



**BOROUGH COUNCIL  
REGULAR MEETING AGENDA  
AUGUST 9, 2022 AT 7:00 P.M.**

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**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 26, 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





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 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\_\_\_\_ C. Lisa Brandi

### 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:

2022-204 Resolution Authorizing the Hire of Jackie Tamashiro as a Temporary Part-Time Court Employee

2022-205 Resolution Rescinding Resolution No. 2022-153 Which Approved a Redevelopment Agreement with All Jersey Developers, LLC for Property Known as Tax Block 10, Lots 9 & 10, Also Known as 217-219 East Main Street and to De-Designate All Jersey Developers, LLC as Redeveloper for All Properties for Which it Has Been Previously Designated as Redeveloper

2022-206 Resolution Approving an Amendment to the Parking Space Lease Agreement Between the Borough of Bound Brook and 543 East Second Street, LLC



- 2022-207 Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Borough of Bound Brook, in the County of Somerset, New Jersey, into a Single Issue of Bonds Aggregating \$7,962,742 in Principal Amount
- 2022-208 Resolution Determining the Form and Other Details and Providing for the Determination of Other Terms Not to Exceed \$7,962,742 General Improvement Bonds of the Borough of Bound Brook, in the County of Somerset, New Jersey, and Providing for their Sale to the Somerset County Improvement Authority
- 2022-209 Resolution Authorizing Relief of Moratorium on Piedmont Drive for Road Opening Permit
- 2022-210 Resolution Authorizing the Hire of Adora Rao as a Finance Department Intern
- 2022-211 Resolution Correcting the Contract Award Amount to Reivax Construction for the 2021 Road Program
- 2022-212 Resolution Memorializing Confirmation of Acceptance of Joshua Jimenez's NJ State Firemen's Association Application for Membership to the Bound Brook Fire Department
- 2022-213 Resolution Accepting the Resignation of Danielle Jannuzzi from the Recreation Commission
- 2022-214 Resolution Renewing Liquor License No. 1804-33-008-004, Revelocity Entertainment for the 2022-2023 Licensing Term
- 2022-215 Resolution Authorizing the Hire of Shane Junger as a Patrol Officer for the Bound Brook Police Department
- 2022-216 Resolution Authorizing Refund of Tax Overpayment to Corelogic
- 2022-217 Resolution of the Borough Council of the Borough of Bound Brook Authorizing an Agreement for Payment of Sewer Connection Fees for the Redevelopment of Block 8, Lots 9.01, 9.03 and 9.04 as Shown on the Official Tax Maps of the Borough of Bound Brook
- 2022-218 Resolution of the Borough Council of the Borough of Bound Brook Authorizing an Agreement for Payment of Sewer Connection Fees for the Redevelopment of Block 1, Lots 56.01 and 56.02 as Shown on the Official Tax Maps of the Borough of Bound Brook



**UNFINISHED BUSINESS**

**NEW BUSINESS**

**APPROVAL OF VOUCHERS**

2022-219 Resolution Approving Vouchers in the Amount of \$883,682.44

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:

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,567,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The 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. McCoy  
Borough Clerk

\_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: July 26, 2022

Date of Adoption: August 9

BOROUGH OF BOUND BROOK  
County of Somerset

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, General Licensing, 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**

**§ 4-19.1 Title.**

**This chapter shall be known as "Flea Markets, Garage Sales and Yard Sale Permit Ordinance."**

**§ 4-19.2 Purpose.**

**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.**

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

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

**commercial or otherwise, within the geographic boundaries of the Borough of Bound Brook.**

**Two-Day Weekend- days of the week consisting of Saturday through Sunday and excluding Monday through Friday**

**§ 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.**

**§ 4-19.6 Permit fee.**

**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.**

**§ 4-19.8 Signs.**

**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.**

**§ 4-19.10 Conduct.**

**(a) The person to whom the flea market, garage sale and/or yard sale permit was issued and 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) No such person shall permit any loud noises/music or boisterous conduct on such 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. McCoy  
Borough Clerk

\_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: July 26, 2022

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-204

RESOLUTION AUTHORIZING THE HIRE OF JACKIE TAMASHIRO AS A TEMPORARY  
PART-TIME MUNICIPAL COURT EMPLOYEE

WHEREAS, there is a need for temporary part-time assistance in the municipal court; and

WHEREAS, Vicinage 13- Somerset, Hunterdon & Warren Counties, has recommended the hire of Jackie Tamashiro; and

WHEREAS, Jackie Tamashiro shall cover the 5 p.m. to 9 p.m. shift on the following dates:

August	29, 30, 31
September	1, 5, 6
October	10 & 11

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, Jackie Tamashiro, be hired as a temporary part-time municipal court employee at an hourly rate of \$20.87 for the above period.

