



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
OCTOBER 25, 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

ROLL CALL

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

APPROVAL OF MINUTES

October 11, 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

Oath of Office- Lieutenant Jason Gianotto

Oath of Office- Sergeant Jesse Schwartz

Cheers Restaurant Liquor License Review Pursuant to Resolution 2022-163

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

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

COMMITTEE REPORTS

Chair of Finance – C. Dominic Longo

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

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

Liaison Committees:

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

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

Chair of Personnel, Administration & Ordinances - C. Lisa Brandi

Liaison Committees: Architectural Review Advisory Committee, Cultural Arts Committee

Chair of Economic Development C. Anthony Pranzatelli

Liaison Committees: Planning Board, Special Improvement District

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

Liaison Committees: Board of Health, Library Advisory Committee



INTRODUCTION OF ORDINANCES – FIRST READING

Ordinance 2022-41 An Ordinance Amending and Supplementing Chapter XXIX “Solid Waste Management”, Section 29-1.2 “Included Users and Charges”, of the General Revised Ordinances of the Borough of Bound Brook Prohibiting Adjustments to the Annual Dwelling Charges for the Disposal of Garbage

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on November 22, 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

INTRODUCTION/DISCUSSION OF RESOLUTIONS

2022-260 Resolution Authorizing the Promotion of Jason Gianotto to Lieutenant Within the Bound Brook Police Department

2022-261 Resolution Authorizing the Promotion of Jessie Schwartz to Sergeant Within the Bound Brook Police Department

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:

2022-262 Resolution Approving Relief of Moratorium for a Road Opening Permit Located at 127 Talmage Avenue

2022-263 Resolution Rescinding Resolution 2022-241 that was Titled “Removing 2021 Delinquency Sewer from the 2022 Tax Sale and Postponing the 2021 Delinquent Sewer to 2023” and Authorizing Prior Year Delinquent Sewer Charges to be Sold During the Tax Sale in 2022



- 2022-264 Resolution Authorizing Change Order No. 3 – Reivax Construction for the 2021 Road Program
- 2022-265 Resignation Accepting the Resignation of David Morris from the Recreation Commission
- 2022-266 Resolution Authorizing the Issuance of a Duplicate Tax Sale Certificate Pursuant to N.J.S.A. 54:5-52.1 for Block 13.01, Lot 25.02
- 2022-267 Resolution Rescinding Advertisement of Public Auction and Authorizing a Private Sale for the 2010 Pierce Fire Truck to a Government Unit, Chaffee County Fire Protection District
- 2022-268 Resolution Authorizing Licenses Under Article 1, Licenses and Procedures, of the Borough Code to be Automated by Munidex Inc.
- 2022-269 Resolution Approving the Promotion of Ryan Seiler to Assistant Mechanic in the Department of Public Works

UNFINISHED BUSINESS

NEW BUSINESS

Authorize advertisement of 2023 Requests for Professional Services

APPROVAL OF VOUCHERS

2022-270 Resolution Approving Vouchers in the Amount of \$616,436.99

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. 2022-41

AN ORDINANCE AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXIX “SOLID WASTE MANAGEMENT” SECTION 29-1.2, “INCLUDED USERS AND CHARGES”, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK PROHIBITING ADJUSTMENTS TO THE ANNUAL DWELLING CHARGES FOR THE DISPOSAL OF GARBAGE

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

SECTION 1. Chapter XXIX, Solid Waste, Section 29-1.2, “Include users and charges”, 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:

29-1.2 Included users and charges.

- a. Each single-family, two-family, three-family and four-family residence as well as every church, every private school, and the Post Office shall pay an annual charge of \$268 per dwelling unit for the disposal of their garbage through the Borough of Bound Brook. This charge shall entitle each such residential dwelling unit, church, private school and the Post Office to the collection of two approved garbage containers (as specified in Section 29-1.4b) per week during the months of January, February, March, April, May, June, September, October, and November, and the collection of two approved garbage containers plus one approved garbage bag (as specified in Section 29-1.4b) per week during the months of July, August, and December. garbage in excess these numbers of bags/containers per week placed curbside for removal must be identified with a solid waste disposal sticker. If the garbage is placed in bags, a sticker must be affixed. If placed in containers, the top item must have a sticker affixed to it so that it is plainly visible.

.....

