



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
MARCH 28, 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

A/ March 14, 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____



B/ March 14, 2023 Executive 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

A/ 2023 SCLSNJ Bound Brook Library Branch HVAC Upgrades

Bid Submissions received March 22, 2023

WHL Enterprises Inc. t/a Bill Leary A/C & HTG \$287,500.00

B/ 2021 Road Program

Bid Submissions received March 24, 2023

Capital Paving & Contracting, LLC	\$1,023,499.47
Reivax Contracting Corp.	\$617,402.94
Black Rock	\$746,466.60
CCM Contracting	\$730,097.87
Diamond Construction	\$1,081,967.61
TopLine Construction	\$696,836.99

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: Library Advisory Board, Shade Tree Commission



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

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

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, Board of Health

INTRODUCTION OF ORDINANCES – FIRST READING

ORDINANCES ON FINAL READING AND CONSIDERATION- SECOND READING

Ordinance 2023-013 An Ordinance Authorizing as a General Improvement the Purchase and Acquisition of Various Equipment for the Borough of Bound Brook and Appropriating \$100,000 Therefor from the “Capital Fund Balance”

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

2023-087 Introduction of 2023 Municipal Budget

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:

- | | |
|----------|---|
| 2023-088 | Resolution Authorizing a Property Tax Refund to Queens Gate in the Amount of \$10,067.00 |
| 2023-089 | Resolution Authorizing a Refund to NJ American Water for the Overpayment of LIHWAP |
| 2023-090 | Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 |
| 2023-091 | Resolution Authorizing Temporary Suspension of Refuse Billing and Services and Authorize a Refund of Prorated Refuse Payments for 2023 Due to Fire Damage That Deemed 225 Somerset Street Also Known As Block 66 Lot 9 Uninhabitable |
| 2023-092 | Resolution Authorizing In Rem Foreclosure Action Against 26 Columbus Place Also Known on the Tax Map as Block 6, Lot 1 |
| 2023-093 | Resolution Authorizing Temporary Suspension of Refuse Billing and Services and Authorize a Refund of Prorated Refuse Payments for 2023 Due to Fire Damage That Deemed 581 Mountain Avenue Also Known As Block 66 Lot 9 Uninhabitable |
| 2023-094 | Resolution Authorizing Temporary Suspension of Refuse Billing and Services and Authorize a Refund of Prorated Refuse Payments for 2023 Due to Fire Damage That Deemed 577 Mountain Avenue Also Known As Block 66 Lot 9 Uninhabitable |
| 2023-095 | Resolution Rejecting All Bids for the 2023 SCLSNJ Bound Brook Library Branch HVAC Upgrades Project |



- 2023-096 Resolution Authorizing the Hire of Casey Miller and Lorelai Coddington the to the Position of Part-Time Site Supervisor for the Department of Recreation
- 2023-097 Resolution Authorizing Contract Award for the 2022 Road Program to Reivax Contracting Corp. in the Amount of \$617,402.94

UNFINISHED BUSINESS

NEW BUSINESS

APPROVAL OF VOUCHERS

2023-097 Resolution Approving Vouchers in the Amount of \$3,286,133.80

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

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-013

AN ORDINANCE AUTHORIZING AS A GENERAL IMPROVEMENT THE PURCHASE AND ACQUISITION OF VARIOUS EQUIPMENT FOR THE BOROUGH OF BOUND BROOK AND APPROPRIATING \$100,000.00 THEREFOR FROM THE “CAPITAL FUND BALANCE” OF SAID BOROUGH

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

Section 1. The Borough of Bound Brook in Somerset County (hereinafter referred to as “Municipality”) is hereby authorized the following Capital Improvements for the Borough of Bound Brook:

1. The acquisition of the startup equipment for the ambulance services including but not limited to radio equipment, auto CPR equipment, c-collars and long boards .

Section 2. The work and acquisitions, authorized by Section 1 of this Ordinance shall be undertaken as a general improvement, the entire cost of which shall be contributed and borne by the municipality as a general expense, and no part of said cost shall be specially assessed against any property. The estimated cost noted of such project shall not exceed \$100,000.00 unless this Ordinance is amended.

Section 3. It is hereby determined and stated that the undertaking of the aforesaid projects (hereinafter referred to as “purpose”) is not a current expense of the municipality; and that the total estimated cost of said purpose is \$100,000.00, the estimated cost for the projects having been noted in Section 1 above.

Section 4. The sum of \$100,000.00 is hereby appropriated for said purpose from the “Capital Fund Balance” of the municipality for said purpose as required by law and now available therefore under a budget or budgets of the municipality previously adopted.

Section 5. The Capital budget of the municipality is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith.

Section 6. This Ordinance shall take effect upon its passage and publication as provided by law.

