



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
JANUARY 24, 2023 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. Vinnie Petti
C. Anthony Pranzatelli
C. Dominic Longo
C. Linda Brnicevic
C. Kendall Lopez

APPROVAL OF MINUTES

December 27, 2022 Regular Meeting

Motion: Second:

Roll Call:

C. Abel Gomez____ C. Vinnie Petti____ C. Anthony Pranzatelli____

C. Dominic Longo____ C. Linda Brnicevic ____ C. Kendall Lopez____



January 3, 2023 Reorganization Meeting

Motion: Second:

Roll Call:

C. Abel Gomez____ C. Vinnie Petti____ C. Anthony Pranzatelli____

C. Dominic Longo____ C. Linda Brnicevic ____ C. Kendall Lopez____

January 10, 2023 Regular Meeting

Motion: Second:

Roll Call:

C. Abel Gomez____ C. Vinnie Petti____ C. Anthony Pranzatelli____

C. Dominic Longo____ C. Linda Brnicevic ____ C. Kendall Lopez____

ADVERTISED HEARING OR SPECIAL PRESENTATION

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

Bound Brook Pool Renovations Phase 1- submission January 24, 2023

ENGINEER’S REPORT- DALE LEUBNER, DIRECTOR OF PUBLIC WORKS

COMMITTEE REPORTS

Chair of Finance – C. Dominic Longo

Liaison Committees: Recreation Commission, Special Improvement District

Chair of Public Works, Bldgs., Grounds & Utilities – C. Linda Brnicevic

Liaison Committees: Board of Health, Library Advisory Board,



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

Chair of Personnel, Administration & Ordinances - C. Kendall Lopez
Liaison Committees: Board of Education, Historic Preservation

Chair of Economic Development C. Anthony Pranzatelli
Liaison Committees: Bound Brook Seniors

Chair of Zoning, Construction & Code Enforcement - C. Vinnie Petti
Liaison Committees: BB/SBB Municipal Alliance/ Youth Services Commission

INTRODUCTION OF ORDINANCES – FIRST READING

Ordinance 2023-03 An Ordinance Amending and Supplementing Chapter 7, Traffic, Section 40, “Control For Movement and the Parking of Traffic on Public and Private Property” of the Revised General Ordinances of the Borough of Bound Brook to Remove Municipal Parking Lot 5 and 6

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on February 14, 2023.

Second:

Roll Call:

C. Abel Gomez____ C. Vinnie Petti____ C. Anthony Pranzatelli____

C. Dominic Longo____ C. Linda Brnicevic ____ C. Kendall Lopez____

Ordinance 2023-04 An Ordinance Amending and Supplementing Chapter 7, Traffic, Section 7-12, “Parking Time Limited on Certain Streets” of the Revised General Ordinances of the Borough of Bound Brook to Designate 15-Minute Parking Zones

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on February 14, 2023.

Second:



Roll Call:

C. Abel Gomez____ C. Vinnie Petti____ C. Anthony Pranzatelli____

C. Dominic Longo____ C. Linda Brnicevic ____ C. Kendall Lopez____

Ordinance 2023-05 Ordinance of the Borough Council of the Borough of Bound Brook Somerset County, New Jersey Amending the Purchase Price for the Acquisition by Negotiated Purchase of Property Identified on the Tax Map of the Borough of Bound Brook as Block 10, Lot 5 Located at 11 Maiden Lane for a Public Purpose in the Amount of \$1,050,000.00

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on February 14, 2023.

Second:

Roll Call:

C. Abel Gomez____ C. Vinnie Petti____ C. Anthony Pranzatelli____

C. Dominic Longo____ C. Linda Brnicevic ____ C. Kendall Lopez____

ORDINANCES ON FINAL READING AND CONSIDERATION- SECOND READING

Ordinance 2023-01 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. for the Inclusion of Lot 68.031 in Sub Area 1.4, as Indicated on the Zoning Map

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. Vinnie Petti____ C. Anthony Pranzatelli____

C. Dominic Longo____ C. Linda Brnicevic ____ C. Kendall Lopez____

Ordinance 2023-02 An Ordinance of the Borough Council of the Borough of Bound Brook Repealing Ordinance 2019-01, Amendment to Salary Range Ordinance for the Office of Emergency Management Coordinator

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. Vinnie Petti____ C. Anthony Pranzatelli____

