



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
FEBRUARY 14, 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

January 24, 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

Condition on Plenary Retail Consumption License No. 1804-32-011-009 Held in the Name of Cheers Restaurant

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

Bound Brook Pool Renovation Phase 1
Bid Opening held on February 8, 2023

Bid Submissions:

All State Technology	\$2,850,000.00
Heuer & Company	\$4,445,000.00
Alna Construction	\$5,370,000.00

INTRODUCTION OF ORDINANCES – FIRST READING

Ordinance 2023-06 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank for the 2023 Calendar Year

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on February 28, 2023.

Second:

Roll Call:

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

C. Dominic Longo____ C. Linda Brnicevic _____ C. Kendall Lopez_____

Ordinance 2023-07 Bond Ordinance Providing for the Acquisition of Property in and by the Borough of Bound Brook, in the County of Somerset, New Jersey, Appropriating \$1,300,000 Therefor and Authorizing the Issuance of \$1,110,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on February 28, 2023.



Second:

Roll Call:

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

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

Ordinance 2023-08 Bond Ordinance Providing for Various Capital Improvements in and by the Borough of Bound Brook, in the County of Somerset, New Jersey, Appropriating \$1,364,000 Therefor and Authorizing the Issuance of \$1,295,800 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on February 28, 2023.

Second:

Roll Call:

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

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

Ordinance 2023-09 Ordinance Amending and Supplementing Chapter 29, "Solid Waste Management", Section 29-1.2, "Included Users and Charges" of the Revised Ordinances of the Borough of Bound Brook to Increase the Annual Charge Per Dwelling Unit 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 February 28, 2023.

Second:

Roll Call:

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

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



Ordinance 2023-010 An Ordinance Amending and Supplementing Chapter 7, “Traffic”, Section 7-17, “Residential Permit Parking”, of the Revised General Ordinances of the Borough of Bound Brook to Create Residential Permit Parking Along the Entire Length of Maiden Lane

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 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 2023-03 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 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 2023-04 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 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 2023-05 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 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

2023-034 Resolution Authorizing a Person-to-Person Transfer of Plenary Retail Consumption License No. 1804-33-008-004 from Revelocity Entertainment to 231 E. Main St. Bar & Restaurant, LLC

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:

2023-035 Resolution Waiving Special Event Application and License Fees for Watchung Fire Company #3

2023-036 Resolution Authorizing the Hire of Nazceer Whitely as Part-Time Parking Enforcement Officer

2023-037 Memorandum of Understanding and Agreement Between the Borough of Bound Brook and Players Development Academy Inc. Urban Initiative LLC and RWJ University Hospital Somerset, a RWJ Barnabas Health Facility



- 2023-038 Resolution Authorizing a Refund to Yingtong You for a Commuter Parking Hang Tag in the Amount of \$50.00
- 2023-039 Resolution Authorizing the Hire of David Delesky as a Special Enforcement Officer Class III for the Bound Brook Police Department
- 2023-040 Resolution Waiving 2023 Pool and Billiard Parlor Fees for Bound Brook Elks Lodge #1388
- 2023-041 Resolution Authorizing a Home Improvement Program Agreement for Case #BB22-92,611 Thomas Place, Also Known on the Tax Map as Block 104, Lot 5, and Authorizing a Bid Award to A-Plus Construction and Authorizing a Special Needs Funding Limit Waiver
- 2023-042 Notification of Applications for the 2023 Somerset County Community Development Block Grant by Middle Earth, a Non-Profit, within Intended Projects within the Borough of Bound Brook
- 2023-043 Resolution Authorizing the Purchase of Air-Pak Equipment from New Jersey Fire Equipment Co. Using New Jersey State Contract 17-FLEET-00819 in the Amount of \$106,810.20
- 2023-044 Resolution Authorizing the 2023 Somerset County Recycling Agreement between the Borough of Bound Brook and Somerset County for Recycling Services
- 2023-045 Resolution of Support for the North Jersey Transportation Planning Authority FY21 Freight Concept Development Study Port Reading Secondary South Main Street Grade Crossing Elimination Project Somerset County, New Jersey
- 2023-046 Resolution Approving the Hire of Kevin Conover as Full-Time Laborer for the Department of Public Works
- 2023-047 Resolution Approving the Hire of Frank Gafney as Full-Time Laborer for the Department of Public Works
- 2023-048 Resolution Appointing Department of Public Works Employees to Newly Titled Positions Pursuant to the 2023-2024 AFSCME Local 2168 Contract
- 2023-049 Resolution Authorizing Budget Transfers in the Amount of \$62,000.00



