



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
OCTOBER 10, 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 26, 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____



October 3, 2023, Special Meeting

Motion: Second:

Roll Call:

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

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

ADVERTISED HEARING OR SPECIAL PRESENTATION

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

INTRODUCTION OF ORDINANCES – FIRST READING

Ordinance 2023-045 An Ordinance Amending and Supplementing Chapter 29, Solid Waste Management, Section 29-1.2, “Included Users and Charges”, of the Revised General Ordinances of the Borough of Bound Brook Establishing a Procedure to Obtain Additional Garbage Totes

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on October 24, 2023.

Second:

Roll Call:

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

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

Ordinance 2023-046 An Ordinance Amending and Supplementing Chapter 7, Traffic, Section 7-41.2, Parking Meter Zones Established,” of the Revised General Ordinances of the Borough of Bound Brook to Designate West High Street from Mountain Avenue to East Street as Two-Hour Parking

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on October 24, 2023.



Second:

Roll Call:

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

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

ORDINANCE ON FINAL READING AND CONSIDERATION- SECOND READING

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:
2023-287	Resolution Authorizing Change Order No. 1 to Animal Control Solutions in the Amount of \$10,000	
2023-288	Resolution Awarding Contract to Brandstetter & Carroll, Inc. for Consulting Services for the Renovation of the Bound Brook Pool, Authorizing an Amendment to the Award of Contract and Authorizing Change Order No. 1 in the Amount of \$8,200	
2023-289	Resolution Authorizing Change Order No. 1 to Dennis Kowal Architects in the Amount of \$47,080	
2023-290	Resolution Authorizing Change Order No. 3 to John O’Hara Company for the Bound Brook Train Station East Bound Waiting Room & Platform Renovations in the Amount of \$29,087.98	
2023-291	Resolution Authorizing Change Order No. 1 to Pennoni Associates for Resident Engineering Services for the Bound Brook Train Station East Bound Waiting Room & Platform Renovations in the Amount of \$60,000	
2023-292	Resolution Authorizing the Hire of Steven Velasquez as Part-Time Emergency Medical Technician for the Department of Emergency Services	



2023-293 Resolution Approving and Directing the Mayor to Execute and Deliver a Certificate of Completion on Behalf of the Borough of Bound Brook for Meridia Main Station Urban Renewal Bound Brook LLC Changed to Meridia Bound Brook 532 Urban Renewal LLC for Property Known As 532 East Main Street, Also Known on the Tax Map as Block 2, Lots 1.02, 1.02X

2023-294 Resolution Approving and Directing the Mayor to Execute and Deliver an Estoppel Certificate on Behalf of the Borough of Bound Brook for Meridia Main Station Urban Renewal Bound Brook LLC Changed to Meridia Bound Brook 532 Urban Renewal LLC for Property Known As 532 East Main Street, Also Known on the Tax Map as Block 2, Lots 1.02, 1.02X

UNFINISHED BUSINESS

NEW BUSINESS

A/ Schedule the following Council Meetings:

November 9, 2023

November 28, 2023

B/ Cancel the following Council Meetings:

November 14, 2023

December 26, 2023

C/ Authorize Borough Clerk to advertise 2024 Request for Qualifications for Professional Services

APPROVAL OF VOUCHERS

2023-295 Resolution Approving Vouchers in the Amount of \$3,206,665.90

Motion: Second:

Roll Call:

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

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



OPEN TO THE PUBLIC FOR COMMENT

AUTHORIZE EXECUTIVE SESSION

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-045

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29, SOLID WASTE MANAGEMENT, SECTION 29-1.2, "INCLUDED USERS AND CHARGES", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK ESTABLISHING A PROCEDURE TO OBTAIN ADDITIONAL GARGAGE TOTES

SECTION 1. Chapter 29, Solid Waste Management, 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:

29-1 REFUSE DISPOSAL

29-1.1 (DEFINITIONS)

[Excluded Users:]

29-1.2 Included users and charges.