C. Dominic Longo____ C. Linda Brnicevic ____ C. Kendall Lopez____

INTRODUCTION/DISCUSSION OF RESOLUTIONS

2023-021 Resolution Amending the By-Laws of the Borough Council of the Borough of Brook to Allow Governing Body Members to Participate in a Public Meeting of the Mayor and Council Virtually or by Telephone

The second reading will be held on February 14, 2023

Motion: Second:

Roll Call:

C. Abel Gomez____ C. Vinnie Petti____ C. Anthony Pranzatelli____

C. Dominic Longo____ C. Linda Brnicevic ____ C. Kendall Lopez____



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:
2023-022	Resolution Authorizing a Refund to Martin Walker in the Amount of \$25.00 for Commuter Parking	
2023-023	Resolution Approving and Authorizing Execution of a Parking Space Agreement with Joseph and Dominick Todaro Owners of Mama Rosina's, or an Entity Owned by Them, for Parking Spaces on New Jersey Transit Parking Lot in Front of Mama Rosina's Restaurant in the West Side Train Station Building	
2023-024	Resolution of the Borough of Bound Brook Authorizing Payment of Supplemental Assessments to the Middlesex County Joint Insurance Fund	
2023-025	Resolution Authorizing Participation in the Defense Logistics Agency, Law Enforcement Support Office, 1033 Program to Enable the Borough of Bound Brook, Through the Borough of Bound Brook Police Department, to Request and Acquire Excess Department of Defense Equipment	
2023-026	Resolution Appointing Daniel Whelan and Diana Romero to the Shade Tree Commission as Alternate Members	
2023-027	Resolution Correcting the Refund Amount for the Overpayment of 2022 Sewer Fees for 733 Cedarcrest Drive, Also Known on the Tax Map as Block 69, Lot 52	
2023-028	Resolution Awarding 2023 Professional Services Contracts for Planning Board Professional Services	
2023-029	Resolution Authorizing the Cancellation of Various Capital Bond Ordinances in the Amount of \$438,052.14	

UNFINISHED BUSINESS

NEW BUSINESS



APPROVAL OF VOUCHERS

2023-030 Resolution Approving Vouchers in the Amount of \$992,682.11

Motion: Second:

Roll Call:

C. Abel Gomez____ C. Vinnie Petti____ C. Anthony Pranzatelli____

C. Dominic Longo____ C. Linda Brnicevic ____ C. Kendall Lopez____

OPEN TO THE PUBLIC FOR COMMENT

AUTHORIZE EXECUTIVE SESSION

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-03

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SECTION 40, “CONTROL FOR MOVEMENT AND THE PARKING OF TRAFFIC ON PUBLIC AND PRIVATE PROPERTY” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO REMOVE MUNICIPAL PARKING LOT 5 AND 6

WHEREAS, Ordinance 2019-50-1 authorized the conveyance of Block 12, Lot 5.01, also known as Municipal Parking Lot 5, Archies Parking Lot, to Hamilton Street Urban Renewal LLC; and

WHEREAS, Ordinance 2019-52 authorized the conveyance of Block 1, Lot 56.02, also known as Municipal Parking Lot 6, Kurtz’s Parking Lot, to Meridia 300 Urban Renewal Bound Brook, LLC;

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 7, Traffic, Section 40, “Control for Movement and the Parking of Traffic on Public and Private Property”, 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]** to remove Tax Block 12, Lots 5.01 and Block 1, Lot 56.01 and Lot 56.02 as municipal parking lots as follows:

Property	Location	Time Limit	Cost
Municipal Parking Lot #1	1-hour metered parking is only permitted on the west side of Municipal Lot 1. Parking on the north, south and east portion of the plaza are designated to the business occupying the former NJ transit passenger station	1 hour	Parking meters - \$0.25 per hour
Municipal Parking Lot #2 [Amended by Ord. No. 2015-15]	The lot south of Main Street between the former passenger station of N.J. Transit and the former freight station of the Central Railroad of N.J., now commonly known as the "Park and Ride" facility	24 hours (extended parking)	Hang tags - \$105 per month
		Commuter parking	Hang tags - \$50 per month