- 2023-050 Resolution Approving and Authorizing the Mayor and Borough Clerk to Execute an Assignment and Assumption Agreement for the Financial Agreements By and Between the Borough of Bound Brook, the Ridge Apartments at Bound Brook Urban Renewal, LLC and Ridge Associates Urban Renewal, LLC for Property Located on Block 34, Lots 3 and 4 Located in the Downtown Redevelopment Area Pursuant to the Long Term Tax Exemption Law (N.J.S.A. 40A:20-1, ET SEQ.)
- 2023-051 Resolution Approving and Authorizing the Mayor and Borough Clerk to Execute Assignment and Assumption Agreements for the Parking Space Sublease Agreements By and Between the Borough of Bound Brook, the Ridge Apartments at Bound Brook Urban Renewal, LLC and Ridge Associates Urban Renewal, LLC for Property Located on Block 34, Lots 3 & 4 Located in the Downtown Redevelopment Area Pursuant to the Long Term Tax Exemption Law (N.J.S.A. 40A:20-1, ET SEQ.)
- 2023-052 Resolution Authorizing Refunds for the Overpayment of 2023 1st Quarter Property Taxes on Various Properties
- 2023-053 Resolution Authorizing Refunds for the Overpayment of Taxes, Refuse and Sewer for Various Properties

UNFINISHED BUSINESS

Recommendations to Amend By-Laws of the Mayor and Council

NEW BUSINESS

APPROVAL OF VOUCHERS

2023-053 Resolution Approving Vouchers in the Amount of \$2,920,280.71

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. 2022-06

CALENDAR YEAR 2023
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Bound Brook in the County of Somerset finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$131,081.17 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Bound Brook, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Bound Brook shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 458,784.10, and that the CY 2023 municipal budget for the Borough of Bound Brook be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ATTEST

BOROUGH OF BOUND BROOK

Jasmine D. Mathis
Borough Clerk

Mayor David Morris

Date of Introduction: February 14, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-07

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY IN AND BY THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, NEW JERSEY, APPROPRIATING \$1,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,110,000 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 \$1,300,000, including the sum of \$190,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

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 \$1,110,000 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 acquisition of property located at 11 Maiden Lane, more specifically known as Block 10, Lot 5 on the tax maps of the Borough, including all related costs and expenditures 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 40 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 \$1,110,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 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

Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

David Morris, Mayor

Date of Introduction: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-08

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, NEW JERSEY, APPROPRIATING \$1,364,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,295,800 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Bound Brook, in the County of Somerset, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,364,000 and further including the aggregate sum of \$68,200 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to

be issued in the principal amount of \$1,295,800 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Police Department:</u> Air conditioning improvements to the police building, including all work and materials necessary therefor and incidental thereto.	\$23,000	\$21,850	15 years
b) <u>Administration Department</u> Building improvements, including, but not limited to, the reconstruction of the customer service windows in the lobby and painting and further including all work and materials necessary therefor and incidental thereto.	\$30,000	\$28,500	15 years

<p>c) <u>Fire Department</u> The acquisition of pagers and radio equipment, including all related costs and expenditures incidental thereto.</p>		\$11,000	\$10,450	10 years
<p>d) <u>Library</u> Improvements to the library building, including, but not limited to, partial roof replacement, door replacements and shoring of structural elements and further including all work and materials necessary therefor and incidental thereto.</p>		\$70,000	\$66,500	15 years
<p>f) <u>Recreation Department</u> 1) The acquisition of cameras, including all related costs and expenditures incidental thereto. 2) The acquisition of bleachers, including all related costs and expenditures incidental thereto.</p>		\$30,000	\$28,500	10 years
<p>g) <u>Department of Public Works</u> 1) Road improvements, including, but not limited to, the reconstruction of West Second Street (from Tea Street to LaMonte Avenue), West Second Street (from Mountain Avenue to Hamilton Street) and LaMonte Avenue and further including all work and materials necessary therefor and incidental thereto.</p>		\$70,000	\$66,500	15 years
<p>2) The acquisition of a wood chipper, including all related</p>				

costs and expenditures incidental thereto.	\$110,000	\$104,500	15 years
h) <u>Parking Department</u> The acquisition of parking machines, including all related costs and expenditures incidental thereto.	<u>\$20,000</u>	<u>\$19,000</u>	10 years
Total	<u>\$1,364,000</u>	<u>\$1,295,800</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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 improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.11 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 \$1,295,800, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 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 purposes or improvements.

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 or improvements described in Section 3 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 purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements 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

Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

David Morris, Mayor

Date of Introduction: February 14, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-09

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29, "SOLID WASTE MANAGEMENT", SECTION 29-1.2, "INCLUDING USERS AND CHARGES" OF THE REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO INCREASE THE ANNUAL CHARGE PER DWELLING UNIT FOR THE DISPOSAL OF GARBAGE

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

SECTION 1. Chapter 29, Solid Waste, Section 29-1.2, "Included users and charges", 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]** **\$288** 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. All 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.

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: February 14, 2022

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2022-010

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SECTION 7-17, “RESIDENTIAL PERMIT PARKING” OF THE REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO CREATE RESIDENTIAL PERMIT PARKING ALONG THE ENTIRE LENGTH OF MAIDEN LANE

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

SECTION 1. Chapter 7, “Traffic”, Section 7-17, “Residential Permit Parking”, 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:

....

