



**BOROUGH COUNCIL  
REGULAR MEETING AGENDA  
MAY 14, 2024 AT 7:00 P.M.**

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**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  
Council President Kendall Lopez  
C. Vinnie Petti  
C. Linda Brnicevic  
C. Glen Rossi  
C. Shawn Guerra  
C. David Morris

**APPROVAL OF MINUTES**

April 23, 2024 Regular Meeting

Motion:           Second:

Roll Call:

C. Vinnie Petti\_\_\_ C. Linda Brnicevic \_\_\_ Kendall Lopez\_\_\_

C. Glen Rossi\_\_\_ C. Shawn Guerra\_\_\_ C. David Morris\_\_\_



April 23, 2024 Executive Session

Motion:           Second:

Roll Call:

C. Vinnie Petti\_\_\_ C. Linda Brnicevic \_\_\_ Kendall Lopez\_\_\_

C. Glen Rossi\_\_\_ C. Shawn Guerra\_\_\_ C. David Morris\_\_\_

**ADVERTISED HEARING OR SPECIAL PRESENTATION**

**PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.**

**GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION**

**OPENING OF BIDS**

**INTRODUCTION OF ORDINANCES – FIRST READING**

**ORDINANCE ON FINAL READING AND CONSIDERATION- SECOND READING**

Ordinance 2024-14   Bond Ordinance Providing for Various 2024 Capital Acquisitions and Improvements, By and in the Borough of Bound Brook, in the County of Somerset, State of New Jersey, Appropriating \$2,711,109 Therefor and Authorizing the Issuance of \$1,709,496 in Bonds or Notes of the Borough to Finance Part of the Cost Thereof

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\_\_\_



Ordinance 2024-15 An Ordinance Amending and Supplementing Chapter 29, “Solid Waste Management”, of the Revised General Ordinances of the Borough of Bound Brook to Exclude Rooming Houses from Refuse Collection

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\_\_\_

Ordinance 2024-16 An Ordinance Amending and Supplementing Chapter 17, Property Maintenance, of the Revised General Ordinances of the Borough of Bound Brook to Require Window Treatment or Screening on Windows for Commercial and Retail Businesses that are Vacant, Under Construction or not Conducting Business whereby the Interiors of such Building Can Be Observed from the Public Street or Sidewalk

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:
2024-125	Resolution Authorizing Partial Waiver of Refuse Fees for Unoccupied / Unrented Units	
2024-126	Resolution Awarding Professional Services Contract to for Assistant Public Defender	
2024-127	Resolution Authorizing a Contribution to the Bound Brook Seniors in the Amount of \$5,000	
2024-128	Resolution Authorizing a Contribution in the Amount of \$50,000 to the Bound Brook Rescue Squad	
2024-129	Resolution Authorizing Refund of Over Payments on Property Taxes	
2024-130	Resolution Authorizing the Cancellation of Interest on Open Tax Balances Due to a Legacy System Migration	
2024-131	Resolution Establishing Per Diem Dispatcher Pay Rate	
2024-132	Resolution Authorizing a Refund to Bay Ly for Duplicate Parking Pass	
2024-133	Resolution Authorizing Estimated Bills in the 3rd Quarter	

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**APPROVAL OF VOUCHERS**

2024-134	Resolution Approving Vouchers in the Amount of \$5,785,121.22	
	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**

2024-135 Resolution Authorizing Executive Session

Motion: Second: All in favor:

**ADJOURNMENT**

Motion: Second: All in favor:

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2024-14

**BOND ORDINANCE PROVIDING FOR VARIOUS 2024 CAPITAL ACQUISITIONS AND IMPROVEMENTS, BY AND IN THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, APPROPRIATING \$2,711,109 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,709,496 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED** BY THE BOROUGH COUNCIL OF THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Bound Brook, in the County of Somerset, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3(a)(ix), there is hereby appropriated the aggregate amount of \$1,350,000, which amounts include two grants received or expected to be received from the New Jersey Department of Transportation in the amounts of \$491,309 and \$337,210, respectively (the “DOT Grants”). Pursuant to N.J.S.A. 40A:2-11(c), as amended and supplemented, no down payment is required for the improvements or purposes set forth in Section 3(a)(ix) hereof, as such projects are being funded by the Grants provided by the State of New Jersey. For the said improvements or purposes stated in Sections 3(a)(i) through 3(a)(viii), inclusive, and 3(a)(x), there is hereby appropriated the aggregate amount of \$1,361,109, which amounts include \$173,094 as the aggregate amount of down payments for said improvements or purposes required by the Local Bond

Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), which down payment amount includes \$117,800 in funding received or expected to be received from New Jersey American Water Company (the “NJAW Grant”, and together with the DOT Grants, the “Grants”). The down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or capital improvement purposes or, as it relates to the NJAW Grant, from moneys actually held by the Borough and previously contributed for such purpose other than by the Borough.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,711,109 appropriation not provided for by application hereunder of the Grants and said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,709,496 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$1,709,496 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

**SECTION 3.** (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are including, but not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
i. Climate control technology improvements to the ambulance for Emergency Medical Services;	\$6,000	\$5,714	\$286	7 years
ii. The purchase of an electric vehicle charging station, various paid parking meter stations, and related signage to be placed throughout the Township;	\$65,000	\$61,904	\$3,096	10 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
iii. The purchase of various equipment for the Police Department, including but not limited to handguns and portable radios;	\$49,844	\$47,470	\$2,374	5 years
iv. The purchase of various equipment for the Fire Department, including but not limited to hoses, nozzles, fire-safe helmets, radios, and a rescue vehicle;	\$710,000	\$676,190	\$33,810	10 years
v. Various improvements to the municipal court room, including, but not limited to, the acquisition of various furniture items, and upgrades to the sound system;	\$10,265	\$9,776	\$489	5 years
vi. The purchase of portable pitching mounds for the Department of Recreation;	\$20,000	\$19,047	\$953	5 years
vii. The purchase of a weed killer truck-mounted unit for the Department of Public Works;	\$50,000	\$47,619	\$2,381	10 years
viii. Various roadway repairs and improvements as more fully described in a list on file in the office of the Borough Clerk, which list is hereby approved and also including, but not limited to, milling, overlay, paving, tarring, striping, curbs, aprons, ADA walkways and driveways;	\$250,000	\$238,095	\$11,905	10 years
ix. Various road improvements and repairs, including, but not limited to, to West Franklin Street (from John Street to Winsor Street) and West Franklin Street (from Winsor Street to Livingston Street);	\$1,350,000 (Includes NJDOT Grants of \$491,309 and \$337,210, respectively)	\$521,481	N/A	10 years
x. Drainage improvements to Farm Lane and related repairs	\$200,000	\$82,200	117,800 (provided by New Jersey)	15 years



<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
and reconstruction to Watchung Road.			American Water Company)	
<b><u>TOTALS:</u></b>	\$2,711,109	\$1,709,496	\$173,094	

(b) The above improvements and purposes set forth in Section 3(a) shall also include, as applicable, surveying, construction planning, engineering and design work, training classes, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental testing and remediation and also all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,709,496.

(d) The aggregate estimated cost of said improvements or purposes is \$2,711,109, the excess amount thereof over the DOT Grants and the estimated maximum amount of bonds or notes to be issued therefor, is the aggregate down payments for said improvements or purposes in the amount of \$173,094.

**SECTION 4.** Except for the DOT Grants, in the event the United States of America, the State of New Jersey and/or the County of Somerset make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Somerset. Except for the DOT Grants, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Somerset shall be received by the Borough after the issuance

of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the “Chief Financial Officer”), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. This report must include the principal amount, the description, the interest rate and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable, for the Borough. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are

inconsistent with the adopted capital or temporary capital budget of the Borough, a revised capital or temporary capital budget for the Borough has been filed with the Division of Local Government Services.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 10.02 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,709,496 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes herein before described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

**SECTION 10.** The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended of the interest on all tax-exempt bonds and notes issued under this ordinance.

**SECTION 11.** The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough, which are authorized herein, and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into an appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the

Borough, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication of this bond ordinance, after final adoption and, if applicable, approval by the Mayor, as provided by the Local Bond Law.

ATTEST

BOROUGH OF BOUND BROOK

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Dominic Longo

Date of Introduction: April 23, 2024

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2024-15

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29, “SOLID WASTE MANAGEMENT”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO EXCLUDE ROOMING HOUSES FROM REFUSE COLLECTION**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council as follows:

**SECTION 1.** Chapter 21, Solid Waste Management, of the Revised General Ordinances of the Borough of Bound Brook is hereby amended and supplemented by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold**, to read as follows:

29-1.1 (Definitions).