Attest:

Approved:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-205

**RESOLUTION RESCINDING RESOLUTION NO. 2022-153 WHICH APPROVED A REDEVELOPMENT AGREEMENT WITH ALL JERSEY DEVELOPERS, LLC FOR PROPERTY KNOWN AS TAX BLOCK 10, LOTS 9 AND 10, ALSO KNOWN AS 217-219 EAST MAIN STREET AND TO DE-DESIGNATE ALL JERSEY DEVELOPERS, LLC AS REDEVELOPER FOR ALL PROPERTIES FOR WHICH IT HAS BEEN PREVIOUSLY DESIGNATED AS REDEVELOPER**

**WHEREAS**, in January 2000, the Borough Council of the Borough of Bound Brook (the “Borough”) designated various Property in its downtown along the Main Street corridor as an area need of redevelopment (“Redevelopment Areas 1 & 2”) and adopted a redevelopment plan for Redevelopment Areas 1 & 2 in February 2000 and subsequently adopted an Amended Redevelopment Plan for Redevelopment Area 1 on August 11, 2015, which has subsequently been amended from time to time; and

**WHEREAS**, Block 10, Lots 9 and 10 are located in Redevelopment Area 1 (the “Property”); and

**WHEREAS**, on January 11, 2022, the Borough Council adopted a resolution conditionally designating All Jersey Developers, LLC as redeveloper of the Property subject to certain conditions, including agreeing to the terms and conditions of a redevelopment agreement; and

**WHEREAS**, Block 1, Lots 57 and 57 are located in Redevelopment Area 1 (the “Bank Property”); and

**WHEREAS**, on February 8, 2022, the Borough Council adopted a resolution conditionally designating All Jersey Developers, LLC as redeveloper of the Bank Property subject to certain conditions, including agreeing to the terms and conditions of a redevelopment agreement; and

**WHEREAS**, the Borough and the Redeveloper subsequently entered into an escrow agreements, which requires the Redeveloper to pay any and all costs incurred by the Borough from the date of the conditional designation to execution of a redevelopment agreement or termination of the redeveloper designation regarding the redevelopment of the Property and the Bank Property; and

**WHEREAS**, by adoption of Resolution #2022-153 by the Borough Council on June 28, 2022, the Borough approved and authorized the execution of a redevelopment agreement with All Jersey Developers, LLC for the Property; and

**WHEREAS**, by correspondence dated July 13, 2022, from counsel for All Jersey Developers, LLC, advised the Borough that its client wishes to withdraw from all pending redevelopment projects in the Borough, including for the Property and the Bank Property.



**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Bound Brook that it hereby rescinds Resolution No. 2022-153 approving the execution of a redevelopment agreement with All Jersey Developers, LLC, 16 Mt. Bethel Road, Unit 302, Warren, New Jersey 07059, as redeveloper for the redevelopment of Tax Block 10, Lots 9 and 10, also known as 217-219 East Main Street.

**BE IT FURTHER RESOLVED** that the Borough hereby de-designates All Jersey Developers, LLC as redeveloper for Tax Block 10, Lots 9 and 10, also known as 217-219 East Main Street and for Tax Block 1, Lots 57 and 70, also known as 408 East Main Street.

**BE IT FURTHER RESOLVED** that the Mayor and the Borough Clerk are hereby authorized to execute any and all documents to effectuate the provisions in this Resolution as may be required.

**BE IT FURTHER RESOLVED** that the Borough shall return any unspent escrow funds on deposit with the Borough for the prior conditional redeveloper designations of All Jersey Developers, LLC for the properties known as Tax Block 10, Lots 9 and 10, also known as 217-219 East Main Street and for Tax Block 1, Lots 57 and 70, also known as 408 East Main Street after payment of any Borough professional's fees.

