



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
NOVEMBER 28, 2023 AT 7:00 P.M.**

CALL TO ORDER

This meeting is being held in compliance with the Open Public Meeting Law in that the requirements of the law have been met with the posting of the meeting notice on the Municipal Bulletin Board, filed with the Borough Clerk and forwarded to The Courier News and The Star Ledger.

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor David Morris
Council President Abel Gomez
C. Vinnie Petti
C. Anthony Pranzatelli
C. Dominic Longo
C. Linda Brnicevic
C. Kendall Lopez

APPROVAL OF MINUTES

November 9, 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____



November 9, 2023 Executive Session 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

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 2023-055 An Ordinance Amending the Amended Redevelopment for Redevelopment Area 2 Pursuant to N.J.S.A. 40A:12A-et seq. to Increase Minimum Setbacks

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on December 28, 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 2023-051 An Ordinance Authorizing a General Improvement for the Purchase and Acquisition of Security Cameras, Monitoring and Access Control System for the Borough of Bound Brook and Appropriating \$99,063.96 Therefor From the “Capital Fund Balance” of Said Borough

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 2023-052 An Ordinance Amending and Supplementing Chapter 27, Trees, Sections 27-1.2, 27-1.3 and 27-1.6, of the Revised Ordinances of the Borough of Bound Brook to Create Section 27-1.2, Tree Removal-Replacement



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 2023-053 An Ordinance Amending and Supplementing Chapter 17, Property Maintenance, To Creation Section 17-21.1a, “Infestation”, of the Revised Ordinances of the Borough of Bound Brook Requiring Trap and Bait for Two Families, Multiple Dwellings, Commercial Buildings, Restaurants and Apartment Buildings

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 2023-054 An Ordinance Amending and Supplementing Chapter 17, Property Maintenance, of the Revised General Ordinances of the Borough of Bound Brook to Create Section 17-14.8A, Private Owned Salt Storage to Prevent Stored Salt and Other Solid De-Icing Materials From Being Exposed to Stormwater

Motion to open public comment: Second:

Public Comment:

Motion to close public comment: Second:

Motion: Movant: I move the ordinance be passed on second reading and advertised according to law.

Second: Discussion:

Roll Call:

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

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

INTRODUCTION/DISCUSSION OF RESOLUTIONS

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:

2023-319 Resolution Awarding Contract to Office Solutions Under PEPPM, a National Cooperative, Contract # 533902-155 for Cloud-Based Video Surveillance System at Borough Hall in the Amount of \$44,377.00

2023-320 Resolution Awarding Contract to Plainfield Area Humane Society for Animal Control Services

2023-321 Resolution of the Borough of Bound Brook Reappointing Natasha Turchan as the Chief Financial Officer of the Borough of Bound Brook Effective January 1, 2024 and Authorizing an Amendment to the Existing Agreement

2023-322 Resolution Authorizing the Release of a Cash Bond for 17-19 West Main Street LLC, also Known as Tax Block 7, Lot 29



- 2023-323 Resolution Correcting the Hire Resolution for Christopher Eckerson, Patrol Officer for the Bound Brook Police Department
- 2023-324 Resolution of the Borough of Bound Brook Authorizing an Amendment to the Existing Agreement Between the Borough of Bound Brook and Hector Herrera, Business Administrator
- 2023-325 Resolution Authorizing a Refund to Various Property Owners for the Overpayment of Property Tax, Refuse and Sewer Fees:
- 2023-326 Resolution Authorizing a Refund to Corelogic for the Overpayment of 4th Quarter Property Taxes
- 2023-327 Resolution Awarding Contract to ___ for Computer Services for the Police Department in the Amount of \$

UNFINISHED BUSINESS

NEW BUSINESS

Schedule Council Meeting for Thursday, December 28, 2023

Reorganization Meeting Scheduled Thursday, January 4, 2023

APPROVAL OF VOUCHERS

2023-328 Resolution Approving Vouchers in the Amount of \$1,813,504.76

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

2023-329 Resolution Authorizing Executive Session- Contract Negotiations

Motion: Second:

Roll Call:

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

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

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-055

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF BOUND BROOK AMENDING THE AMENDED REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 2 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

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

SECTION I Pursuant to the “Local Redevelopment and Housing Law,” P.L.1992, c.79 (C.40A:12A-1 et seq.), the Bound Brook Borough Council (“Borough Council”), by a Resolution adopted in February 2000, determined that a significant portion of the Borough of Bound Brook including its downtown was an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 6 (the “Redevelopment Area”).