**Excluded Users: Mixed-use properties, commercial properties, rooming houses and dwellings five (5) units and more.**

**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 Dominic Longo

Date of Introduction: April 23, 2024

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2024-16

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17, PROPERTY MAINTENANCE, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK TO REQUIRE WINDOW TREATMENT OR SCREENING ON WINDOWS FOR COMMERCIAL AND RETAIL BUSINESSES THAT ARE VACANT, UNDER CONSTRUCTION OR NOT CONDUCTING BUSINESS WHEREBY THE INTERIORS OF SUCH BUILDING CAN BE OBSERVED FROM THE PUBLIC STREET OR SIDEWALK**

**WHEREAS**, the Borough of Bound Brook finds and determines that the presence of commercial and retail buildings that are either vacant, under construction or otherwise not conducting business and where the interiors are either visible to the public from windows facing the public streets and sidewalks or boarded and shuttered constitute a blight upon the Borough's appearance and adversely affect and impair the economic welfare of the adjacent owners' property, deter pedestrian traffic, lead to economic distress, endanger life or property, cause unsanitary and unsafe conditions and lead to deterioration of site or other improvements; and

**WHEREAS**, such buildings constitute a noxious use and a public nuisance in the community that threatens or endangers the public health, safety, aesthetics, and adversely impacts the economic welfare of the adjacent property; and

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

**SECTION 1.** Chapter 17, Property Maintenance, 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:

...

17-30.5 Maintenance requirements.

**The Borough of Bound Brook finds and determines that the presence of commercial and retail buildings that are either vacant, under construction or otherwise not conducting business and where the interiors are either visible to the public from windows facing the public streets and sidewalks or boarded and shuttered constitute a blight upon the Borough's appearance and adversely affect and impair the economic welfare of the adjacent owners' property, deter pedestrian traffic, lead to economic distress, endanger life or property, cause unsanitary and unsafe conditions and lead to deterioration of site or other improvements. Such buildings constitute a noxious use and a public nuisance in the**



**community that threatens or endangers the public health, safety, aesthetics, and adversely impacts the economic welfare of the adjacent property.**

**Any and all windows of commercial and retail buildings located within the Borough of Bound Brook whereby the interiors of such buildings can be observed from the public streets or sidewalks of the Borough, and which buildings are vacant, under construction or not conducting business shall be treated or screened in the manner set forth in this ordinance. This includes any business that is in operation, but does not conduct business for a period of seven consecutive business days due to reasons including, but not limited to, vacation, renovation, or reasons not associated with natural disasters.**

a. Commercial units subject to the requirements of this section must be maintained in accordance with all applicable federal, state and local laws, rules and regulations. The owner, creditor, local individual or local property management company, as appropriate, must inspect the unit twice a month for the duration of the vacancy or foreclosure, as appropriate.

b. In addition to, and not in lieu of, meeting all other applicable federal, state, and local laws, rules, and regulations:

1. Properties with commercial units subject to the requirements of this section shall be kept free of accumulated snow and ice, weeds, dry brush, dead vegetation, trash, junk, debris, building materials, unregistered vehicles, any accumulation of newspapers, circulars, flyers, notices (except those required by law), and discarded personal items, including, but not limited to, furniture, clothing, large, small and commercial appliances, printed material or any other items giving the appearance that the property is vacant.

2. Properties with commercial units subject to the requirements of this section shall be maintained free of graffiti, tagging, or similar markings. In the event that any graffiti, tagging, or similar markings are placed on the property, it/they shall either be removed or painted over with an exterior-grade paint matching the color of the portion of the structure where the graffiti, tagging, or similar marking was placed.

3. Properties with commercial units that have front yards, rear yards, and side yards of properties subject to the requirements of this section shall be landscaped and maintained to neighborhood standards. Properties with commercial units that have rear alleys and garbage container areas will maintain the alleys and the garbage container area in a neat and clean manner. Landscaping and maintenance shall include, but is not limited to, care of grass, mulch, decorative rock, artificial turf/sod specifically designed for commercial installation, or other ground cover, bushes, shrubs, hedges, trees, or similar plantings, removal or repair of gravel, broken concrete, asphalt, decomposed granite, plastic sheeting, mulch, indoor-outdoor carpet or any similar material, in addition to regular watering, irrigation, cutting, pruning and mowing of required vegetation and removal of all trimmings.

