

### BOROUGH COUNCIL REGULAR MEETING AGENDA July 26, 2022 AT 7:00 P.M.

#### CALL TO ORDER

This meeting is being held in compliance with the Open Public Meeting Law in that the requirements of the law have been met with the posting of the meeting notice on the Municipal Bulletin Board, filed with the Borough Clerk and forwarded to The Courier News and The Star Ledger.

#### PLEDGE OF ALLEGIANCE

#### **OPENING PRAYER**

#### ROLL CALL

Mayor Robert Fazen Council President Abel Gomez C. Richard Jannuzzi C. Vinnie Petti C. Anthony Pranzatelli C. Dominic Longo C. Lisa Brandi

#### **APPROVAL OF MINUTES**

July 12, 2022 Regular Meeting

Motion: Second:

Roll Call:

C. Abel Gomez\_\_\_\_\_ C. Richard Jannuzzi\_\_\_\_ C. Vinnie Petti\_\_\_\_

C. Anthony Pranzatelli C. Dominic Longo C. Lisa Brandi



#### ADVERTISED HEARING OR SPECIAL PRESENTATION

### PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

#### **GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION**

#### **OPENING OF BIDS**

#### **ENGINEER'S REPORT- DALE LEUBNER, DIRECTOR OF PUBLIC WORKS**

#### **COMMITTEE REPORTS**

Chair of Finance – C. Dominic Longo Liaison Committees: BB/SBB Municipal Alliance/ Youth Services Commission, Recreation Commission

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

Chair of Public Safety (Police & Fire) – C. Abel Gomez Liaison Committees: Board of Engineers, Board of Education, Historic Preservation Commission, Office of Emergency Management, Rescue Squad, Parking Commission, Shade Tree Commission, Planning Board

Chair of Economic Development- C. Anthony Pranzatelli Liaison Committees: Architectural Review Advisory Committee, Cultural Arts Committee

Chair of Personnel, Administration & Ordinances- C. Lisa Brandi Liaison Committees: Special Improvement District

Chair of Zoning, Construction & Code Enforcement - C. Richard Jannuzzi Liaison Committees: Board of Health, Library Advisory Committee

#### **INTRODUCTION OF ORDINANCES – FIRST READING**

Ordinance 2022-25 Bond Ordinance Providing for the Reconstruction of and Improvements to the Pool (Phase 1) in and by the Borough of Bound Brook, in the County of Somerset, New Jersey, Appropriating \$1,650,000.00 Therefor and Authorizing the Issuance of \$1,567,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on August 9, 2022.



Second:

Roll Call:

C. Abel Gomez\_\_\_\_\_ C. Richard Jannuzzi\_\_\_\_ C. Vinnie Petti\_\_\_\_

C. Anthony Pranzatelli C. Dominic Longo C. Lisa Brandi

Ordinance 2022-26 An Ordinance Amending and Supplementing the Revised General Ordinances of the Borough of Bound Brook to Creation Section 4-19, "Flea Markets, Garage Sales and Yard Sales"

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on August 9, 2022.

Second:

Roll Call:

C. Abel Gomez\_\_\_\_\_ C. Richard Jannuzzi\_\_\_\_ C. Vinnie Petti\_\_\_\_

C. Anthony Pranzatelli C. Dominic Longo C. Lisa Brandi

#### ORDINANCES ON FINAL READING AND CONSIDERATION- SECOND READING

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:Second:Motion to close public comment:Second:

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

Second:

Discussion:

e Ba E	BOUND	BROOK
	Roll Call:	C raw Jersey
	C. Abel Gomez C. Rich	ard Jannuzzi C. Vinnie Petti
	C. Anthony Pranzatelli	C. Dominic Longo C. Lisa Brandi
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 to open public comme Public Comment: Motion to close public comme	
	Motion: Movant: I move the advertised according to law.	ordinance be passed on second reading and
	Second:	Discussion:
	Roll Call:	
	C. Abel Gomez C. Rich	nard Jannuzzi C. Vinnie Petti
	C. Anthony Pranzatelli	C. Dominic Longo C. Lisa Brandi
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 to open public comme Public Comment: Motion to close public comme	
	Motion: Movant: I move the advertised according to law.	ordinance be passed on second reading and
	Second:	Discussion:



Roll Call:

C. Abel Gomez\_\_\_\_ C. Richard Jannuzzi\_\_\_ C. Vinnie Petti\_\_\_ C. Anthony Pranzatelli\_\_\_ C. Dominic Longo\_\_\_ C. Lisa Brandi \_\_\_\_

