Final Agenda September 26, 2023



BOROUGH COUNCIL REGULAR MEETING AGENDA SEPTEMBER 26, 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

September 12, 2023, Regular Meeting			
Motion:	Second:		
Roll Call:			
C. Abel Gomes	ez C. Vinnie Petti C. Anthony Pra	anzatelli	
C. Dominic Lo	ongo C. Linda Brnicevic C. Ke	endall Lopez	



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

Oath of Office- Captain Jason Gianotto

September 12, 2023, Executive Session

Sergeant Gerry Flanagan

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
ORDINANCES ON	FINAL READING AND CO	NSIDERATION- SECOND READING
Ordinance 2023-043	<u> </u>	upter 7, Traffic, Section 7-38, Taxi Stands, of the Borough of Bound Brook to Amend
	Motion to open public common Public Comment: Motion to close public common public com	
	Motion: Movant: I move the advertised according to law.	ordinance be passed on second reading and
	Second:	Discussion:
	Roll Call:	
	C. Abel Gomez C. Vini	nie Petti C. Anthony Pranzatelli
	C. Dominic Longo C. Li	nda Brnicevic C. Kendall Lopez
Ordinance 2023-044	THE PURCHASE AND ACT BOROUGH OF BOUND I	RIZING AS A GENERAL IMPROVEMENT CQUISITION OF FIRE HOSES FOR THE BROOK AND APPROPRIATING \$20,000 CAPITAL FUND BALANCE" OF SAID
	Motion to open public common Public Comment: Motion to close public common public com	
	Motion: Movant: I move the advertised according to law.	ordinance be passed on second reading and
	Second:	Discussion:



Roll Call:

C. Abel Gomez	C. Vinnie Petti	C. Anthony Pranzatelli
C. Dominic Longo	C. Linda Brnicevi	c C. Kendall Lopez

INTRODUCTION/DISCUSSION OF RESOLUTIONS

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:
2023-272	Resolution Amending 2023 Salary and Wages for Special Law Enforcement Officer III
2023-273	Resolution Authorizing an Award of Contract to Integrated Technical System, Inc Under Sourcewell, A National Cooperative, Contract #080321 for Parking Pay Stations and Equipment
2023-274	Resolution Authorizing the Borough of Bound Brook to Enter a Legal Services Agreement with Stag Liuzza, LLC Related to PFAS Litigation Services
2023-275	Resolution Authorizing a Person-to-Person Plenary Retail Consumption License Transfer from Stan Chitchs Café Inc. to 60 Pella LLC, #1804-33-018
2023-276	Resolution Authorizing a Refund to Talmage Rooms LLC, Property Owner of 318 Talmage Avenue for Bulk Stickers in the Amount of \$186.00
2023-277	Resolution Authorizing Shared Serves Agreement By and Between Somerset County Department of Human Services and the Borough of Bound Brook for Community Police Alliance Coordinator
2023-278	Resolution Authorizing the Promotion of Jason R. Gianotto to Captain Within the Bound Brook Police Department
2023-279	Resolution Authorizing the Promotion of Gerry Flanagan to Sergeant Within the Bound Brook Police Department
2023-280	Resolution Acknowledging the Retirement of Gary Ulmer

Motion:

Second:

All in favor:



2023-281	Resolution Acknowledging the Retirement of Sascha Higazi			
2023-282	Resolution Acknowledging the Retirement of Kevin O. Rivenbark			
2023-283	Resolution Authorizing the Waiver of Refuse Fees for 453 Vosseller Avenue			
UNFINISHE	D BUSINESS			
NEW BUSIN	IESS			
APPROVAL	APPROVAL OF VOUCHERS			
2023- 284	Resolution Approving Vouchers in the Amount of \$1,551,573.22			
	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				
ADJOURNM	IENT			

ORDINANCE NO. 2023-043

AN ORDINANCE AMENDING CHAPTER 7, TRAFFIC, SECTION 7-38, TAXI STANDS, OF THE REVISED GENERAL ORDINANES OF THE BOROUGH OF BOUND BROOK TO AMEND THE LOCATION OF TAXI STANDS

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

SECTION 1. Chapter 7, Traffic, Section 7-38, Taxi Stands, of the Revised General Ordinances of the Borough of Bound Brook is hereby amended and supplemented by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold,** to read as follows:

