



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
JUNE 27, 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

June 13, 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____

June 22, 2023 Executive Session

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

Proclamation Recognizing the Service of Director of Code Enforcement, Joe Costa

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

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

Ordinance 2023-033 Ordinance Amending and Supplementing Chapter XVII, Property Maintenance, Section 17-20.5, Disposal of Garbage, of the Revised General Ordinances of the Borough of Bound Brook, to Amend Disposal of Garbage Exceptions

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on July 11, 2023.

Second:

Roll Call:

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

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

Ordinance 2023-034 An Ordinance Authorizing as a General Improvement the Purchase and Acquisition of Various Equipment for the Borough of Bound Brook and Appropriating \$25,000 Therefor from the “Capital Fund Balance” of said Borough

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on July 11, 2023.

Second:

Roll Call:

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

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

Ordinance 2023-035 An Ordinance Amending and Supplementing Chapter 18, Fire Prevention and Protection, Section 18-10.3, “Schedule of Fire Zones” of the Revised General Ordinances of the Borough of Bound Brook

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on July 11, 2023.

Second:

Roll Call:



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

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

Ordinance 2023-036 An Ordinance Amending and Supplementing Chapter XV, Housing, Section 15-11, Rental License Inspection, of the Revised General Ordinances of the Borough of Bound Brook to Amend Rental License and Lead Base Paint Inspections

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on July 11, 2023.

Second:

Roll Call:

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

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

ORDINANCES ON FINAL READING AND CONSIDERATION- SECOND READING

Ordinance 2023-028 An Ordinance Amending Section 21-10 of Chapter 21, Land Use, of the Revised General Ordinances of the Borough of Bound Brook to Delete Section 21-10.11, "Neighborhood Business/ Residential (NB/R) Zone District and to Amend the Borough's Zoning Map Accordingly

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 2023-029 An Ordinance Amending and Supplementing Chapter V, Animal Control, Section 5-31-2, "Prohibited Conduct", of the Revised General Ordinances of the Borough of Bound Brook to Prohibit Roosters

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 2023-030 An Ordinance Amending and Supplementing Chapter 7, Traffic, Section 7-24, "Routes for Trucks Over Four Tons", of the Revised General Ordinances of the Borough of Bound Brook Prohibiting Vehicles Over Four Tons From Operating or Parking on All Streets

Motion to open public comment: Second:

Public Comment:

Motion to close public comment: Second:

Motion: Movant: I move the **amended** 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 2023-031 An Ordinance Repealing and Replacing in its Entirety Chapter 29, Solid Waste Management, of the Revised General Ordinances of the Borough of Bound Brook



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:

- | | |
|----------|---|
| 2023-162 | Resolution Authorizing the Settlement Agreement of D.M. vs. Borough of Bound Brook |
| 2023-163 | Resolution Approving Liquor License Renewals for 2023-2024 |
| 2023-164 | Resolution Authorizing the Partial Waiver of Refuse Fees for 33 West High Street |
| 2023-165 | Resolution Appointing Jose Nieves as Lead Inspection Compliance Officer |
| 2023-166 | Resolution Appointing Erik Mickelsen as Lead Inspection Compliance Officer |
| 2023-167 | Resolution Appointing Karl McAleer as Lead Inspection Compliance Officer |
| 2023-168 | Resolution Appointing Tyler Gronau as Lead Inspection Compliance Officer |
| 2023-169 | Resolution Acknowledging the Retirement of Sergeant Robert Lavin from the Bound Brook Police Department |
| 2023-170 | Resolution Authorizing the Release of a Performance Bond for Reivax Contracting Corp. for the 2021 Road Improvement Program and Requiring a Maintenance Bond |
| 2023-171 | Resolution Appointing Cathyann Baker Roll to the Planning Board as Alternate 2 |
| 2023-172 | Resolution Memorializing Confirmation of Acceptance of Xavier Burton's NJ State Firemen's Association Application for Membership to the Bound Brook Fire Department |
| 2023-173 | Resolution Memorializing Confirmation of Acceptance of Roy Williams' NJ State Firemen's Association Application for Membership to the Bound Brook Fire Department |



- 2023-174 Resolution Authorizing Reconsideration of Advertisement of Bids for the Bound Brook Pool Reconstruction
- 2023-175 Resolution Authorizing the Release of a Performance Bond for the 17-19 West Main Street, LLC, also known as Tax Block 7 Lot 29, for and Requiring a Maintenance Bond
- 2023-176 Resolution Authorizing 2023 Salaries for Municipal Employees
- 2023-177 Resolution Authorizing the Application for the Lead Grant Assistance Program
- 2023-178 Resolution Authorizing the Executions and Submission of correspondence to Lenders confirming financing being permitted under the Redevelopment Agreement entered into by and between the Borough of Bound Brook and 507 East Main Street Urban Renewal, LLC

UNFINISHED BUSINESS

NEW BUSINESS

APPROVAL OF VOUCHERS

2023-179 Resolution Approving Vouchers in the Amount of \$1,978,619.60

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

ORDINANCE 2023-033

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVII, PROPERTY MAINTENANCE, SECTION 17-20.5, DISPOSAL OF GARBAGE, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO AMEND DISPOSAL OF GARBAGE EXCEPTIONS

WHEREAS, the Borough of Bound Brook desire to preserve the esthetic look of Main Street during times most frequented by residents and visitors, it is necessary to restrict the curbside placing of and picking up of garbage during these times.

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

SECTION 1. Chapter XVII, Property Maintenance, Section 17-20.5, Disposal of Garbage, of the Revised General Ordinances of the Borough of Bound Brook is hereby amended and supplemented by section 17-20.5 by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold**, to read as follows:

17-20.5 Disposal of Garbage

Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers. Approved garbage containers may be placed at the curb for pickup no earlier than 5:00 p.m. the evening before scheduled pickup. Garbage containers must be removed from the curb/front of property no later than 8:00 p.m. the evening of trash pickup to read as follows:

EXCEPTIONS

- a. Curbside garbage placement and pickup is prohibited between the hours of 5:00 p.m. on Fridays and 8:00 p.m. on Sundays on East Main Street. Borough of Bound Brook authorized pickup is exempt.
- b. **Residential apartment buildings located on East Main Street, West Main Street, Talmage Avenue and East Second Street are restricted to garbage pick up times between 6:30AM and 10:30 AM Monday through Friday.**
- c. **Residential apartment buildings located on East Main Street, West Main Street, Talmage Avenue and East Second Street with sidewalk dumpster pick up must have an attendant wheel the dumpster out only when the garbage truck is present for pick up and dumpster must be wheeled back into the building immediately after picking up. Dumpsters may not be left unattended in the public right of way.**
- d. **Any refuse spilled (solid or liquid) by dumpsters in the public right of way must be cleaned immediately.**

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

Approved: _____
David Morris, Mayor

Date of Introduction: June 27, 2023

BOROUGH OF BOUND BROOK
ORDINANCE 2023-034

AN ORDINANCE AUTHORIZING AS A GENERAL IMPROVEMENT THE PURCHASE AND ACQUISITION OF VARIOUS EQUIPMENT FOR THE BOROUGH OF BOUND BROOK AND APPROPRIATING \$25,000 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 plate reader equipment and other equipment including but not limited to vehicle lights.

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 \$25,000.00 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 \$25,000.00, the estimated cost for the projects having been noted in Section 1 above.

Section 4. The sum of \$25,000.00 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.

Jasmine D. McCoy, Borough Clerk

David Morris, Mayor

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-035

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 18, FIRE PREVENTION AND PROTECTION, SECTION 18-10.3, “SCHEDULE OF FIRE ZONES” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

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

SECTION 1. Chapter 18, Fire Prevention, Section 18-10.3, “Schedule of Fire Zones”, 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:

18-10.3 Schedule of Fire Zones.