### INTRODUCTION/DISCUSSION OF RESOLUTIONS

2022-178	Adoption of 2022 Special Improvement District Budget in the Amount of
	\$188,686.00

Motion: Second:

Roll Call:

C. Abel Gomez\_\_\_\_\_ C. Richard Jannuzzi\_\_\_\_ C. Vinnie Petti\_\_\_\_

C. Anthony Pranzatelli C. Dominic Longo C. Lisa Brandi

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:			
2022-179	Resolution Authorizing Submission of the Fiscal Year 2022-23 Bound Brook/South Bound Brook Youth Services Annual Grant Application with the Somerset County Board of Commissioners in the Amount of \$10,000			
2022-180	Resolution Authorizing Submission of the Fiscal Year 2022-2023 Bound Brook/ South Bound Brook Youth Services Competitive Grant Application With Somerset County Board of Commissioners in the Amount of \$6,000			
2022-181	Resolution Authorizing the Hire of Summer Camp Employees			
2022-182	Resolution Approving the Hire of Kevin Conover Jr. as a Seasonal Laborer for the Department of Public Works			
2022-183	Resolution Approving the Hire of Robert Kosovan Jr. as a Seasonal Laborer for the Department of Public Works			
2022-184	Resolution Authorizing a Refund for a Marriage Ceremony Fee to Juan Molina			

Final Agenda July 26, 2022



- 2022-185 Resolution Correcting the Salary of Sara Silva, Special Enforcement Officer Class II
- 2022-186 Resolution Appointing Sara Silva as Website Administrator
- 2022-187 Resolution Correcting the Awarded Contract Amount to Pennoni Associates for Engineering Inspection Service for Bound Brook Train Station East Bound Waiting Room and Platform Renovations
- 2022-188 Resolution Authorizing Chapter 159, Body Armor USDA in the Amount of \$1,407.83
- 2022-189 Resolution Authorizing Chapter 159, Clean Communities in the Amount of \$18,664.02
- 2022-190 Resolution Authorizing a Refund of 3<sup>rd</sup> Quarter Property Taxes to Wells Fargo in the Amount of \$1,483.00
- 2022-191 Resolution Authorizing Emergency Appropriation for the Down Payment on Improvement Fund in 2022 Budget
- 2022-192 Resolution Authorizing an Amendment to the Certification of Matching Funds for the New Jersey Library Construction Bond Act in the Amount of \$302,592.92, a 50 Percent Match
- 2022-193 Resolution Approving the Hire of Samuel Caramela as a Special Enforcement Officer Class III for the Bound Brook Police Department
- 2022-194 Resolution Authorizing the Submission of a Grant Application to the United Stated Department of Agriculture Rural Development Community Facilities Program for the Fire Radio and Fire Pick Up Truck
- 2022-195 Resolution Authorizing Change Order No. 1-Reivax Contracting Corporation in the Amount of \$21,000.05
- 2022-196 Resolution of the Borough of Bound Brook, in County of Somerset, Stated of New Jersey (The "Local Unit") Authorizing the Local Units Participation in the Pooled Loan Financing Program of the Somerset County Improvement Authority and Authorizing the Making of an Application to the Local Finance Board in Connection Therewith and Pursuant to N.J.S.A. 40A:2-26(e) and Certain Other Matters in Connection with Issuance of the Local Unit Bonds



- 2022-197 Resolution Appointing Members to the Bound Brook/South Bound Brook Municipal Alliance Committee
- 2022-198 Resolution Appointing Members to the Bound Brook/South Bound Brook Youth Services Commission
- 2022-199 Resolution Amending the Federal Aid Agreement No. 2021-DT-BLA-306, Federal Project No. TAP-D00S (380), with the New Jersey Department of Transportation for the Bound Brook Train Station East Bound Waiting Room and Platform Renovation Project
- 2022-200 Resolution Appointing Grace Lambertz as Police Matron

#### **UNFINISHED BUSINESS**

#### NEW BUSINESS

#### **APPROVAL OF VOUCHERS**

2022-201Resolution Approving Vouchers in the Amount of \$3,708,643.36

Motion: Second:

Roll Call:

C. Abel Gomez\_\_\_\_ C. Richard Jannuzzi\_\_\_ C. Vinnie Petti\_\_\_\_

C. Anthony Pranzatelli C. Dominic Longo C. Lisa Brandi

#### OPEN TO THE PUBLIC FOR COMMENT

#### AUTHORIZE EXECUTIVE SESSION

#### ADJOURNMENT

Motion: Second: All in favor:

#### ORDINANCE NO. 2022-25

BONDORDINANCEPROVIDINGFORTHERECONSTRUCTIONOFANDIMPROVEMENTSTOTHEPOOL (PHASE 1)INANDBYTHEBOROUGH OFBOUNDBROOK,INTHECOUNTYOFSOMERSET,NEWJERSEY,APPROPRIATING\$1,650,000THEREFORANDAUTHORIZINGTHEISSUANCEOF\$1,567,500BONDSNOTESOFTHEBOROUGHTOFINANCEPARTOFCOSTTHEREOF.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Bound Brook, in the County of Somerset, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,650,000, including the sum of \$82,500 as the down payment required by the Local Bond Law. The down payment is now available by an emergency appropriation adopted on July 26, 2022.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,567,500 pursuant to the Local Bond Law. In anticipation of the issuance

of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the reconstruction of and improvements to the pool (Phase 1), including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,567,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

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

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

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

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

ATTEST

#### BOROUGH OF BOUND BROOK

Jasmine D. Mathis Borough Clerk Mayor Robert Fazen

Date of Introduction: July 26, 2022

#### ORDINANCE NO. 2022-26

#### AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO CREATE SECTION 4-19, "FLEA MARKETS, GARAGE SALES AND YARD SALES"

WHEREAS, the Borough desires to limit perpetual, prolonged and extended flea markets, garage sales and yard sales;

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 4, <u>General Licensing</u>, 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:

#### 4-19 FLEA MARKETS, GARAGE SALES AND YARD SALES

#### <u>§ 4-19.1 Title.</u>

<u>This chapter shall be known as "Flea Markets, Garage Sales and Yard Sale Permit</u> <u>Ordinance."</u>

#### <u>§ 4-19.2 Purpose.</u>

These rules and regulations are designed to control and restrict flea markets, garage sales and yard sales and to restrict such sales to casual and/or occasional occurrences only, in keeping with the character of the neighborhood. The intent of this chapter is to eliminate perpetual, prolonged and extended flea markets, garage sales and yard sales in residential areas.

#### § 4-19.3 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FLEAS MARKET / GARAGE SALE / YARD SALE -- the sale or offering for sale of new, used or secondhand items of personal property at any one (1) residential premise at any one (1) time. This includes all sales in residential areas entitled "garage sale," "yard sale," "tag sale," "porch sale," "lawn sale," "attic sale," "basement sale," "rummage sale," "flea market sale" or any similar casual sale of tangible personal property.

<u>GOODS -- any goods, warehouse merchandise or other personal property capable of being the object of a sale regulated hereunder.</u>

<u>MUNICIPALITY</u> — all residential dwellings located within any type of zone, zoned area, zoning district, whether or not said areas or zones are residential, business,

<u>commercial or otherwise, within the geographic boundaries of the Borough of Bound</u> <u>Brook.</u>

<u>Two-Day Weekend- days of the week consisting of Saturday through Sunday and</u> <u>excluding Monday through Friday</u>

#### § 4-19.4 Permit required; fee; conditions for sales.

It shall be unlawful for any person to conduct a flea market, garage sale and/or yard sale within the geographic boundaries of the Borough of Bound Brook without first obtaining a flea market, garage sale or yard sale permit from the Municipal Clerk's Office after filing an application containing the information hereinafter specified.

#### § 4-19.5 Frequency of sales; Number of permits issued to residences.

No more than twelve (12) flea market, garage sales and/or yard sales, in total, will be issued to a residence in one (1) calendar year. Residences are limited to one (1) flea market, garage sale and/or yard sale per calendar month or a one two-day weekend. The two-day weekend flea market, garage sale and/or yard sale shall be issued one permit per day for a total of two (2) permits for the weekend. Each issued permit shall count towards the twelve (12) permits allowed in one (1) calendar year.

Issued permits shall allow for one (1) rain date.

#### <u>§ 4-19.6 Permit fee.</u>

Each permit application shall be accompanied by a \$10.00 fee and is good for one day only, or the listed "rain date." Two-day weekend permits shall be \$10.00 per day, or a total of \$20.00 and is good for the weekend period, or the listed "rain date.".

#### § 4-19.7 Application for permit.

Applications for permits for flea markets, garage sales and yard sales may be made at the Municipal Clerk's Office and should be requested at least 48 hours prior to the sale. The application for a permit must include the name, address, telephone number, and e-mail address of the resident making the application. The flea market, garage sale and yard sale permit must be posted at a visible location to the traveling public for the duration of the sale.

#### <u>§ 4-19.8 Signs.</u>

There will be no more than two (2) signs advertising the flea market, garage sale or yard sale. Signs may be posted no more than three days prior to the sale and must be removed within twenty-four (24) hours of the conclusion of the sale. Failure to remove the signs within twenty-four (24) hours will subject the sale operator to a \$10.00 per day penalty. Signs may only be in the form of lawn signs. They may not be placed on public property, telephone poles, or light poles.