SECTION II Subsequently, the Redevelopment Area was divided into two (2) parts, known as Redevelopment Area 1 (the eastern portion) and Redevelopment Area 2 (the western portion).

SECTION III On February 17, 2000, the Borough Council adopted a Redevelopment Plan for Redevelopment Areas 1 and 2.

SECTION IV In November 2009, the Borough Council adopted an amendment to the Redevelopment Plan creating a separate redevelopment plan for Redevelopment Area 2.

SECTION V On August 11, 2015, the Borough Council adopted an ordinance amending the Redevelopment Plan for Redevelopment Area 2, which was prepared by Carlos Rodrigues, FAICP/PP and is entitled “Amended Redevelopment Plan for Redevelopment Area 2: Sub-Areas 2.1, 2.2. and 2.3. Additional amendments were adopted in 2019 and 2021.

SECTION V At the Borough’s direction, further amendments to the Amended Redevelopment Plan for Redevelopment Area 2 have been prepared by Carlos Rodrigues, FAICP/PP, and are hereinafter referred to as the “Amendments” (Deleted language is indicated by a ~~strikeout~~, while new language is indicated in **bold**):

(a) Sub-Area 2.1, Section 4.2.6, Subsection (b)(page 18)to read:

Exemption from the requirements of Section 21-10.15.E.7 (b): The minimum front yard building setback from the West Main Street curb line, East of Columbus Place, is twenty (20) feet. The

minimum front yard setback from the Columbus Place curb line is **also twenty fifteen (15)** feet; and the minimum front yard setback from the West Main Street curb line (West of Columbus Place) is ten (10) feet. The minimum front yard setback for buildings fronting on Drake Street and Church Street is ~~also ten (10)~~ **fifteen (15) feet**. Greater front yard setbacks are permissible, and encouraged, for building with ground floor restaurants or cafes, where outdoor dining is desired, as well as buildings with ground floor activities that would benefit from outdoor displays. The front yard for corner lots shall be defined as the side where the front door to the building is located. Through lots – lots with frontage on two parallel streets – shall treat both sides as front yards.

SECTION VI Upon introduction of this Ordinance, the Amendments shall be referred to the Borough Planning Board (the “Planning Board”) for its review and consideration pursuant to N.J.S.A. 40A:12A-7.e.

Section VII Prior to the adoption of the Amendments, the Planning Board shall, within 45 days after referral by the Borough Council, transmit to the Borough Council, a report containing its recommendation concerning the Amendments pursuant to N.J.S.A. 40A:12A-7.e.

SECTION VIII Upon receipt of the Planning Board’s recommendation, the Borough Council shall act upon this Ordinance adopting the Amendments pursuant to N.J.S.A. 40A:12A-7.f. and no further review of the Borough Planning Board is required.

SECTION IX The Borough Council hereby adopts the Amendments to the Amended Redevelopment Plan for Redevelopment Area 2.

SECTION X Upon adoption of this Ordinance, the Amendments to the Amended Redevelopment Plan for Redevelopment Area 2 shall include the date of adoption of this Ordinance.

SECTION XI This Ordinance shall take effect after publication in accordance with applicable law.

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: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-051

AN ORDINANCE AUTHORIZING AS A GENERAL IMPROVEMENT THE PURCHASE AND ACQUISITION OF SECURITY CAMERAS, MONITORING AND ACCESS CONTROL SYSTEM FOR THE BOROUGH OF BOUND BROOK AND APPROPRIATING \$99,063.96 THEREFORE 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:

Acquisition of the security cameras, monitoring, and access control system for the municipal building

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 \$99,063.96 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 \$99,063.96, the estimated cost for the projects having been noted in Section 1 above.

