



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
NOVEMBER 9, 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

October 10, 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____



ADVERTISED HEARING OR SPECIAL PRESENTATION

Oath of Office- Patrol Officer Darius Foster
Patrol Officer Tamina Hutchins

AUTHORIZE EXECUTIVE SESSION

2023-305 Resolution Authorizing Executive Session- Pending Litigation
Motion: Second: All in favor:

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

INTRODUCTION OF ORDINANCES – FIRST READING

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: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on November 28, 2023.

Second:

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: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on November 28, 2023.



Second:

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: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on November 28, 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

Ordinance 2023-047 An Ordinance Repealing and Replacing in its Entirety Chapter 14, “Building and Construction”, Section 14-8, “Construction Projects Approved by Land Use Boards”, of the Revised General Ordinances of the Borough of Bound Brook

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 2023-048 An Ordinance Amending and Supplementing Chapter 7, “Traffic”, Section 7-12, “Parking Time Limited on Certain Streets”, of the Revised Ordinances of the Borough of Bound Brook to Designate a Portion of Mountain Avenue as a Ten-Minute Parking

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 2023-050 An Ordinance Amending and Supplementing Chapter 7, Traffic”, Section 7-17, “Residential Permit Parking”, of the Revised General Ordinances of the Borough of Bound Brook to Designate the Entire Length of East High Street as Resident Parking

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 2023-051 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____

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:

2023-306 Resolution Approving and Directing the Mayor to Execute and Deliver an Estoppel Certificate for Financial Agreement on Behalf of The Borough of Bound Brook for Meridia Main Station Urban Renewal Bound Brook LLC Changed to Merdia 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

2023-307 Resolution Authorizing the Hire of Darius Foster as a Patrol Officer for the Bound Brook Police Department



- 2023-308 Resolution Authorizing the Hire of Tamina Hutchins as a Patrol Officer for the Bound Brook Police Department
- 2023-309 Chapter 159- Rural Development in the Amount of \$20,800 for Police Electric Vehicles
- 2023-310 Award Contract to Community Grants, Planning and Housing for Housing Rehabilitation
- 2023-311 Resolution Authorizing a Memorandum of Understanding Between the Borough of Bound Brook and Superior Officer Association of the Bound Brook Police Department
- 2023-312 Resolution Authorizing a Transfer Resolution
- 2023-313 Resolution Authorizing the Hire of Emily Lesinski as Part-Time Emergency Medical Technician for the Department of Emergency Services
- 2023-314 Resolution Authorizing the Hire of Jason Taylor Part-Time Emergency Medical Technician for the Department of Emergency Services
- 2023-315 Resolution Authorizing a Change Order to the Professional Services Contract with DeCotiis, FitzPatrick & Cole, LLP for Municipal and Labor Attorney Services
- 2023-316 Resolution Amending the Hourly Rate for Emergency Medical Technicians for the Department of Emergency Medical Services
- 2023-317 Resolution to Award a Professional Services Contract for Appraisal Consulting Services to Sockler Realty Services Group, Inc. for Perform an Appraisal of the Fee Simple Interests for a Property Known as Block 1, Lots 57 & 70, Also Known as 408 East Main Street, Located Within Redevelopment Area 1 of the Downtown Redevelopment Area

UNFINISHED BUSINESS

NEW BUSINESS

APPROVAL OF VOUCHERS

- 2023-318 Resolution Approving Vouchers in the Amount of \$2,439,835.00
Motion: Second:



Roll Call:

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

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

OPEN TO THE PUBLIC FOR COMMENT

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND
County of Somerset

RESOLUTION 2023-305

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(7); 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 – Pending Litigation

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 Robert P. Fazen

Attest:

Jasmine D. McCoy, Borough Clerk

Date of Adoption: November 9, 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

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.

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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

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

Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

Mayor David Morris

Date of Introduction:, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-047

AN ORDINANCE REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 14, “BUILDING AND CONSTRUCTION”, SECTION 14-8, “CONSTRUCTION PROJECTS APPROVED BY LAND USE BOARDS”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

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

SECTION 1. Chapter 14, “Building and Construction”, Section 14-8, “Construction Projects Approved by Land Use Boards”, of the Revised General Ordinances of the Borough of Bound Brook is hereby repealed and replaced to read as follows:

14-8 CONSTRUCTION PROJECTS APPROVED BY LAND USE BOARDS.