First Reading Ordinance 2023-03

Property	Location	Time Limit	Cost
		5:00 a.m. - 11:00 p.m.	
Municipal Parking Lot #3 [Amended by Ord. No. 2015-15; Ord. No. 2015- 18; 7-25- 2017 by Ord. No. 2017- 22; 11-3- 2017 by Ord. No. 2017-32]	The lot on the south side of Main Street, now commonly known as the "Park and Ride," upon which was located the former freight station of the Central Railroad of N.J.	24 hours	Slot box - \$4 for 24 hours
		24-hour - extended parking	Hang tags - \$105 per month
		Commuter Parking 5:00 a.m. - 1:00 a.m.	Hang tags - \$50 month
Municipal Parking Lot #4	The lot located at the present Municipal Building at the corner of Hamilton Street and Somerset Street	24 hours	\$2 per day
[Municipal Parking Lot #5] [Amended 7- 25- 2017 by Ord. No. 2017- 22; 11-3- 2017 by Ord. No. 2017-32]	[The lot on the north side of Main Street at Block 12, Lot 5.01, commonly known as "Archie's Parking Lot"]	[2 hours at parking meters on west side]	[Parking meters-\$0.25 per hour]
		[24hours at hang tag spaces on east side]	[Hang tags - \$105 per month]
[Municipal Parking Lot #6] [Amended 7- 25- 2017 by Ord. No. 2017- 22; 11-3- 2017 by Ord. No. 2017-32]	[The lot on the south side of Main Street at Block 1, Lot 56.01, commonly known as "Kurtz's Parking Lot"]	[2 hours when using parking meters]	[Parking meters - \$0.50 per hour]
		[24 hours]	[Slot box - \$4 for 24 hours]

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 David Morris

Date of Introduction: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-04

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SECTION 7-12, “PARKING TIME LIMITED ON CERTAIN STREETS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO CREATE SECTION 7-12C, “15 MINUTE PARKING ZONES”

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

SECTION 1. Chapter 7, “Traffic”, Section 7-12c “15 Minute Parking Zones” of the Revised General Ordinances of the Borough of Bound Brook is hereby created by inserting the text **underlined and marked in bold**, to read as follows:

c. 15 Minute Parking Zones

The following areas, streets, or parts of streets and municipal parking lots are designated as 15-minute parking zones:

<u>Street</u>	<u>Side</u>	<u>Limit</u>	<u>Location</u>
<u>E. Main St.</u>	<u>South</u>	<u>15 min</u>	<u>Beginning 74.5 ft east of Mountain Ave. curb line and ending at 96 ft.</u>
<u>E. Main St.</u>	<u>South</u>	<u>15 min</u>	<u>Beginning 45.4 ft west of Maiden Ln. curb line and ending at 69.5 ft.</u>
<u>E. Main St.</u>	<u>South</u>	<u>15 min</u>	<u>Beginning 46.5 ft east of Hamilton St. curb line and ending at 96 ft.</u>
<u>E. Main St.</u>	<u>South</u>	<u>15 min</u>	<u>Beginning 41.8 ft west of East St. curb line and ending at 62.5 ft</u>
<u>E. Main St.</u>	<u>North</u>	<u>15 min</u>	<u>Beginning 52.5 ft west of East St. curb line and ending at 72 ft</u>
<u>E. Main St.</u>	<u>North</u>	<u>15 min</u>	<u>Beginning 130.1 ft west of East St. curb line and ending at 148.3 ft.</u>
<u>E. Main St.</u>	<u>North</u>	<u>15 min</u>	<u>Beginning 61.7 ft east of Hamilton St. curb line and ending at 85 ft.</u>
<u>E. Main St.</u>	<u>North</u>	<u>15 min</u>	<u>Beginning 38.5 ft west of East St. curb line and ending at 60.5 ft.</u>
<u>E. Main St.</u>	<u>North</u>	<u>15 min</u>	<u>Beginning 45.2 ft west of East St. curb line and ending at 66.3 ft</u>
<u>E. Main St.</u>	<u>North</u>	<u>15 min</u>	<u>Beginning 76.2 ft east of Mountain Ave. curb line and ending at 98.4 ft.</u>

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

Mayor David Morris

Date of Introduction: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-05

ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK, SOMERSET COUNTY, NEW JERSEY AMENDING THE AUTHORIZED PURCHASE PRICE FOR THE ACQUISITION BY NEGOTIATED PURCHASE OF PROPERTY IDENTIFIED ON THE TAX MAP OF THE BOROUGH OF BOUND BROOK AS BLOCK 10, LOT 5 LOCATED AT 11 MAIDEN LANE FOR A PUBLIC PURPOSE