Street	Side	Location
South side of East Main	[Approximately 100 feet	9:00 a.m. to 9:00 p.m.
Street	in length running 9:00	_
	a.m. to 9:00 p.m. east	
	from the last designated	
	parking stall in front of	
	226 East Main Street]	
	Beginning 142 ft west of	
	the entrance to the Van	
	Horn Plaza, extending	
	west by 48 ft. Directly in	
	front of 226 East main	
	St. (2 Parking Stalls)	

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	Mayor David Morris
Borough Clerk	

Date of Introduction: September 12, 2023

ORDINANCE NO. 2023-044

AN ORDINANCE AUTHORIZING AS A GENERAL IMPROVEMENT THE PURCHASE AND ACQUISITION OF FIRE HOSES FOR THE BOROUGH OF BOUND BROOK AND APPROPRIATING \$20,000 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 fire hoses for the Fire Department

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 \$20,000.00 unless this Ordinance is amended.

<u>Section 3</u>. 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 \$20,000.00, the estimated cost for the projects having been noted in Section 1 above.

Section 4. The sum of \$20,000.00 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.

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

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

ATTEST	BOROUGH OF BOUND BROOK
Jasmine D. McCoy	Mayor David Morris
Borough Clerk	

Date of Introduction: September 12, 2023 Date of Adoption: September 26, 2023

RESOLUTION 2023-272

RESOLUTION AMENDING 2023 SALARY AND WAGES FOR SPECIAL LAW ENFORCEMENT OFFICER III

WHEREAS, the Borough authorized a shared services agreement with the Bound Brook Board of Education for the provision of Class III Special Law Enforcement Officers for the 2023-2024 school year; and

WHEREAS, pursuant to the 2023-2022 Shared Services Agreement Class III Special Law Enforcement Officers the hourly rate is \$39.50;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, New Jersey that the following salaries and wages are amended as follows:

\$39.50

Attest:	Approved:
Jasmine D. McCoy, Borough Clerk	Mayor David Morris
Date of Adoption: September 26, 2023	

SLEO III (September – December)

RESOLUTION 2023-273

RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO INTEGRATED TECHNICAL SYSTEMS, INC. UNDER SOURCEWELL, A NATIONAL COOPERATIVE, CONTRACT #080321-TSI FOR PARKING MANAGEMENT SYSTEMS AND EQUIPMENT

WHEREAS, the Borough of Bound Brook desires to purchase parking management systems and equipment using Sourcewell, a national cooperative under N.J.S.A. 52:32-6.2 in the amount of \$21,382.91; and

WHEREAS, the Borough has conducted its due diligence and legally advertised Notice of Intent to Award under a National Cooperative Purchasing Agreement in the Courier News and no prospective bids were received; and

WHEREAS, Integrated Technical Systems, Inc. 3651 Hill Road, Parsippany, New Jersey has been awarded Sourcewell Contract 080321-TSI for said parking management systems and equipment; and

WHEREAS, the Qualified Purchasing Agent recommends the utilization of this contract for this purchase; and

WHEREAS, the Chief Finance Officer has certified the funds in the amount of \$21,382.91 from account 04- 2023- 2334- 0240- 4- 00000; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the award of contract under Sourcewell Contract 080321-TSI is hereby awarded and authorized.

Attest:	Approved:
Jasmine D. McCoy, Borough Clerk	Mayor David Morris

RESOLUTION 2023-274

RESOLUTION AUTHORIZING THE BOROUGH OF BOUND BROOK TO ENTER A LEGAL SERVICES AGREEMENT WITH STAG LIUZZA, LLC RELATED TO PFAS LITIGATION SERVICES

WHEREAS, the Borough of Bound Brook (the "Borough") is committed to delivering clean drinking water to its customers; and

WHEREAS, the Borough is also committed to identifying parties and taking reasonable steps to avoid passing on the costs to its consumers for the treatment and remediation of contamination; and

WHEREAS, STAG LIUZZA, L.L.C. has put together a team of uniquely qualified and experienced attorneys (the "Firm") who have joined together to assist public entities facing the challenges posed by contamination with per- and polyfluoroalkyl substances ("PFAS"); and

WHEREAS, the Firm is comprised of experienced attorneys in both in PFAS litigation and in the representation of public entities and water suppliers in cases involving groundwater contamination; and

WHEREAS, the governing body has determined it to be in the Borough's best interest to enter into the Agreement with the Firm and pursue any claims it may have related to PFAS; and

WHEREAS, the Borough desires to authorize the execution of the as Exhibit "A"; 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 Mayor is hereby directed to execute the Legal Services' Agreement with the Firm based upon the terms and conditions set forth herein and, in a manner, substantially similar to the Agreement attached hereto as Exhibit "A."