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

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-206

**RESOLUTION APPROVING AN AMENDMENT TO THE PARKING SPACE LEASE AGREEMENT BETWEEN THE BOROUGH OF BOUND BROOK AND 543 EAST SECOND STREET, LLC**

**WHEREAS**, Everest Investments, LLC (“Everest”) owned the property designated as Block 13.01, Lot 26.01 located at 543 East Second Street (the “**Project Premises**”) and received preliminary and final site plan approval granted by the Borough Planning Board on July 27, 2017 (“**Planning Board Approval**”) for the construction of a 3-story building with four (4) residential units with four (4) on-site parking spaces (the “**Project**”); and

**WHEREAS**, as a condition of Planning Board Approval for the Project, Everest was required to enter into an agreement with the Borough for off-site parking spaces to satisfy its parking requirements; and

**WHEREAS**, on July 23, 2019, the Borough adopted a resolution (No. 2019-164) approving a parking space lease agreement with Everest to lease four (4) parking spaces in Municipal Lot #5, located on Block 12, Lot 5.01 (the “Lease”), which to date has not been executed; and

**WHEREAS**, on May 12, 2020, the Borough adopted a resolution (No. 2020-98) changing the lessee for the Lease from Everest to 543 East Second, LLC, who acquired the Project Premises from Everest; and

**WHEREAS**, the Borough proposes to amend the Lease to change the location of the four (4) spaces provided in the Lease from Municipal Lot #5 to Billian Park.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Bound Brook that it hereby approves an amendment to the parking space lease agreement (the “Lease”) changing the location of the four (4) parking spaces to Billian Park, located on Block 13.02, Lots 5 & 50.

**BE IT FURTHER RESOLVED** that the Mayor and the Borough Clerk are hereby authorized to execute any and all documents that may be required to evidence the Lease or an amendment thereto, subject to review by general counsel as to legal form and content.

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

Attest:

Approved:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk  
Date of Adoption: August 9, 2022

\_\_\_\_\_  
Mayor Robert P. Fazen

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-207

**RESOLUTION PROVIDING FOR THE COMBINATION OF  
CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS OF  
THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF  
SOMERSET, NEW JERSEY, INTO A SINGLE ISSUE OF BONDS  
AGGREGATING \$7,962,742 IN PRINCIPAL AMOUNT.**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Borough of Bound Brook, in the County of Somerset, New Jersey (the "Borough"), authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of general improvement bonds in the aggregate principal amount of \$7,962,742 (the "Bonds").

Section 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

<b>Bond Ordinance Number</b>	<b>Principal Amount of Bonds</b>	<b>Description of Improvement and Date of Adoption of Bond Ordinance</b>	<b>Useful Life</b>
2018-27	\$740,565	Various capital improvements, finally adopted October 9, 2018.	19.46 years
2019-46	\$1,235,000	Acquisition of a fire truck, finally adopted October 22, 2019.	10 years
2020-17	\$1,420,000	Various capital improvements, finally adopted on June 23, 2020.	8.57 years

<b>Bond Ordinance Number</b>	<b>Principal Amount of Bonds</b>	<b>Description of Improvement and Date of Adoption of Bond Ordinance</b>	<b>Useful Life</b>
2020-26	\$193,000	Acquisition and installation of a trunk radio system for the Police Department, finally adopted October 13, 2020.	7 years
2021-10	\$1,729,827	Various capital acquisitions and improvements, finally adopted April 27, 2021.	9.37 years
2021-23	\$428,500	Purchase of solid waste truck and related equipment, finally adopted September 14, 2021.	10 years
2021-28	\$247,000	Acquisition of personal protective equipment for the Fire Department, finally adopted November 9, 2021.	10 years
2021-33	\$295,000	Acquisition of real property, finally adopted December 28, 2021.	40 years
2022-07	\$1,673,850	Various capital improvements, finally adopted April 26, 2022.	9.87 years
<b>TOTAL</b>	<b>\$7,962,742</b>		<b>11.49 years</b>

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 11.49 years.

b. The Bonds of the combined issue shall be designated "General Improvement Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and

now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2 hereof.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. This resolution shall take effect immediately.