Location	Description
Ashton Arms, 526 East Second Street	No parking east and west driveways. No parking north curb of parking area
Blair House Apartments, 500 East Union Avenue	No parking in center lane of lots. No parking in entrance driveway
[Bound Brook Apartments]	[No parking in any lot driveway (curb to curb). No parking down center of any lot]
Buy Rite Liquors, 260 West Union Avenue	No parking along east wall of building or in driveway
[Camelot House] Multiple Dwelling, 520 East High Street <u>Multiple Dwelling</u>	No parking entire east edge of lot
Cherry Avenue Apartments, 210 Cherry Avenue	No parking in travel portion of both driveways. No parking between garage and south curb
[Clothes Hanger] 540 West Union Avenue	No parking length of west side of building
[Copies Now] 241 West Union Avenue	No parking south side of lot adjacent to building. No parking in driveway along curb at any time
Dunkin Donuts/Dominick's' Pizza, 404 West Union Avenue	No parking length of south side (rear) of building

Location	Description
East Gate Apartments, 555 East High Street	No parking in both driveways. Center lanes must stay clear. No parking north and west sides of two rear buildings
476 West Union Avenue	No parking in lane adjacent to building down west side. No parking next to building on west side
<u>Effinger's Plaza</u> , 513 West Union Avenue	No parking from front of building and rear east to west
[Eckerd's] 200 Talmage Avenue	No parking length of east side of building from Talmage Avenue to southeast corner. Must maintain eighteen-foot wide lane on south side of building adjacent to door only
Elks, 305 East Second Street	No parking in front building on north side
[George's Station Restaurant] 350 East Main Street	No parking in area of front entrance steps
Gilly's Landing <u>Condo Complex</u>	No parking length of east side of driveway from West High Street to main parking lot
Greenbrook Academy, 126 Vosseller Avenue	No parking north, south and east sides driveways adjacent to building
High School, 111 Winsor Street	No parking anywhere adjacent to building. No parking in rear between fence and special education wing of high school building. Open lanes must be maintained behind Clark House through driveway to rear of school building.
Lafayette School	No parking west driveway from High Street to rear
50 West High Street	No parking adjacent to building south and east
La Maison Villa, 311 Mountain Avenue	No parking front drive. Lane through lot must be kept clear
LaMonte Field, 1 Crusader Way	No parking north side of building
LaMonte School, 301 West Second Street	No parking adjacent to building, south, east and west sides
[Madeline's 1 Vosseller Avenue]	[No parking along south wall of building from Vosseller Avenue in

	30 feet (past second door) to an access]
Medical Arts Building, 515 Church Street	No parking in driveways adjacent to building north and west sides
Location	Description
Memorial Library, 402 East High Street	No parking south and east driveways. No parking adjacent to building
Methodist Church, 150 West Union Avenue	No parking along south wall of building. No parking along east wall/driveway
[Morecraft Lot]	[No parking rear of food store adjacent to building. No parking twenty foot area by alley to theater must be kept clear at all times]
NJ Transit/Municipal Parking Lot #2	No parking along side of 200 West Main Street and behind all of the stores from 200 West Main Street down to 228 West Main Street. No parking in the delineated § 95 feet by eight feet behind 218 West Main Street
[Petalpeddlers] 227 West Union Avenue	No parking along any wall of building
Presbyterian Church, 409 Mountain Avenue	No parking from Mountain Avenue entrance to driveway north side and west side of addition to Route 28
[Rosina's] 440 West Union Avenue	No parking length of west side of building
[Russo's] 266 West Union Avenue	No parking in rear of building outside entrance door and kitchen door
Sausage Alley	No parking in traveled portion
Shop Rite, 611 West Union Avenue	No parking length of south side of building
Smalley School, 161 Cherry Avenue	No parking east side of building end to end. Eighteen foot lane must be maintained from Cherry Avenue to beginning of Fire Zone. No parking adjacent to north side of building
[St. Joseph's Church] 124 East Second Street	No parking front drive. A clear lane must be maintained through lot at all times
[St. Joseph's School] 120 East Second Street	No parking adjacent to south side of school. Lane between school and church must be open

[St. Mary’s] 330 West Second Street	No parking north, east and west sides of school during school hours
[Temple Christian School] 519 East Main Street	No parking east and north sides adjacent to building
536/538/540 West Union Avenue	No parking length of south side (rear) of building
<u>Brook Theater – South Alley</u>	<u>No parking in south alley running east to west. Parking allowed in south side building coves located behind 409 East Main and 411 East Main</u>
<u>Storage – 69 South Main St.</u>	<u>No Parking on west side of structure. No parking on south side of structure in front of fire department connection.</u>
<u>The Citizen – 507 East Main St.</u>	<u>Front of Fire Department Connection on East St. – extending 65’ south to the intersection of East Main St.</u>

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

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

SECTION 3: SEVERABILITY

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

SECTION 4: EFFECTIVE DATE

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

SECTION 5: CODIFICATION

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

ATTEST

Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

Mayor David Morris

Date of Introduction: June 13, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-036

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XV, HOUSING, SECTION 15-11, RENTAL LICENSE INSPECTION, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO AMEND RENTAL LICENSE AND LEAD BASE PAINT INSPECTIONS

WHEREAS, pursuant to P.L.2021,c.182, the Borough is required to perform inspections at stipulated times of certain single-family, and multiple dwelling rental dwelling units for lead-based paint hazards; and

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

SECTION 1. Chapter XV, Housing, Section 15-11, Rental License Inspection, 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:

15-11 RENTAL LICENSE INSPECTION

- A. **RENTAL LICENSE HOUSING INSPECTION** - Upon receipt of an application for a rental license or rental license renewal, the Housing Official, or a duly designated representative, shall conduct a general inspection of the premises and the visible parts of the building exterior and dwelling unit interior to ensure compliance with the required standards. The Housing Official shall make a report thereon, favorable or otherwise, within 10 days after completing the inspection.
- B. **LEAD BASE PAINT INSPECTION – As per N.J.A.C. 5.28A the Borough of Bound Brook will conduct lead base paint inspections on units required to do so by N.J.A.C. 5.28A. The inspections will be conducted in conjunction with the annual Housing Inspection or in conjunction with required Re-rent / Re-sale inspections with no additional fees due to the Borough of Bound Brook. A reporting fee is due to the State of New Jersey and collected by the Borough at the time of inspection of \$20.00. The Borough of Bound Brook will charge an additional \$50.00 for a standalone lead-based paint inspection.**

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: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-028

AN ORDINANCE AMENDING SECTION 21-10 OF CHAPTER 21, “LAND USE” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO DELETE SECTION 21-10.11, “NEIGHBORHOOD BUSINESS / RESIDENTIAL (NB/R) ZONE DISTRICT” AND TO AMEND THE BROUGH’S ZONING MAP ACCORDINGLY

WHEREAS, the Borough of Bound Brook Planning Board adopted a Master Plan Reexamination Report on October 24, 2019; and

WHEREAS, the Master Plan Reexamination Report contains a series of recommendations for amendments to Chapter XXI, Land Use, of the revised Borough Code, including the elimination of the (NB/R) Neighborhood / Residential zone district; and

WHEREAS, the Borough Governing Body now desires to effectuate that recommendation of the 2017 Master Plan Reexamination Report; and

WHEREAS, development and redevelopment in the current (NB/R) Neighborhood Business / Residential zone district is entirely controlled by the provisions of the Borough’s Redevelopment Plan for Area 2, last amended on July 26, 2022; and

NOW THEREFORE 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 XXI, Land Use of the Borough of Bound Brook, Section 21-10.11 – Neighborhood Business / Residential (NB/R) zone district -- is hereby deleted in its entirety and is incorporated into the Business / Residential (B/R) zone district. The Business / Residential (B/R) zone district regulations, as supplemented and modified by the Amended Redevelopment Plan for Area 2, shall apply.

Section 2. All the properties currently shown on the official zoning map of the Borough of Bound Brook as located within the Neighborhood Business / Residential District (NB/R) shall be re-designated and shown as located within the Business / Residential District (B/R) District and the Official Map of the Borough of Bound Brook authorized pursuant to § 21-10.1 is hereby amended to provide that those properties shall be shown as part of the Business / Residential (B/R) District.