The submission of an application for construction permits for a project which required Land Use Board approval must include the Borough of Bound Brook Land Use Board Compliance Report and Checklist. All documents submitted for approval must include final approvals from the Planning Board Planner, Planning Board Engineer and Construction Official.

14-8.1 Before demolition requirements.

- a. **A demolition permit must be obtained prior to demolition, the application must contain Letters of disconnection from all utilities along with certification that all lead or asbestos has been abated. Certification of trap and baiting of the structure and surrounding construction area.**

Once the permit is issued the sewer and water cap must be witnessed by the plumbing inspector prior to demolition of the structure Demolition permits will not be issued without the approval by the Construction Official and submission of the Demolition Checklist including the items listed above.

- b. **Security fencing around the perimeter of the property enclosing the entire work site must be installed and approved by the Construction Official.**
- c. **The project site must have sufficient lighting at appropriate locations as designated by the Construction Official.**
- d. **Provision must be made to have the roadways (and sidewalks) abutting the**

construction site swept to eliminate any (and all) construction debris, nails or other related materials from causing a hazard on a daily basis. If scaffolding (or similar structures intended for the same purpose) is proposed, the scaffolding must have sufficient netting coverage to prevent debris from impacting [the safety of] pedestrians or vehicular traffic.

14-8.2 During demolition.

- a. The Construction Official must be notified, in writing, of the demolition start date and anticipated completion date, which includes the proper removal of all debris.
- b. Any pedestrian and/or vehicle traffic plan must be agreed to prior to the commencement of demolition by all parties involved (BBPD, county and state if necessary).
- c. An ongoing schedule of trap and baiting of the structure and surrounding construction area must be provided and the Trap and baiting process must be provided continuously during the demolition process until the completion of the demolition process.
- d. Provision must be made to have the roadways [and sidewalks] abutting the construction site swept to eliminate any [and all] construction debris, nails or other related materials from causing a hazard on a daily basis. If scaffolding [or similar structures intended for the same purpose] is proposed, the scaffolding must have [sufficient] netting coverage to prevent debris from impacting [the safety of] pedestrians or vehicular traffic.
- e. The project manager shall provide the Construction Official with a schedule of police officer(s) that may be deployed for traffic detail during the demolition process.
- f. No sidewalks, curbing, street, utility poles, lighting or fixtures may be removed or disabled without specific permission from the Borough Administrator. Any request to remove or disable lighting or any other pedestrian or traffic service must be accompanied with a plan to provide a temporary replacement for the service. Temporary lighting must comply with the IEASSA.

14-8.3 Prior to the commencement of construction.

- a. An ongoing schedule of trap and baiting of the structure and surrounding construction area must be provided and the Trap and baiting process must be provided continuously prior to the start of construction and until the completion of the construction process.

- b. The Construction Official may require a covered walkway over a portion of or the entire length of the sidewalk to protect pedestrians and said walkway must be lighted to the satisfaction of the International Building Code Section 3306.7.
- c. An approved water supply for fire protection shall be made available as soon as combustible materials are delivered on site.
- d. For projects exceeding 40 feet (12,192 mm) in height above the lowest adjacent grade, when the noncombustible section of the structure is completed (i.e., parking deck, garage, or retail space), or at such time otherwise required by the Fire Marshal or his/her designee, 24/7 Fire Watch personnel or a 24/7 monitored electronic system approved by the Fire Marshal shall be provided with no less than one approved means of notification to the Fire and Police Departments. Their sole duty shall be to perform constant patrols and watch for the occurrence of fire and security of the site. All on-duty hours are to be kept in a log that can be reviewed on request by the Fire Marshal.
- e. On-site lighting will be provided throughout the project to the satisfaction of the Construction Official.
- f. Provision must be made to have the roadways [and sidewalks] abutting the construction site swept to eliminate any [and all] construction debris, nails or other related materials from causing a hazard on a daily basis. If scaffolding [or similar structures intended for the same purpose] is proposed, the scaffolding must have [sufficient] netting coverage to prevent debris from impacting [the safety of] pedestrians or vehicular traffic.