Street	Location	Hours	Days
<u>Maiden Lane</u>	<u>Entire Length</u>	<u>10:00 p.m. to 6:00. a.m.</u>	<u>All</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

BOROUGH OF BOUND BROOK

Jasmine D. McCoy
Borough Clerk

David Morris, Mayor

Date of Introduction: February 14, 2022

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 underscored, while deleted language is indicated by a ~~strike through~~ 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: February 14, 2023



BOROUGH OF BOUND BROOK

PLANNING BOARD

January 27, 2023

Honorable David Morris, Mayor
Borough of Bound Brook
230 Hamilton Street
Bound Brook, NJ 08805-2017

Re: **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

At its meeting on Thursday, January 26, 2023, the Planning Board, pursuant to N.J.S.A. 40A:12A-1 et seq, found Ordinance 2023-01 not inconsistent with the Master Plan.

Motion: Councilman Abel Gomez

Second: Scott Sloan

Roll Call: Ayes: Mike Witt, Scott Sloan, Wale Adewunmi, Mark Sloan, Maralee Sanders, Jim Ayotte, Mayor David Morris, Councilman Abel Gomez, Dominic Moramarco

Nay: None

Very truly yours,

Michael D. Witt, Chairman

Bound Brook Municipal Land Use Board

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

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

Date of Adoption: February 14, 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

BOROUGH OF BOUND BROOK

Jasmine D. McCoy
Borough Clerk

Mayor David Morris

Date of Introduction: January 24, 2023

Date of Adoption: February 14, 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
Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-034

RESOLUTION AUTHORIZING A PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1804-33-008-004 FROM REVELOCITY ENTERTAINMENT LLC TO 231 E. MAIN ST. BAR & RESTAURANT LLC

WHEREAS, 231 E. Main St. Bar & Restaurant, LLC has submitted an application to this body for the Person to Person transfer of Plenary Retail Consumption License #1804-33-008-004, a pocket license; and

WHEREAS, said application has been accompanied by a transfer fee of \$200.00 and a \$200.00 filing fee for the Division of Alcoholic Beverage Control, proof of publication of a notice published in the Courier News for two consecutive weeks, calling attention to said transfer; and

WHEREAS, the Police Department performed a background check and have no objections to the transfer;

NOW, THEREFORE, BE IT RESOLVED by Borough Council of the Borough of Bound Brook that the Person-to-Person transfer for the aforementioned Plenary Retail Consumption License #1804-33-008-004 is hereby authorized;

BE IT FURTHER RESOLVED, the effective date of the Person-to-Person Transfer for the aforementioned Plenary Retail Consumption License #1804-33-008-004 is effective February 15, 2023;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to forward a copy of this resolution to the Division of Alcoholic Beverage Control.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-035

RESOLUTION WAIVING SPECIAL EVENT APPLICATION AND LICENSE FEES FOR
WATCHUNG FIRE COMPANY 3

WHEREAS, Watchung Fire Company No. 3 is a non-profit volunteer organization that serves as a Fire Department for the Borough of Bound Brook; and

WHEREAS, Watchung Fire Company No. 3 holds Coin Toss events throughout the year; and

WHEREAS, a Special Event Application was submitted to the Borough Clerk's Officer for said event; and

WHEREAS, the organization has requested to waive the application and license fees;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the special event application and license fees be waived in the amount of \$165.00.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-036

RESOLUTION AUTHORIZING THE HIRE OF NAZCEER S. WHITLEY AS PART-TIME
PARKING ENFORCEMENT OFFICER

WHEREAS, the need exists for a part-time parking enforcement officer; and

WHEREAS, interviews were held; and the Borough Administrator and Police Chief have recommended the hiring of Nazceer S. Whitley to fill said position.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Nazceer S. Whitley be hired to fill said position effective February 6, 2023.

BE IT FURTHER RESOLVED, the hourly rate is \$20.00 per hour, not to exceed twenty-four (24) hours per week.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-037

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN MEMORANDUM OF UNDERSTANDING AND AGREEMENT BETWEEN THE BOROUGH OF BOUND BROOK AND PLAYERS DEVELOPMENT ACADEMY INC, URBAN INITIATIVE LLC AND RWJ UNIVERSITY HOSPITAL SOMERSET, A RWJBARNABAS HEALTH FACILITY

WHEREAS, PLAYERS DEVELOPMENT ACADEMY, INC (“PDA”) is a Non-Profit Corporation having an address at 1 Upperpond Rd, Somerset, New Jersey 08873, URBAN INITIATIVE, LLC (“UI”) is a Non-Profit Limited Liability Company having an address at 51 Baltusrol Road, Summit, New Jersey 07901, and RWJ University Hospital Somerset, a RWJBarnabas Health facility (RWJUH), having an address at 110 Rehill Ave, Somerville, NJ 08876 are each desirous of entering into a Memorandum of Understanding and Agreement with the Borough of Bound Brook; and