#### § 4-19.9 Exemptions.

This chapter shall not be applicable to sales by a bona fide charitable, educational, cultural or governmental institution, civic group, service club, religious or fraternal society or other tax-exempt organization; provided, however, that the burden of proof to establish the exemption under this subsection shall be on the organization or institution claiming such exemption.

<u>§ 4-19.10 Conduct.</u>

(a) <u>The person to whom the flea market, garage sale and/or yard sale permit was issued and</u> the person conducting the sale, the owner, tenant, or occupant of the premises where the sale or activity is conducted shall be responsible for the maintenance of good order and decorum on the premises during the hours of such sale or activity.

(b) <u>No such person shall permit any loud noises/music or boisterous conduct on such</u> premises or permit vehicles to impede the passage of the traffic on any roads or streets in the area of the premises where the sale is being conducted.

(c) No packaged or prepared foods may be distributed or sold without prior licensing and inspection by the Borough designated Health Officer.

§ 4-19.11 Enforcement; complaints.

This chapter shall be enforced by the Bound Brook Department of Code Enforcement and the Bound Brook Police Department, and it shall be their duty to investigate and prosecute any violation of this chapter.

§ 4-19.12 Violations and penalties.

Violation of any of the terms of this section shall be punishable by a fine of not less than \$150 nor greater than \$2,000 per occurrence in addition to any registration fee that may be due and owing. Each subsequent occurrence shall result in an increased penalty.

#### 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 26, 2022

#### 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-1ET 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,

FAICP/PP, and are hereinafter referred to as the "Amendments". New language is <u>underscored</u>, 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.

#### BOROUGH OF BOUND BROOK

Jasmine D. Mathis Borough Clerk

ATTEST

Mayor Robert Fazen

Date of Introduction: June 28, 2022

#### ORDINANCE NO. 2022-23

#### AN ORDINANCE AMENDING AND SUPPLEMENT CHAPTER 17, <u>PROPERTY</u> <u>MAINTENANCE</u>, 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, <u>**Property Maintenance**</u>, 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 <u>underlined and marked in bold</u>, 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] <u>17-26</u> 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. <u>Property</u> 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

#### ORDINANCE NO. 2022-24

#### AN ORDINANCE OF THE MUNICIPAL 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.

**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 <u>underscored</u>, while deleted language is indicated by a <del>strikethrough</del> and explanatory comments are [bracketted].

- (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].
- Section 5.6(a)– Bulk Standards, Page 48 (b) 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  $\frac{1}{5}$  (6) eight (8) stories or 70 90 feet in the area West of the intersection of John Street and West Main Street, for buildings located on the South side of West Main Street, six (6) stories or 70 feet for buildings located on the North side of Main Street, West of the intersection of West Main Street and John Street, and four (4) stories or 50 feet in the area East of the intersection of John Street and West Main Street for buildings located on both sides of West Main Street. Building stepbacks 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 stepback at level four (4), a ten (10) foot stepback at level six (6) and a ten-foot stepback at level eight (8). No stepbacks are required in the rear elevation. Corner features/elements up to five (5) stories are not subject to stepback 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 stepback at level four (4) and a ten (10) foot stepback at level five (5). No stepbacks 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 stepback at level three (3). No stepbacks are required in the rear elevation. No stepbacks 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 10foot 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].
- (c) The zoning map shall be amended to reflect the new building height and both front and rear stepback standards for both sides of Main Street, both East and West of the John Street intersection.

- **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

#### RESOLUTION 2022-178

# RESOLUTION ADOPTING THE 2022 SPECIAL IMPROVEMENT DISTRICT BUDGET IN THE AMOUNT OF \$205,686.00

WHEREAS, the Bound Brook Revitalization Partnership (Special Improvement District) has submitted their annual budget, January 1, 2022 to December 31, 2022, in the amount of \$205,686.00 attached hereto and made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset that the Special Improvement District has been introduced, advertised and a public hearing held according to law and approved by the governing body in the amount of \$205,686.00.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

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

#### JANUARY 1 2022 TO DECEMBER 31 2022

DATE: 04/25/22

SOURCES OF REVENUE:			AMOUNT
Income:			
ASSESSMENTS AT .00160			159,386.00
FUND RAISING		)	7,000.00
GRANTS			9,300.00
DONATIONS			21,000.00
SURPLUS			9,000.00
Total sources of Revenue/ Income			205,686.00