Section 4. The sum of \$99,063.96 is hereby appropriated for said purpose from the “Capital Fund Balance” of the municipality for said purpose as required by law and now available therefore under a budget or budgets of the municipality previously adopted.

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

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

ATTEST

Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

Mayor David Morris

Date of Introduction: October 24, 2023

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-052

AN ORDINANCE REPEALING CHAPTER 27, TREES, SECTIONS 27-1.2, 27-1.3 AND 27-1.6 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO CREATE SECTION 27-1.2, TREE REMOVAL – REPLACEMENT

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

SECTION 1. Chapter 27, Trees, Section 27-1.2, 27-1.3 and 27-1.6 of the Revised General Ordinances of the Borough of Bound Brook is hereby repealed and Section 27-1.2, Tree Removal-Replacement is hereby created by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold**, to read as follows:

27-1.2 [Written permission required for certain acts.] Tree Removal-Replacement

[No person shall do to any municipal tree within the Borough any of the following acts without having first obtained written permission from the Shade Tree Commission:]

[a. Cut, prune, trim, break, damage, kill or remove any tree.]

[b. Cut, unduly disturb or interfere with in any way any root of a tree.]

[c. Spray any tree with any chemical.]

[d. Fasten any rope, wire, sign or other device to a tree or to any guard above such tree.]

[e. Remove or damage any guard or device placed to protect any tree.]

[f. Place or maintain upon the ground in any street stone, cement or other material or substance in such manner as may obstruct the free access of air and water to the roots of any tree.]

[g. Lay any sidewalk along or open, construct, curb or pave any street or do any like act so as to interfere with or do injury to any tree or the roots thereof.]

[h. Excavate within six feet of any tree.]

[i. Attach or fasten any wire, insulation or other device for holding any wire to any tree.

j. Plant or set out any tree in or on any street.]

[k. Erect, alter, repair or remove a building or structure in a manner that will endanger nearby trees, whether through the placement of materials hazardous to trees or otherwise.]

SECTION I. Purpose:

An ordinance to establish requirements for tree removal and replacement in the Borough of Bound Brook to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

- A. **"Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.**
- B. **"Critical Root Radius (CRR)" — means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.**
- C. **"Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree.**
- D. **"Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.**
 - 1. **Has an infectious disease or insect infestation;**
 - 2. **Is dead or dying;**
 - 3. **Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;**
 - 4. **Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or**
 - 5. **Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or LTE.**

E. "Person" means any individual, resident, corporation, utility, company, partnership, firm, or association.

F. "Planting strip" means the part of a street right-of-way between the public right-of-way adjacent to the portion of the street reserved for vehicular traffic the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

G. "Resident" means an individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

H. "Street Tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

I. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

J. "Tree Caliper" means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

K. "Tree removal" means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

SECTION III. Regulated Activities:

A. Optional Application Process:

1. Any person planning to remove a street tree with DBH of 2.5" or more or any non-street tree with DBH of 6" or more on their property shall submit a Tree Removal Application to the Borough Shade Tree Commission and the Department of Public Works. No tree shall be removed until Borough officials have reviewed and approved the removal.

B. Tree Replacement Requirements

1. **Any person who removes one or more street tree(s) with a DBH of 2.5" or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.**
2. **Any person, other than a resident, who removes one or more tree(s) with a DBH of 6" or more per acre, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table.**

The species type and diversity of replacement trees shall be in accordance with New Jersey Shade Tree Federation planting species and requirements found at [Layout 1 \(njstf.org\)](http://Layout 1 (njstf.org))

Replacement tree(s) shall:

1. **Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below;**
2. **Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality;**
3. **Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and**
4. **Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.**

Tree Replacement Requirements Table:

<u>Category</u>	<u>Tree Removed (DBH)</u>	<u>Tree Replacement Criteria (See Appendix A)</u>
<u>1</u>	<u>DBH of 2.5" (for street trees) or 6" (for non-street trees) to 12.99"</u>	<u>Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed</u>
<u>2</u>	<u>DBH of 13" to 22.99"</u>	<u>Replant 2 trees with minimum tree calipers of 1.5" for each tree removed</u>
<u>3</u>	<u>DBH of 23" to 32.99"</u>	<u>Replant 3 trees with minimum tree calipers of 1.5" for each tree removed</u>
<u>4</u>	<u>DBH of 33" or greater</u>	<u>Replant 4 trees with minimum tree calipers of 1.5" for each tree removed</u>

C. Replacement Alternatives:

- 1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:**
 - a. Plant replacement trees in a separate area(s) approved by the municipality.**
 - b. Pay a fee of \$500 per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.**

SECTION IV. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the Borough Department of Public Works by all persons claiming an exemption. Justification can be in the form of photos and/or statements from a NJ Licensed Tree Expert or an Arborist.

- A. Residents who remove less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.**
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;**
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;**
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.**
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;**
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;**
- G. Hazard trees may be removed with no fee or replacement requirement.**

[27-1.3 Prohibited acts.] RESERVED

[No person shall do any of the following acts to any municipal tree in the Borough of Bound Brook:]

[a. Cause or permit gas or other substances deleterious to tree life to come in contact with the soil surrounding the roots of any municipal tree in a manner that will injure, kill or destroy the tree.]

[b. Cause or permit brine, salt, oil, liquid dye or any other substance deleterious to tree life to lie, leak, pour, flow, drip, or in any other manner whatever enter the soil around the base of a tree in any street.]

[c. Prevent, delay or interfere with the Shade Tree Commission or its authorized agents in the performance of their duties.]

[d. Build a fire or station a tar kettle, road roller or other device in any street in a manner that will result in heat, vapors or fumes therefrom injuring any tree.]

[e. Use or operate shovels, machines, equipment, tools or any other implement in such a manner as to damage, injure or destroy a tree.]

[27-1.6 Enforcement; violations and penalties.] RESERVED

[Members of the Shade Tree Commission, the Department of Code Enforcement and the Bound Brook Police Department (BBPD) are designated to enforce the provisions of this section. In the event that a member of the Shade Tree Commission, or inspector from the Department of Code Enforcement or an officer of the BBPD determines that a violation of this section or any regulation promulgated pursuant thereto has occurred, a summons and/or complaint may be filed with the Municipal Court whether or not a notice of violation or order has been served. Any person, firm or corporation that violates or neglects to comply with the provisions of this section or any regulation promulgated pursuant thereto shall, upon conviction thereof, be liable in Municipal Court for a minimum fine of \$200 to a maximum fine of \$2,000. Monies collected from these fines will be deposited into the Borough Shade Tree Trust Fund and used solely for the purchase and planting of new trees within the Borough. Violations involving more than one tree will be treated as a separate violation for each tree effected.]

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: November 9, 2023

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-053

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17, PROPERTY MAINTENANCE, TO CREATE SECTION 17-21.1a, “INFESTATION”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK REQUIRING TRAP AND BAIT FOR TWO FAMILIES, MULTIPLE DWELLINGS, COMMERCIAL BUILDINGS, RESTAURANTS AND APARTMENT BUILDINGS

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

SECTION 1. Chapter 17, Property Maintenance, Section 17-21.1a, “Infestation”, 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:

17-21.1 (a) Commercial and Rental Buildings

All two family, multiple dwellings, commercial buildings, restaurants and apartment buildings are required to trap and bait their properties and submit to the Director of Code Enforcement and the Borough Health Officer every quarter a report from a State Licensed pest exterminator showing compliance with this ordinance.