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-208

**RESOLUTION DETERMINING THE FORM AND OTHER  
DETAILS AND PROVIDING FOR THE DETERMINATION OF  
OTHER TERMS OF NOT TO EXCEED \$7,962,742 GENERAL  
IMPROVEMENT BONDS OF THE BOROUGH OF BOUND  
BROOK, IN THE COUNTY OF SOMERSET, NEW JERSEY, AND  
PROVIDING FOR THEIR SALE TO THE SOMERSET COUNTY  
IMPROVEMENT AUTHORITY.**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, NEW JERSEY, AS FOLLOWS (not less than 2/3 of all members thereof affirmatively concurring):

Section 1. The General Improvement Bonds of the Borough of Bound Brook, in the County of Somerset, New Jersey (the "Borough"), referred to and described in a resolution of the Borough adopted on August 9, 2022 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Borough of Bound Brook, in the County of Somerset, New Jersey, Into a Single Issue of Bonds Aggregating \$7,962,742 in Principal Amount" and in the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "General Improvement Bonds" (the "Bonds"), with such further designations as set forth in Section 4 hereof.

Section 2. The Bonds are hereby authorized to be sold to the Somerset County Improvement Authority (the "Authority") at a purchase price determined in accordance with the parameters set forth below and otherwise consistent with the terms included in the application submitted by the Authority to the Local Finance Board in the Department of Community Affairs,

State of New Jersey (the "Local Finance Board"), to be considered for approval by the Local Finance Board on August 10, 2022 (the "Application"):

- (a) the aggregate principal amount of the Bonds shall not exceed \$7,962,742;
- (b) the true interest cost of the Bonds shall not exceed an interest rate that would enable the Borough to issue the Bonds to the Authority and achieve the economic benefit (consisting of the AAA guaranty from the County of Somerset, which is a higher credit rating than the current credit rating of the Borough) of financing through the Authority versus financing on its own;
- (c) the maturity structure or weighted average maturity for the Bonds shall be substantially similar to the structure submitted to and approved by the Local Finance Board, subject to any adjustments recommended by the Authority's Underwriter or the Authority on the sale date designed to reduce the total costs of the borrowing of the Borough; and
- (d) all conditions described in the Application as submitted to the Local Finance Board for the sale of the Bonds shall be satisfied.

Section 3. The Bonds are hereby authorized to be sold and issued to the Authority in accordance with the terms of a bond purchase agreement to be entered into by and between the Authority and the Borough (the "Bond Purchase Agreement"). The Bonds may be issued in one or more series. The purchase price for the Bonds shall be as set forth in the Bond Purchase Agreement. The Mayor and the Chief Financial Officer are each hereby authorized and directed, without further authorization, to enter into and execute the Bond Purchase Agreement on behalf of the Borough in the form satisfactory to McManimon, Scotland & Baumann, LLC, bond counsel to the Borough ("Bond Counsel"), upon the terms consistent with the parameters set forth in this resolution. Upon execution of the Bond Purchase Agreement, the signature of the Mayor and the Chief Financial Officer shall be conclusively presumed to evidence any necessary approvals for the sale and issuance of the Bonds. If the Chief Financial Officer, after consultation with the Authority, determines that the above parameters cannot be satisfied in the present market, the

Bonds shall not be sold until such time as said parameters may be amended, in whole or in part, or a sale on different terms is otherwise approved by resolution of this Borough Council.

Section 4. (a) The Bonds shall be dated and shall bear interest at the interest rates per annum as the Chief Financial Officer shall determine.

(b) The Bonds shall be numbered and have such prefix as determined necessary by the Chief Financial Officer or as required by the Bond Purchase Agreement and shall be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Borough as determined in the Bond Purchase Agreement.

(c) The Bonds shall mature in the years 2023 through 2033 or such other years as may be determined by the Chief Financial Officer and in the principal amounts as may be determined by the Chief Financial Officer and shall bear interest on the dates as may be determined by the Chief Financial Officer.

(d) The Bonds shall be sold at such price or prices as the Chief Financial Officer shall determine.