WHEREAS, Ordinance 2022-34 authorized the acquisition by negotiated purchase or property identified on the tax map of the Borough of Bound Brook as Block 10, Lot 5 located at 11 Maiden Lane for public purchase in the amount of \$925,000.00; and

WHEREAS, there is a need to increase the negotiated price for the sale of the Property in the total amount of \$1,050,000.00; and

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

SECTION I:

Pursuant to N.J.S.A. 40A:12-1, et seq., the Local Lands and Buildings Law, the Borough of Bound Brook (the “Borough”) has the power to acquire any real property for a public purpose through negotiated agreement or by the exercise of the power of eminent domain.

SECTION II:

The Borough determines that it is in the public interest and for a public purpose and use to acquire a fee simple interest in a 2-story industrial/commercial building identified as Block 10, Lot 5, located 11 Maiden Lane, Bound Brook, New Jersey (the “Property”).

SECTION III:

The Borough and Property owner have agreed to a price for the sale of the Property of \$1,050,000.00.

SECTION IV:

Subject to the availability and separate authorization of funding, the Borough and the Property owner have negotiated and agreed to the sale of the Property to the Borough for \$1,050,000.00 to be paid at closing on the conveyance of the Property.

SECTION V:

The Borough authorizes all actions necessary and convenient for the acquisition of the Property by negotiated purchase.

SECTION VI:

The Mayor and Borough Clerk are hereby authorized to execute and witness a contract of sale in a form to be approved by the Borough's legal counsel and any other documents necessary to effectuate the acquisition of title in and to the Property by the Borough.

SECTION VII:

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION VIII:

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION IX:

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

ATTEST

Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

David Mayor Morris

Date of Introduction: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-01

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. FOR THE INCLUSION OF LOT 68.031 IN SUB-AREA 1.4 AS INDICATED ON THE ZONING MAP

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 have been adopted in 2017, 2018, 2019 and 2022.

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 underscoring, while deleted language is indicated by a ~~strikethrough~~ and explanatory comments are [bracketed].

- (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 42.1, 44-49, 49.01, 50-55, 56.01, 56.02, 57-67, 68.02, 68.03, ~~and 70~~, and lot 68.031, as indicated on the revised zoning map. [The rest of this section is left unchanged].
- (b) Section 1.2 – Redevelopment Area 1: Sub-Areas 1.1, 1.2, 1.3 and 1.4 Defined [..]
Sub-Area 1.4 is located on both sides of East Main Street, north of the railroad right-of-way, between Church Street and the Borough line with Middlesex Borough. It includes the following parcels:
Block 1, lots 42.01, 4344-49, 49.01, 50-55, 56.01, 56.02, 57-67, 68.02, 68.03, 68.031 and 70; [The rest of this section is left unchanged]

Most of Sub-Area 1.4 is zoned Business-Residential (B-R), with the following exceptions:

- A number of properties fronting on the east side of East Street and on both sides of East Second Street are zoned Residential 6 (R-6);
 - Billion Legion Park is zoned Office-Business (O-B);
 - Four parcels on the East side of Hamilton Street, south of East High Street, are also zoned Office-Business (O-B);
 - A number of properties along both sides of Church Street, south of East Second Street, are zoned Residential 4 (R-4); and
 - The block defined by John Street, East Second Street, Mountain Avenue and an un- named alley behind East Main Street is also zoned Residential 4 (R-4).
 - Lot 68.031, previously zoned Railroad – RR, is now included in the B-R district.
- (c) Section 8.2.2.1 – Relationship to the Intent and Purpose of the Master Plan [add to the end of this section]: The Planning Board adopted a Master Plan Reexamination Report in June of 2017, a Land Use Plan element and a Statement of Goals and Objectives in February of 2019 and a Master Plan Reexamination Report in October of 2019. This Redevelopment Plan for Area 1 is generally consistent with those documents and is intended to implement them.
- (d) The zoning map shall be amended to reflect the inclusion of lot 68.031 in Sub-Area 1.4.

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, or 45 days after the referral, 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 Redevelopment Plan for Redevelopment Area 1 shall be amended accordingly and shall include the date of adoption of this Ordinance.