ATTEST

Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

Mayor David Morris

Date of Introduction: March 14, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-088

RESOLUTION AUTHORIZING A PROPERTY TAX REFUND TO QUEENS GATE IN THE AMOUNT OF \$10,067.00

WHEREAS, the property owner of 675 Tea Street, aka block 68, lot 1.02 has contacted the Tax Collector of the Borough of Bound Brook to indicate an error in making an online payment for 2nd quarter taxes on 2/16/23; and

WHEREAS, in order to avoid an overpayment, the property owner has requested a refund as indicated below, as their lender, New York Community Bank, will make tax payments on their behalf;

<u>Type</u>	<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
Tax	QueensGate	675 Tea St	068/001.02	\$10,067.00

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 payment error be refunded as per the list above.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: March 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-089

RESOLUTION AUTHORIZING A REFUND TO NJ AMERICAN WATER FOR THE OVERPAYMENT OF LIHWAY

WHEREAS, the Tax Collector of the Borough of Bound Brook received a payment from the State of NJ Low Income Housing Water Assistance Program (LIHWAP) in the amount of \$1,000.00 for sewer delinquency on behalf of Kristina Harter, 612 Besty Ross Place; and

WHEREAS, the payment from LIHWAP can only be applied to sewer and was in excess of the was due to the Borough for sewer on the property mentioned above; and

WHEREAS, the Tax Collector was directed by the LIHWAP Program Manager to forward the excess funds to NJ American Water on behalf of Kristine Harter as follows:

<u>Type</u>	<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
Sewer	NJ American Water	612 Besty Ross Pl	106/002	\$ 660.84

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: March 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-090

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the *Borough of Bound Brook*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: March 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-091

**AUTHORIZING TEMPORARY SUSPENSION OF REFUSE BILLING AND SERVICES
AND AUTHORIZE A REFUND OF PRORATED REFUSE PAYMENTS FOR 2023 DUE
TO FIRE DAMAGE THAT DEEMED 225 SOMERSET STREET ALSO KNOWN AS
BLOCK 66 LOT 9 UNINHABITABLE**

WHEREAS, 225 Somerset Street, also known as Block 66 Lot 9 sustained considerable damage during a devastating fire on March 18, 2023; and

WHEREAS, the property is uninhabitable and requires major repairs, and;

WHEREAS, the property owner has submitted a request to the Tax Collector to suspend refuse billing effective March 18, 2023 until a Temporary Certificate of Occupancy is obtained, and;

WHEREAS, the 2023 refuse billing should be prorated to March 18, 2023 and any overpayment refunded to the property owner(s), and;

NOW THERE BE IT RESOLVED, that the Mayor and Council of the Borough of Bound Brook approve the refuse billing to be suspended for 225 Somerset Street until a Temporary Certificate Occupancy is obtained and a refund be issued for any refuse overpayment from the date of suspension.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: March 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-092

**AUTHORIZING IN REM FORECLOSURE ACTION AGAINST 26 COLUMBUS PLACE
ALSO KNOWN ON THE TAX MAP AS BLOCK 6, LOT 1**

WHEREAS, the Tax Collector of the Borough of Bound Brook desires to start an *in rem* tax foreclosure against; and 26 Columbus Place, Block 6 Lot 1

WHEREAS, it is the desire of the governing body to institute *in rem* tax foreclosure proceedings against the 26 Columbus Place, Block 6 Lot 2

WHEREAS, it is not only in the best interest of the municipality to institute said proceedings, but also is a duty of the governing body; and

WHEREAS, the Institution of said *in rem* proceeding will result in revenue to the Borough either by redemption of the subject properties of their foreclosure and resale by the Borough of Bound Brook

NOW, THEREFORE BE IT RESOLVED by the governing body of the Borough of Bound Brook, County of Somerset, State of New Jersey, as follows:

1. That the governing body does hereby authorize the institution of *in rem* tax foreclosure proceedings in regard to the 26 Columbus Place, Block 6 Lot 1
2. That a certified copy of this resolution be forwarded to the Tax Collector

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: March 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-093

AUTHORIZING TEMPORARY SUSPENSION OF REFUSE BILLING AND SERVICES AND AUTHORIZE A REFUND OF PRORATED REFUSE PAYMENTS FOR 2023 DUE TO FIRE DAMAGE THAT DEEMED 581 MOUNTAIN AVENUE ALSO KNOWN AS BLOCK 94 LOT 15 UNINHABITABLE

WHEREAS, 581 Mountain Avenue, also known as Blk 94 Lot 15 sustained considerable damage during a devastating fire on March 19, 2023; and

WHEREAS, the property is uninhabitable and requires major repairs, and;

WHEREAS, the property owner has submitted a request to the Tax Collector to suspend refuse billing effective March 19, 2023 until a Temporary Certificate of Occupancy is obtained, and;

WHEREAS, the 2023 refuse billing should be prorated to March 19, 2023 and any overpayment refunded to the property owner(s), and;

NOW THERE BE IT RESOLVED, that the Mayor and Council of the Borough of Bound Brook approve the refuse billing to be suspended for 581 Mountain Avenue until a Temporary Certificate Occupancy is obtained and a refund be issued for any refuse overpayment from the date of suspension.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: March 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-094

AUTHORIZING TEMPORARY SUSPENSION OF REFUSE BILLING AND SERVICES AND AUTHORIZE A REFUND OF PRORATED REFUSE PAYMENTS FOR 2023 DUE TO FIRE DAMAGE THAT DEEMED 577 MOUNTAIN AVENUE ALSO KNOWN AS BLOCK 94 LOT 16 UNINHABITABLE