...

b. Every additional container for a dwelling shall be \$75.00 in addition to a \$150.00 annual service fee. In the year the additional container is requested the billing will be pro-rated based on the 52 weeks refuse pick up and pro-rated amount will be billed accordingly. No service can be cancelled in the middle of the year. To terminate an additional container service, notice must be provided to the Finance Department by November 1 of the preceding year to stop the billing for the following year. The tote must be scheduled for pick up by the Department of Public Works and a receipt of return to be presented to the Finance Department for billing cancellation.

...

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: October 10, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-046

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SECTION 7-41.2, PARKING METER ZONES ESTABLISHED,” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO DESIGNATE WEST HIGH STREET FROM MOUNTAIN AVENUE TO EAST STREET AS TWO-HOUR PARKING

SECTION 1. Chapter 7, Traffic, Section 7-41.2, “Parking Meter Zones Established”, 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:

7-41.2 Parking meter zones established.

...

b. Two Hour Zones.

East Street on both sides from East Main Street to East Second Street

East Main Street on both sides from East Street to John Street

East Second Street on the south side from Mountain Avenue to Hamilton Street

Hamilton Street on the west side from East Main Street to Second Street

Maiden Lane on both sides from East Main Street to East Second Street

Maiden Lane on the east side from East Second Street to East High Street

Mountain Avenue on the west side from East Second Street to East High Street

Mountain Avenue on the east side from East Main Street to East Second Street

West High Street on both sides from Mountain Avenue to East Street

...

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

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ATTEST

Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

Mayor David Morris

Date of Introduction: October 10, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-287

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO ANIMAL CONTROL SOLUTIONS IN THE AMOUNT OF \$10,000

WHEREAS, Resolution 2022-013 awarded contract to Animal Control Solutions, LLC for animal control services for one (1) year ending December 31, 2023; and

WHEREAS, the contract award was an amount not to exceed \$15,960.00; and

WHEREAS, due to the need for additional services, Change Order No. 1 is required in the amount not to exceed \$10,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in account #07-9999- 0000- 0000- 2- 01000;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Changer Order No. 1 in an amount not to exceed \$10,000 be authorized for a total contract amount of \$25,960.00.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: October 10, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-288

RESOLUTION AWARDING CONTRACT TO BRANDSTETTER & CARROLL, INC. FOR CONSULTING SERVICES FOR THE RENOVATION OF THE BOUND BROOK POOL, AUTHORIZING AN AMENDMENT TO THE AWARD OF CONTRACT AND AUTHORIZING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$8,200

WHEREAS, Resolution 2022-062 awarded a non-fair and open contract to Brandstetter Carroll, Inc. for consultant services for the renovation of the Bound Brook pool for one (1) year; and

WHEREAS, consulting services are still required for the pool renovation project; and

WHEREAS, the original proposal was in the amount of \$220,000.00 and Resolution 2022-062 awarded contract in the amount of \$112,000; and

WHEREAS, due to project costs, a change order in the amount of \$8,200.00 is required for the remainder of the contract; and

WHEREAS, the Chief Finance Officer has certified the funds in account #06-9999-0-0-2-01000;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, that Brandstetter & Carroll, Inc. be awarded a non-fair and open contract for one (1) year ending December 30, 2023;

BE IT FURTHER RESOLVED, the original contract amount be amended to \$220,000.00;

BE IT FURTHER RESOLVED, Change Order No. 1 be authorized in the amount of \$8,200.00 for a total contract amount of \$228,200.00.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: October 10, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-289

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO DENNIS KOWAL ARCHITECTS IN THE AMOUNT OF \$47,080

WHEREAS, Dennis Kowal Architects was awarded contract for construction administration services for the East Bound Train Station Renovation project; and

WHEREAS, due to supply chain delays, the completion date of the project has been extended; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in account #04-2015-201508-44-04112;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, that Change Order No. 1 be authorized in the amount of \$47,080 for construction administration services for the East Bound Train Station Renovation project.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: October 10, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-290

RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 TO JOHN O'HARA COMPANY FOR THE BOUND BROOK TRAIN STATION EAST BOUND WAITING ROOM & PLATFORM RENOVATIONS IN THE AMOUNT OF \$29,087.98

WHEREAS, Resolution 2023-114 authorized Change Order No. 1 for an extension of time request to John O'Hara Company for the construction of the Bound Brook Train Station East Bound Waiting Room and Platform Renovations project; and

WHEREAS, Resolution 2023-212 authorized Change Order No. 2 for an extension of time request to John O'Hara Company for the construction of the Bound Brook Train Station East Bound Waiting Room and Platform Renovations project; and

WHEREAS, due to project extensions, Change Order No. 3 is required in the amount of \$29,087.98;

WHEREAS, Chief Financial Officer has certified funds in account #04-2015-201508-44-04112;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Change Order No. 3 in the amount of \$29,087.98 be authorized.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: October 10, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-291

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO PENNONI ASSOCIATES FOR ENGINEERING INSPECTION SERVICES FOR THE BOUND BROOK TRAIN STATION EAST BOUND WAITING ROOM & PLATFORM RENOVATIONS IN THE AMOUNT OF \$60,000

WHEREAS, Resolution 2023-187 awarded contract to Pennoni Associates for the engineering inspection services for the Bound Brook Train Station East Bound Waiting Room and Platform Renovations project in the amount of \$197,635.85; and

WHEREAS, due to contractor time extensions, Changer Order No. 1 is required in the amount of \$60,000.00; and

WHEREAS, the Chief Financial Officer has certified funds in account #04-2015-201508-44-04112;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, Change Order No. 1 be authorized to Pennoni Associates in the amount of \$60,000.00 for a total contract award of \$257,353.66.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: October 10, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-292

RESOLUTION AUTHORIZING THE HIRE OF STEVEN VELASQUEZ AS PART TIME EMERGENCY MEDICAL TECHNICIAN FOR THE DEPARTMENT OF EMERGENCY MEDICAL SERVICES

WHEREAS, the Department of Emergency Medical Services was created to provide emergency medical services to the Borough of Bound Brook; and

WHEREAS, the Coordinator of Emergency Medical Services and the Borough Administrator held interviews for the position of the Emergency Medical Technician; and

WHEREAS, the Borough Administrator recommends the hire of Steven Velasquez; and

WHEREAS, Steven Velasquez possesses the necessary qualifications and experience for said position and a background check was performed; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook Steven Velasquez be hired as a part time Emergency Medical Technician at an hourly rate of \$21.00 effective to October 11, 2023.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: October 10, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-293

RESOLUTION APPROVING AND DIRECTING THE MAYOR TO EXECUTE AND DELIVER A CERTIFICATE OF COMPLETION ON BEHALF OF THE BOROUGH OF BOUND BROOK FOR MERIDIA MAIN STATION URBAN RENEWAL BOUND BROOK LLC CHANGED TO MERIDIA BOUND BROOK 532 URBAN RENEWAL LLC FOR PROPERTY KNOWN AS 532 EAST MAIN STREET ALSO KNOWN ON THE TAX MAP AS BLOCK 2, LOTS 1.02 AND 1.02X

WHEREAS, property commonly known and identified as 532 East Main Street and designated as Block 2, Lots 1.02 and 1.02X on the official tax map of the Borough of Bound Brook (the “Property”), is located within the Downtown Redevelopment Area (the “Redevelopment Area”) in the Borough of Bound Brook; and

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

WHEREAS, the Property is presently owned by Meridia Bound Brook 532, Urban Renewal, LLC (the Redeveloper”); and

WHEREAS, the Borough of Bound Brook (the “Borough”) previously entered into a redevelopment agreement with the Redeveloper dated November 8, 2011 (the “Redevelopment Agreement”) for the redevelopment of the Property (the “Project”) which was recorded on March 14, 2012, as amended, with the Somerset County Clerk’s Office in Book 1411, Page 139; and

WHEREAS, the Redeveloper has achieved Substantial Completion of the Project under the terms of the Redevelopment Agreement to the satisfaction of the Borough; and

WHEREAS, based upon the Substantial Completion of the Project under the terms of the Redevelopment Agreement, the Redeveloper has requested that the Borough execute and deliver a Certificate of Completion pursuant to and consistent with the terms of the Redevelopment Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook that it hereby approves and directs the Mayor to execute and deliver to the Redeveloper a Certificate of Completion for the Project pursuant to and consistent with the terms of the Redevelopment Agreement.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby directed to execute any and all documents necessary or convenient to the transaction(s) contemplated and authorized, subject to final review and approval by the Borough Attorney.

