



**BOROUGH COUNCIL
REGULAR MEETING AGENDA
NOVEMBER 12, 2024 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 Dominic Longo
C. Vinnie Petti
C. Linda Brnicevic
C. Kendall Lopez
C. Glen Rossi
C. Shawn Guerra
C. David Morris

APPROVAL OF MINUTES

ADVERTISED HEARING OR SPECIAL PRESENTATION

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION

OPENING OF BIDS

A/ 2024 Road Program

Black Rock Enterprises	\$1,745,000.00
C. Conti Services	\$2,847,882.00
Cifelli & Son General Contractors	\$1,770,235.50
Portifino Builders	\$1,809,044.00



Reivax Contractors	\$1,630,587.00
S. Brothers	\$2,071,689.09
Seacoast Construction	\$2,217,056.59
Topline Construction Corp.	\$1,648,521.84

INTRODUCTION OF ORDINANCES – FIRST READING

ORDINANCE ON FINAL READING AND CONSIDERATION- SECOND READING

Ordinance 2024-27 An Ordinance Amending and Supplementing Chapter 17, Property Maintenance, of the Revised General Ordinances of the Borough of Bound Brook, to Create Section 17-14.101, Exterior Property, to Regulate the Use of Outdoor Lighting

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. Vinnie Petti___ C. Linda Brnicevic ___ Kendall Lopez___

C. Glen Rossi___ C. Shawn Guerra___ C. David Morris___

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:

2024-265 Resolution Requesting Permission for the Dedication by Rider for Tree Replacement

2024-266 Resolution Requesting Permission for the Dedication by Rider for Lead State Fees



- 2024-267 Resolution Authorizing the Purchase of a Special Service / Air Support Truck from Rosenbauer South Dakota,
- 2024-268 Resolution Authorizing Budget Transfer
- 2024-269 Resolution Awarding Contract to Reivax Contracting Corp. for the 2024 Road Program in the Amount of \$1,610,587.30
- 2024-270 Resolution Authorizing the Cancellation of Various Grant Receivable Balances and Appropriated Reserves
- 2024-271 Chapter 159- Department of Transportation Bound Brook Train Station East Bound Waiting Room and Platform Renovation in the Amount of \$60,737.39
- 2024-272 Resolution Authorizing a Change Order to the Professional Services Contract with McElroy Deutsch for Planning Board Attorney Services
- 2024-273 Resolution Authorizing the Hire of Alexandra de Alsa as Part Time Emergency Medical Technician for the Department of Emergency Medical Services

UNFINISHED BUSINESS

NEW BUSINESS

- A/ Cancel November 26th Council Meeting
Cancel December 24th Council Meeting
- B/ Schedule Reorganization Meeting on Tuesday, January 7, 2025, at 7 p.m.

APPROVAL OF VOUCHERS

- 2024-274 Resolution Approving Vouchers in the Amount of \$3,550,357.86
Motion: Second:

Roll Call:

C. Vinnie Petti___ C. Linda Brnicevic ___ Kendall Lopez___

C. Glen Rossi___ C. Shawn Guerra___ C. David Morris___



OPEN TO THE PUBLIC FOR COMMENT

AUTHORIZE EXECUTIVE SESSION

2024-275 Resolution Authorizing Executive Session – Affordable Housing & COAH

Motion: Second: All in favor:

ADJOURNMENT

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2024-27

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17, PROPERTY MAINTENANCE, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK, TO CREATE SECTION 17-14.11, EXTERIOR PROPERTY, TO THE USE OF OUTDOOR LIGHTING

WHEREAS, the Mayor and Council have determined that light fixtures used in residential areas can interfere with the quality of life of adjacent neighbors;

WHEREAS, directed light and high wattage outdoor light fixtures used during the night can cause conditions which interfere with an adjoining resident's ability to get a healthy night's sleep;

WHEREAS, the Mayor and Council now seek to amend the ordinance to provide for reasonable regulations on the use of directional and non-direction outdoor light fixtures to mitigate light trespass onto an adjoining property between the hours of 10PM and 6AM.;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, that the Code of the Borough of Bound Brook be amended as follows:

Section 1. Chapter 17, Property Maintenance, Section 17-14, "EXTERIOR PROPERTY" of the Revised General Ordinances of the Borough of Bound Brook is hereby created to read as follows:

§17-14.11 **Regulations for outdoor lighting fixtures.**

Outdoor lighting fixtures with a total light source of more than 300 lumens, which are not shielded and directed downward towards the ground, including lights on motion detectors, shall not be operational between the hours of 10:00 p.m. and 6 a.m.