14-8.4 During normal construction.

- a. Portable fire extinguishers shall be installed in every stairwell on every floor level as per International Building Code Section 3309.1.
- b. Provision must be made to have the roadways [and sidewalks] abutting the construction site swept to eliminate any [and all] construction debris, nails or other related materials from causing a hazard on a daily basis. If scaffolding [or similar structures intended for the same purpose] is proposed, the scaffolding must have [sufficient] netting coverage to prevent debris from impacting [the safety of] pedestrians or vehicular traffic.
- c. The Bound Brook Police Department shall be notified no less than 48 hours in advance of the need for traffic and/or pedestrian control measures prior to any construction activity that may encroach upon the public right-of-way or adjacent properties. This includes, but is not limited to, equipment being used or work being undertaken on the project.

14-8.5 Enforcement

This section shall be enforced by the Director of Code Enforcement, the Construction Official or any designated Borough official.

14-8.6 Penalties.

Any person, developer or entity who shall violate a provision of the code, or fail to comply therewith, or with any requirements thereof, shall be issued a summons and mandatory court appearance, whether or not a notice of violation or order shall have been served. Each day that a violation continues shall be deemed a separate offense. Each offense is subject to a fine not to exceed \$500.00.

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 24, 2023

Date of Adoption: November 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-048

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SECTION 7-12, “PARKING TIME LIMITED ON CERTAIN STREETS”, OF THE REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO DESIGNATE A PORTION OF MOUNTAIN AVENUE AS A TEN-MINUTE PARKING

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

SECTION 1. Chapter 7, Traffic, Section 7-12, “Parking Time Limited on Certain Street”, 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:

7-12 PARKING TIME LIMITED ON CERTAIN STREETS.

No person shall park a vehicle for longer than the time limit between the hours listed on any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

a. Parking time limited.

Name of Street	Side(s)	Limit	Hours	Location
<u>Mountain Avenue</u>	<u>East</u>	<u>Ten Minutes</u>	<u>8:00 a.m. to 6:00 p.m. Monday through Saturday</u>	<u>From East Second Street to a point 105 feet southerly therefrom</u>
<u>East Second Street</u>	<u>South</u>	<u>Ten Minutes</u>	<u>8:00 a.m. to 6:00 p.m. Monday through Saturday</u>	<u>From Mountain Avenue from a point 44 feet east to a point 47 feet easterly therefrom</u>

b. Parking meter zones.

...

2. Fifteen Minute Zone.

[East Second Street on the south side from Mountain Avenue from a point 44 feet east to a point 47 feet easterly therefrom]

[Mountain Avenue on the east side from East Second Street to a point 105 feet southerly therefrom]

3. Ten Minute Zone.

[Mountain Avenue on the east side from East Second Street to a point 105 feet southerly]

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 24, 2023

Date of Adoption: November 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-050

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, “TRAFFIC”, SECTION 7-17, “RESIDENTIAL PERMIT PARKING”, OF THE REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO DESIGNATE THE ENTIRE LENGTH OF EAST HIGH STREET AS RESIDENT PARKING

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

SECTION 1. Chapter 7, “Traffic, Section 7-17, “Residential Permit Parking”, 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:

7-17 RESIDENTIAL PERMIT PARKING.

Street	Location	Hours	Days
East High Street	North side from Church to Mountain Avenue	10 p.m. to 6 a.m.	All

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: October 24, 2023

Date of Adoption: November 9, 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 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:

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 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-306

RESOLUTION APPROVING AND DIRECTING THE MAYOR TO EXECUTE AND DELIVER AN ESTOPPEL CERTIFICATE FOR FINANCIAL AGREEMENT 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”); and

WHEREAS, the Borough and the Redeveloper also entered into a financial agreement pertaining to the Project under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., dated as of May 15, 2015, as amended by that certain Second Amendment to the Amended and Restated Financial Agreement for Meridia Main Station (the “Financial Agreement”); 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 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 Financial Agreement as is permitted by the Financial 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 Financial 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 Financial Agreement by the Mayor pursuant to and consistent with the terms of the Financial Agreement.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk shall be and are hereby authorized 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: November 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-307

RESOLUTION AUTHORIZING THE HIRE OF DARIUS FOSTER AS A PATROL OFFICER FOR THE BOUND BROOK POLICE DEPARTMENT

WHEREAS, a vacancy will exist for a Patrol Officer in the Police Department due to the retirement of Deputy Chief Kevin Rivenbark.