Attest:	Approved:	
Jasmine D. McCoy, Borough Clerk	Mayor David Morris	
Date of Adoption: September 26, 2023		

RESOLUTION 2023-275

RESOLUTION AUTHORIZING A PERSON-TO-PERSON PLENARY RETAIL CONSUMPTION LICENSE TRANSFER FROM STAN CHITCHS CAFÉ INC. TO 60 PELLA LLC #1804-33-018

WHEREAS, 60 Pella LLC submitted an application for a Person-to-Person Transfer of Plenary Retail Consumption License #1804-33-018-001; and

WHEREAS, said application has been accompanied by a transfer fee of \$250.00 and a \$250.00 filing fee for the Division of Alcoholic Beverage Control and proof publication of notice published in the Courier News for two consecutive weeks, calling attention to said transfer; and

WHEREAS, the Police Department have completed a background investigation and are satisfied with their findings for said transfer;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the Person-to-Person Transfer for the aforementioned Plenary Retail Consumption License #1804-33-018-001 is effective September 27, 2023.

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

Attest:	Approved:	
Jasmine D. McCoy, Borough Clerk	Mayor David Morris	
Date of Adoption: September 26, 2023		

RESOLUTION 2023-276

RESOLUTION AUTHORIZING A REFUND TO TALMAGE ROOMS LLC, PROPERTY OWNER OF 318 TALMAGE AVENUE FOR BULK STICKERS IN THE AMOUNT OF \$186.00

WHEREAS, 318 Talmage Avenue is classified as a commercial property and is not eligible for refuse collection; and

WHEREAS, bulk stickers were erroneously issued to property owner, Talmage Rooms LLC in the amount of \$186.00; and

WHEREAS, there is a need to issue a refund for said amount;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that a refund be issued in the amount of \$186.00 to Talmage Rooms LLC.

Attest:	Approved:
Jasmine D. McCoy, Borough Clerk	Mayor David Morris

RESOLUTION 2023-277

RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BY AND BETWEEN SOMERSET COUNTY DEPARTMENT OF HUMAN SERVICES AND THE BOROUGH OF BOUND BROOK FOR COMMUNITY POLICE ALLIANCE COORDINATOR

WHEREAS, the Borough desires to enter into a shared services agreement with Somerset County Department of Human Services whereby Somerset County shall furnish a Community Police Alliance Coordinator; and

WHEREAS, the role of a Community Police Alliance Coordinator provides support and guidance to residents and individuals that are in need of various social, medical and economic assistance; and

WHEREAS, the Community Police Alliance Coordinator is designed to redirect individuals from the legal system into programs and services that are intended to assist with restoring financial and health independence to individuals;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the shared services agreement with Somerset County Department of Human Services whereby Somerset County for a Community Police Alliance Coordinator be authorized.

Attest:	Approved:	
Jasmine D. McCoy, Borough Clerk	Mayor David Morris	
Date of Adoption: September 26, 2023		

RESOLUTION 20223-278

RESOLUTION AUTHORIZING THE PROMOTION OF JASON R. GIANOTTO TO CAPTAIN OF POLICE WITHIN THE BOUND BROOK POLICE DEPARTMENT

WHEREAS, due to a retirement there exists a need to fill a vacancy in the position of Captain of Police in the Bound Brook Police Department; and

WHEREAS, pursuant to Chapter 2, Administration, Section 2-10(d), "Eligibility for Promotions", the promotion to the rank of Captain of Police will be by recommendation of the Chief of Police to the Mayor with the advice and consent of Council and the Chief of Police has recommended that Lieutenant Jason R. Gianotto be promoted to Captain within the Bound Brook Police Department;

WHEREAS, Lieutenant Jason R. Gianotto joined the Police Department in 2002;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, Jason R. Gianotto be promoted to Captain of Police within the Bound Brook Police Department effective September 26, 2023.