Section 3. Chapter XXI, Land Use of the Borough of Bound Brook, Section 21-10.1a Zone Districts; Zoning Map is hereby amended as follows. New language is underscored, while deleted language is [bracketed].

a. Zone districts. For the purpose of this chapter, the Borough of Bound Brook is hereby divided into zone districts known as:

R-1	Single-Family Residence District
R-2	Single-Family Residence District
R-3	Single-Family Residence District
R-4	One- and Two-Family Residence District
[NB/R]	[Neighborhood Business / Residential District]
R-6	Multiple Family Residence District
O-B	Office Building District
MU-2	Mixed Use Two District
B/R	Business/Residential District
I-P	Industrial-Park District
OS-C	Open Space / Civic District
MU-3	Mixed-Use Three District
RR	Railroad District
R-C	Riverfront Commercial District
RB/R	Regional Business/ Residential District
RB-1	Regional Business One District
----	Redevelopment Overlay Districts
ACD	Arts and Cultural District

b. Map and schedule. The Zoning Map dated ~~November 2019~~ June 2023 (maintain rest of this section).

Pursuant to N.J.S.A. 40:55D-26, on June 22, 2023 the Borough of Bound Brook Land Use Board reviewed the Ordinance amending and supplementing § 21-10.1 and 21-10.11 of Chapter 21, Land Use of the Revised General Ordinances of the Borough of Bound Brook and the rezoning of the properties identified in Sections 1 and 2 of this Ordinance, and identified no inconsistencies with the Borough of Bound Brook Master Plan.

Section 4. Upon introduction of this Ordinance on first reading, it shall be referred to the Borough Planning Board (the “Planning Board”) for its review and consideration pursuant to N.J.S.A. 40:55D-26.

Section 5. Prior to the adoption of this Ordinance, the Planning Board shall, within 35 days after referral by Borough Council, transmit to Borough Council a report containing its recommendations concerning this Ordinance pursuant to N.J.S.A. 40:55D-26.

Section 6. Upon receipt of the Planning Board’s recommendation, Borough Council may act upon this Ordinance.

Section 7. If any article, section, subsection, sentence, clause or phrase in this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of the Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

Section 8. 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 other prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinance of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 9. This Ordinance shall take effect following adoption and publication in accordance with the laws of the State of New Jersey.

ATTEST

BOROUGH OF BOUND BROOK

Jasmine D. McCoy
Borough Clerk

Mayor David Morris

Date of Introduction: June 13, 2023

Date of Adoption: June 27, 2023

Borough of Bound Brook, Somerset County, New Jersey

Zoning Map

- The West Main Street Rehabilitation Area
- Redevelopment Sub-Districts
- Overlay Districts**
- Arts District
- Downtown Residential
- Main Street District

- R-1 Single Family Residence District
- R-2 Single Family Residence District
- R-3 Single Family Residence District
- R-4 One and Two family Residence
- R-6 Multiple Family Residence
- B/R Business/Residential
- RB/SR Regional Business/Senior Residential
- O-B Office-Business
- MU-2 Mixed Use Two
- RB-1 Regional Business District One
- OS-C Open Space/Civic
- I-P Industrial Park
- RR Railroad
- RC Riverfront Commercial

- Designated Historic Landmarks**
- HL1 - Bound Brook Theater
 - HL2 - Bound Brook Train Station
 - HL3 - Old Stone Arch Bridge





BOROUGH OF BOUND BROOK

PLANNING BOARD

June 23, 2023

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

Re: Borough Council Ordinance 2023-028

An Ordinance Amending Section 21-10 of Chapter 21, Land Use, of the Revised General Ordinances of the Borough of Bound Brook to Delete Section 21-10.11, "Neighborhood Business/ Residential (NB/R) Zone District and to Amend the Borough's Zoning Map Accordingly

At its meeting on Thursday, June 22, 2023, the Planning Board, pursuant to N.J.S.A. 40A:12A-1 et seq, found Ordinance 2023-028 not inconsistent with the Master Plan. The Board notes a typographical error, the proposed Ordinance cites Section 21-10.1.b pertaining to the amended language, whereas said language under Section 21-10.1.c.

Motion: Wale Adewunmi **Second:** Councilman Abel Gomez

Roll Call: Ayes: Wale Adewunmi, Mark Speed, Jim Ayotte, Councilman Abel Gomez,
 Dominic Moramarco

Nay: Maralee Sanders

Absent: Mike Witt, Scott Sloan, Howard Wagner, Jim Ayotte, Mayor David
 Morris

Very truly yours,

Michael D. Witt, Chairman

Bound Brook Municipal Land Use Board

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-029

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER V, ANIMAL CONTROL, SECTION 5-31.2, “PROHIBITED CONDUCT”, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO PROHIBIT ROOSTERS

WHEREAS, the Mayor and Council of the Borough of Bound Brook desire to regulate roosters due to nuisance complaints;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bound Brook, in the County of Somerset and State of New Jersey, that Chapter V, Animal Control, Article III Regulations Pertaining to All Animals, Section 5-31.2 Prohibited conduct be and is hereby amended as follows:

SECTION 1. That Section 5-31.2 “Prohibited conduct” is hereby amended and supplemented by inserting the text **underlined and marked in bold** to read as follows:

5-31.2 Prohibited conduct.

- A. No person shall feed, in any public park or on any other property owned or operated by the Borough of Bound Brook, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).
- B. The keeping of roosters is prohibited.**

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: June 13, 2023

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-030

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SECTION 7-24, “ROUTES FOR TRUCKS OVER FOUR TONS”, OF THE REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK PROHIBITING VEHICLES OVER FOUR TONS FROM OPERATING OR PARKING ON ALL STREETS

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

SECTION 1. Chapter 7, Traffic, Section 7-24, Routes for Trucks Over Four Tons”, 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:

7-24. ROUTES FOR TRUCKS OVER FOUR TONS. [1967 Code § 6-3]

Pursuant to N.J.S.A. 40:67-16.1, the streets or parts of streets as described are hereby designated as Route for Vehicles OVER four tons. All **[trucks] vehicles** having a total combined gross vehicle weight (GVW) of vehicle plus load in excess of four tons shall be excluded from **operating or parking** from all streets, except from those streets listed which form a part of the system of truck routes. Vehicles will be permitted on all streets for the purpose of the pick up, **[and]** delivery, and **services** of materials.

....

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: June 13, 2023

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-031

AN ORDINANCE REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 29, SOLID WASTE MANAGEMENT, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

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

SECTION 1. Chapter 29, Solid Waste Management, of the Revised General Ordinances of the Borough of Bound Brook is hereby repealed and replaced in its entirety as follows:

29-1 REFUSE DISPOSAL.

29-1.1 (DEFINITIONS)

Excluded Users:

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 \$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 a borough-issued container All garbage must be placed in a bag before placed in the container. All garbage in excess of the container must be identified with a solid waste disposal sticker. There shall be one sticker per bag. [Amended 2-11-2020 by Ord. No. 2020-06; 9-22-2020 by Ord. No. 2020-25; amended 12-14-2021 by Ord. No. 2021-030]**
- b. Every additional container for a dwelling shall be \$75.00 in addition to a \$150.00 annual service fee.**
- c. Refuse cans are the Borough's property and remain with the property. Damaged containers due to negligence will be assessed at the prevailing replacement cost.**
- d. Each sticker for use on garbage beyond the weekly number of permitted bags/containers shall cost \$6.00. [Amended 2-11-2020 by Ord. No. 2020-05]**
- e. Stickers for garbage may be purchased at the Office of the Tax Collector during normal business hours.**
- f. (Reserved)**
- g. Every church, every private school, the Post Office shall have the opportunity to**

provide for the lawful collection and disposal of its garbage, hazardous waste, bulk items and any other form of solid waste as an "excluded user" by notifying the Tax Collector of its intention to do so December 1 of the preceding year. Once any such establishment shall elect to be treated as an "excluded user," that establishment shall remain an "excluded user" until a written request is submitted to the Tax Collector by December 1 of the preceding year.

h. Effective January 1, 2023, there shall be no exceptions to the annual per dwelling unit charge for the disposal of garbage through the Borough of Bound Brook as detailed in Subsection 29-1.2a.