#### **USES OF REVENUE:**

Expenses:	
FULL TIME EXECUTIVE DIRECTOR SALARY	71,400.00
MAINTENANCE WORKER	48,000.00
PROFESSIONAL SERVICES (ACCOUNTING LEGAL AUDIT)	7,600.00
INSURANCE WORKERS COMP OTHER	4,500.00
ADMINISTRATIVE EXPENSES	6,000.00
PAYROLL TAXES	5,000.00
OFFICE EXPENSES	1,000.00
PROGRAM EXPENSES	28,000.00
FLOWER GARDENS	14,000.00
UTILITIES	4,900.00
RENT	10,000.00
OFFICE SUPPLIES	2,000.00
WEBSITE	1,200.00
MISCELLANEOUS EXPENSES	2,086.00
Total uses of Revenue/ Expenses	205,686.00
Surplus/ (deficit)	0.00

CHARIMAN: ANTHONY PRANZATELLI 122

TREASURER: JOSEPH R PETRACCA

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

#### JANUARY 1 2022 TO DECEMBER 31 2022

#### **EXPENSES NARRATIVE:**

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

MAINTENANCE WORKER SALARY- this is an employee position. Responsibilities include cleaning areas within the Downtown Bound Brook SID boundaries. The maintenance worker also maintains the train station in exchange for the clean communities grant from the Borough. Also takes care of reporting any issues within the Downtown that the DPW needs to take care of e.g. streetlights that are out, potholes, etc. This year's line item amount reflects the plan to hire another part-time person to help with maintenance downtown.

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

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

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

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

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

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

efforts in Downtown including additional planters and seasonal decorations that are very popular with the business owners.

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

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

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

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

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

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

#### RESOLUTION 2022-179

#### AUTHORIZING **SUBMISSION** OF THE **FISCAL** YEAR 2022-23 BOUND **BROOK/SOUTH BOUND** BROOK **SERVICES** ANNUAL GRANT YOUTH APPLICATION WITH THE SOMERSET COUNTY BOARD OF COMMISSIONERS IN **THE AMOUNT OF \$10,000**

**WHEREAS**, the Somerset County Board of Commissioners is providing grant funding to Municipal Youth Services Commissions; and

**WHEREAS**, Bound Brook and South Bound Brook have a combined Youth Services Commission of which Bound Brook is the lead municipality; and

**WHEREAS**, Janeen Kinney, Coordinator of the Borough of Bound Brook/South Bound Brook Youth Services Commission has prepared and submitted the 2022-23 Youth Services Annual Grant Application.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Bound Brook hereby concurs with the filing of the aforementioned grant and authorizes the Mayor to sign the grant application.

**BE IT FURTHER RESOLVED** that the Borough of Bound Brook acknowledges the terms and conditions for administering the Youth Services grant and accepts subsequent award of this grant.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-180

#### AUTHORIZING SUBMISSION OF THE FISCAL YEAR 2022-23 BOUND BROOK/SOUTH BOUND BROOK YOUTH SERVICES COMPETITIVE GRANT APPLICATION WITH THE SOMERSET COUNTY BOARD OF COMMISSIONERS IN THE AMOUNT OF \$6,000

**WHEREAS**, the Somerset County Youth Services Commission offers a competitive grant opportunity to support new, innovative pilot programs and/or enhance or expand a program;

**WHEREAS**, the Borough of Bound Brook desires to further the public interest by obtaining a grant from the Somerset County Youth Services Commission for the program known as; Journeys Employment Readiness Program; and

**WHEREAS**, the Bound Brook/South Bound Brook Youth Services Commission would like to extend the 8-week summer program to be offered until the end of the year; and

**WHEREAS**, Bound Brook and South Bound Brook have a combined Youth Services Commission of which Bound Brook is the lead municipality; and

**WHEREAS**, Janeen Kinney, Coordinator of the Borough of Bound Brook/South Bound Brook Youth Services Commission and Maria Strada, Commission Member, have prepared and submitted the 2022-23 Youth Services Competitive Grant Application.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Bound Brook hereby concurs with the filing of the aforementioned grant and authorizes the Mayor to sign the grant application.

