Program of the SCIA; and

WHEREAS, such Local Unit Bonds shall be issued in accordance with the provisions of the Local Bond Law, *N.J.S.A. 40A:2-1 et seq.*

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF BOUND BROOK, THAT

Section 1. The Local Unit hereby authorizes the Local Unit’s participation in the SCIA Pooled Loan Financing Program.

Section 2. The Local Unit consents to the SCIA’s application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of Community Affairs (the “Local Finance Board”) in connection with the Pooled Loan Financing Program.

Section 3. The Chief Financial Officer of the Local Unit is hereby authorized to, or direct the appropriate party to, enter into one or more loans with the SCIA and is further authorized to execute one or more bond purchase contracts, loan agreements and any and all documents, certificates, opinions and other instruments that are necessary and as may be reasonably required by the Authority in connection with such loan, after consultation with council to the Local Unit.

Section 4. This resolution shall take effect immediately.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-165

RESOLUTION AMENDING THE CONTRACT AWARD AMOUNT TO DENNIS KOWAL
ARCHITECTS CONSTRUCTION ADMINISTRATION

WHEREAS, Resolution 2022-138 awarded a contract to Dennis Kowal Architects for Construction Administration services for the Eastbound Train Station Renovation in the amount of \$10,000.00; and

WHEREAS, expanded services are required to accomplish the Construction Administration services for the Eastbound Train Station Renovation in the amount of \$95,930;

WHEREAS, the Chief Financial Officer has certified that funds are available in account #04-2015-201508-4006-44-04112;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, in the County of Somerset and State of New Jersey, that the contract for the services described herein be and is hereby amended and the total contract amount shall not exceed \$105,930.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-166

RESOLUTION APPOINTING DALE LEUBNER AS DIRECTOR OF PUBLIC WORKS

WHEREAS, the Mayor and Council adopted Ordinance 2022-16 which amended the duties and responsibilities of the Director of Public Works to supervise the Department of Public Works and the Division of Recreation; and

WHEREAS, the Borough Administrator recommends Dale Leubner be appointed as the Director of Public Works; and

WHEREAS, Dale Leubner currently serves as the Acting Superintendent of the Department of Public Works and has demonstrating the ability to manage the daily operations of the department;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Dale Leubner be appointed the Director of Public Works at an annual salary of \$120,000.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-167

RESOLUTION PROMOTING MATTHEW HUPFER TO LABORER C IN THE
DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Superintendent of Public Works has recommended the promotion of Matthew Hupfer to Laborer C within the department;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that Matthew Hupfer be promoted to Laborer C at an hourly rate of \$17.08 per the AFSCME contract.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-168

RESOLUTION PROMOTING JOSEPH LUCARIELLO TO LABORER C IN THE
DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Superintendent of Public Works has recommended the promotion of Joseph Lucariello to Laborer C within the department;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that Joseph Lucariello be promoted to Laborer C at an hourly rate of \$17.08 per the AFSCME contract.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-169

RESOLUTION PROMOTING RYAN SEILER TO LABORER B IN THE DEPARTMENT OF
PUBLIC WORKS

WHEREAS, the Superintendent of Public Works has recommended the promotion of Ryan Seiler to Laborer B within the department;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that Ryan Seiler be promoted to Laborer B at an hourly rate of \$18.52 per the AFSCME contract.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-170

RESOLUTION AUTHORIZING THE POLICE DEPARTMENT PROMOTION PROCESS
FOR LIEUTENANT

WHEREAS, Chapter 2-21 Police Department; Section 2-21.9 provides the selection procedure for promotions;

WHEREAS, there are vacancies in the Police Department due to retirements; and

WHEREAS, the Chief of Police and the Public Safety Committee recommend moving forward with the promotion process to fill the vacancies;

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 procedure for promotions shall commence and twenty-one (21) days' notice thereof be communicated to the PBA.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-171

RESOLUTION AUTHORIZING CHANGE ORDER NO 1. TO DESIGN SOLUTIONS

WHEREAS, Resolution 2022-021 awarded a Professional Services contract to Design Solutions for the 2022 calendar year in an amount not to exceed \$15,000.00 for Planning Services; and

WHEREAS, due the participation in the New Jersey Resilience Accelerator Partnership and additional planning studies upon the request of the Borough Council, there is a need to increase the 2022 Professional Services contract award by \$15,000.00;

WHEREAS, the Chief Financial Officer has certified the funds from account #2022-0121-0180-2-180155;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook that a change order be authorized to increase the contract by \$15,000.00 for a total contract value of \$30,000.00.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-172

RESOLUTION AMENDING THE ACCRUED LEAVE POLICY AND USE DURING FMLA
AND NJFLA LEAVE OF THE PERSONNEL POLICES AND PROCEDURES OF THE
BOROUGH OF BOUND BROOK

WHEREAS, the Borough desires to allow full-time, non-union employees to use accrued paid sick leave in substitution of or in conjunction with FMLA or NJFLA unpaid leave;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold** be made to the Policies and Procedures of the Borough of Bound Brook:

IX. SHORT TERM ABSENSE ABSENCE.

A. Due to Illness or Injury

The following procedures shall be followed by all employees in reporting their absence(s) from work due to illness or injury;

1. Each day of absence due to illness shall be reported to the supervisor prior to the employee's scheduled starting time. If unable to reach the Department Head or supervisor, the Administrator should be notified. Failure to report an absence or falsification of an absence may lead to disciplinary action, which may include dismissal. Abuse of sick leave shall be cause for disciplinary action, which may include dismissal.
2. The Borough may require proof of illness from any employee absent from work because of personal illness or injury for one day or more. All absences that exceed three (3) working days due to illness or injury must be certified by a written statement from the attending physician. The Borough may thereafter require such additional written statements from the attending physician as may be appropriate and in the sole discretion of the Administrator depending upon the nature of the illness or injury. Because such absence may fall within the provisions of the Family and

Medical Leave Act, the employee shall also be required to complete appropriate forms which shall be provided by the employee's supervisor or Department Head. The Borough may require any employee who has been absent because of personal illness or injury to be examined by a physician designated by the Borough at the Borough's expense.

3. **An employee has the option to use their** accumulated sick, **vacation, or personal** leave **[may be used by an employee]** for illness **or injury of the employee or** to his/her immediate family which requires his/her attendance upon the ill person, **if such absence falls within the provisions of the Family and Medical Leave Act.** The term 'immediate family' for the purpose of this subsection, shall be defined as the employee's spouse, child, parent, brother, sister, grandparents, spouse's parents and spouses' grandparents. When such absence falls within the provision of the Family and Medical Leave Act, the Borough may require that the need for leave for a serious health condition of the employee's immediate family member be supported by a certification issued by a health care provider. The Borough shall allow the employee at least 15 calendar days to obtain the medical certification. In addition, the Borough may require a second or third opinions (at the Borough's expense) and a fitness for duty report to return to work.
4. Any employee who is absent without further notice for three (3) consecutive days shall be considered to have abandoned his or her position and will be considered discharged.
5. An employee who engages in outside employment during sick leave or long-term disability leave shall be subject to disciplinary action, which may include dismissal.

6. Whenever an employee is on sick leave or long-term disability leave, it is understood the employee will be at home. If for medical reasons or out of necessity the employee must be elsewhere during sick leave or long-term disability leave, the employee must submit to the supervisor a telephone number where the employee may be reached.

BE IT FURTHER RESOLVED that this resolution take effect immediately.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-173

RESOLUTION AUTHORIZING THE HIRE OF GRACE LAMBERTZ AS PART TIME
POLICE RECORDS CLERK

WHEREAS, a vacancy exists for the position of Police Records Clerk; and

WHEREAS, it is the recommendation of the Police Chief that Grace Lambertz be hired to fill the part time position; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Grace Lambertz be hired for the part-time position of Police Records Clerk for up to 20 hours per week at an hourly rate of \$20.00 effective July 13, 2022.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-174

RESOLUTION AUTHORIZING THE SUBMISSION OF NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE EMERGENCY ENFORCEMENT VEHICLE PROJECT
GRANT APPLICATION

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council for the Borough of Bound Brook formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as HSF-2022-Bound Brook Borough-00022 to the New Jersey Department of Transportation on behalf of the Borough of Bound Brook.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Bound Brook and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-175

RESOLUTION AUTHORIZING THE GRANT SUBMISSION AND EXECUTION WITH
NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MA-2023-
RECONSTRUCTION OF WEST FRANKLIN STREET PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Bound Brook formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electric grant application identified as MA-2023 to the New Jersey Department of Transportation on behalf of the Borough of Bound Brook.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Bound Brook and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Attest:

Jasmine D. Mathis, Borough Clerk

Approved:

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-176

RESOLUTION AUTHORIZING THE GRANT APPLICATION AND EXECUTION WITH
THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR TURNOUT GEAR
FOR THE BOUND BROOK FIRE DEPARTMENT

WHEREAS, the Borough of Bound Brook desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$52,300.00 to carry out a project to purchase turnout gear for the Bound Brook Fire Department; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook does hereby:

1. Authorize the application for such grant;
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Bound Brook and the New Jersey Department of Community Affairs

BE IT FURTHERH RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith;

Mayor, Robert P. Fazen

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

Date of Adoption: July 12, 2022

BOROUGH OF BOUND BROOK
RESOLUTION 2022-177

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 \$419,507.38.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 352,374.61
GENERAL CAPITAL FUND	\$ 58,652.30
TAX COLLECTO TRUST	\$ 6,200.00
TAX TITLE LIEN REDEMPTION	\$ 2,280.47
TOTAL	<u>\$ 419,507.38</u>

Approved:

Mayor Robert P. Fazen

Attest:

Jasmine D. Mathis, Borough Clerk

Date of Adoption: July 12, 2022