29-1.3 Excluded users: proof of service.
[1967 Code § 14-2.3]

- a. Every excluded user shall be responsible for the lawful collection and disposal of its garbage, hazardous waste, bulk items and any other form of solid waste through the services of a solid waste collection contractor.
- b. Every excluded user shall supply to the Tax Collector proof of having obtained the services of a solid waste collection contractor for the collection and disposal of its own garbage and all other forms of refuse as set forth in paragraph a.
- c. Proof of Service shall mean a written record, log, bill or document evidencing receipt of service for the collection and disposal of garbage and all other forms of refuse as set forth in paragraph a for the previous six months from a solid waste collection contractor. Sufficient proof shall contain: the user's name, the owner's name if the user is a tenant, the address, total cost per unit or period number and period of service.
- d. Records, logs, ledgers, documents and memorialized owner records in any form will not be deemed sufficient proof.
- e. Nothing in this section shall supersede the provisions of N.J.S.A. 13:1E-1 et seq.

29-1.4 Preparation for collection and disposal.
[1967 Code § 14-2.4; Ord. No. 03-2 §§ 1, 2; Ord. No. 07-03; Ord. No. 2007-24; Ord. No. 2008-03; 9-22-2020 by Ord. No. 2020-25]

a. The containers for garbage shall be the property of the Borough of Bound Brook and the responsibility of the property owner to maintain in good condition. One container shall be issued to each dwelling. Additional containers are available in accordance with 29-1.2(b). Replacement

2. _____

c. (Reserved)

- d. Broken glass. All non-recyclable broken glass or any other dangerous materials shall be placed in a secure container to facilitate safe loading of broken glass or other dangerous material.**
- e. Leaves, brush, grass. Leaves, brush and grass will not be collected as part of the regular garbage pickup. These items shall be collected as part of the special collection programs to be established by the Borough..**
- f. (Reserved)**
- g. Bulk items.**

 - 1. Included users shall be permitted to dispose of bulk items, but shall be assessed a separate charge for the pickup of these items in accordance with the rate schedule set forth below in paragraph 3. The Borough, through its Public Works Department, reserves the right to refuse excessively bulky or heavy items and will not dispose of items such as motor engine blocks, automobiles, bodies or portions thereof, truck bodies or parts, and other such items not ordinarily collected in the ordinary course.**
 - 2. No refrigerators shall be placed for collection or disposal unless and until the door of the refrigerator and/or freezer has been completely removed from the hinges and the lock has been rendered inoperable. There must also be a certificate from a vendor licensed to remove Freon attached to the refrigerator or any other appliance containing Freon.**
 - 3. Bulk item schedule. All bulk items placed curbside for removal must be identified with solid waste disposal stickers. Sticker must be affixed at the rate of \$6.00 per 25 pounds of such bulk item or items. Sticker shall be affixed to each item so that it is plainly visible.**
- h. Placement of container. Each container of garbage shall be placed on level ground or surface by the property owner, tenant or other person placing garbage for collection, or from whose property such property is proposed to be collected, so that it does not easily upset.**
- i. Responsibility to clean spills. If any container of garbage is upset or overturned other than by the Borough employees engaged in garbage or refuse collection, the property owner, tenant or other person placing the garbage for municipal collection shall promptly clean up such spill of garbage and restore it to a suitable container as defined hereinbefore.**
- j. Placement in street prohibited. No person shall place any of the items referred to in this section for collection in any street or highway, either for collection by the municipality or by private disposal.**
- k. Notice of noncompliance. If any Borough employee in the course of their duties observes noncompliance with any of the regulations of this section, they shall immediately notify the tenant or landowner of non-compliance personally or by**

written statement left on the premises. Each such instance of non-collection shall be reported to the Superintendent of Public Works by the person in charge of the particular truck not making the collection.

- l. Depositing trash on sidewalks, public places or streets prohibited. No trash or garbage shall be deposited upon any sidewalk, public street or any other public place.
- m. Use of containers by excluded users. Receptacles by excluded users utilizing a private Solid Waste Collection Contractor must meet the minimum requirements as set forth herein. However, the receptacles can be larger in size, so long as they are covered to prevent any refuse from being scattered about by wind or other elements, are rodent proof, leak proof, waterproof, are cleaned and sanitized as required and are conveniently located on the premises for storage of refuse and are maintained in such a manner as to prevent creation of a nuisance or menace to the public health. Excluded users shall arrange to have refuse removed daily unless suitable facilities are provided for the storage of solid waste until its removal.
- n. Placement not to cause nuisance. Any solid waste placed at the curb shall be placed in such a manner as not to create a public nuisance and safety hazard.
- o. No collection where dogs are loose. The Borough shall not be required to make garbage or trash collection from the premises of any included user whereon a dog is permitted to run loose.
- p. Interference with Borough employees. No person or persons shall prevent or interfere with any agent, servant or employee of the Borough in the sweeping or cleaning of any street or removal therefrom of sweepings, ashes, garbage, rubbish or paper or refuse materials, or in the collection of garbage, trash, waste, ashes, rubbish or similar material.
- q. The Borough may, at its own discretion, place refuse containers/receptacles on sidewalks in the public right-of-way for the purpose of providing a place for passing pedestrians to leave discarded items. It is prohibited for residential/household trash to be deposited in these containers/receptacles. The Borough will empty and maintain the containers/receptacles; however, property owners are responsible for maintaining the sidewalk areas around and under the containers/receptacles as described in Section [26-8.1](#).

29-1.5 Collection schedules; time for placement at curb.
[1967 Code § 14-2.5]

- a. Collection from included users shall be in accordance with a schedule announced by the Borough, which may be from time to time amended upon proper notice and publication.
- b. For collection pursuant to a schedule announced by the Borough all approved containers must be placed at the curb line where easily accessible. No containers shall

be set out prior to 5:00 p.m. on the day prior to collection, and all containers shall be removed by 8:00 p.m. on the collection day. When a regular collection day falls on a legal holiday, containers shall be set out for pick-up on the next scheduled collection day unless otherwise noted.

29-1.6 Conduct of collectors and vehicles.

[1967 Code § 14-2.6; Ord. No. 03-2 § 3]

- a. Collection shall be done in a quiet and orderly manner between the hours of 5:00 a.m. and 7:00 p.m. and in compliance with all applicable statutes and noise ordinances within the Borough.
- b. All solid waste collection contractors shall comply with the ordinances of the Borough and rules and regulations and orders of the Borough Administrator as well as all applicable State, County and Federal laws and regulations.
- c. All vehicles of solid waste collection contractors shall be of a closed type and of such construction and loaded in such a fashion that no part of the contents shall fall, leak or spill therefrom.

29-1.7 Transportation from outside municipality.

[1967 Code § 14-2.7]

- a. No person shall bring, cart, remove, transport or collect any solid waste, whether garbage, paper, ashes, rubbish, waste materials, construction debris, bulk items, hazardous waste or trade from outside this municipality or into this municipality for purposes of dumping or disposing thereof.
- b. No person shall bring, cart, remove, transport or collect any trade waste, waste materials, construction debris, hazardous waste or bulk items from an excluded user and place for collection with the solid waste of a residential user. Such solid waste shall be disposed of separately and in accordance with this section.

29-1.8 Violations, penalties and enforcement.

[1967 Code § 14-2.8; Ord. No. 03-2 § 4; Ord. No. 07-03; Ord. No. 2008-03; 9-22-2020 by Ord. No. 2020-25]

- a. This section shall be enforced by the Borough Department of Code Enforcement or its designees. In the event an inspector in the Department of Code Enforcement determines that a violation of this section or any regulation promulgated pursuant thereto has occurred, the inspector may file a summons and/or complaint in the Municipal Court or cause the issuance of the same, whether or not a notice of violation or order has been served. Any person violating any provision of this chapter shall be liable, upon conviction, to the penalty stated in Chapter 1, Section 1-5, with a minimum fine of \$150.
- b. (Reserved)

- c. Any and all provisions of this chapter shall be enforced by any and all officers or employees of the municipality or the Health Officer or any of their authorized representatives or any Bound Brook Police Officer.**

29-2 COLLECTION OF RECYCLABLE MATERIALS.

29-2.1 Established; rules and regulations.