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

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: October 10, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-294

RESOLUTION APPROVING AND DIRECTING THE MAYOR TO EXECUTE AND DELIVER AN ESTOPPEL CERTIFICATE ON BEHALF OF THE BOROUGH OF BOUND BROOK FOR MERIDIA MAIN STATION URBAN RENEWAL BOUND BROOK LLC CHANGED TO MERIDIA BOUND BROOK 532 URBAN RENEWAL LLC FOR PROPERTY KNOWN AS 532 EAST MAIN STREET ALSO KNOWN ON THE TAX MAP AS BLOCK 2, LOTS 1.02 AND 1.02X

WHEREAS, property commonly known and identified as 532 East Main Street and designated at Block 2, Lots 1.02 and 1.02X on the official tax map of the Borough of Bound Brook (the “Property”), is located within the Downtown Redevelopment Area (the “Redevelopment Area”) in the Borough of Bound Brook; and

WHEREAS, the Property is presently owned by Meridia Bound Brook 532, Urban Renewal, LLC (the Redeveloper”); and

WHEREAS, the Borough of Bound Brook (the “Borough”) previously entered into a redevelopment agreement with the Redeveloper dated November 8, 2011 (the “Redevelopment Agreement”) for the redevelopment of the Property (the “Project”) which was recorded on March 14, 2012, as amended, with the Somerset County Clerk’s Office in Book 1411, Page 139; and

WHEREAS, the Redeveloper achieved Substantial Completion of the Project under the terms of the Redevelopment Agreement and the Borough has issued a Certificate of Occupancy for the Project and the Borough Council, by Resolution 2023-293 adopted October 10, 2023, authorized the Mayor to execute and deliver on behalf of the Borough a Certificate of Completion for the Project; and

WHEREAS, Capital One, National Association and PPREF Hackensack Bound Brook Mezz Lender LLC, the Redeveloper’s lenders, have requested that the Borough execute an estoppel certificate (the “Estoppel Certificate”) regarding the Redevelopment Agreement as is permitted by the Redevelopment Agreement; and

WHEREAS, the Estoppel Certificate was reviewed and approved by the Borough Administrator and the Borough’s Redevelopment Attorney; and

WHEREAS, the Borough Council is desirous of authorizing the execution and delivery of the Estoppel Certificate by the Mayor pursuant to and consistent with the terms of the Redevelopment Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bound Brook that it hereby approves and authorizes the execution and delivery of an Estoppel Certificate regarding the Redevelopment Agreement by the Mayor pursuant to and consistent with

the terms of the Redevelopment Agreement.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk shall be and are hereby directed to execute any and all documents necessary or convenient to the transaction(s) contemplated and authorized, subject to final review and approval by the Borough Attorney.

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

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: October 10, 2023

BOROUGH OF BOUND BROOK

RESOLUTION 2023-295

RESOLUTION APPROVING VOUCHERS IN THE AMOUNT OF \$ 3,206,665.90

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, and State of New Jersey that vouchers are approved for the following funds in the amount of \$ 3,206,665.90.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 3,031,099.36
GRANT FUND	\$ 110,704.92
GENERAL CAPITAL FUND	\$ 59,911.62
GENERAL TRUST FUND	\$ 4,950.00
TOTAL	<u>\$ 3,206,665.90</u>

Approved:

Mayor David Morris

Attest:

Jasmine D. McCoy, Borough Clerk

Date of Adoption: October 10, 2023