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

ATTEST

Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

Mayor David Morris

Date of Introduction: January 10, 2023

Date of Adoption: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-02

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK REPEALING ORDINANCE 2019-01, AMENDMENT TO SALARY RANGE, FOR THE OFFICE OF EMERGENCY MANGEMENT COORDINATOR

WHEREAS, Ordinance 2019-01, “Amendment to Salary Range Ordinance” was introduced on January 22, 2019 to set rates for the position of Office of Emergency Management Coordinator; and later adopted on February 26, 2019 (the “Ordinance”);

WHEREAS, the “Ordinance” provided the payment of salaries, wages or compensation described therein was subject to funding in the 2019 budget and subsequent budgets notwithstanding the effective date of this Ordinance; and

WHEREAS, the funding for the position of Office of Emergency Management Coordinator does not exist in the current budget and as such, it is in the best interest of the Borough to repeal the Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, Ordinance 2019-01, “Amendment to Salary Range Ordinance” is repealed.

SECTION 1: EFFECTIVE DATE

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

ATTEST

BOROUGH OF BOUND BROOK

Jasmine D. McCoy
Borough Clerk

Mayor David Morris

Date of Introduction: January 10, 2023

Date of Adoption: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-021

RESOLUTION AMENDING THE BY-LAWS OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK TO ALLOW GOVERNING BODY MEMBERS TO PARTICIPATE IN A PUBLIC MEETING OF THE MAYOR AND COUNCIL VIRTUALLY OR BY TELEPHONE

WHEREAS, the Borough Council of the Borough of Bound Brook (“Borough”) has previously adopted By-Laws governing its organization and providing rules of order the (“By-Laws”); and

WHEREAS, pursuant to Article X, Amendments, “These By-Laws shall only be altered or amended by an affirmative vote of not less than two-thirds (2/3) of the Mayor and Borough Council (i.e. five (5) affirmative votes) on a roll-call taken at two successive public meetings of the Mayor and Borough Council; and

WHEREAS, the following is proposed to amend and supplement Article IV, Meetings, of the By-Laws as follows:

“Section 14. Governing Body members may attend up to five (5) public meetings of the Mayor and Council virtually or by telephone.”

WHEREAS, the proposed amendment will be considered for final adoption at the next regularly scheduled meeting of the Mayor and Council, Tuesday, February 14, 2023 at 7:00 p.m.,

NOW, THEREFORE, BE IT RESOLVED that the aforesaid recitals be and are hereby incorporated as set forth at length; and

BE IT FURTHER RESOLVED that the foregoing amendment to the By-Laws is hereby approved for consideration and final adoption at the regularly scheduled meeting of the Mayor and Council on February 14, 2023.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-022

RESOLUTION AUTHORIZING A REFUND TO MARTIN WALKER IN THE AMOUNT OF \$25.00 FOR COMMUTER PARKING

WHEREAS, Martin Walker obtained a commuter parking hang tag for the month of January 2023; and

WHEREAS, Martin Walker submitted a request to the Borough Clerk's Office to receive a partial refund in the amount of \$25.00 due to no longer needing the hangtag; and

WHEREAS, the request was submitted prior to the 15th of the month and the hangtag for January 2023 was surrendered to the Clerk's Office;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook a partial refund in the amount of \$25.00 for commuter parking be issued to Martin Walker.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-023

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A PARKING SPACE AGREEMENT WITH JOSEPH AND DOMINICK TODARO OWNERS OF MAMA ROSINA'S, OR AN ENTITY OWNED BY THEM, FOR PARKING SPACES ON NEW JERSEY TRANSIT PARKING LOT IN FRONT OF MAMA ROSINA'S RESTAURANT IN THE WEST SIDE TRAIN STATION BUILDING

WHEREAS, the Borough of Bound Brook (the "Borough") is a lessee of the New Jersey Transit Corporation (hereinafter "N.J. Transit") pursuant to a Lease Agreement dated September 23, 1982 (the "Lease"), which Lease covers that certain railroad station parcel situated at Block 1, Lot 68 (now Lots 68.01 & 68.02) (the "Property") as shown on the tax map of Bound Brook and as described in the Lease; and

WHEREAS, Joseph and Dominick Todaro, owners of Mama Rosina's (the "Tenant") currently operates a restaurant in the westbound railroad station located on the Property (the "Building") pursuant to an April 29, 2009 lease between Borough and Tenant Sublessor which expired on or about April 30, 2019 and the Tenant has continued to operate the restaurant on a month-to-month basis as a holdover (the "Sublease Agreement"), which Sublease Agreement was approved by NJ Transit; and