- h. Effective January 01, 2023 – There shall be no exceptions to the annual per dwelling unit charge for the disposal of garbage through the Borough of Bound Brook as detailed in 29-1.2 a.**

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

This ordinance shall be a part of the Code of Borough of Bound Brook as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

ATTEST

Jasmine D. McCoy, Borough Clerk

BOROUGH OF BOUND BROOK

David Morris, Mayor

Date of Introduction: October 25, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-260

RESOLUTION AUTHORIZING THE PROMOTION OF JASON GIANOTTO TO
LIEUTENANT WITHIN THE BOUND BROOK POLICE DEPARTMENT

WHEREAS, Resolution 2022-170 authorized the promotion process for Lieutenant within the Bound Brook Police Department; and

WHEREAS, pursuant to Chapter 2, Administration, Section 2-21.9, "Promotions", the Public Safety Committee in consultation with the Chief of Police ranked all qualified candidates and recommended Jason Gianotto be promoted to Lieutenant within the Bound Brook Police Department;

WHEREAS, Jason Gianotto joined the Police Department in 2002 and was promoted to Sergeant January 2022;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, Jason Gianotto be promoted to Lieutenant within the Bound Brook Police Department effective November 1, 2022.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

David Morris, Mayor

Date of Adoption: October 25, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-261

RESOLUTION AUTHORIZING THE PROMOTION OF JESSE SCHWARTZ TO
SERGEANT WITHIN THE BOUND BROOK POLICE DEPARTMENT

WHEREAS, due to the promotion of Jason Gianotto from Sergeant to Lieutenant, a vacancy exists for the Sergeant position; and

WHEREAS, during the Lieutenant promotion process, the eligible candidates were ranked to be promoted to vacant positions; and

WHEREAS, Jesse Schwartz was ranked to fill the position of Sergeant; and

WHEREAS, Jesse Schwartz has served on the Police Department since 2013;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, Jesse Schwartz be promoted to Sergeant within the Bound Brook Police Department effective November 1, 2022.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

David Morris, Mayor

Date of Adoption: October 25, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-262

RESOLUTION APPROVING RELIEF OF MORATORIUM ON VAN KEUREN AVENUE
FOR ROAD OPENING PERMITS IN CONNECTION WITH THE VIEW LOCATED AT 127
TALMAGE AVENUE

WHEREAS, the developer for The View located at 127 Talmage Avenue has expressed the need to submit road opening permits for gas line installation, storm and sewer and the installation of domestic and fire water line on Van Keuren Avenue; and

WHEREAS, Van Keuran Avenue was reconstructed in 2017 and therefore is currently under a five (5) year moratorium;

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

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

David Morris, Mayor

Date of Adoption: October 25, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-263

RESOLUTION RESCINDING RESOLUTION 2022-241 THAT WAS TITLED “REMOVING 2021 DELINQUENT SEWER FROM THE 2022 TAX SALE AND POSTPONING THE 2021 DELINQUENT SEWER TO 2023” AND AUTHORIZING PRIOR YEAR DELINQUENT SEWER CHARGES TO BE SOLD DURING THE TAX SALE IN 2022

WHEREAS, the Tax Collector was authorized to remove 2021 sewer delinquency from the 2022 sale by resolution 2022-241, and;

WHEREAS, in preparation for the sale the Tax Collector realized that the software cannot accommodate the removal of the sewer delinquency without miscalculating interest due; and

WHEREAS, the proper interest charges are essential to the tax sale;

NOW THEREFORE, BE IT RESOLVED the Borough Council authorizes the Borough Tax Collector to include the delinquent prior year sewer charges in the 2022 tax sale.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

David Morris, Mayor

Date of Adoption: October 25, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-264

RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 – REIVAX CONSTRUCTION
FOR THE 2021 ROAD PROGRAM

WHEREAS, the Borough of Bound Brook awarded a contract to Reivax Construction for the 2021 Road Improvement Program in the amount of \$929,993.68; and

WHEREAS, Change Order No.3 decreased the overall contract amount by \$88,991.24; and

WHEREAS, there is a reduction in the overall project in the amount of \$69,644.55; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, Change Order No. 3 to Reivax Contracting Corporation reduces the contract price for the 2021 Road Program to \$\$860,349.13.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

David Morris, Mayor

Date of Adoption: October 25, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-265

RESOLUTION ACCEPTING THE RESIGNATION OF DAVID MORRIS FROM THE
RECREATION COMMISSION

WHEREAS, David Morris was appointed Mayor of the Borough of Bound Brook to fill an unexpired term; and

WHEREAS, David Morris previously served on the Recreation Commission and has submitted his resignation commission; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Bound Brook accepts the resignation of David Morris as member of the Recreation Commission.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

David Morris, Mayor

Date of Adoption: October 25, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-266

**RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE
CERTIFICATE PURSUANT TO N.J.S.A. 54:5-52.1 FOR BLOCK 13.01, LOT 25.02**

WHEREAS, the Tax Collector of the Borough of Bound Brook has previously issued a tax sale certificate to WSFS AS CUST LVTLOPS/FIRSTTRUST which certificate is dated November 19, 2021 covering premises commonly known and referred to as Block 13.01 and Lot 25.02 as set out on the municipal tax map then in use which certificate bears number 21-0009.