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: November 9, 2023

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-054

AN ORDINANCE AMENDING AND SUPPLEMENTIN CHAPTER 17, PROPERTY MAINTENANCE, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO CREATE SECTION 17-14.8A, PRIVATE OWNED SALT STORAGE TO PREVENT STORED SALT AND OTHER SOLID DE-ICING MATERIALS FROM BEING EXPOSED TO STORMWATER

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

SECTION 1. Chapter 17, Property Maintenance, Section 17-14.8a, Privately Owned Salt Storage, of the Revised General Ordinances of the Borough of Bound Brook is hereby created by inserting the text **underlined and marked in bold**, to read as follows:

17-14.8a Privately Owned Salt Storage

a. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Borough of Bound Brook to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

b. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- A. "De-icing materials" means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.**
- B. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.**
- C. "Storm drain inlet" means the point of entry into the storm sewer system.**

D. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;
4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

F. "Resident" means a person who resides on a residential property where de-icing material is stored.

c. Deicing Material Storage Requirements:

A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:

1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
4. Loose materials shall be covered as follows:

- a. The cover shall be waterproof, impermeable, and flexible;
- b. The cover shall extend to the base of the pile(s);
- c. The cover shall be free from holes or tears;
- d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
- e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

(1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

5. Containers must be sealed when not in use; and
 6. The site shall be free of all de-icing materials between April 16th and October 14th
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 April 15.
- C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

d. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

e. Enforcement:

This ordinance shall be enforced by the Construction Official and Code Enforcement Officer during the course of ordinary enforcement duties.

f. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows: \$1,000/calendar day.

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: November 9, 2023

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-319

RESOLUTION AWARDING CONTRACT TO OFFICE SOLUTIONS UNDER PEPPM, A NATIONAL COOPERATIVE, CONTRACT #533902-155 FOR CLOUD-BASED VIDEO SURVEILLANCE SYSTEM AT BOROUGH HALL IN THE AMOUNT OF \$44,377.00

WHEREAS, the Borough of Bound Brook wishes to procure a cloud-based video surveillance system for Borough Hall; and

WHEREAS, Office Solutions, Inc. offers a cloud-based video surveillance system under PEPPM Contract #533902-155, a national cooperative; and

WHEREAS, the Borough of Bound Brook has conducted its due diligence and legally advertised Notice of Intent to Award under a national cooperative purchasing agreement on , 2023; and

WHEREAS, the Borough Clerk did not receive prospective bids; and

WHEREAS, Office Solutions, Inc. was awarded PEPPM Contract #533902-155 for cloud-based video surveillance system; and

WHEREAS, a proposal was obtained in the amount of \$44,377.00 and the Chief Financial Officer has certified funds in account #04- 2023- 2351- 0000- 4- 00000 ; and

WHEREAS, Hector Herrera, Qualified Purchasing Agent, recommends the utilization of this contract; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Office Solutions, Inc. be awarded the contract for cloud-based video surveillance system at Borough Hall in the amount of \$44,377.00.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-320

RESOLUTION AWARDING CONTRACT TO PLAINFIELD AREA HUMANE SOCIETY FOR ANIMAL CONTROL SERVICES

WHEREAS, the Borough of Bound Brook requires animal control services; and

WHEREAS, quotes were obtained for animal control services and the Borough desires to award contract to Plainfield Area Humane Society for a one-year term, January 1, 2024 to December 31, 2024, subject to the conditions stated in the contract attached hereto and made a part hereof; and

WHEREAS, the Chief Financial Officer has certified availability of fund for 2024 in an amount not to exceed \$18,300;

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 contract for animal control services for a one-year term, January 1, 2024 to December 31, 2024 be awarded to Plainfield Area Humane Society in an amount not to exceed \$18,300.00.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-321

RESOLUTION OF THE BOROUGH OF BOUND BROOK REAPPOINTING NATASHA TURCHAN AS THE CHIEF FINANCIAL OFFICER OF THE BOROUGH OF BOUND BROOK EFFECTIVE JANUARY 1, 2024, AND AUTHORIZING AN AMENDMENT TO THE EXISTING AGREEMENT

WHEREAS, N.J.S.A. 40A:9-140.10 provides that in every municipality there shall be a chief financial officer appointed by the governing body for a term of four years beginning on January 1 of the year in which they are appointed; and