WHEREAS, in consultation with the Borough of Bound Brook, PDA, UI, and RWJUH are desirous of funding and causing the construction of a Futsal Court on property owned by the Borough located at Tea Street Sports Complex, Bound Brook, New Jersey 08805; and

WHEREAS, the Futsal Court shall be consistent with the engineering drawings to be prepared by (Athletic Fields of America), which shall be attached hereto and made a part hereof as “Exhibit A” (“The Plans”); and

WHEREAS, upon completion of the Project as set forth below, the Project improvements shall be dedicated and conveyed to the Borough for its perpetual use for the benefit of the residents of the Borough without any limitation, condition or approval relative to future use required by UI and/or PDA, except as provided hereafter; and

WHEREAS, the Borough Engineer and Borough Attorney have reviewed the Plans and MOU and have approved same; and

WHEREAS it is in the best interest of the Borough to execute the MOA.

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to execute the Memorandum of Understanding and Agreement between PLAYERS DEVELOPMENT ACADEMY, INC (“PDA”) URBAN INITIATIVE, LLC (“UI”), and RWJ UNIVERSITY HOSPITAL SOMERSET, A RWJBARNABAS HEALTH FACILITY (RWJUH), annexed hereto.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-038

RESOLUTION AUTHORIZING A REFUND TO YINGTON YOU FOR A COMMUTER
PARKING HANG TAG IN THE AMOUNT OF \$50.00

WHEREAS, the Borough Clerk's Office received a request to refund commuter parking for the month of February 2023 in the amount of \$50.00;

WHEREAS, the payment has been verified;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset in the State of New Jersey that the Chief Financial Officer is hereby authorized to refund the amount of \$50.00 to Yington You.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-039

RESOLUTION FOR THE HIRE OF DAVID DELESKY AS A SPECIAL ENFORCEMENT OFFICER CLASS III FOR THE BOUND BROOK POLICE DEPARTMENT

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

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

WHEREAS, the Bound Brook School District has requested and entered into a shared services agreement for a second SLEO III Officer; and

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

WHEREAS; the Acting Chief of Police recommends the hire of David Delesky effective February 15, 2023, contingent upon successful completion of a background check, psychological and physical examinations; and

WHEREAS, the position shall be for a term ending at the end June 30th, 2023;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, County of Somerset, that David Delesky be hired for the position of SLEO III at an hourly rate of \$37.50 for a term ending June 30th, 2023.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-040

RESOLUTION WAIVING 2023 POOL AND BILLIARD PARLOR FEES FOR THE BOUND
BROOK ELKS LODGE #1388

WHEREAS, pursuant to Article 1, "Licenses and Procedures", Section 4-7, "Pool and Billiard Parlors", of the Revised Ordinances of the Borough of Bound Brook, no person shall operate a pool or billiard parlor in the Borough of bound Brook without having first obtained a license and paid the require fee; and

WHEREAS, pursuant to Section 4-7.3, "Exceptions", this section shall not apply to a bona fide social club, golf club, field club, religious, charitable, benevolent, fraternal or other nonprofit organization having a membership in excess of 100 which has pool or billiard tables solely for the recreation and amusement of its members, provided that the organization files with the Borough Clerk on a form provided by him a claim for exemption and a statement of the facts upon which the claim is based; and

WHEREAS, the Borough Clerk is in receipt of a request from the Bound Brook Elks Lodge #1388 to waive the annual Pool and Billiard Parlor fee pursuant to Article 1, "Licenses and Procedures", Section 4-7.3, "Exceptions", of the Revised Ordinances of the Borough of Bound Brook as a bona fide social club;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, the 2023 Pool and Billiard Parlor fees are waived for Bound Brook Elks Lodge #1388.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-041

RESOLUTION AUTHORIZING A HOME IMPROVEMENT PROGRAM AGREEMENT FOR CASE #BB22-92, 611 THOMAS PLACE, ALSO KNOWN ON THE TAX MAP AS BLOCK 104, LOT 5 AND AUTHORIZING A BID AWARD TO A-PLUS CONSTRUCTION, INC. AND AUTHORIZING A SPECIAL NEEDS FUNDING LIMIT WAIVER

WHEREAS, the Borough currently has a rehabilitation program titled the Home Improvement Program (“HIP”) and the HIP complies with all applicable laws, including but not limited to New Jersey Council on Affordable Housing regulations (N.J.A.C. 5:97-6.2) and Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1); and

WHEREAS, the Borough has retained CGP&H, a professional affordable housing consultant, to administer the HIP; and

WHEREAS, CGP&H’s Program Inspector prepared a program scope of work (“Work Scope”) for a moderate-income family who is a Borough resident and seeking to participate in the HIP (Case # BB22-92) and the Work Scope was sent out to bid; and