4. **[Properties with commercial units that have front windows and doors shall maintain windows, doors and doorways in a clean and safe manner. The interior of**

**the unit will be kept clean and free of debris and rubbish.] All windows of vacant commercial and retail buildings, commercial and retail buildings not conducting business for a period of seven consecutive business days or commercial and retail buildings under construction located within the Borough of Bound Brook, which windows can be viewed from the public streets and sidewalks of the Borough and which expose the interiors of such buildings, shall screen the vacant interior of the building in which they are located by installing on the window an applique or vinyl sticker , equivalent in dimension to the dimension of the window itself; boarded or shuttered are prohibited. This applique or vinyl sticker shall be used for purposes of screening the interior of the building, and to provide an attractive display for those who can observe the window from the streets or public sidewalks of the Borough. The applique or vinyl sticker shall be decorated by featuring scenes or advertising acceptable to the Borough of Bound Brook Zoning Officer by way of a zoning permit. Acceptable coverings include advertising of an incoming tenant, artwork, merchandise, or services of an existing business duly licensed within the Borough. The window glass shall be clean both inside and outside.**

- c. The owner of any vacant commercial unit shall acquire and maintain liability insurance covering injury or damage to any person or any property in not less than \$1,000,000 for nonresidential buildings or property.
- d. The property owner shall be responsible for maintenance of the vacant commercial unit. However, if the owner of a property vacates or abandons any property on which a foreclosure proceeding has been initiated or if a property is or becomes vacant at the time of or at any point subsequent to the creditor's filing the summons and complaint in an action to foreclose on a mortgage against the subject property, but prior to vesting of title in the creditor or any other third party, and the property is found to be a nuisance or in violation of any applicable state or local code, the enforcement authority shall notify the creditor, which shall have the responsibility to abate the nuisance or correct the violation in the same manner and to the same extent as the title owner of the property, to such standard or specification as may be required by state law or Borough ordinance. The enforcement authority shall include a description of the conditions that gave rise to the violation with the notice of violation and shall provide a period of not less than 30 days from the creditor's receipt of the notice for the creditor to remedy the violation. If the creditor fails to remedy the violation within that time period, the Borough may impose the penalties allowed for the violation of municipal ordinances pursuant to N.J.S.A. 40:49-5 against the creditor to the same extent as they could be imposed against the owner of the property.
- e. Adherence to this section does not relieve the owner or creditor of obligations set forth in any other statute, regulation, ordinance, or other source of authority or obligation.

.....

17-30.7 Enforcement.

Enforcement authority shall be vested in the Bound Brook Code Enforcement Department and its officials and inspectors.

**The Borough may seek enforcement of this article through the enforcement methods provided by ordinance, subject to the following provisions: A person who has been issued a citation for violating this article may contest the citation by appearing in the Borough court, at such date, time and place as is fixed by the Borough court officer.**

**The cost of compliance shall be the responsibility of the property owner. If the Borough corrects the violation the cost will be included as an added assessment.**

## **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 Dominic Longo

Date of Introduction: April 23, 2024

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2024-125

**AUTHORIZING THE PARTIAL WAIVER OF REFUSE FEES FOR UNOCCUPIED/UNRENTED UNITS**

**WHEREAS**, effective January 1, 2023, there shall be no exceptions to the annual per dwelling unit charge for the disposal of garbage through the Borough of Bound Brook; and

**WHEREAS**, the property owners of the addresses listed below have submitted requests to have refuse fees waived for unoccupied/unrented units at those addresses; and

**WHEREAS**, each of the property owners has signed an affidavit indicating that there is no intent to rent the unoccupied unit(s) for which a waiver is being requested; and

**WHEREAS**, the Director/Code Enforcement Officer has conducted inspections of each unit and confirmed it unoccupied and/or not rented; and

**WHEREAS**, the Tax Collector is authorized to cancel billing and any accrued interest for any of the waived units; and

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

<u>Property Owner</u>	<u>Address</u>	<u>B/L</u>	<u>No. Units</u>	<u>No. Waived Units</u>
Schiena, Cecilia	409 E Union	79/12	2	1
Keogh, Cindy	142 Farm Lane	98.03/2	2	1

**NOW THERE BE IT RESOLVED** that the Mayor and Council of the Borough of Bound Brook approve the request to waive and/or cancel refuse billing for the number of units at each property listed above.

Attest:

Approved:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Dominic Longo

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2024-126

**RESOLUTION APPOINTING SCOTT C. MITZNER WITH MITZNER & MITZNER AS ASSISTANT PUBLIC DEFENDER FOR THE BOROUGH OF BOUND BROOK**

**WHEREAS**, the Borough previously received submission from Scott C. Mitzner with Mitzner & Mitzner in response to its 2024 Request for Proposals to serve as Assistant Public Defender; and

**WHEREAS**, Scott C. Mitzner with Mitzner & Mitzner has been qualified to serve as Assistant Public Defender for the Borough of Bound Brook; and

**NOW, THEREFORE, BE IT RESOLVED** that Scott C. Mitzner with Mitzner & Mitzner is hereby appointed as Assistant Public Defender for the Borough of Bound Brook for a term of (1) year. .