WHEREAS, Natasha Turchan was appointed as Borough of Bound Brook Chief Financial Officer on July 1, 2020, to a four-year term expiring December 31, 2023; and

WHEREAS, the Borough and Natasha Turchan previously entered into a contract therewith on July 1, 2020 (the "Agreement"), appended hereto as Exhibit A, the term of which Agreement continues in full force and effect and is dictated by N.J.S.A. 40A:9-140.10; and

WHEREAS, the Agreement established a salary structure through 2023, and provided that the parties would negotiate all subsequent years' salaries; and

WHEREAS, in accordance with the Agreement, the parties have negotiated a salary structure for 2024-2028, and desire to amend the Agreement accordingly,

NOW THEREFORE BE IT RESOLVED, Natasha Turchan is appointed for a second four-year term effective January 1, 2024, as the Chief Financial Officer for the Borough of Bound Brook.

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

1. The aforesaid recitals are incorporated herein as if set forth at length; and
2. During the term of the Agreement, the Natasha Turchan shall be compensated for the performance of her duties as Chief Financial Officer as follows:
 - a. Commencing on January 1, 2024, an annual salary of one hundred thousand (\$100,000) dollars, which shall be set forth in the salary ordinance of the BOROUGH
 - b. If Natasha Turchan remains employed by the Borough in the position of Chief Financial Officer during the years 2025, 2026, 2027, and 2028, Turchan's salary shall be adjusted by the same percentage increase as the rest of the non-union employees.

- c. If Natasha Turchan continues in employment with the Borough in the position of Chief Financial Officer after 2028, any increase in salary shall be negotiated between the parties.
- 3. This Resolution shall serve to amend the salary structure of the Agreement, and all other terms and conditions of the Agreement shall remain in force and effect.
- 4. This resolution shall take effect immediately and shall be appended to the Agreement.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-322

**RESOLUTION AUTHORIZING RELEASE OF A CASH BOND FOR 17-19 WEST
MAIN STREET LLC, ALSO KNOWN AS TAX BLOCK 7, LOT 29**

WHEREAS, Resolution 2023-175 authorized the release of the performance bond for 17-19 West Main Street, LLC, also known as Tax Block 7, Lot 29; and

WHEREAS, the cash bond was not released; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the cash bond in the amount of \$6,851.04 and any accrued interest for 17-19 West Main Street, LLC is hereby authorized to be released.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-323

RESOLUTION CORRECTING THE SALARY AND EFFECTIVE DATE FOR THE HIRE OF CHRISTOPHER ECKERSON AS A PATROL OFFICER FOR THE POLICE DEPARTMENT

WHEREAS, Resolution 2022-294 appointed Christopher Eckerson as a Patrol Officer effective January 1, 2023 at a salary of \$50,787.72; and

WHEREAS there was an error in the salary and effective date of salary in accordance with the PBA contract ;

WHEREAS, the correct effective date of hire is November 22,2022 at a salary of \$49,791.88 pursuant to the PBA contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the salary of Christopher Eckerson be \$49,791.88 effective November 22, 2022 pursuant to the PBA contract.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-324

RESOLUTION OF THE BOROUGH OF BOUND BROOK AUTHORIZING AN AMENDMENT TO THE EXISTING AGREEMENT BETWEEN THE BOROUGH OF BOUND BROOK AND HECTOR HERRERA, BUSINESS ADMINISTRATOR

WHEREAS, pursuant to the powers granted to it by N.J.S.A. 40A:9-136 et seq., the Borough Council of the Borough of Bound Brook, through the provisions of a duly adopted ordinance, created the position of Borough Administrator; and

WHEREAS, the Borough previously appointed Hector Herrera Borough Administrator and entered into a contract therewith on or about January 26, 2016 (the "Agreement"); and

WHEREAS, the Borough amended the Agreement on or about November 19, 2019 (the "Amended Agreement"), appended hereto as Exhibit A, the term of which Agreement continues in full force and effect and is dictated by N.J.S.A. 40A:9-137 and 138; and

WHEREAS, the Amended Agreement established a salary structure through 2023, and provided the parties would negotiate all subsequent years' salaries; and

WHEREAS, in accordance with the Amended Agreement, the parties have negotiated a salary structure for 2024-2028, and desire to amend the Agreement accordingly.