**BE IT FURTHER RESOLVED** that the Borough of Bound Brook acknowledges the terms and conditions for administering the Youth Services grant and accepts subsequent award of this grant.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-181

#### RESOLUTION AUTHORIZING THE HIRE OF SUMMER CAMP EMPLOYEES

WHEREAS, the Recreation Department held a summer camp program; and

WHEREAS, the Recreation Director made recommendation to hire part-time seasonal employees for the summer camp positions; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that the hire of the part-time seasonal employees for the positions listed below are authorized:

<b>EMPLOYEE</b>	POSITION	RATE OF PAY
Anthony Melesurgo	Director	\$27.00
Taylor Lazicky	Assistant Camp Director	\$27.00
Brooke Cooper	Camp Counselor	\$14.00
Brooke Cooper	Clock Operator	\$13.00
Attest:	Approved:	

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-182

# RESOLUTION APPROVING THE HIRE OF KEVIN CONOVER JR. AS A SEASONAL LABORER FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, interviews were conducted for the Seasonal Laborer position within the Department of Public Works; and

WHEREAS, the Director of Public Works has recommended the hire of Kevin Conover, Jr. for the Seasonal Laborer position at an hourly rate of \$15.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the hire of Kevin Conover, Jr. for the Seasonal Laborer position is approved at an hourly rate of \$15.00 effective July 25, 2022.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-183

# RESOLUTION APPROVING THE HIRE OF ROBERT KOSOVAN JR. AS A SEASONAL LABORER FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, interviews were conducted for the Seasonal Laborer position within the Department of Public Works; and

WHEREAS, the Director of Public Works has recommended the hire of Robert Kosovan Jr. for the Seasonal Laborer position at an hourly rate of \$15.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the hire of Robert Kosovan Jr. for the Seasonal Laborer position is approved at an hourly rate of \$15.00 effective July 25, 2022.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-184

# RESOLUTION AUTHORIZING A REFUND FOR MARRIAGE CEREMONY FEE TO JUAN MOLINA

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

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 Juna Molina.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-185

#### RESOLUTION CORRECTING THE SALARY OF SARA SILVA, SPECIAL ENFORCEMENT OFFICER CLASS II

WHEREAS, Sara Silva was appointed as Special Enforcement Officer Class II for the Bound Brook Police Department at a salary of \$35,664.10; and

WHEREAS, there is a correction to the salary;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the salary of Sara Silva for the position of Special Enforcement Officer Class II for the Bound Brook Police Department is corrected to \$36,377.38.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-186

#### RESOLUTION APPOINTING SARA SILVA AS WEBSITE ADMINISTRATOR

WHEREAS, the Borough requires websites administration for its social media platforms; and

WHEREAS, Sara Silva maintained and updated the Borough's website and Facebook page; and

WHEREAS, the Website Administration receives an annual stipend of \$3,000;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook Sara Silva be compensated for website administration for the period of January 1, 2022 to June 28, 2022.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-187

#### RESOLUTION CORRECTING THE AWARDED CONTRACT AMOUNT TO PENNONI ASSOCIATES FOR ENGINEERING INSPECTION SERVICE FOR BOUND BROOK TRAIN STATION EAST BOUND WAITING ROOM AND PLATFORM RENOVATIONS

WHEREAS, Resolution 2022-098 awarded contract to Pennoni Associates for Engineering Inspection Services of the Bound Brook Station East Bound Waiting Room and Platform Renovations in the amount of \$197,635.85; and

WHEREAS, a correction is required in the amount of \$197,353.66;

NOW, THEREFORE, BE RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, the awarded contract amount is corrected to \$ 197,353.66.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-188

# RESOLUTION AUTHORIZING CHAPTER 159, BODY ARMOR USDA IN THE AMOUNT OF \$1,407.83

#### Body Armor USDA-\$1,407.83

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 2022, in the amounts listed below, which item is now available as a revenue from the USDA

Body Armor USDA, Other Expenses \$1,407.83

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

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-189

# RESOLUTION AUTHORIZING CHAPTER 159, CLEAN COMMUNITIES IN THE AMOUNT OF \$18,667.02

#### PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)

Clean Community \$18,664.02

**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

Clean Communities, Other Expenses \$18,664.02

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

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

### RESOLUTION 2022-190

# RESOLUTION AUTHORIZING A REFUND OF 2022 3<sup>RD</sup> QUARTER PROPERTY TAXES TO WELLS FARGO IN THE AMOUNT OF \$1,483.00

**WHEREAS**, the records of the Tax Collector of the Borough of Bound Brook reflect an overpayment of 2022 3rd Quarter Property Taxes on the following property:

Refund To:	Property Location	Blk/Lot/Qual	Amount
Wells Fargo	22 Giles Biondi Ct.	069/002.13	\$1,483.00

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the Property Tax overpayment be refunded as per the list above.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

### RESOLUTION 2022-191

# RESOLUTION AUTHORIZING EMERGENCY APPROPRIATION FOR THE DOWNPAYMENT ON IMPROVEMENT FUND IN 2022 BUDGET

WHEREAS, an emergency has arisen with respect to improvements to the Borough's pool within the Borough of Bound Brook and no adequate provision was made in the 22CY budget for the aforesaid purpose, and