WHEREAS, interviews were conducted by the Bound Brook Police Department Command Staff along with the Borough Administrator; and

WHEREAS, the Police Chief has recommended Darius Foster be hired to fill the vacancy; and

WHEREAS, a background investigation, physical and psychological evaluation have been conducted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Darius Foster be hired as Patrol Officer effective November 6, 2023, for an annual salary of \$50,787.72, as specified in the PBA contract.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-308

RESOLUTION AUTHORIZING THE HIRE OF TAMINA HUTCHINS AS A PATROL OFFICER FOR THE BOUND BROOK POLICE DEPARTMENT

WHEREAS, a vacancy will exist for a Patrol Officer in the Police Department due to the expansion of the patrol division.

WHEREAS, interviews were conducted by the Bound Brook Police Department Command Staff along with the Borough Administrator; and

WHEREAS, the Police Chief has recommended Tamina Hutchins be hired to fill the vacancy; and

WHEREAS, a background investigation, physical and psychological evaluation have been conducted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that Tamina Hutchins be hired as Patrol Officer effective November 6, 2023, for an annual salary of \$50,787.72, as specified in the PBA contract.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 9th, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-309

PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)

Rural Development USDA-\$20,800.00, Police Electric Vehicle

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount; and

NOW, THEREFORE, BE IT RESOLVED That the Borough Council of the Borough of Bound Brook hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023, in the amounts listed below, which item is now available as a revenue from the USDA

Rural Development USDA, Other Expenses \$20,800.00

BE IT FURTHER RESOLVED that a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-310

**RESOLUTION AWARDING CONTRACT TO COMMUNITY GRANTS, PLANNING
AND HOUSING FOR HOUSING REHABILITATION**

WHEREAS, the Borough of Bound Brook requires Housing Rehabilitation Program Administration Services; and

WHEREAS, the Borough wishes to retain the services of CGP&H, LLC (“CGP&H”) to perform such affordable housing administrative services in accordance with its proposal, attached hereto; and

WHEREAS, CGP&H possesses the requisite expertise and skilled personnel required to provide affordable housing administrative services to the Borough; and

WHEREAS, the Mayor and Council of the Borough are desirous of awarding a contract for affordable housing advisory services to CGP&H in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for services without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the affordable housing advisory services are for an amount not to exceed \$40,000, which below the public bid threshold under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; but exceeds the “pay to play” threshold \$17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, proposed cost of services to be provided for the affordable housing consultation services is set forth in CGP&H’s accompanying proposal which is available for public review in the Borough Clerk’s office; and

WHEREAS, copies of the Political Disclosure Form, Business Entity Disclosure Statement and Business Registration Certificate for CGP&H - revealing that CGP&H has not made any reportable political contributions - have been filed with the Borough Clerk; and

WHEREAS, the award of a contract for the performance of affordable housing administrative services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough;

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

1. That CGP&H shall be and is hereby appointed to perform professional affordable housing administrative services on an as needed basis to the Borough, in accordance with its six month (6) proposal, attached hereto and made a part hereof, for an amount not to exceed \$40,000.

2. That the Mayor be and is hereby authorized to execute a contract with CGP&H for the provision of affordable housing advisory services to the Borough.

3. That CGP&H is specifically placed on notice that it will be required to comply with the Affirmative Action regulations of P.L. 1975 c. 127.

4. That a notice of the contract award shall be published, and this resolution must be available for public inspection, in accordance with the requirements of N.J.S.A. 40A:11-1 et seq.

5. That the Chief Financial Officer shall certify as to the availability of funds for this purpose in account # 11- 9999- 0000- 0000- 2- 01000.