[1967 Code § 14-2.12; Ord. No. 03-2 §§ 6, 7, 8; Ord. No. 2010-06 § 6]

- a. There is hereby established a program for the collection of newsprint, glass, aluminum cans, cardboard, metal, debris, yard and tree refuse, post-consumer plastic bottles, high-grade office paper, tin-plated steel and bimetal food and beverage cans from residential, commercial, industrial, and institutional establishments.**
- b. Such collections shall be made on a regular basis by Somerset County.**
- c. The Somerset County Engineer is hereby authorized and directed to establish and promulgate reasonable regulations as to the manner, days and times of such collections, and the bundling, handling, location, and time of placement of all materials for collection. The provisions of this section pertaining to recycling shall be enforced by the Department of Administration and Public Works or by any Police Officer.**
- d. With the prior approval of the Council, the Division of Public Works is hereby authorized to negotiate and enter into contracts from time to time to sell and deliver all materials collected by the Department of Administration and Public Works for recycling purposes.**

29-3 SEPARATION OF RECYCLABLE MATERIAL AND NON-GARBAGE ITEMS FROM REFUSE.

29-3.1 Mandatory separation.

[1967 Code § 14-3.2]

It shall be mandatory for all persons who are owners or occupants of residential, commercial, industrial or institutional premises within the Borough to separate newsprint, cardboard, glass, aluminum cans, metal, debris, high grade office paper, post-consumer plastic bottles, tin-plated steel and bimetal food and beverage cans, and yard and tree clippings from all other refuse produced on said premises as hereinafter provided.

29-3.2 Preparation for collection.

[1967 Code § 14-3.3; Ord. No. 03-2 §§ 9, 10, 11, 12, 13]

- a. (Reserved)**
- b. Glass shall be rinsed clean, with caps removed, and placed unbroken in a plastic container that is secured at the top. The bags shall be placed at the curb line on such days as shall be scheduled for collection.**

- c. Aluminum cans shall be rinsed clean and placed in a plastic container that is secured at the top. The containers shall be placed at the curb line on such days as shall be scheduled for collection. Glass and aluminum cans may be mixed in the same container.**
- d. Cardboard shall be flattened and tied together securely in bundles no greater than 24 inches by 24 inches to permit handling by one person. The bundles will be collected in a manner to be determined by Somerset County.**
- e. Metal, tin-plated steel and bimetal food and beverage cans will be collected in a manner to be determined by Somerset County.**
- f. Yard and tree clippings will be tied securely in bundles not to exceed four feet in length and of such weight as to allow being handled by one person. Leaves and other loose material will be placed in a plastic garbage bag and securely tied. The bundles and bags will be placed at the curb line on such days as shall be scheduled for collection. During the period September 1 to November 30, leaves may be placed at the curb for collection.**
- g. It shall be the responsibility of the owner, tenant and/or contractor who generates any debris in excess of 100 pounds to arrange for the removal of such debris by a disposal company.**
- h. Plastic bottles shall be rinsed clean with caps removed, flattened and placed in a plastic container that is secured at the top. The containers shall be placed at the curb line on such days as shall be scheduled for collection.**
- i. High grade office paper shall be bundled and securely tied in the same fashion and placed at the curb line in the same manner as newsprint. The provisions of this subsection shall apply only to commercial, industrial and institutional premises.**
- j. At the option and expense of persons required to separate recyclable materials from other solid waste under this section, such material may be disposed of by any other lawful means, including but not being limited to contributions of this material to charitable recycling drives, provided, that in no event shall the same be disposed of as part of solid waste.**
- k. Notwithstanding the foregoing, the manner of separation and the location for collection for multiple-family dwellings shall be described in a plan of operation to be implemented and made a part of the rules and regulations hereinafter mentioned, which plan shall take into consideration special circumstances involved in collection from the dwellings.**

29-3.3 Time for placement.

[Ord. No. 03-02 § 16]

For collection pursuant to the schedule established by Somerset County all approved containers must be placed at the curb line where easily accessible. No containers shall be

set out prior to 5:00 p.m. on the day prior to collection, and all containers shall be removed by 8:00 p.m. on the collection day.

29-3.4 Recyclable curb placements; county property; violations.

[1967 Code § 14-3.4; Ord. No. 03-2 § 14]

From the time of placement by any person at the curb or curb line of recyclable materials for collection by Somerset County, its authorized agent or some other authorized person, such materials shall become and be the property of Somerset County. It shall be a violation of this section for any person not authorized by Somerset County or the owner or occupant to collect or pick up or cause to be collected or picked up, any such materials for any purpose whatsoever. Any and each such collection in violation hereof from one or more premises shall constitute a separate and distinct offense punishable as hereinafter provided.

29-3.5 Authorization to make regulations.

[1967 Code § 14-3.5; Ord. No. 03-2 § 15]

Somerset County is hereby authorized to establish and promulgate reasonable rules and regulations as to the plan of operations, manner, days, and times for the collection of recyclable materials in accordance with the terms hereof.

29-3.6 Determination of compliance.

[1967 Code § 14-3.7]

The Enforcement Officer as designated by the Mayor and Borough Council shall provide for random inspection or surveying of 20 properties (containing a mix of residential and non-residential establishments) per month to determine the extent of compliance.

29-3.7 (Reserved)

29-3.8 Enforcement.

[1967 Code § 14-3.10; amended 9-22-2020 by Ord. No. 2020-25]

This section shall be enforced by the Borough Department of Code Enforcement, who shall investigate alleged violations called to its attention by a collector of nonrecyclable solid waste. In the event an inspector in the Department of Code Enforcement determines that a violation of this section or any regulation promulgated pursuant thereto has occurred, the inspector may file a summons and/or complaint in the Municipal Court or cause the issuance of the same, whether or not a notice of violation or order has been served.

29-3.9 Violations and penalties.

[1967 Code §§ 14-3.6, 14-3.11; Ord. No. 07-03]

Violation and Penalty. Any person who violates or neglects to comply with any provisions of this section or any regulation promulgated pursuant thereto shall, upon conviction thereof, be liable to the penalty stated in Chapter 1, § 1-5.

29-4 DISPOSAL OF YARD WASTE.

29-4.1 Definitions.

[Ord. No. 05-12 § 2]

As used in this section:

CONTAINERIZED

The placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

STREET

Any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, County, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

YARD WASTE

Leaves, tree branches and brush.

[Amended 9-22-2020 by Ord. No. 2020-25]

29-4.2 Prohibited conduct.

[Ord. No. 05-12 § 3]

The owner or occupant of any property, or any agent, employee, or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow, or otherwise place yard waste, unless the yard waste is containerized, in the street. Provided, however, sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street shall be allowed during the seven days prior to a scheduled and announced collection for the specific type of yard waste so placed, and such yard waste shall not be placed closer than 10 feet from any storm drain inlet. Placement of yard waste at the curb or along the street other than in conformity with the provisions herein is a violation of this section. If non-conforming placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this section.

29-4.3 Enforcement.

[Ord. No. 05-12 § 4; amended 9-22-2020 by Ord. No. 2020-25]

This section shall be enforced by the Police Department and the Department of Code

Enforcement of the Borough of Bound Brook.

29-4.4 Penalty.

[Ord. No. 05-12; Ord. No. 07-03]

Any person who violates any provision of this section shall be liable, upon conviction, to the penalty stated in Chapter 1, § 1-5.

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: June 13, 2023

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-032

AN ORDINANCE ADOPTING THE SALARY RANGES FOR 2023

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

1. The salaries, wages or other compensation to be paid to the following officers and employees of the Borough of Bound Brook, in the County of Somerset, State of New Jersey, are hereby fixed and determined to be at amounts or rates hereinafter set forth.