WHEREAS, A-Plus Construction, Inc., was the lowest bidder at \$20,800.00; and

WHEREAS, the Borough desires to award contract to the lowest bidder, A-Plus Construction, Inc. in the amount of \$20,000.00; and

WHEREAS, the homeowner shall contribute \$800.00 to cover the remaining costs;

WHEREAS, the HIP program is limited to \$18,000. The HIP requests a Special Needs Funding Limit Waiver (which is a HIP’s policies and procedures option for qualified cases needing housing rehabilitation between \$18,000 and \$20,000); and

WHEREAS, the moderate-income family’s residence in this case needs to be brought up to code for the Borough to receive the state rehabilitation credit for Case # BB22-92 and the \$18,000 construction work (\$18,000 HIP basic award, \$2,000 Special Needs Funding) which when completed will bring the residence up to code and provide the Borough with the rehabilitation credit.

NOW, THEREFORE BE IT RESOLVED, by the Bound Brook Borough Council, that:

1. The Borough hereby authorizes the Home Improvement program agreement.
2. The Borough hereby approves the bid award to A-Plus Construction, Inc. in the amount of \$18,000.00, the Special Needs Waiver Request (attached) in the amount of \$2,000.00 for the reasons set forth in this Resolution and on the record and the homeowner contributes \$800.00 for the remaining costs.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk
Date of Adoption: February 14, 2023

Mayor David Morris

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-042

**NOTIFICATION OF APPLICATIONS FOR THE 2023 SOMERSET COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT BY MIDDLE EARTH, A NON-
PROFIT, WITH INTENDED PROJECTS WITHIN THE BOROUGH OF BOUND
BROOK**

WHEREAS, the following non-profit groups located or implementing projects in the Borough of Bound Brook desire to participate in the 2023 Somerset County Community Development Block Grant Program:

WHEREAS, the Borough of Bound Brook governing body has been made aware of the intended projects from the each of the following non-profit groups;

Middle Earth

NOW, THEREFORE BE IT RESOLVED, by the Borough of Bound Brook Council that the Mayor and Clerk are also authorized to execute the applications from the non-profit groups listed above indicating that the Borough has been made aware of these applications.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-043

RESOLUTION AUTHORIZING THE PURCHASE OF AIR-PAK EQUIPMENT FROM NEW JERSEY FIRE EQUIPMENT CO. USING NEW JERSEY STATE CONTRACT 17-FLEET-00819 IN THE AMOUNT OF \$106,810.20

WHEREAS, a need exists to purchase air-pak equipment for the Fire Department; and

WHEREAS, the Fire Department has obtained a quote for said air-pak equipment from New Jersey Fire Equipment Co in Greenbrook, New Jersey under New Jersey State Contract 17-FLEET-00819; and

WHEREAS, the Chief Financial Officer has certified the funds using account # 02- 2023- 0240- 0541- 2- 00000;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook that the purchase of air-pak equipment be approved in the amount of \$106,810.20 under New Jersey State Contract 17-FLEET-00819.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-044

RESOLUTION AUTHORIZING THE 2023 SOMERSET COUNTY RECYCLING
AGREEMENT BETWEEN THE BOROUGH OF BOUND BROOK AND SOMERSET
COUNTY FOR RECYCLING SERVICES IN THE AMOUNT OF \$117,026.12

WHEREAS, the County of Somerset entered into negotiations regarding an Agreement between the County of Somerset and each of the twenty-one municipalities located within Somerset County; and

WHEREAS, the County of Somerset has continuously provided recycling services to the Borough over the years; and

WHEREAS, the County of Somerset has agreed that the County fee shall be based upon the number of households within the municipality, 4,383, as determined by the County Planning Board, at the rate of \$26.70 per household per year; and

WHEREAS, the Chief Financial Officer has certified the funds in the account # 01-2023-126-301-2-99; and

WHEREAS, the County of Somerset has determined that it is in the best interests of the County to execute an Agreement with each of the twenty-one municipalities formulated as a result of negotiations;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, hereby authorize the Mayor and Borough Clerk to execute an agreement for Somerset County recycling pickup for the period of January 1, 2023 to December 31, 2023 in the amount of \$117,026.12.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-045

**RESOLUTION OF SUPPORT FOR THE NORTH JERSEY TRANSPORTATION
PLANNING AUTHORITY FY21 FREIGHT CONCEPT DEVELOPMENT STUDY
PORT READING SECONDARY SOUTH MAIN STREET GRADE CROSSING
ELIMINATION PROJECT SOMERSET COUNTY, NEW JERSEY**

WHEREAS, the North Jersey Transportation Planning Authority (NJTPA) has developed the Freight Concept Development Program to identify and study freight needs throughout the northern New Jersey region; and

WHEREAS, the NJTPA, in coordination with Somerset County, has identified elimination of the at grade crossing of the Port Reading Secondary Rail Line over South Main Street as a need to improve local and regional mobility and improve safety; and

WHEREAS, there are active freight rail customers along the Port Reading Secondary that must continue to receive rail service eliminating the option to take the entire Port Reading Secondary out of service; and