(e) The Bonds may be subject to redemption prior to their stated maturities as may be determined by the Chief Financial Officer.

(f) One certificate shall be issued for the entire principal amount of the Bonds being issued by the Borough unless otherwise required by the Authority pursuant to the Bond Purchase Agreement and shall be numbered GIB-1. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. The certificate will be registered in the name of the "Somerset County Improvement Authority" unless otherwise specified in the Bond Purchase Agreement.

(g) Any other details that may need to be determined in connection with the sale and issuance of the Bonds shall be determined by the Chief Financial Officer.



Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to conform the Bonds to the requirements of the Bond Purchase Agreement:

Section 6. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) of the Borough affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 7. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by Bond Counsel, complete except for omission of its date. The Borough Clerk is hereby authorized and directed to file a signed duplicate of such written opinion in the Borough Clerk's office. Alternatively, each Bond may be accompanied by the signed legal opinion or copy thereof.

Section 8. Bond Counsel is hereby authorized to arrange for the printing of the Bonds. The proper officials of the Borough are hereby authorized and directed to execute the Bonds and to deliver them to the Authority upon receipt of payment therefor, including accrued interest from their date to the date of delivery, if any.

Section 9. The Chief Financial Officer is also hereby authorized to pay the costs of issuance at or after the time of closing to the various participants regarding the sale and issuance of the Bonds. In the alternative, the Authority is hereby authorized to pay such costs of issuance on behalf of the Borough.

Section 10. The Mayor and the Chief Financial Officer and other appropriate representatives of the Borough are hereby authorized to take all steps necessary to provide for the issuance of the Bonds, including preparing and executing all such agreements, documents, certificates and other instruments on behalf of the Borough, and to take all steps necessary or desirable to effectuate the transactions contemplated hereby.

Section 11. The Mayor and the Chief Financial Officer are hereby authorized and directed to prepare any financial statements, demographic information or operating data required by the Authority for inclusion in the Authority's Preliminary and Final Official Statements.

Section 12. The Mayor and the Chief Financial Officer are each hereby authorized and directed, without further authorization, to enter into and execute a continuing disclosure agreement or such other agreement as may be required by the Authority for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time, in a form satisfactory to Bond Counsel.

Section 13. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended, in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 14. This resolution shall take effect immediately.

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-209

RESOLUTION APPROVING RELIEF OF MORATORIUM ON PIEDMONT DRIVE FOR  
ROAD OPENING PERMIT

WHEREAS, a road opening permit was submitted by the property owner of 130 Piedmont Drive;  
and

WHEREAS, Piedmont Drive was reconstruction in 2021 and therefore is currently under a five  
(5) year moratorium; and

NOW, THEREFORE, BE IT RESOLVED by Governing Body of the Borough of Bound Brook,  
that the moratorium be relieved during this work and subject to the approval of the Director of  
Public Works including, but not limited to, an infrared pavement repair of all utility patches on  
both roadways.

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-210

RESOLUTION AUTHORIZING THE HIRE OF ADORA RAO AS A FINANCE  
DEPARTMENT INTERN

WHEREAS, the Finance Department has identified short term projects; and

WHEREAS, Adora Rao expressed interest in interning with the Borough of Bound Brook to gain knowledge of municipal finance; and

WHEREAS, the Chief Financial Officer recommends she be hired as an intern for the Finance Department for short-term project;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, that Adora Rao be hired as a Finance Department intern at an hourly rate of \$13.00.

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-211

RESOLUTION CORRECTING THE CONTRACT AWARD AMOUNT TO REIVAX  
CONSTRUCTION FOR THE 2021 ROAD PROGRAM

WHEREAS, Resolution 2022-101 awarded contract to Reivax Construction for the 2021 Road Program in the amount of \$930,005.41; and

WHEREAS, Reivax Construction submitted a proposal in the amount of \$929,993.68; and

WHEREAS, a correction to the contract amount is required;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook that the contract award amount be corrected to \$929,993.68.

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-212

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

WHEREAS, Joshua Jimenez has applied to become a volunteer firefighter in the Borough of Bound Brook Fire Department Relief Fire Company No. 4; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the New Jersey State Firemen's Association Application for Membership for Joshua Jimenez to Relief Fire Company No. 4 is hereby accepted.