Attest:	Approved:	
Jasmine D. McCoy, Borough Clerk	Mayor David Morris	
Date of Adoption: September 26, 2023		

RESOLUTION 20223-279

RESOLUTION AUTHORIZING THE PROMOTION OF GERRY FLANAGAN TO SERGEANT WITHIN THE BOUND BROOK POLICE DEPARTMENT

WHEREAS, Resolution 2021-234 authorized the promotion process for Sergeant within the Bound Brook Police Department; and

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

WHEREAS, Detective Gerry Flanagan joined the Police Department in 2011;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, Gerry Flanagan be promoted to Sergeant within the Bound Brook Police Department effective September 26, 2023.

Attest:	Approved:	
Jasmine D. McCoy, Borough Clerk	Mayor David Morris	
Date of Adoption: September 26, 2023		

BOROUGH OF BOUND BROOK

County of Somerset

RESOLUTION 2023-280

RESOLUTION ACKNOWLEDGING THE RETIREMENT OF GARY ULMER

WHEREAS, Gary Ulmer began his career with the Bound Brook Police Department in March 1998; and

WHEREAS, Patrolman Gary Ulmer shall retire effective October 1, 2023; and

WHEREAS, the Borough wishes to thank Patrolman Gary Ulmer 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 Patrolman Gary Ulmer for his dedication to the Bound Brook Police Department and along with the Chief of Police wishes him a healthy and enjoyable retirement.

Attest:	Approved:	
Jasmine D. McCoy, Borough Clerk	Mayor David Morris	

RESOLUTION 2023-281

RESOLUTION ACKNOWLEDGING THE RETIREMENT OF SASCHA HIGAZI

WHEREAS, Kevin O. Rivenbark began his career with the Bound Brook Police Department in March 1998; and

WHEREAS, Detective Sergeant Sascha Higazi shall retire effective October 1, 2023; and

WHEREAS, the Borough wishes to thank Detective Sergeant Sascha Higazi 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 Detective Sergeant Sascha Higazi for his dedication to the Bound Brook Police Department and along with the Chief of Police wishes him a healthy and enjoyable retirement.

Attest:	Approved:	
Jasmine D. McCoy, Borough Clerk	Mayor David Morris	

BOROUGH OF BOUND BROOK

County of Somerset

RESOLUTION 2023-282

RESOLUTION ACKNOWLEDGING THE RETIREMENT OF KEVIN O. RIVENBARK

WHEREAS, Kevin O. Rivenbark began his career with the Bound Brook Police Department in July 1998; and

WHEREAS, Deputy Chief Rivenbark shall retire effective October 1, 2023; and

WHEREAS, the Borough wishes to thank Deputy Chief Rivenbark 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 Deputy Chief Rivenbark for his dedication to the Bound Brook Police Department and along with the Chief of Police wishes him a healthy and enjoyable retirement.

Attest:	Approved:
Jasmine D. McCoy, Borough Clerk	Mayor David Morris

RESOLUTION 2023-283

RESOLUTION AUTHORIZING THE WAIVER OF REFUSE FEES FOR 453 VOSSELLER AVENUE

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 453 Vosseller Avenue has been billed for two (2) units and has submitted a request to waive refuse fees for one (1) unoccupied unit at the aforementioned addressed; and

WHEREAS, the property owner has no intent to rent one (1) unoccupied unit for which a wavier is being requested; and

WHEREAS, the Tax Collector is authorized to cancel billing and any accrued interest for one (1) unit at 453 Vosseller Avenue; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Bound Brook approve the request for cancellation of one (1) unit of refuse billing at 453 Vosseller Avenue.

Attest:	Approved:	
Jasmine D. McCoy, Borough Clerk	Mayor David Morris	
Date of Adoption: September 26, 2023		

BOROUGH OF BOUND BROOK

RESOLUTION 2023-284

RESOLUTION APPROVING VOUCHERS IN THE AMOUNT OF \$1,551,573.22

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 \$1,551,573.22.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 1,362,121.74
GRANT FUND	\$ 158,500.48
GENERAL CAPITAL FUND	\$ 18,930.00
HOUSING REHAB	\$ 2,025.20
TAX COLLECTOR	\$1,700.00
TAX TITLE LIEN REDEMPTION	\$3,137.91
DEVELOPER'S ESCROW	\$1,674.64
ENGINEERING ESCROW	\$3,483.25
TOTAL	\$ 1,551,573.22
	Approved:
Attest:	Mayor David Morris
Jasmine D. McCoy, Borough Clerk	
Date of Adoption: September 26, 2023	