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

1. The aforesaid recitals are incorporated herein as if set forth at length; and
2. During the term of the Agreement, the Hector A. Herrera shall be compensated as follows:
 - a. Commencing on January 1, 2024, Hector A. Herrera's annual salary shall be adjusted by 3.5% to a salary of one hundred sixty-five thousand, one hundred sixty three (\$165,163) dollars, which shall be set forth in the salary ordinance of the BOROUGH;
 - b. Commencing January 1, 2025, through December 31, 2028, Hector A. Herrera's annual salary shall be adjusted by 3%
3. If Hector A. Herrera continues employment with the Borough of Bound Brook after 2028, any increase in salary shall be negotiated between the parties.
4. This Resolution shall serve to amend the salary structure of the Agreement, and all other terms and conditions of the Agreement shall remain in force and effect.

5. This resolution shall take effect immediately and shall be appended to the Agreement.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-325

RESOLUTION AUTHORIZING A REFUND TO VARIOUS PROPERTY OWNERS FOR THE OVERPAYMENT OF PROPERTY TAX, REFUSE AND SEWER FEES

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

<u>Type</u>	<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
Refuse	Sontrice Bright	528 Watchung Rd	089/013	\$ 405.79
Tax	Charly & Lara Nasser	47 W Second St	007/011	\$ 130.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the overpayments be refunded as per the list above.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK
County of Somerset
RESOLUTION 2023-326

RESOLUTION AUTHORIZING A REFUND TO CORELOGIC FOR THE OVERPAYMENT OF THE 4TH QUARTER PROPERTY

WHEREAS, the records of the Tax Collector of the Borough of Bound Brook reflect an overpayment of 2023 4st Quarter taxes on the following property:

<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
CoreLogic	322 Kings Ct	056/001.01	\$1,805.23
	245 Franklin St	062/026	\$2,405.90
	315 John St	065/002.02	\$3,062.08
	527 Central Ave	086/011	\$3,051.36
	633 Watchung Rd	0093/003	\$3,105.11

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the Property Tax overpayment be refunded as per the list above.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: November 28, 2023

BOROUGH OF BOUND BROOK

RESOLUTION 2023-328

RESOLUTION APPROVING VOUCHERS IN THE AMOUNT OF \$1,813,504.76

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 \$.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 1,758,795.99
GRANT FUND	\$ 26,120.00
GENERAL CAPITAL FUND	\$ 18,030.00
GENERAL TRUST FUND	\$ 1,500.00
DOG/CAT TRUST	\$60.00
HOUSING REHAB	\$1,314.89
PAYROLL	\$7,683.88
TOTAL	<u>\$ 1,813,504.76</u>

Approved:

Mayor David Morris

Attest:

Jasmine D. McCoy, Borough Clerk

Date of Adoption: November 28, 2023

BOROUGH OF BOUND
County of Somerset

RESOLUTION 2023-329

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, NJSA 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Borough of Bound Brook has deemed it necessary to go into closed session to discuss matters which are exempted from the public; and

WHEREAS, the regular meeting of the Borough of Bound Brook will reconvene.

NOW THEREFORE BE IT RESOLVED, that the Borough Council will go into closed session for the following reasons as outlined in NJSA 10:4-12; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Borough of Bound Brook hereby declares that the discussion of subject(s) may be made public at a time when the Borough Attorney advises the Borough Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion. That time is currently estimated as the time of said matter.

NOW THEREFORE BE IT FINALLY RESOLVED that the Borough is excluded from the portion of the meeting during which the discussion(s) shall take place and hereby directs the Municipal Clerk to take the appropriate action to effectuate the terms of this resolution.

Reason for Closed Session – Contract Negotiation

Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the borough's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact.

Approved:

Mayor David Morris

Jasmine D McCoy, Borough Clerk

Date of Adoption: November 28, 2023