§17-14.12 Exemptions and Exceptions

The following shall not be subject to the restrictions set forth in §17-14.11

- a. Outdoor light fixtures with a light source of 300 lumens or less.
- b. Public streetlights.
- c. Security cameras with built in lighting that is activated by motion sensor.
- d. Zoning Districts R-6, B/R, I-P, O-B, RR, R-C, RB/SR, RB-1 and ACD.

§17-14.13 Violations and penalties.

Any person who violates any provision of this chapter shall be first given a written warning for the first violation. Any subsequent violation, upon conviction thereof in the Municipal Court, shall be punishable by a fine not exceeding \$1,000. A separate offense may be deemed committed for each day during or on which a violation occurs or continues.

Section 2. *All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.*

Section 3. *If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.*

Section 4. *This Ordinance shall take effect upon final passage and publication according to law.*

ATTEST

BOROUGH OF BOUND BROOK

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Introduction: October 22, 2024

Date of Adoption: November 12, 2024

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2024-265

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR TREE REPLACEMENT FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, NJDEP NJAC 7:8 authorizes establishment of the trust fund for the tree replacement fund; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the tree replacement fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or another legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body on the Borough of Bound Brook, County of Somerset, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the tree replacements.
2. The CFO of the Borough of Bound Brook, County of Somerset is hereby directed to forward this resolution to the Director of the Division of Local Government Services via FAST system.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Adoption: November 12, 2024

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2024-266

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR LEAD STATE FEES

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, P.L. 2021 Chapter 82 N.J.S.A. 52:27D-437.16 provides for receipt of the LEAD State Fees by the municipality; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the LEAD State Fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body on the Borough of Bound Brook, County of Somerset, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the LEAD State Fees.
2. The CFO of the Borough of Bound Brook, County of Somerset is hereby directed to forward certified copy of this Resolution to the Director of the Division of Local Government Services

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Adoption: November 12, 2024

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2024-267

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$42,104.00 FOR THE PURCHASE OF A SPECIAL SERVICE AIR SUPPORT TRUCK FROM ROSENBAUER SOUTH DAKOTA, LLC IN AN AMOUNT NOT TO EXCEED \$650,000

WHEREAS, the Borough adopted Resolution 2023-145 authorizing award of contract to Defender Emergency under HGAC, a National Cooperative, contract #FS-1219, for the purchase of a special service air support truck; and

WHEREAS, Resolution 2023-195 corrected the vendor name to Rosenbauer South Dakota, LLC; and

WHEREAS, the initial proposal for the special service/ air support truck was \$624,889.00 with a \$50,000 down payment; and

WHEREAS, Change Order No. 1 is required for a generator and circuit breaker; and

WHEREAS, the Chief Financial Officer has certified the funds from account 04- 2024- 2414- 0256- 4-241405

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that Change Order No. 1 is authorized in the amount of \$42,104 for the generator and circuit breaker, a total contract award in an amount not to exceed \$666,933.00 to Rosenbauer South Dakota, LLC.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Adoption: November 12, 2024

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2024-268

RESOLUTION AUTHORIZING BUDGET TRANSFERS

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:

DEPARTMENT	CATEGORY FROM	TO
Planning	Salaries and Wages	5,000.00
Planning	Other Expenses	2,000.00
EMS	Salaries and Wages	35,000.00
Streets and Roads	Salaries and Wages	10,000.00
IT	Other Expenses	25,000.00
LOSAP	Other Expenses	2,100.00
Public Defender	Other Expenses	10,000.00
Note Interest	Other Expenses	11,845.79
Group Health	Other Expenses	90,000.00
Fire First Aid	Other Expenses	10,000.00
Finance	Other Expenses	11,000.00
Fire Prevention	Salaries and Wages	25,000.00
Recreation	Salaries and Wages	35,000.00
Municipal Court	Salaries and Wages	45,000.00
Economic Development	Other Expenses	9,000.00
Liability Insurance	Other Expenses	10,000.00
Unemployment	Other Expenses	10,000.00
Parks and Playground	Other Expenses	15,000.00
Salary Adjustment	Salaries and Wages	10,000.00
Water	Other Expenses	10,000.00
Postage	Other Expenses	5,000.00
Recreation	Other Expenses	14,945.79
Housing	Salaries and Wages	18,000.00
Tax Collector	Other Expenses	5,000.00
TOTAL	\$211,945.79	\$211,945.79

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Adoption: November 12, 2024

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2024-269

RESOLUTION AWARDING CONTRACT TO REIVAX CONTRACTING CORP. FOR THE 2024 ROAD PROGRAM IN THE AMOUNT OF \$1,610,587.30

WHEREAS, the Borough duly advertised bids for the 2024 Road Program; and

WHEREAS, the bid opening was held on November 7, 2024, and the following bids were received:

Reivax Contracting Corp.	\$1,610,587.30
Top Line Construction Corp.	\$1,648,521.84
Black Rock	\$1,745,000.00

WHEREAS, the Borough Engineer and Attorney have reviewed the lowest bid submitted by Reivax Contracting Corp. and have determined that it complies with the bid specifications, making Reivax Contracting Corp. the lowest responsible bidder; and

WHEREAS, the Chief Financial Officer has certified funds as follows:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Bound Brook, that the Borough hereby accepts the lowest responsible bidder, Reivax Contracting Corp. and awards contract in the amount of \$1,610,587.30 for the 2024 Road Program.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Adoption: November 12, 2024

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2024-270

RESOLUTION AUTHORIZING THE CANCELLATION OF VARIOUS GRANT RECEIVABLE BALANCES AND APPROPRIATED RESERVES

WHEREAS, there are various grants that are no longer active, and projects were completed; and

WHEREAS, those grants are no longer required; and

WHEREAS, the Borough of Bound Brook desires to cancel those balances

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bound Brook, that the following Grant Receivables and Appropriated Reserves be cancelled:

Grant Receivable	Transportation Alternative	1,000,000.00
Appropriated Reserve	Transportation Alternative	1,000,000.00

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Adoption: November 12, 2024

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2024-271

CHAPTER 159- DEPARTMENT OF TRANSPORTATION BOUND BROOK TRAIN STATION EAST BOUND WAITING ROOM AND PLATFORM RENOVATION IN THE AMOUNT OF \$60,737.39

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 2024, in the amounts listed below, which item is now available as a revenue from the State of New Jersey

DOT, Other Expenses \$60,737.39

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

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Adoption: November 12, 2024

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2024-272

RESOLUTION AUTHORIZING A CHANGE ORDER TO THE PROFESSIONAL SERVICES CONTRACT WITH MCELROY DEUTSCH FOR PLANNING BOARD ATTORNEY SERVICES

WHEREAS, Resolution 2024-052 awarded a professional services contract to McElroy Deutsch for Planning Board Attorney services in the 2024 calendar year; and

WHEREAS, the Borough set a not to exceed amount of \$5,000.00 for the contract award;

WHEREAS, due to unforeseen circumstances requiring additional work, there is a need to increase the 2024 professional services contract award by the amount of \$2,000.00; and

WHEREAS, the Chief Finance Officer has certified the funds from account # 2024-0121-0180-2-180155;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bound Brook that a change order be authorized to increase the contract by \$2,000.00, for a total contract value of \$7,000.00.

Attest:

Jasmine D. McCoy, Borough Clerk

Approved:

Mayor Dominic Longo

Date of Adoption: November 12, 2024

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2024-273

RESOLUTION AUTHORIZING THE HIRE OF ALEXANDRA DE ASLA AS PART TIME EMERGENCY MEDICAL TECHNICIAN FOR THE DEPARTMENT OF EMERGENCY MEDICAL SERVICES

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

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

WHEREAS, the Borough Administrator recommends the hire of Alexandra de Asla; and

WHEREAS, Alexandra de Asla 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 Alexandra de Asla be hired as a part time Emergency Medical Technician at an hourly rate of \$29.00 effective November 13, 2024.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Adoption: November 12, 2024

BOROUGH OF BOUND BROOK
County of Somerset

RESOLUTION 2024-274

RESOLUTION APPROVING VOUCHERS IN THE AMOUNT OF \$3,550,357.86

BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Bound Brook, County of Somerset, and State of New Jersey that vouchers are approved for the following funds in the amount of \$3,550,357.86

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$3,168,974.37
GRANT FUND	\$171,020.82
GENERAL CAPITAL FUND	\$170,744.12
GENERAL TRUST FUND	\$8,200.00
RECREATION TRUST	\$11,901.74
POLICE FORFEITED FUND	\$1,299.31
HOUSING REHAB	\$2,258.00
DEVELOPER'S ESCROW	\$12,561.89
UNEMPLOYMENT TRUST FUND	\$2,583.85
PAYROLL	\$813.76
TOTAL	<u>\$3,550,357.86</u>

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Adoption: November 12, 2024

BOROUGH OF BOUND
County of Somerset

RESOLUTION 2024-275

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 –Affordable Housing & COAH

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.

Attest:

Approved:

Jasmine D. McCoy, Borough Clerk

Mayor Dominic Longo

Date of Adoption: November 12, 2024