<u>ADMINISTRATIVE</u>	<u>PER ANNUM</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
Borough Administrator	60,000	180,000
Borough Administrator (P/T)	30,000	45,000
Assistant Borough Administrator	19,800	46,200
Assistant to the Borough Administrator	12,000	75,000
Mayor	3,600	3,600
Councilmembers	3,600	3,600
Borough Clerk	45,000	90,000
Deputy Borough Clerk	25,000	63,800
General Clerk/Registrar	25,000	45,000
Receptionist/Typist	25,000	35,000
Chief Finance Officer	35,000	80,000
Tax Collector	19,000	50,000
Tax Collector (P/T)	10,000	30,000
Deputy Tax Collector	25,000	52,000
Account Clerk	25,000	50,000
Account Clerk (P/T)	10,000	30,000
Finance Clerk	25,000	70,000
Tax Assessor (P/T)	20,000	50,000
Prosecutor (P/T)	18,000	40,000
Public Defender (P/T) (per session)	100	450
Municipal Court Judge (P/T)	15,000	46,000
Municipal Court Administrator	45,000	80,000
Deputy Court Administrator	25,000	50,000
Violations Clerk	25,000	47,000
Director of Code Enforcement/Officer	40,000	120,000
Technical Asst. to Construction Official	12,000	70,000
Property Maintenance/Housing Inspector	23,000	70,000
Housing Inspector/Deputy Fire Marshall	23,000	70,000
Fire Marshall (P/T) (hourly)	14.13	40.00

Zoning Officer	3,500	65,000
Bilingual Coordinator	25,000	55,000
Recreation Director (P/T)	3,500	25,000
Planning Board Secretary (P/T)	3,000	10,000
Website Administrator	1,000	3,000

EMERGENCY SERVICES DEPARTMENT

Coordinator of Emergency Medical Services	70,000	80,000
Emergency Medical Technician-hourly	19.00	29.00

POLICE DEPARTMENT

Chief of Police	153,000	186,000
FT Special II Police Officer	27,040	40,000
SLEO III- hourly	35.00	40.00
Special II Police Officer	25.00	30.00
Dispatchers	35,000	55,000
Secretary-Police	25,000	60,000
Captain	BY CONTRACT	
Lieutenant	BY CONTRACT	
Sergeant	BY CONTRACT	
Detective	BY CONTRACT	
Patrolman	BY CONTRACT	

ADDITIONAL COMPENSATION: Uniform Allowance, Court Attendance, on call pay and education credits shall be paid in accordance with the current contract between the Borough and the PBA, SOA, and Chief of Police.

STREETS AND ROADS

Director	32,000	140,000
Superintendent	32,000	140,000
Assistant Superintendent	30,000	65,000

PER HOUR

Leadman/Foreman	BY CONTRACT	
Mechanic	BY CONTRACT	
Assistant Mechanic	BY CONTRACT	
Equipment Operator	BY CONTRACT	
Driver	BY CONTRACT	
Laborer	BY CONTRACT	
Custodian (P/T)	14.13	25.00
Laborer (P/T or Temporary)	14.13	17.00

Transit Village Property Maintenance Assistant	14.13	20.00
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ADDITIONAL COMPENSATION: Additional compensation shall be paid in accordance with the current contract in existence between the Borough and AFSCME.

<u>RECREATION (SEASONAL)</u>		<u>PER HOUR</u>
Deputy Recreation Director	15.00	20.00
Recreation Maintenance	14.13	17.00
Clock Operator		NJ State Minimum Wage
Gym Supervisor	14.13	20.00
Park Director	14.13	21.00
Assistant Park Director	14.13	21.00
Pool Manager	14.13	18.00
Pool/Parks Maintenance		NJ State Minimum Wage
Pool Manager	14.13	21.00
Arts and Crafts		NJ State Minimum Wage
Maintenance Supervisor	14.13	18.00
Concessions		NJ State Minimum Wage
Head Swim Instructor	14.13	18.00
Head Lifeguard	14.13	22.00
Lifeguards	14.13	22.00
Swim Instructors	14.13	18.00
Aqua-Aerobics Instructor	14.13	18.00
Camp Director	14.13	27.00
Assistant Camp Director	14.13	27.00
Camp Counselor	14.13	18.00
Gate Guards		NJ State Minimum Wage

<u>OTHER PERSONNEL</u>		<u>PER HOUR</u>
Parking Enforcement Officer	14.13	25.00
Building Sub-Code Official	20.00	55.00
Property Maintenance Official	20.00	23.00
Construction Code Official	20.00	55.00
Fire Sub-Code Official	20.00	55.00
Electric Sub-Code Official	20.00	55.00
Plumbing Sub-Code Official	20.00	55.00
Building Inspector	20.00	45.00
Electric Inspector	14.13	45.00
Fire Official	15.00	40.00
Deputy Fire Official/Housing Inspector	15.00	40.00
Assistant Finance Clerk	14.13	30.00
Secretary	14.13	20.00
Technical Assistant Contraction Office	14.13	20.00
Technical Assistant to the Clerk	14.13	20.00

Records Clerk Police Department	15.00	27.00
Custodian	15.00	25.00
Special II Police Officer	25.00	30.00

2. Salaries, wages or compensation, when applicable, shall be retroactive as of and from and after January 1, 2023 and shall continue active as of and from and after January 1, 2023.
3. In the event of future succession to any of the foregoing positions by a change of personnel, the salary or wage of such new officer or employee shall be fixed by a resolution of the Mayor and Council adopted therefore but not to exceed the amount or rate for such position as hereinabove set forth.
4. The Borough Council may also fix and determine from time to time the times at which and the installments in which or periods of time for which the salaries, wages or compensation of the officers and employees enumerated in section 1 of this ordinance shall be paid to them respectively.
5. This ordinance shall take effect immediately upon passage and publication as required by law, and all prior salary ordinances are hereby repealed.
6. Payment of salaries, wages or compensation described herein is subject to funding in the 2023 and subsequent budgets notwithstanding the effective date of this ordinance.
7. In any case in which the same person simultaneously holds more than one office or position within Borough government for each of which said offices or positions a salary is provided, the person shall be entitled to receive only one salary, that being the highest salary provided for the offices or positions involved; provided, however, the Mayor and Council, by resolution, may provide for additional compensation in the event of multiple office holding, but in no event shall such additional compensation exceed the amount authorized for the office or position for which the additional compensation is being provided.

ATTEST

Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

Mayor David Morris

Date of Introduction: June 13, 2023

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-161

RESOLUTION ADOPTING THE 2023 SPECIAL IMPROVEMENT DISTRICT BUDGET IN
THE AMOUNT OF \$297,542.72

WHEREAS, the Bound Brook Revitalization Partnership (Special Improvement District) has submitted their annual budget, January 1, 2023 to December 31, 2023, in the amount of \$297,542.72 attached hereto and made a part hereof; and

WHEREAS, in accordance with the procedures set forth in N.J.S.A. 40:56-84 the 2022 Budget of the Bound Brook Revitalization Partnership (Special Improvement District) was introduced on May 23, 2023 advertised in the Courier News and public hearing held on June 27; and

WHEREAS, the budget of Special Improvement District shall be adopted by not less than a majority of the full membership of the Governing Body;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset that the 2023 Special Improvement District budget be adopted.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-163

RESOLUTION APPROVING LIQUOR LICENSE RENEWALS FOR 2023-2024

WHEREAS, the following applications were received for renewal of their Plenary Retail Consumption, Plenary Retail Distribution and Club Licenses; and

WHEREAS, said applications comply with the Rules and Regulations of the Division of Alcoholic Beverage Control, each being accompanied by the required license fee, filing fee and tax clearance; and

WHEREAS, the Borough Clerk has informed this body that no objections have been received by against any of said applications; and

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 following applications are hereby approved and the Borough Clerk is hereby authorized to issue licenses to the applicants for the fiscal year 2023-2024.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Division of Alcoholic Beverage Control; Trenton, New Jersey.