WHEREAS, the project area is entirely within the Borough of Bound Brook, Somerset County and Middlesex Borough, Middlesex County; and

WHEREAS, the project would result in improved local and regional mobility within the Borough of South Bound Brook, Somerset County, the Borough of Bound Brook, Somerset County and Middlesex Borough, Middlesex County; and

WHEREAS, the NJTPA and Somerset County met with local officials to discuss the issue, held public meetings, and hosted a website to gain public input from residents and stakeholders; and

WHEREAS, after extensive study and development of multiple alternatives to address the study purpose and need, realignment of the Port Reading Secondary to create a fully grade separated crossing of South Main Street was identified as the most effective solution and was selected as the Preliminary Preferred Alternatives; and

WHEREAS, the study team informed Middlesex Borough local officials of the Preliminary Preferred Alternative on Tuesday, January 24, 2023;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Bound Brook formally supports the Preliminary Preferred Alternatives in the Port Reading Secondary South Main Street Grade Crossing Elimination Project, and the pursuit of public funding to complete this project.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023



NJTPA FY2021 Freight Concept Development Program Studies

Port Reading Secondary South Main Street Grade Crossing Elimination Project



This project will develop and evaluate potential alternatives to eliminate the at-grade rail crossing on South Main Street in the Borough of Bound Brook, while maintaining freight rail access to existing and future customers along the Port Reading Secondary line.

Background

The Port Reading Secondary runs along the northern side of the Raritan River in Bound Brook. South Main Street is one of a limited number of roadways crossing the Raritan River. Immediately to the north of the crossing, South Main Street forms the southern leg of the modern roundabout in Bound Brook’s downtown. When trains cross, the road is closed to automobile traffic. The congestion the at-grade crossing results in adverse impacts in the downtown and on regional mobility.

Eliminating this grade crossing presents several challenges. Proximity to the Raritan River, the vertical and horizontal alignment of South Main Street, and the rail bridge which carries the Raritan Valley and the Lehigh lines over South Main Street limit the options for realigning or relocating the roadways as a solution. However, the bridge and other rail lines traversing the area offer a potential opportunity to realign the Port Reading Secondary as a long-term solution.

Further Information

Jakub Rowinski
 Project Manager, NJTPA
 Phone: (973) 639-8443
 Email: jrowinski@njtpa.org

Preliminary Schedule

- Study Initiated in February 2021
- Initial Local Officials and Public Meetings, August 2021
- Identification of Preliminary Preferred Alternative, October 2022
- Final Local Officials and Public Meetings, January 2023
- Concept Development Report Completion, June 2023



BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-046

RESOLUTION APPROVING THE HIRE OF KEVIN CONOVER JR. AS FULL-TIME
LABORER FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution 2022-185, approved the hire of Kevin Conover Jr. for a Seasonal position with the Department of Public Works; and

WHEREAS, the Director of Public Works recommends hiring Kevin Conover Jr. as a full-time Laborer at an hourly rate of \$20.00 conditioned upon a successful completion of I-9 documentation and background checks; and

WHEREAS, there is a six month probationary period; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Kevin Conover be hired as a full-time Laborer with a six-month probationary period at an hourly rate of \$20.00 per the AFSCME Contract, effective February 15, 2023.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-047

RESOLUTION APPROVING THE HIRE OF FRANK GAFNEY AS A FULL-TIME
LABORER FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, a need exists to fill a Laborer position in the Department of Public Works; and

WHEREAS, the Director of Public Works conducted interviews and recommends the hire of Frank Gafney for a full-time Laborer position at an hourly rate of \$20.00, conditioned upon a successful completion of I-9 documentation and background checks; and

WHEREAS, there is a six-month probationary period;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, that Frank Gafney be hired as a full-time Laborer with a six-month probationary period at an hourly rate of \$20.00 per the AFSCME Contract, effective February 15, 2023.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-048

RESOLUTION APPOINTING DEPARTMENT OF PUBLIC WORKS EMPLOYEES TO
NEWLY TITLED POSITIONS PURSUANT TO THE 2023-2024 AFSCME LOCAL 2168
CONTRACT

WHEREAS, Resolution 2022-309 approved the Department of Public Works AFSCME Local
2168 Contract for the period of January 1, 2023 to December 31, 2024; and

WHEREAS, pursuant to the 2023-2024 contract new titles for various positions were created;
and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound
Brook that the Department of Public Works employees are appointed as follows:

Vincenzo Orofino	Foreman
Luciano Fittipaldi	Asst. Foreman
Ryan Seiler	Mechanic
Roberto Fittipaldi	Supervisor
Bryan Grochowski	Equipment Operator 2
Charlie Hupfer	Equipment Operator 2
David Mangino	Equipment Operator 1
Mark Illario	Equipment Operator 1
Robert Timpano	CDL Driver
Derrick DeLoach	Driver
David Fetchina	Laborer A
Matt Hupfer	Laborer B
Joseph Lucariello	Laborer B