WHEREAS, N.J.S. 40A:4-46 provides for the creation of an emergency appropriation for the purpose of the down payment on improvement for the pool improvements, and

WHEREAS, the total amount of emergency appropriation(s) created including the appropriation to be created by this resolution is \$82,500.00 and three percent of the total operations in the budget for the year is \$486,193.65

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Bound Brook, County of Somerset, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48 that:

- 1. An emergency appropriation be and the same is hereby made for in the amount of \$82,500.00
- 2. That said emergency appropriation shall be provided in full in the 2023 budget.
- 3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
- 4. That two certified copies of this resolution be filed with the Director of Local Government Services.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

### RESOLUTION 2022-192

# RESOLUTION AUTHORIZING AN AMENDMENT TO THE CERTIFICATION OF MATCHING FUNDS FOR THE NEW JERSEY LIBRARY CONSTRUCTION BOND ACT IN THE AMOUNT OF \$302,592.92, A 50 PERCENT MATCH

WHEREAS, Resolution 2021-084 authorized the certification of matching funds for the New Jersey Library Construction Bond Act in the amount of \$256,040.16; and

WHEREAS, the Borough is in receipt of a revised budget estimate for total project costs in the amount of \$605,185.83 to account for inflation and product back order; and

WHEREAS, the Borough's match of 50% of the project cost; and

WHEREAS, the Chief Finance Officer has certified the funds from account# 04- 2022-202207-220703- 4- 00000 in the amount of \$302,592.92.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, that the Borough of Bound Brook hereby certifies a 50% match in the amount of \$302,592.92 for this project to any awarded grant funding through the New Jersey Library Construction Bond Act Grant Program.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

### RESOLUTION 2022-193

#### RESOLUTION APPROVING THE HIRE OF SAMUEL CARAMELA AS SPECIAL ENFORCEMENT OFFICER CLASS III FOR THE BOUND BROOK POLICE DEPARTMENT

WHEREAS, the Borough of Bound Brook created the position of Special Law Enforcement Officer Class Three ("SLEO III"); and

WHEREAS, the position of SLEO III shall be subject to and governed by N.J.S.A. 40A:14-146.8 et seq; and

WHEREAS, resumes were sought for the SLEO III position; and

WHEREAS; the Acting Chief of Police recommends the hire of Samuel Caramela contingent upon successful completion of a background check, psychological and physical examinations; and

WHEREAS, the position shall be for a one (1) year term ending at the end June 30th, 2023;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, County of Somerset, Samuel Caramela be hired for the position of SLEO III at an hourly rate of \$37.50 for a one (1) year term ending June 30<sup>th</sup>, 2023.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-194

RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULATURE RURAL DEVELOPMENT COMMUNITY FACILITIES PROGRAM FOR THE FIRE RADIO AND FIRE PICK UP TRUCK.

WHEREAS, a fire radio and fire pick up truck needs were identified at the Borough of Bound Brook; and

WHEREAS, the Borough desires to submit a grant application to the United States Department of Agriculture Rural Development Community Facilities Program;

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 Council are requesting a 35% grant for the project. If the grant is not funded in full, the Borough agrees to fund the remainder of the project to complete it in full.

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 acceptable of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

# RESOLUTION 2022-195

### RESOLUTION AUTHORIZING CHANGE ORDER NO 1-REIVAX CONTRACTING CORPORATION IN THE AMOUNT OF \$21,000.05

WHEREAS, the Borough of Bound Brook awarded Reivax Contracting Corporation the 2021 Road Improvement Project; and

WHEREAS, there is an increase in the overall project in the amount of \$21,000.00; and

WHEREAS, the total contract price is now \$950,993.73; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, Somerset County, State of New Jersey that Change Order No. 1 for Reivax Contracting Corporation is approved.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-196

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 AND AUTHORIZING THE MAKING OF AN APPLICATION TO THE LOCAL FINANCE BOARD IN CONNECTION THEREWITH AND PURSUANT TO N.J.S.A. 40A:2-26(e) AND CERTAIN OTHER MATTERS IN CONNECTION WITH ISSUANCE OF THE LOCAL UNIT BONDS

**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 sharing in the costs of the SCIA 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**, the Local Unit also desires to seek the Local Finance Board's approval pursuant to N.J.S.A. 40A:2-26(e) for a non-conforming principal maturity schedule for the Local Unit Bonds in order to minimize the tax and financial impact of the debt service schedule for the Local Unit Bonds on the taxpayers in the Local Unit; 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 and to seek the Local Finance Board's approval pursuant to N.J.S.A. 40A:2-26(e) for a non-conforming principal maturity schedule for the Local Unit Bonds.