WHEREAS, the Borough and Tenant have agreed to enter into an extension of the Sublease Agreement for the Building, which shall be for five (5) years commencing at the end of the Sublease Agreement and running to April 30, 2024 with the right for an additional five (5) year extension ("Sublease Extension"); and

WHEREAS, the Borough also has the right to sublease the Property for parking for the public subject to certain conditions in the NJT Lease and the Borough has entered into several parking agreements for parking on the Property; and

WHEREAS, the Borough agrees to sublease parking spaces on the Property to the Tenant as on the terms and rates set forth in the attached parking space agreement, which is made part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bound Brook that it hereby approves and authorizes the execution of the attached parking space agreement by and between the Borough and Joseph and Dominick Todaro, owners of Mama Rosina's or an entity owned by them, for the use of parking spaces on the Property in accordance with the terms and conditions of such parking space sublease agreement.

BE IT FURTHER RESOLVED that Mayor and Borough Clerk are hereby directed and authorized to execute the parking space agreement in the form substantially consistent with that attached hereto, subject to final review and approval by legal counsel.

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

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-024

**RESOLUTION OF THE BOROUGH OF BOUND BROOK AUTHORIZING
PAYMENT OF SUPPLEMENTAL ASSESSMENTS TO THE MIDDLESEX
COUNTY JOINT INSURANCE FUND**

WHEREAS the Borough of Bound Brook (the Borough) was previously a member of the Middlesex County Municipal Joint Insurance Fund (the Fund); and

WHEREAS the Fund has levied a special assessment on members as a result of a certified audit of the years 2001-2020 and have determine cumulative deficits exist for certain years that the Borough was a member of the Fund; and

WHEREAS the New Jersey Department of Banking and Insurance conducted a Statutory Examination of the audit; and

WHEREAS the Borough's share of the 2001 – 2020 supplemental assessment is \$689,482.36; and

WHEREAS the Fund previously stated that the Borough may satisfy the 2001 – 2020 supplemental assessment of \$689,482.36 by acknowledging the amount of the supplemental assessment and stating that it intends to make payments as follows: (a) ten percent before December 30, 2022; (b) fifteen percent on or before March 31, 2023, and (c) the remaining balance in seven (7) equal annual installments without interest starting in the first quarter of 2024; and

WHEREAS the Borough did not make a ten percent before December 30, 2022, and the 2023 payment is due in the first quarter of 2023.

NOW, THEREFORE, BE IT RESOLVED:

1. The Chief Financial Officer and all necessary Borough officers and employees are authorized to make payments to the Fund in accordance with the foregoing.
2. The Chief Financial Officer and all necessary Borough officers and employees are directed to make a payment of twenty-five (25%) of the \$689,482.36 supplemental assessment, or \$172,370.59, to the Fund in accordance with the foregoing.
3. These payments shall be made no later than January 31, 2023.
4. All necessary Borough officers and employees are authorized to execute documents to effectuate the foregoing subject to attorney review.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

1. Borough Attorney
2. Borough CFO
3. Middlesex County Municipal Joint Insurance Fund

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-025

RESOLUTION AUTHORIZING PARTICIPATION IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE BOROUGH OF BOUND BROOK, THROUGH THE BOROUGH OF BOUND BROOK POLICE DEPARTMENT, TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through the 1033 Program;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, that the Borough of Bound Brook Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the calendar year from January 1, 2023 to December 31, 2023

BE IT FURTHER RESOLVED, that the Borough of Bound Brook Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, clothing, respirators, binoculars, and any other supplies or equipment of a non-military nature

identified by the LEA, if it shall become available in the period of time for which this resolution authorizes based on the needs of the Bound Brook Police Department, without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Bound Brook Police Department is hereby authorized to acquire the following “DEMIL B through Q” property: “TRUCK,CARGO; TRUCK,UTILITY; TRUCK,VAN”, if it shall become available in the period of time for which this resolution authorizes; and

BE IT FURHER RESOLVED that the Bound Brook Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURHER RESOLVED that the Bound Brook Police Department shall provide a quarterly accounting of all property through the 1033 Program which shall be available to the public upon request; and

BE IT FURHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2023 to December 31, 2023

BE IT FURTHER RESOLVED that this authorizing resolution will expire on December 31, 2023 and continued participation in this program will require annual authorization by the governing body.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-026