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-049

WHEREAS, various 2022 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year, and were not covered at the time of transfers between the 2021 budget in the last two months of 2022; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and all transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, and State of New Jersey that the transfer in the amount of \$62,000.00 be made between the 2022 Budget Appropriation Reserves as follows:

	TO:	FROM:
GENERAL GOVERNMENT		
General Administration		
Salaries and wages		4,500.00
Municipal Clerk		
Salaries and Wages		3,500.00
Other Expenses	500.00	
Tax Collector		
Salaries and Wages		2,000.00
IT Services		
Other Expenses	10,000.00	
Recycling		
Other expenses	23,000.00	
Solid Waste Collection		
Other Expenses	15,000.00	
Shade Tree		

Other Expenses	3,000.00	
Electricity		
Other Expenses	6,000.00	
Street Lights		
Other Expenses	4,500.00	
CODE ENFORCEMENT		
Uniform Construction Code		
Salaries and Wages		6,900.00
Parking		
Salaries and Wages		5,900.00
PUBLIC WORKS		
Streets and Roads		
Salaries and Wages		39,200.00
	62,000.00	62,000.00

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-050

RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN ASSIGNMENT AND ASSUMPTION AGREEMENT FOR THE FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK, THE RIDGE APARTMENTS AT BOUND BROOK URBAN RENEWAL, LLC AND RIDGE ASSOCIATES URBAN RENEWAL LLC FOR PROPERTY LOCATED ON BLOCK 34, LOTS 3 AND 4 LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA PURSUANT TO THE LONG TERM TAX EXEMPTION LAW (N.J.S.A. 40A:20-1, ET SEQ.)

WHEREAS, Tax Block 34; Lots 4 and 5 (the “Property”), commonly known as The Ridge Apartments is located in the Downtown Redevelopment Area (the “Redevelopment Area”) and

WHEREAS, the Property is subject to the Redevelopment Plan for the Redevelopment Area, as amended (the “Redevelopment Plan”) and

WHEREAS, the Property is owned by The Ridge Apartments at Urban Renewal, LLC (the Redeveloper”); and

WHEREAS, on November 26, 2019, a redevelopment agreement by and between the Redeveloper and the Borough for the redevelopment of the Property was executed (the “Redevelopment Agreement”) and the Borough issued a Certificate of Completion to the Redeveloper on October 12, 2022; and

WHEREAS, the Redeveloper obtained site plan approval from the Borough Planning Board to develop a residential project on the Property consisting of 34 market rate residential multi-family rental apartment units, along with associated site improvements (the “Project”); and

WHEREAS, on or about December 10, 2019, the Borough and the Redeveloper entered into a Financial Agreement for the Property and Project in accordance with the provisions of the Long-Term Tax Exemption Law (N.J.S.A. 40A:20-1, et seq.) (the “Financial Agreement”); and

WHEREAS, the Redeveloper and Ridge Associates Urban Renewal LLC have entered into an agreement for the sale and purchase of the Property and Project; and

WHEREAS, the Redeveloper seeks to transfer all of its rights, title and interest in and to the Financial Agreement to Ridge Associates Urban Renewal, LLC; and

WHEREAS, pursuant to the Financial Agreement, any assignment of the rights and obligations under the Financial Agreement requires the approval of the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook that it hereby approves and authorizes the transfer of all of The Ridge Apartments

at Bound Brook Urban Renewal, LLC's rights, title and interest in and to the Financial Agreement to Ridge Associates Urban Renewal LLC.

BE IT FURTHER RESOLVED that the Financial Agreement remains in full force and effect in accordance with its terms, and there is no default or breach on the part of the Borough or, to the best of the Borough's knowledge, The Ridge at Bound Brook Urban Renewal, LLC.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby directed to execute any and all documents necessary or convenient to the transaction(s) contemplated and authorized hereby, including but not limited to, the form substantially consistent with the Assignment, Assumption and Amendment of Financial Agreement attached hereto and made part of this resolution, and an estoppel certificate to the lender, subject to final review and approval by the Borough Attorney.

BE IT FURTHER RESOLVED that approval and authorization to execute the documents contemplated herein is subject to and contingent upon the Redeveloper and Ridge Associates Urban Renewal, LLC closing on the sale and conveyance of the Property.