**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:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

### RESOLUTION 2022-197

# RESOLUTION APPOINTING MEMBERS TO THE BOUND BROOK/SOUTH BOUND BROOK MUNICIPAL ALLIANCE COMMISSION

WHEREAS, Municipal Alliance Committee (MAC), provides programs that focus on substance use prevention. Membership should include volunteers from various sectors within the community, ie schools, courts, law enforcement, religious and social service organizations, parents, businesses, recovering persons, and concerned citizens.

WHEREAS, the Boroughs of Bound Brook and South Bound Brook have created a Municipal Alliance Commission to meet the needs of the community; and

WHEREAS, the Borough Council recommends the appointments of Janeen Kinney, Maria Strada and Denzel Sanders because they have demonstrated their commitment to the program and the Bound Brook community;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook that Janeen Kinney, Maria Strada and Denzel Sanders be appointed to the Bound Brook / South Bound Brook Municipal Alliance Commission.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-198

# RESOLUTION APPOINTING MEMBERS TO THE BOUND BROOK/ SOUTH BOUND BROOK YOUTH SERVICES COMMISSION

WHEREAS, The purpose of a MYSC is to encourage, coordinate, and integrate existing services for youth at-risk of or already involved in the juvenile justice system by determining the needs of at-risk youth in their community; developing and proposing new and innovative programs to meet the identified needs; and informing the public of the nature and extent of juvenile problems and the availability of services to meet those needs; and

WHEREAS, the Boroughs of Bound Brook and South Bound Brook have created a Youth Services Commission to meet the needs of the community; and

WHEREAS, the Borough Council recommends the appointments of Janeen Kinney, Maria Strada and Denzel Sanders because they have demonstrated their commitment to the program and the Bound Brook community;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook that Janeen Kinney, Maria Strada and Denzel Sanders be appointed to the Bound Brook / South Bound Brook Youth Services Commission.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

#### RESOLUTION 2022-199

RESOLUTION AMENDING THE FEDERAL AID AGREEMENT NO. 2021-DT-BLA-306, FEDERAL PROJECT NO. TAP-D00S (380), WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BOUND BROOK TRAIN STATION EAST BOUND WAITING ROOM AND PLATFORM RENOVATION PROJECT

WHEREAS, Resolution 2021-246 authorized the execution of a Cost Reimbursement Agreement (Federal Agreement number 2021-DT-BLA-306) with the New Jersey Department of Transportation, Division of Local Aid and Economic Development for the Bound Brook Train Station East Bound Waiting Room and Platform Renovation Project, (Federal Project No. TAP-D00S (380)/ NJDOT Job No. 7204309); and

WHEREAS, the bid submissions substantially exceeded the estimated project costs; and

WHEREAS, there is a need to amend the reimbursement agreement to account for the total project costs in the amount of \$2,598,624.42;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, County of Somerset, that the reimbursement agreement be amended to \$2,598,624.42 and the designated LPA is authorized to sign agreement modification and that signature constitutes acceptance of the terms and conditions of the grant modification agreement.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

## RESOLUTION 2022-200

### RESOLUTION APPOINTING GRACE LAMBERTZ AS POLICE MATRON

WHEREAS, the Chief of Police of the Borough of Bound Brook requires the services of certain persons to act as Police Matrons in accordance with the statutes of the State of New Jersey; and

WHEREAS, all of the following individuals have been trained at the Somerset County Police Academy and are certified Police Matrons; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Grace Lambertz are hereby appointed Police Matron for the year 2022.

Attest:

Approved:

Jasmine D. Mathis, Borough Clerk

Mayor Robert P. Fazen

### BOROUGH OF BOUND BROOK RESOLUTION 2022-201

# APPROVAL OF VOUCHERS

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, and State of New Jersey that vouchers are approved for the following funds in the amount of \$ 3,708,643.36.

FUND	<u>AMOUNT</u>
CURRENT	\$ 3,201,555.18
GENERAL CAPITAL FUND	\$ 163,864.61
RECREATION TRUST	\$ 27,794.83
DOG/CAT TRUST	\$ 39.00
SEWER	\$ 276,646.33
TAX COLLECTOR TRUST	\$ 17,000.00
TAX TITLE LIEN REDEMPTION	\$ 5, 899.61
DEVELOPERS ESCROW	\$ 15,843.80
	<u>+</u>
TOTAL	\$ 3,708,643.36

Approved:

Attest:

Mayor Robert P. Fazen

Jasmine D. Mathis, Borough Clerk