RESOLUTION APPOINTING DANIEL WHELAN AND DIANA ROMERO TO THE SHADE
TREE COMMISSION AS ALTERNATE MEMBERS

WHEREAS, vacancies exist on the Shade Tree Commission; and

WHEREAS, the following residents have expressed interest in serving on the Commission:

	<u>Term</u>	<u>Expiration</u>
Daniel Whelan, Alternate 1	1 year	2023
Diana Romero, Alternate 2	1 year	2023

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, that Daniel Whelan and Diana Romero be appointed for the above designated terms.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-027

RESOLUTION CORRECTING THE REFUND AMOUNT FOR THE OVERPAYMENT OF 2022 SEWER FEES FOR 733 CEDARCREST DRIVE, ALSO KNOWN ON THE TAX MAP AS BLOCK 69, LOT 52

WHEREAS, Resolution 2023-012 authorized a refund for the overpayment of 2022 sewer fees for 733 Cedarcrest Drive in the amount of \$124.07; and

WHEREAS, a correction is required; and

WHEREAS, the correct refund amount is \$515.87;

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 sewer overpayment be refunded in the amount of \$515.87 by the Tax Collector.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: January 24, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-028

RESOLUTION AWARDING 2023 PROFESSIONAL SERVICES CONTRACT FOR
PLANNING BOARD PROFESSIONAL SERVICES

WHEREAS, the Planning Board of the Borough of Bound Brook has the need to acquire certain professionals; and

WHEREAS, the Borough of Bound Brook solicited qualifications for certain professional services for the calendar year 2023 through a fair and open process in accordance with N.J.S.A. 19:44a-20.5 et seq.;

WHEREAS, those professionals listed were appointed at the Planning Board Reorganization Meeting of January 12, 2023;

WHEREAS, the Chief Finance Officer has certified the availability of funds from the 2023 budget;

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a notice of the resolution awarding contracts for professional services without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook that the following Planning Board professional services contracts are approved:

Planning Board Attorney-
McElroy Deutsch, Morristown, NJ
1 year agreement – January 1, 2023 to December 31, 2023
Amount not to exceed: \$5,000.00

Planning Board Planner
T&M Associates, Bloomfield, NJ
1 year agreement – January 1, 2023 to December 31, 2023
Amount not to exceed: \$5,000.00

Planning Board Engineer
T&M Associates, Bloomfield, NJ
1 year agreement – January 1, 2023 to December 31, 2023
Amount not to exceed: \$5,000.00

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk
Date of Adoption: January 24, 2023

Mayor David Morris

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-029

RESOLUTION AUTHORIZING THE CANCELLATION OF VARIOUS CAPITAL BOND
ORDINANCES IN THE AMOUNT OF \$438,052.14

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorization may be cancelled;

NOW THEREFORE, BE IT RESOLVED, by the council of the Borough of Bound Brook, that the following unexpended and dedicated balances of General Capital Appropriations be cancelled:

Ordinance #	Description	Total Amount	Funded	Unfunded
2012-13	Various Public Improvements	82.64	82.64	
2014-11	Various Public Improvements	4,709.45		4,709.45
2018-27	Various Public Improvements	162,923.09	162,923.09	
2019-16	Various Public Improvements	183,000.00	183,000.00	
2019-43	2019 Road Improvement Project	19,364.55	19,364.55	
2019-46	Acquisition of Fire Truck	50,046.47	50,046.47	
2020-17	Various Public Improvements	9,090.53	9,090.53	
2020-28	Generator for Municipal Building	8,835.41	8,835.41	
Total		438,052.14	433,342.69	4,709.45

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: January 24, 2023

BOROUGH OF BOUND BROOK
RESOLUTION 2023-030

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 \$ 992,682.11.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 609,040.49
GRANT FUND	\$ 308,386.54
GENERAL CAPITAL FUND	\$ 24,271.52
GENERAL TRUST FUND	\$ 5,477.05
RECREATION TRUST	\$ 2,025.00
HOUSING REHAB	\$ 1,298.00
DEVELOPERS ESCROW	\$ 24,617.95
ENGINEERING ESCROW	\$ 13,002.00
PAYROLL	\$4,563.56
TOTAL	<u>\$ 992,682.11</u>

Approved:

Mayor David Morris

Attest:

Jasmine D. McCoy, Borough Clerk

Date of Adoption: January 24, 2022