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-213

RESOLUTION ACCEPTING THE RESIGNATION OF DANIELLE JANNUZZI FROM THE  
RECREATION COMMISSION

WHEREAS, the Borough has received the resignation of Danielle Jannuzzi as a Recreation Commission member; and

WHEREAS, the Borough recognizes and commends Danielle Jannuzzi for her commitment to the commission;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the resignation of Danielle Jannuzzi as a regular member of the Recreation Commission.

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-214

RESOLUTION AUTHORIZING THE RENEWAL OF INACTIVE LIQUOR LICENSE NO. 1804-33-008-004, REVELOCITY ENTERTAINMENT, LLC FOR THE 2022-2023 LICENSING TERM

WHEREAS, Revelocity Entertainment, LLC applied to the Division of Alcoholic Beverage Control for the renewal of an inactive license pursuant to N.J.S.A. 33:1-12.39; and

WHEREAS, the Division of Alcoholic Beverage Control granted a Special Ruling to permit consideration of a renewal application for said inactive license; and

WHEREAS, said application complies with the Rules and Regulations of the Division of Alcoholic Beverage Control, have filed required license and filing fees and received tax clearance; and

WHEREAS, to active the license at a premises during the 2022-2023 license term, the license holder will be required to a file a full 12-page application transferring the license from “pocket” status to the intended premises;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that inactive liquor license No. 1804-33-008-004, Revelocity Entertainment, LLC, is hereby renewed for the 2022-2023 licensing term pursuant to N.J.S.A. 33:1-12.39.

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022



BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-215

RESOLUTION AUTHORIZING THE HIRE OF SHANE A. JUNGER AS A PATROL  
OFFICER FOR THE BOUND BROOK POLICE DEPARTMENT

WHEREAS, a vacancy exists for a Patrol Officer in the Police Department due to the resignation of Officer Kyle Morrison; and

WHEREAS, interviews were conducted by the Bound Brook Police Department Command Staff along with the Borough Administrator; and

WHEREAS, the Police Chief has recommended Shane A. Junger be hired to fill the vacancy; and

WHEREAS, a background investigation, physical and psychological evaluation are currently being conducted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Shane A. Junger be hired as Patrol Officer effective August 15, 2022, contingent upon successful completion of the background check, for an annual salary of \$49,791.88, as specified in the PBA contract.

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-216

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT TO CORELOGIC

**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:

<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
Corelogic	548 Marion	082/024	\$2,194.00
	203-209 E Second	034/006	\$5,493.00

**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:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-217

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK AUTHORIZING AN AGREEMENT FOR PAYMENT OF SEWER CONNECTION FEES FOR THE REDEVELOPMENT OF BLOCK 8, LOTS 9.01, 9.03 AND 9.04 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF BOUND BROOK**

**WHEREAS**, pursuant to Chapter 28, Water and Sewer of the Code of the Borough of Bound Brook (the “Borough”), connection fees for sewer are imposed in the Borough for multi-family residential use (“Borough Ordinance”); and

**WHEREAS**, Meridia Bound Brook 1 Urban Renewal, Bound Brook, LLC (the “Owner”) owns certain property located on West Main Street, Bound Brook, NJ, also known as Lots 9.01, 9.03 and 9.04, in Block 8 on the Borough of Bound Brook Tax map and located in the Downtown Redevelopment Area (hereinafter "the Property"); and

**WHEREAS**, the Owner is in the process of redeveloping the Property for the construction of 75 multi-family residential units and commercial space, pursuant to development approvals received from the Borough Planning Board and a redevelopment agreement with the Borough; and

**WHEREAS**, the Owner has/intends to file for building permits for construction on the Property and as such is required to pay sewer connection fees in accordance with the Borough Ordinance totaling \$210,000; and

**WHEREAS**, in order to facilitate the redevelopment of the Property, the Borough and Owner have agreed as to the payment of sewer connection fees by the Owner; and

**WHEREAS**, the Borough and Owner have agreed that the sewer connection fees shall be paid as follows: (a) one-half or \$105,000 was paid on or about August 4, 2022, and the balance of \$105,000 shall be paid no later than December 12, 2022; and