6. That no further action of the Borough shall be required.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: November 9th, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-312

RESOLUTION AUTHORIZING A TRANSFER RESOLUTION

WHEREAS, N.J.S.A. 40A:4-58 provides that Budget transfers may be made during the last two months of the fiscal year; and

WHEREAS, there has been determined a need for such transfers;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey that the following transfers be made:

<i>DEPARTMENT</i>	<i>CATEGORY</i>	<i>FROM</i>	<i>TO</i>
Audit Services	Other Expenses		100.00
Legal Services	Other Expenses		21,500.00
IT	Other Expenses		60,000.00
Health Insurance	Other Expenses		160,699.00
Water	Other Expenses		60,000.00
PFRS	Other Expenses		1.00
LOSAP	Other Expenses		5,700.00
Gen Gov	SW		11,000.00
Housing	SW		13,000.00
Parking	SW		10,000.00
EMT	SW	40,000.00	
S/R	SW	40,000.00	
BG	SW	2,000.00	
Court	SW	25,000.00	
Code	SW	5,000.00	
Fire	SW	5,000.00	
Gen Gov	Other Expenses	10,000.00	
Tax Collector	Other Expenses	10,000.00	
Planning Bd	Other Expenses	10,000.00	
Economic Development	Other Expenses	9,000.00	
Other Insurance	Other Expenses	85,000.00	
Housing Inspection	Other Expenses	5,000.00	
Unemployment	Other Expenses	20,000.00	
Gasoline	Other Expenses	40,000.00	
DCRP	Other Expenses	5,000.00	

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Salary Adjustments	Other Expenses	10,000.00
Building and Ground	Other Expenses	5,000.00
Shade Tree	Other Expenses	5,000.00
Dog Regulation	Other Expenses	5,000.00
Group Health Waiver	Other Expenses	3,000.00
Public Defender	Other Expenses	3,000.00

TOTAL		<u>\$ 342,000.00</u>	<u>\$ 342,000.00</u>
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Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-313

RESOLUTION AUTHORIZING THE HIRE OF EMILY LESINSKI AS A PART-TIME EMERGENCY MEDICAL TECHNICIAN FOR THE DEPARTMENT OF EMERGENCY 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 the position of the Emergency Medical Technician; and

WHEREAS, the Borough Administrator recommends the hire of Emily Lesinski; and

WHEREAS, Emily Lesinski 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 Emily Lesinski be hired as a part time Emergency Medical Technician at an hourly rate of \$25.25 retroactive November 3, 2023.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-314

RESOLUTION AUTHORIZING THE HIRE OF JASON TAYLOR AS A PART-TIME EMERGENCY MEDICAL TECHNICIAN FOR THE DEPARTMENT OF EMERGENCY 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 the position of the Emergency Medical Technician; and

WHEREAS, the Borough Administrator recommends the hire of Jason Taylor; and

WHEREAS, Jason Taylor 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 Jason Taylor be hired as a part time Emergency Medical Technician at an hourly rate of \$27.75 retroactive November 3, 2023.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-315

RESOLUTION AUTHORIZING A CHANGE ORDER TO THE PROFESSIONAL SERVICES CONTRACT WITH DECOTIIS, FITPATRICK & COLE, LLP FOR MUNICIPAL AND LABOR ATTORNEY SERVICES

WHEREAS, Resolution 2023-013 awarded a professional services contract to DeCotiis, Fitzpatrick & Cole, LLP for Municipal and Labor Attorney services in the 2023 calendar year; and

WHEREAS, the Borough set a not to exceed amount of \$300,000.00 for the contract award;

WHEREAS, due to unforeseen circumstances requiring additional work, there is a need to increase the 2023 professional services contract award by the amount of \$50,000; and

WHEREAS, the Chief Finance Officer has certified the funds from account # 01- 2023-0120- 0155- 2-180155;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Bound Brook that a change order be authorized to increase the contract by \$50,000, for a total contract amount of \$350,000.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-316

**RESOLUTION AMENDING THE HOURLY RATE FOR EMERGENCY MEDICAL
TECHNICIANS 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 have recommended that the hourly rate of part-time emergency medical technicians be adjusted to a minimum hourly rate of \$24, not to exceed \$30 per hour; and