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

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-051

RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN ASSIGNMENT, ASSUMPTION AND AMENDMENT AGREEMENT FOR THE PARKING SPACE SUBLEASE AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK, THE RIDGE APARTMENTS AT BOUND BROOK URBAN RENEWAL, LLC AND RIDGE ASSOCIATES URBAN RENEWAL LLC FOR PROPERTY LOCATED ON BLOCK 34, LOTS 3 AND 4 LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA

WHEREAS, Tax Block 34; Lots 4 and 5 (the “Property”), commonly known as The Ridge Apartments is located in the Downtown Redevelopment Area (the “Redevelopment Area”) and

WHEREAS, the Property is subject to the Redevelopment Plan for the Redevelopment Area, as amended (the “Redevelopment Plan”) and

WHEREAS, the Property is owned by The Ridge Apartments at Urban Renewal, LLC (the Redeveloper”); and

WHEREAS, on November 26, 2019, a redevelopment agreement by and between the Redeveloper and the Borough for the redevelopment of the Property was executed (the “Redevelopment Agreement”) and the Borough issued a Certificate of Completion to the Redeveloper on October 12, 2022; and

WHEREAS, the Redeveloper obtained site plan approval from the Borough Planning Board to develop a residential project on the Property consisting of 34 market rate residential multi-family rental apartment units, along with associated site improvements (the “Project”); and

WHEREAS, on or about November 26, 2019, the Borough and the Redeveloper entered into a Parking Space Sublease Agreement for the Property and Project (the “Parking Agreement”); and

WHEREAS, the Redeveloper and Ridge Associates Urban Renewal LLC have entered into an agreement for the sale and purchase of the Property and Project; and

WHEREAS, the Redeveloper seeks to transfer all of its rights, title and interest in and to the Parking Agreement to Ridge Associates Urban Renewal, LLC; and

WHEREAS, pursuant to the Parking Agreement, any assignment of the rights and obligations under the Parking Agreement requires the approval of the Borough; and

WHEREAS, the Borough, Redeveloper and Ridge Associates Urban Renewal, LLC agree to amendments to the Parking Agreement as set forth in the form substantially consistent with the

Assignment, Assumption and Amendment of Parking Agreement attached hereto and 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 transfer of all of The Ridge Apartments at Bound Brook Urban Renewal, LLC's rights, title and interest in and to the Parking Agreement, as amended to Ridge Associates Urban Renewal LLC.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute any and all documents necessary or convenient to the transaction(s) contemplated and authorized hereby, including but not limited to, the form substantially consistent with the Assignment, Assumption and Amendment of Parking Space Sublease Agreement attached hereto and made part of this resolution, subject to final review and approval by the Borough Attorney.

BE IT FURTHER RESOLVED that approval and authorization to execute the documents contemplated herein is subject to and contingent upon the Redeveloper and Ridge Associates Urban Renewal, LLC closing on the sale and conveyance of the Property.

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

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-052

RESOLUTION AUTHORIZING REFUNDS FOR THE OVERPAYMENT OF 2023 1ST
QUARTER PROPERTY TAXES ON VARIOUS PROPERTIES

WHEREAS, the records of the Tax Collector of the Borough of Bound Brook reflect an overpayment of 2023 1st Quarter Property Taxes on the following property:

<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
CoreLogic	Tea St	027/015.02	\$ 703.00
	324 West High St	028/006	\$ 2,272.00
Wells Fargo	17 West High St	048/017	\$ 2,945.00
Lereta	306 W Union	062/004	\$ 183.49

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 stated above.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-053

RESOLUTION AUTHORIZING REFUNDS FOR THE OVERPAYMENT OF TAXES,
REFUSE AND SEWER FOR VARIOUS PROPERTIES

WHEREAS, the records of the Tax Collector of the Borough of Bound Brook reflect an overpayment of Property Taxes, Refuse and/or Sewer on the following properties:

<u>Type</u>	<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
Tax	48 Talmage Ave	48-50 Talmage Ave	006/009	\$2,544.00
Sewer	Panaderia La Reina	217 E Main	010/010	\$ 79.58
Sewer	TAG KC Inc	301-307 E Main	011/006	\$3,265.00
Refuse	Fernandez, Antonio	38 W High	031/008	\$ 134.00
Sewer	Demant, Nathan & Cara	111-113 W Franklin	063/012	\$ 433.25
Refuse	Whelan, Daniel	115 Franklin	063/013	\$ 134.00
Refuse	Doyon, Thomas	603 Crescent	069/041	\$ 133.70
Refuse	Turner, Brian	709 Cedarcrest	069/046	\$ 134.00

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 overpayments be refunded as per the list above.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: February 14, 2023

BOROUGH OF BOUND BROOK
RESOLUTION 2025-054

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 \$ 2,920,280.71.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 2,798,233.55
GRANT FUND	\$ 34,069.38
GENERAL CAPITAL FUND	\$ 72,143.42
GENERAL TRUST FUND	\$ 765.13
RECREATION TRUST	\$ 1,232.25
HOUSING REHAB	\$ 1,303.20
SEWER	\$ 2,515.87
TAX COLLECTOR TRUST	\$ 800.00
TAX TITLE LIEN REDEMPTION	\$ 2,531.16
DEVELOPERS ESCROW	\$ 1,906.25
PAYROLL	\$ 4,780.50
TOTAL	<u>\$ 2,920,280.71</u>

Approved:

David Morris, Mayor

Attest:

Jasmine D. McCoy, Borough Clerk
Date of Adoption: February 14, 2023