**WHEREAS**, the agreement between the Borough and Owner shall include that if the balance of sewer connection fees are not paid by December 12, 2022, the balance shall be subject to an interest charge of 18% from such date until payment is made in full, the Borough shall have the right at its option to file a lien on the Property for the unpaid balance and any interest which has accrued at any time after December 12, 2022 until such time as payment is made in full including any accrued interest and the Redeveloper shall not be permitted to apply for the issuance of any certificates of occupancy for the Property until the payment is made in full.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that it hereby approves and authorizes the execution of an agreement between the Borough and Meridia Bound Brook 1 Urban Renewal,

R2022-217

Bound Brook, LLC for the payment of sewer connection fees for the property located on Block 8, Lots 9.01, 9.03 and 9.04, including the terms and conditions set forth in this resolution and substantially consistent with the sewer agreement attached hereto and made part of this resolution.

Attest:

Approved

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2022-218

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK AUTHORIZING AN AGREEMENT FOR PAYMENT OF SEWER CONNECTION FEES FOR THE REDEVELOPMENT OF BLOCK 1, LOTS 56.01 AND 56.02 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF BOUND BROOK**

**WHEREAS**, pursuant to Chapter 28, Water and Sewer of the Code of the Borough of Bound Brook (the “Borough”), connection fees for sewer are imposed in the Borough for multi-family residential use (“Borough Ordinance”); and

**WHEREAS**, Meridia Bound Brook 300 Urban Renewal, Bound Brook, LLC (the “Owner”) owns certain property located on West Main Street, Bound Brook, NJ, also known as Lots 56.01 and 56.02, in Block 1 on the Borough of Bound Brook Tax map and located in the Downtown Redevelopment Area (hereinafter "the Property"); and

**WHEREAS**, the Owner is in the process of redeveloping the Property for the construction of 60 multi-family residential units and commercial space, pursuant to development approvals received from the Borough Planning Board and a redevelopment agreement with the Borough; and

**WHEREAS**, the Owner has/intends to file for building permits for construction on the Property and as such is required to pay sewer connection fees in accordance with the Borough Ordinance totaling \$168,000; and

**WHEREAS**, in order to facilitate the redevelopment of the Property, the Borough and Owner have agreed as to the payment of sewer connection fees by the Owner; and

**WHEREAS**, the Borough and Owner have agreed that the sewer connection fees shall be paid as follows: (a) one-half or \$84,000 was paid on or about August 4, 2022, and the balance of \$84,000 shall be paid no later than December 12, 2022; and

**WHEREAS**, the agreement between the Borough and Owner shall include that if the balance of sewer connection fees are not paid by December 12, 2022, the balance shall be subject to an interest charge of 18% from such date until payment is made in full, the Borough shall have the right at its option to file a lien on the Property for the unpaid balance and any interest which has accrued at any time after December 12, 2022 until such time as payment is made in full including any accrued interest and the Redeveloper shall not be permitted to apply for the issuance of any certificates of occupancy for the Property until the payment is made in full.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that it hereby approves and authorizes the execution of an agreement between the Borough and Meridia Bound Brook 300 Urban

Renewal, Bound Brook, LLC for the payment of sewer connection fees for the property located on Block 1, Lots 56.01 and 56.02, including the terms and conditions set forth in this resolution and substantially consistent with the sewer agreement attached hereto and made part of this resolution.

Attest:

Approved:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: August 9, 2022

BOROUGH OF BOUND BROOK  
RESOLUTION 2022-219

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 \$ 883,682.44.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 858,470.93
GRANT FUND	\$ 600.00
GENERAL CAPITAL FUND	\$ 3,7500.00
GENERAL TRUST FUND	\$ 5,848.53
RECREATION TRUST	\$ 476.00
SEWER	\$ 435.00
TAX COLLECTOR TRUST	\$ 5,000.00
TAX TITLE LIEN REDEMPTION	\$ 2,580.37
DEVELOPERS ESCROW	\$ 97.50
PAYROLL	\$ 6,424.11
TOTAL	<u>\$ 883,682.44</u>

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

\_\_\_\_\_  
Jasmine D. Mathis, Borough Clerk

Date of Adoption: August 9, 2022