WHEREAS, the Coordinator of Emergency Medical Services has developed a qualification and experience assessment tool for part-time emergency medical technicians to determine the appropriate hourly compensation; and

WHEREAS, it is recommended that the following employee's hourly rate be adjusted as follows:

Sucely Lopez, EMT	\$25.00
Alex Misciagna, EMT	\$29.75
Emily Ruppert, EMT	\$25.50
Jerry Toto, EMT	\$27.50
Steven Velazquez, EMT	\$28.00
Patrick Wells, EMT	\$28.50
Conor Wojenski, EMT	\$25.75

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that the above emergency medical technician's hourly rate be amended as noted above effective immediately.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor David Morris

Date of Adoption: November 9, 2023

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2023-317

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR APPRAISAL CONSULTING SERVICES TO SOCKLER REALTY SERVICES GROUP, INC. TO PERFORM AN APPRAISAL OF THE FEE SIMPLE INTERESTS FOR A PROPERTY KNOWN AS BLOCK 1, LOTS 57 & 70, ALSO KNOWN AS 408 EAST MAIN STREET, LOCATED WITHIN REDEVELOPMENT AREA 1 OF THE DOWNTOWN REDEVELOPMENT AREA

WHEREAS, there exists for the Borough of Bound Brook (the “Borough”) a need to engage the services of a firm specializing in appraisal consulting services to perform an appraisal of the fee simple interests for a property known as Block 1, Lots 57 & 70, also known as 408 East Main Street located in Redevelopment Area 1 of the Downtown Redevelopment Area (the “Property”); and

WHEREAS, Sockler Realty Services Group, Inc. has submitted a proposal, dated November 2, 2023 to perform an appraisal of the Property and prepare a complete appraisal report, a copy of which is attached hereto and made part of this Resolution (the “Appraisal Services”); and

WHEREAS, the Appraisal Services are for an amount not to exceed \$3,000.00 which below the public bid threshold under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and does not exceed the “pay to play” threshold \$17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that resolutions authorizing the award of contracts for a professional service be publicly advertised; and

WHEREAS, the award of a contract for the performance of Appraisal Services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bound Brook that:

1. The aforesaid recitals are incorporated herein as if set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute for the Borough, subject to the availability of funds, a professional services contract with Sockler Realty Services Group, Inc., 299 Ward Street, Suite C, Hightstown, New Jersey 08520 to provide the Appraisal Services in accordance with its proposal, which shall remain on file in the Borough’s office and available for public inspection.

3. That this contract shall be in an amount not to exceed a total of \$3,000.00 payable upon completion of the appraisal as outlined in the proposal.
4. This agreement is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) because it is a recognized profession, licensed and regulated by law, the performance of which services requires knowledge of an advanced type pursuant to N.J.S.A. 40A:11-2(6).
5. A notice of this action shall be printed in the Legal Newspaper of the Borough as required by law within ten (10) days of its passage.
6. Attached hereto is the certification of the Chief Financial Officer of the Borough, which states that there are legally appropriated sufficient funds to be provided by the Borough to cover the cost of this contract, which certification is required on all contracts as per regulations of the Director of Local Government Services.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor David Morris

Date of Adoption: November 9, 2023

BOROUGH OF BOUND BROOK

RESOLUTION 2023-318

RESOLUTION APPROVING VOUCHERS IN THE AMOUNT OF \$2,439,835.00

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 \$ 2,439,835.00.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 2,172,116.04
GRANT FUND	\$ 17,055.72
GENERAL CAPITAL FUND	\$ 216,429.96
GENERAL TRUST FUND	\$ 1,275.00
DOG/CAT TRUST	\$1,330.00
HOUSING REHAB	\$1,448.40
TAX COLLECTOR TRUST	\$ 1,500.00
TAX TITLE LIEN REDEMPTION	\$1,580.85
DEVELOPER'S ESCROW	\$22,973.40
ENGINEERING ESCROW	\$3,685.25
PAYROLL	\$ 440.38
TOTAL	<u>\$ 2,439,835.00</u>

Approved:

Mayor David Morris

Attest:

Jasmine D. McCoy, Borough Clerk
Date of Adoption: November 9, 2023