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto.

NOW, THEREFORE, be it resolved by the Mayor and Governing Body of the Borough of Bound Brook that the Tax Collector is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit and the payment of a fee of \$100.00 per certificate, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the lost certificate as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

BE IT FURTHER RESOLVED that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

David Morris, Mayor

Date of Adoption: October 25, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-267

RESOLUTION RESCINDING ADVERTISEMENT OF PUBLIC AUCTION AND
AUTHORIZING A PRIVATE SALE FOR THE 2010 PIERCE FIRE TRUCK TO A
GOVERNMENT UNIT, CHAFFEE COUNTY FIRE PROTECTION DISTRICT

WHEREAS, from September 25, 2022 to October 11, 2022 the Borough of Bound Brook (the “Borough”) held a duly advertised public auction to sell a 2010 Pierce Fire Truck (the “Fire Truck”); and

WHEREAS, the Borough received two (2) bids to purchase the Fire Truck; and

WHEREAS, pursuant to Resolution 2022-256, the Borough rejected all bids because such rejection is in the public interest, and authorized a subsequent public sale be readvertised; and

WHEREAS, the Borough advertised the public sale to be held on October 24, 2022; and

WHEREAS, in the interim, the Borough received a communication from Chaffee County Fire Protection District, a public body of the State of Colorado, expressing interest in purchasing the Fire Truck in the amount of \$200,000, which amount is above the highest price bid by the rejected bidders at the public auction; and

WHEREAS, pursuant to N.J.S.A. 40A:11-36(2), the Borough is authorized to sell to a government unit of the United States at a private sale without the need for public bidding; and

WHEREAS, the Borough desires to consummate such sale to Chaffee County Fire Protection District, located in Buena Vista, Colorado,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the duly advertised notice of public sale to be held on October 24, 2022, is hereby rescinded and all actions heretofore taken to cancel the public sale is hereby ratified; and

BE IT FURTHER RESOLVED that the Borough hereby agrees to sell the 2010 Pierce Fire Truck, in as is condition, to Chaffee County Fire Protection District, located in Buena Vista, Colorado, at a purchase price of \$200,000.00; and

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to undertake all necessary actions and execute all necessary documents to consummate the aforesaid sale.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

David Morris, Mayor

Date of Adoption: October 25, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-268

RESOLUTION AUTHORIZING LICENSES UNDER ARTICLE 1, LICENSES AND PROCEDURES OF THE BOROUGH CODE TO BE AUTOMATED BY MUNIDEX INC

WHEREAS, the Borough Clerk's Office administers the issuance, renewal and revocation of all licenses under Article 1, Licenses and Procedures, of the Borough Code; and

WHEREAS, to streamline the licensing process, the Borough Clerk desires to automate the issuance of licenses under Article 1, Licenses and Procedures, and

WHEREAS, various software vendors were evaluated and Munidex Inc. was determined to offer the most advantageous software for the licensing process; and

WHEREAS, Munidex Inc assesses a service fee to the cardholder on each transaction in the amount of 2.95 percent;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook, that the Borough Clerk's Office is authorized to issue and renew licenses through Munidex Inc.

BE IT FURTHER RESOLVED, the service fee of 2.95 percent is hereby authorized to be assessed by Munidex Inc. to the cardholder.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

David Morris, Mayor

Date of Adoption: October 25, 2022

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2022-269

RESOLUTION APPROVING THE PROMOTION OF RYAN SEILER TO ASSISTANT
MECHANIC WITHIN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Superintendent of Public Works has recommended the promotion of Ryan Seiler from Laborer B to Assistant Mechanic within the Department of Public Works; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook that Ryan Seiler be promoted to Assistant Mechanic at the hourly rate of \$30.38 per the AFSCME contract.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

David Morris, Mayor

Date of Adoption: October 25, 2022

BOROUGH OF BOUND BROOK
RESOLUTION 2022-270

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 \$ 616,436.99.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 327,846.68
GRANT FUND	\$ 18,322.66
GENERAL CAPITAL FUND	\$ 245,357.78
GENERAL TRUST FUND	\$ 1,433.47
RECREATION TRUST	\$ 309.50
HOUSING REHAB	\$ 21,505.60
PAYROLL	\$1,661.30
TOTAL	<u>\$ 616,436.99</u>

Approved:

David Morris, Mayor

Attest:

Jasmine D. McCoy, Borough Clerk

Date of Adoption: October 25, 2022