WHEREAS, 577 Mountain Avenue, also known as Blk 94 Lot 16 sustained considerable damage during a devastating fire on March 19, 2023; and

WHEREAS, the property is uninhabitable and requires major repairs, and;

WHEREAS, the property owner has submitted a request to the Tax Collector to suspend refuse billing effective March 19, 2023 until a Temporary Certificate of Occupancy is obtained, and;

WHEREAS, the 2023 refuse billing should be prorated to March 19, 2023 and any overpayment refunded to the property owner(s), and;

NOW THERE BE IT RESOLVED, that the Mayor and Council of the Borough of Bound Brook approve the refuse billing to be suspended for 577 Mountain Avenue until a Temporary Certificate Occupancy is obtained and a refund be issued for any refuse overpayment from the date of suspension.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: March 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-095

**RESOLUTION REJECTING ALL BIDS FOR THE 2023 SCLSNJ BOUND BROOK
BRANCH HVAC UPGRADES PROJECT**

WHEREAS, the Borough duly advertised bids for the 2023 SCLSNJ Bound Brook Library Branch HVAC Upgrade project; and

WHEREAS, the bid opening was held on March 22, 2023, and one (1) bid was received from WHL Enterprises Inc. t/a Bill Leary A/C & HTG in the amount of \$287,500.00; and

WHEREAS, the bid substantially exceeds the Borough's Engineer's cost estimates and the contracting unit's appropriation; and

WHEREAS, the Qualified Purchasing Agent recommends that all bids be rejected, and the contract be rebid; and

WHEREAS, N.J.S.A. 40A:11-13.2 (a) authorize the rejection of all bids when the bids substantially exceed the pre-bid estimate; and

WHEREAS, the rejection of all bids in accordance with the provisions of N.J.S.A. 40A:11-13.2 (a) is in the best interests of the Borough and is necessary for its continued efficient operation;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook, that for the reasons stated above and incorporated herein, all bids received by the Borough for a contract known as 2023 SCLSNJ Bound Brook Library Branch HVAC Upgrades are reject and the Qualified Purchasing Agent is authorized to rebid the contract.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: March 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-096

RESOLUTION AUTHORIZING THE HIRE OF CASEY MILLER AND LORELAI CODDINGTON TO THE POSITION OF PART-TIME SITE SUPERVISOR FOR THE DEPARTMENT OF RECREATION

WHEREAS, a need exists for Site Supervisors at the Recreation Center for various programs;
and

WHEREAS, Casey Miller and Lorelai Coddington have previously worked with the Recreation Department during the summer seasons and are both recommended for the position; and

WHEREAS, the Chief Financial Officer has certified the availability of funds;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, Casey Miller and Lorelai Coddington be hired as part-time Site Supervisors for various programs at the Recreation Center effective immediately at an hourly rate of \$13.00.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: March 23, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-097

RESOLUTION AUTHORIZING CONTRACT AWARD FOR THE 2022 ROAD PROGRAM TO REIVAX CONTRACTING CORP. IN THE AMOUNT OF \$617,402.94

WHEREAS, the Borough duly advertised bids for the 2022 Road Program; and

WHEREAS, the bid opening was held on March 24, 2023, and the following bids were received:

Capital Paving & Contracting, LLC	\$ 1,023,499.47
Reivax Contracting Corp.	\$ 617,402.94
Black Rock	\$ 746,466.60
CCM Contracting	\$ 730,097.87
Diamond Construction	\$ 1,081,967.61
TopLine Construction	\$ 696,836.99

WHEREAS, the Borough Engineer reviewed the lowest bid submitted by Reivax Contracting Corp. and have determined that it complies with the bid specification, making Reivax Contracting Corp. the lowest responsible bidder; and

WHEREAS, the Chief Financial Officer has certified funds in account # 04-2022-202207-220704- 4- 00000

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook in the County of Somerset that the Borough hereby accepts the lowest responsible bidder, Reivax Contracting Corp. and awards contract in the amount of \$617,402.94 for the 2022 Road Program.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: March 28, 2023

BOROUGH OF BOUND BROOK
RESOLUTION 2023-098

APPROVAL OF VOUCHERS

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, and State of New Jersey that vouchers are approved for the following funds in the amount of \$ 3,286,133.80.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 2,251,669.72
GRANT FUND	\$ 700.00
GENERAL CAPITAL FUND	\$ 1,000,185.90
GENERAL TRUST FUND	\$ 394.54
RECREATION TRUST	\$ 176.39
DOG/CAT TRUST	\$ 21.00
TAX COLLECTOR TRUST	\$ 2,900.00
TAX TITLE LIEN REDEMPTION	\$ 13,409.77
DEVELOPERS ESCROW	\$ 8,186.50
ENGINEER'S ESCROW	\$3,172.00
SEWER	\$ 112.26
PAYROLL	\$5,205.72
TOTAL	<u>\$ 3,286,133.80</u>

Approved:

Mayor David Morris

Attest

Jasmine D. McCoy, Borough Clerk
Date of Adoption: March 28, 2022