Plenary Retail Consumption	1804-33-018-001	\$2,500	Stan Chitchs Café, Inc.	14 Columbus Place
Plenary Retail Consumption	1804-33-023-006	\$2,500	AJ Hospitality Inc.	525 Talmage Avenue
Plenary Retail Consumption	1804-33-012-003	\$2,500	Star Banquet Group	Pocket License
Plenary Retail Consumption	1804-32-002-007	\$2,500	WC RT 28 LLC	600 W. Union Avenue
Plenary Retail Consumption	1804-33-007-012	\$2,500	Alley 14 LLC	12 Church Street
Plenary Retail Consumption	1804-33-021-005	\$2,500	Bound Brook Cheers LLC	Pocket License
Plenary Retail Consumption	1804-33-001-005	\$2,500	America's Florist	227 W. Union Ave.
Plenary Retail Distribution	1804-44-006-008	\$2,500	Al Habib Inc	260 W. Union Street

Plenary Retail Consumption	1804-33-020-009	\$2,500	LFR Inc.	224, 226, 228 W. Main St.
Plenary Retail Consumption	1804-33-014-008	\$2,500	Rakita, Inc.	204-206 East Main Street
Plenary Retail Consumption	1804-32-022-006	\$2,500	Café Imperial	200 Talmage Avenue
Plenary Retail Distribution	1804-44-016-007	\$2,500	JHDP LLC	10-12 John Street
Plenary Retail Distribution	1804-33-008-004	\$2,500	Revelocity Entertainment LLC	Pocket License
Club	1804-31-026-001	\$188	Loyal Order of Moose Bound Brook Lodge 988	222 Talmage Avenue
Plenary Retail Consumption	1804-32-011-009	\$2,500	Cheers Restaurants Inc.	13-15 Hamilton Avenue

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK

County of Somerset

RESOLUTION 2023-164

RESOLUTION AUTHORIZING THE PARTIAL WAIVER OF REFUSE FEES FOR 33 WEST HIGH STREET

WHEREAS, effective January 1, 2023, there shall be no exceptions to the annual per dwelling unit charge for the disposal of garbage through the Borough of Bound Brook; and

WHEREAS, the property owner of 33 West High Street, submitted a request to waiver the Refuse fee for the second floor apartment; and

WHEREAS, the property owner has no intent to re-rent the second floor apartment; and

WHEREAS, the Mayor and Council may waive Refuse fees on a case by case basis;

NOW, THEREFOR BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook the Refuse fee for the second floor apartment located at 33 West High Street is waived.

Attest:

Approved:

Jasmine D. McCoy, Clerk

David Morris, Mayor

Date Approved: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-165

RESOLUTION APPOINTING JOSE NIEVES AS LEAD INSPECTION
COMPLIANCE OFFICERS

WHEREAS, in 2021 the Legislature enacted P.L.2021, c. 182, this law, which became effective as of July 22, 2022, requires inspections at stipulated times of certain single-family, and multiple dwelling rental dwelling units for lead-based paint hazards; and

WHEREAS, Municipalities that maintain a permanent local agency for the purpose of conducting inspection; and

WHEREAS, Jose Nieves received training to perform inspections for lead-based paint hazards in rental units subject to P.L.201,c 182;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Jose Nieves be appointed Lead Inspection Compliance Officer.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-166

RESOLUTION APPOINTING ERIK MICKELSEN AS LEAD INSPECTION
COMPLIANCE OFFICERS

WHEREAS, in 2021 the Legislature enacted P.L.2021, c. 182, this law, which became effective as of July 22, 2022, requires inspections at stipulated times of certain single-family, and multiple dwelling rental dwelling units for lead-based paint hazards; and

WHEREAS, Municipalities that maintain a permanent local agency for the purpose of conducting inspections; and

WHEREAS, Erik Mickelsen received training to perform inspections for lead-based paint hazards in rental units subject to P.L.201,c 182;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Erik Mickelsen be appointed Lead Inspection Compliance Officer.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-167

RESOLUTION APPOINTING KARL MCALEER AS LEAD INSPECTION
COMPLIANCE OFFICERS

WHEREAS, in 2021 the Legislature enacted P.L.2021, c. 182, this law, which became effective as of July 22, 2022, requires inspections at stipulated times of certain single-family, and multiple dwelling rental dwelling units for lead-based paint hazards; and

WHEREAS, Municipalities that maintain a permanent local agency for the purpose of conducting inspection; and

WHEREAS, Karl McAleer received training to perform inspections for lead-based paint hazards in rental units subject to P.L.201,c 182;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Karl McAleer be appointed Lead Inspection Compliance Officer.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-168

RESOLUTION APPOINTING TYLER GRONAU AS LEAD INSPECTION
COMPLIANCE OFFICERS

WHEREAS, in 2021 the Legislature enacted P.L.2021, c. 182, this law, which became effective as of July 22, 2022, requires inspections at stipulated times of certain single-family, and multiple dwelling rental dwelling units for lead-based paint hazards; and

WHEREAS, Municipalities that maintain a permanent local agency for the purpose of conducting inspection; and

WHEREAS, Tyler Gronau received training to perform inspections for lead-based paint hazards in rental units subject to P.L.201,c 182;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Tyler Gronau be appointed Lead Inspection Compliance Officer.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK

County of Somerset

RESOLUTION 2023-169

RESOLUTION ACKNOWLEDGING THE RETIREMENT OF ROBERT LAVIN

WHEREAS, Robert Lavin began his career with the Bound Brook Police Department in July 1998; and

WHEREAS, Sergeant Lavin shall retire effective July 1, 2023; and

WHEREAS, the Borough wishes to thank Sergeant Lavin for the many years of service in the Borough of Bound Brook;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Bound Brook does hereby commend Sergeant Robert Lavin for his dedication to the Bound Brook Police Department and wishes him a healthy and enjoyable retirement.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-170

RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE BOND FOR
REIVAX CONTRACTING CORP. FOR THE 2021 ROAD IMPROVEMENT PROGRAM
REQUIRING A MAINTENANCE BOND

WHEREAS, a final site inspection was performed by the Borough Engineer; and

WHEREAS, the Borough Engineer recommends the release of Performance Bond # 54-243459M on the condition that a Maintenance Bond in the amount of \$15% (or \$218,375.23) of the Improvements for a period of two (2) years from August 9, 2022 in accordance with the NJ Municipal Land Use Law Section 40:55D.a.(2).

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Bound Brook, Performance Bond # 54-243459M is released on condition of a Maintenance Bond in the amount of \$15% (or \$218,375.23) be posted.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-171

RESOLUTION APPOINTING CATHYANN BAKER ROLL AS THE ALTERNATE 2 ON
THE MUNIICPAL LAND USE BOARD

WHEREAS, a vacancy exists on the Municipal Land Use Board; and

WHEREAS, the Mayor has recommended the appointment of Cathyann Baker Roll, for the unexpired term ending in December 31, 2024; and

WHEREAS, Cathyann Baker Roll shall be required to enroll in the Land Use Board courses; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council confirms that Cathyann Baker Roll shall be appointed to the Land Use Board for an unexpired term ending December 31, 2024.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-172

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

WHEREAS, Xavier Burton has applied to become a volunteer firefighter in the Borough of Bound Brook Fire Department Hose Company No. 1; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the New Jersey State Firemen's Association Application for Membership for Xavier Burton to Hose Company No. 1 is hereby accepted.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

David Morris, Mayor

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-172

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

WHEREAS, Roy Williams has applied to become a volunteer firefighter in the Borough of Bound Brook Fire Department Hose Company No. 1; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the New Jersey State Firemen's Association Application for Membership for Roy Williams to Hose Company No. 1 is hereby accepted.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

David Morris, Mayor

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-174

RESOLUTION AUTHORIZING RECONSIDERATION OF ADVERTISEMENT OF BIDS FOR THE BOUND BROOK POOL RENOVATION

WHEREAS, the Borough of Bound Brook desires solicit bids for the Bound Brook Pool Reconstruction project; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Municipal Clerk is hereby authorized to advertise bids for the Bound Brook Pool Reconstruction project.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-175

RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE BOND FOR 17-19 WEST MAIN STREET, LLC, ALSO KNOWN AS TAX BLOCK 7 LOT 29, FOR THE 2021 ROAD IMPROVEMENT PROGRAM REQUIRING A MAINTENANCE BOND

WHEREAS, a final site inspection was performed by the Borough Engineer; and

WHEREAS, the Borough Engineer recommends the release of Performance Bond # 1285499 on the condition that a Maintenance Bond in the amount of \$9,249.00 (or not to exceed 15%) of the Improvements for a period of two (2) years from June 13, 2023 in accordance with the NJ Municipal Land Use Law Section 40:55D.a.(2).

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Bound Brook, Performance Bond # 1285499 is released on condition of a Maintenance Bond in the amount of \$9,249 (or not to exceed 15%) be posted.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-176

WHEREAS, as compensation for their loyal service and devotion to their duties as employees of the Borough of Bound Brook; and

WHEREAS, to recognize their service;

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 following salaries and wages are established effective January 1, 2023, unless otherwise noted:

<u>POSITION</u>	<u>2023 SALARY</u>
Borough Administrator	\$159,578.00
Assistant Administrator	\$21,508.57
Borough Clerk	\$88,080.26
Deputy Borough Clerk	\$56,100.00
General Clerk/Registrar	\$38,641.72
Director of Code Enforcement	\$110,869.71 (Jan-June)
Director of Code Enforcement	\$119,500.00 (July-Dec)
Technical Assistant	\$64,958.59
Zoning Officer	\$63,143.96
Chief Financial Officer	\$74,284.00
Tax Collector/Account Clerk	\$73,017.31
Finance Clerk	\$67,625.99
Tax Assessor (P/T)	\$44,163.24
Municipal Judge	\$42,000.00
Municipal Court Administrator	\$78,810.67
Deputy Court Administrator	\$47,754.36
Police Secretary	\$55,923.64
Police Matron	\$46,410.00
Coordinator of Emergency Medical Services	\$75,000.00
Dispatcher 1	\$51,733.91
Dispatcher 2	\$51,733.91
Dispatcher 4	\$44,010.87
Recreation Director	\$18,454.71
Deputy Recreation Director	\$16.65
Planning Board Secretary (PT)	\$7,376.36
Housing/Deputy Fire Marshall	\$64,406.84
Superintendent of Public Works	\$124,440.00
Councilperson	\$3,600.00
Mayor	\$3,600.00
Acting Chief of Chief of Police	\$179,307.21 (end 3/31/2023)
Deputy Chief of Police	\$178,362.47

Chief of Police	\$182,730.72 (to 3/31/2023)
Chief of Police	\$179,307.21 (eff. 4/1/2023)
Finance Clerk (P/T)	\$25.50
SLEO III	\$37.50 (Jan-June)
SLEO III	\$39.50 (Sept-Dec)
Fire Marshall (P/T)	\$37.50
Plumbing Sub-Code Official (PT)	\$42.05
Electrical Sub-Code Official (PT)	\$42.25
Fire Sub-Code Official (PT)	\$41.96
Building Inspector (PT)	\$41.09
Electric Inspector (PT)	\$40.33
Construction Code Official (PT)	\$51.30
Custodian (PT)	\$24.45
Construction Technical Assistant	\$14.13
Parking Enforcement Officer (PT)	\$20.40

Approved:

Mayor

Attest:

Jasmine D. McCoy, Borough Clerk

Date of Adoption: June 27, 2023

BOROUGH OF BOUND BROOK

RESOLUTION 2023-178

RESOLUTION AUTHORIZING THE EXECUTION AND SUBMISSION OF CORRESPONDENCE TO LENDERS CONFIRMING FINANCING BEING PERMITTED UNDER THE REDEVELOPMENT AGREEMENT ENTERED INTO BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND 507 EAST MAIN STREET URBAN RENEWAL, LLC

WHEREAS, the Mayor and Council (the “**Borough Council**”) of the Borough of Bound Brook (the “**Borough**”) identified certain properties in the Borough designated various properties in its downtown along the Main Street Corridor (collectively, “**Redevelopment Areas 1 & 2**”), to be considered for designation as an “area in need of redevelopment” under the Local Redevelopment and Housing Law, **N.J.S.A. 40A:12A-1 et seq.** (the “**LRHL**”); and

WHEREAS, in January 2000 the Borough Council designated Redevelopment Areas 1 & 2 as an “area in need of redevelopment” under the LRHL and adopted a redevelopment plan for Redevelopment Areas 1 & 2 in February 2000 and subsequently adopted an amended redevelopment plan for Redevelopment Area 1 on August 11, 2015; and

WHEREAS, properties designated on the official tax map of the Borough as Block 13.03, Lots 1 and 12.01 and Block 13, Lot 10.01 (collectively, the “**Property**”) are located within Redevelopment Area 1 and the Borough Council previously designated 507 East Main Street Urban Renewal, LLC (the “**Redeveloper**”) as redeveloper of the Property and authorized the Borough to enter into a redevelopment agreement (the “**Redevelopment Agreement**”) with the Redeveloper, setting forth the terms and conditions by which Redeveloper will redevelop the Property; and

WHEREAS, on November 7, 2017, the Borough and Redeveloper entered into the Redevelopment Agreement forth their respective undertakings, rights and obligations in connection with the development of the Property in accordance with the governing redevelopment plan and applicable law; and

WHEREAS, on November 7, 2017, the Borough and Redeveloper entered into a financial agreement (the “**Financial Agreement**”, and together with the Redevelopment Agreement, collectively, the “**Agreements**”) setting forth the long term tax exemption granted to Redeveloper concerning the project to be developed on the Property under the New Jersey Long Term Tax Exemption Law, **N.J.S.A. 40A:20-1 et seq.** (the “**Exemption Law**”); and

WHEREAS, Redeveloper has advised the Borough that Redeveloper is entering into certain first mortgage loan financing and Revo BB Owner LLC, which owns a 100% interest in Redeveloper, is entering into certain mezzanine loan financing (collectively, the “**Loans**”), and has requested that the Borough, under the terms of the Redevelopment Agreement, submit correspondence to the respective lenders for these Loans confirming, among other things, that these Loans are each Permitted Transfers in accordance with Section 13.04 of the Redevelopment

Agreement which do not require consent of the Borough under Article 15 of the Redevelopment Agreement; and

WHEREAS, the Borough Council believes that the identified Loans each qualify as Permitted Transfers under the criteria set forth in the Agreements, and the entering into these Loans by the Redeveloper and Revo BB Owner, LLC is not contrary to the vital and best interests of the community and the promotion of the health, safety, morals and welfare of the Borough's residents and same is in accord with the public purpose and provisions of the Redevelopment Law, the Exemption Law, and all other applicable law; and

WHEREAS, the Borough Council, in consideration of the above, now desires to approve the form of correspondence attached hereto directed to lenders Argentic Real Estate Investment 2 LLC and Hillcrest Finance LLC and further desires to authorize the execution and delivery thereof to these identified lenders.

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

Section 1. The above "WHEREAS" paragraphs are hereby incorporated herein by reference as though specifically set forth herein below.

Section 2. As each of the Loans qualify as Permitted Transfers under the Agreements, the proposed form of correspondence attached hereto directed to Argentic Real Estate Investment 2 LLC and Hillcrest Finance LLC shall be and is hereby approved as to form, subject to any and all conditions contained in the Agreements, and the Borough Administrator shall be and is hereby authorized and directed to execute the approved proposed form of correspondence and to deliver the same to the parties as is identified therein.

Section 3. The Borough Clerk is hereby directed to publish and post notice of this resolution as required by applicable law.

Section 4. This resolution shall take effect at the time and in the manner provided by applicable law.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

BOROUGH OF BOUND BROOK

RESOLUTION 2023-177

RESOLUTION APPLICATION TO LEAD GRANT ASSISTANCE PROGRAM

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, “An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;” and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act.

WHEREAS, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program (“LGAP”) for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

WHEREAS, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

WHEREAS, an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of, the Borough of Bound Brook, does hereby authorize the Mayor to sign the attached grant agreement, and thus bind (name of municipality) to the grant agreement’s terms in order to receive the grant from the DLGS;

2023-177

ATTEST:

Jasmine D. McCoy, Borough Clerk

Date Approved: June 27, 2023

APPROVED:

Mayor David Morris

BOROUGH OF BOUND BROOK

RESOLUTION 2023-179

RESOLUTION APPROVING VOUCHERS IN THE AMOUNT OF \$1,978,619.60

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 \$ 1,978,619.60.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 1,814,028.71
GRANT FUND	\$ 100,386.51
GENERAL CAPITAL FUND	\$ 43,213.43
GENERAL TRUST	\$ 4,040.95
HOUSING REHAB	\$ 16,950.00
TOTAL	<u>\$ 1,978,619.60</u>

Approved:

Mayor David Morris

Jasmine D. McCoy, Borough Clerk

Date of Adoption: June 27, 2023