Attest:

Approved:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Dominic Longo

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2024-127

**RESOLUTION AUTHORIZING A CONTRIBUTION TO THE BOUND BROOK SENIORS IN THE AMOUNT OF \$50,000**

**WHEREAS**, the Bound Brook Seniors is a community group dedicated to the health and wellbeing of seniors within the community; and

**WHEREAS**, the Bound Brook Seniors meet monthly to participate in group activities and host guest speakers; and

**WHEREAS**, the Mayor and Council desire to contribute to the Bound Brook Seniors for their financial obligations;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Bound Brook, that a contribution in the amount of \$50,0000 be made to the Bound Brook Seniors.

ATTEST:

APPROVED:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Dominic Longo

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2024-128

**RESOLUTION AUTHORIZING A DONATION IN THE AMOUNT OF \$50,000 TO THE BOUND BROOK RESCUE SQUAD**

**WHEREAS**, the Borough of Bound Brook makes an annual contribution to the Bound Brook Rescue Squad; and

**WHEREAS**, the Borough desires to make a \$50,000 donation;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bound Brook that a donation in the amount of \$50,000 be donated to the Bound Brook Rescue Squad for 2024.

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Approved:

\_\_\_\_\_  
Mayor Dominic Longo

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2024-129

**RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENTS IN THE AMOUNT OF \$13,962.66**

**WHEREAS**, the records of the Tax Collector of the Borough of Bound Brook reflect an overpayment of Property Taxes on the following properties:

<u>Refund To:</u>	<u>Property Location</u>	<u>Blk/Lot/Qual</u>	<u>Amount</u>
CoreLogic	238 W Main	001/017	\$2,590.01
	308-310 East St	013.02/043	\$245.07
	13 Van Keuren	021/014	\$104.50
	202 W Second	030/022	\$67.18
	305 Ware Ct	039/004	\$471.48
	223 Thompson	043/005	\$485.16
	112 Franklin	047/025	\$399.32
	320 Thompson	057/001	\$89.57
	753 Cedarcrest	069/057	\$67.18
	556 Carleton	083/025	\$105.74
	523 Winsor	085/029	\$63.44
	559 Mountain	094/020	\$1,450.50
	1786 Middlebrook	097/003	\$1,767.72
	642 N Meadow	098.04/018	\$404.30
248 Chestnut	102/010.03	\$136.84	
Wells Fargo	521 Verona	042/011.02	\$58.47
	333 W Maple	082/014	\$200.28
	273 S Metape	099/012	\$408.03
Lereta	110 Hardy	016/012	\$149.28
	306 W Union	062/004	\$366.98
Relief Fire	107 E Second	033/012	\$4,331.61

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

Attest:

Approved:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Dominic Longo

Date of Adoption: May 14, 2024



BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2024-130

**AUTHORIZING THE CANCELLATION OF INTEREST ON OPEN TAX BALANCES  
DUE TO A LEGACY SYSTEM MIGRATION ERROR**

**WHEREAS**, an error in the billing calculation occurred due to a legacy system migration; and

**WHEREAS**, the unforeseen technical glitch led to inaccuracies in the billing process for certain properties that had preliminary appeal adjustments, and;

**WHEREAS**, the adjustment was given a second time during final billing, which caused a balance due;

**NOW THERE BE IT RESOLVED**, that the Mayor and Council of the Borough of Bound Brook approve the cancellation of interest on balances due because of the system migration technical glitch.

**BE IT FURTHER RESOLVED**, a 25-day grace period shall be given for balances due and interest shall accrue from date of billing.

Attest:

Approved:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Dominic Longo

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2024-131

**RESOLUTION ESTABLISHING PER DIEM DISPATCHER PAY RATE**

**WHEREAS**, there is a need for per diem police dispatchers until Somerset County Communications assumes dispatch duties on a full-time basis for the Bound Brook Police Department on or about June 4, 2024;

**WHEREAS**, Stefan Romanyszyn and Alex Rice have previously worked full time for the Bound Brook Police Department as dispatchers and continue to do so on a per diem basis creating the need to establish a per diem pay rate;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, that Stefan Romanyszyn shall be compensated \$ 28.43 per hour until he has worked 40 hours per week for the borough and then his rate shall be \$ 42.65. Alexandra Rice shall be compensated \$ 21.16 per hour.

Attest:

Approved:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Dominic Longo

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2024-132

**RESOLUTION AUTHORIZING A REFUND TO BAY LY IN THE AMOUNT OF \$50.00  
FOR A DUPLICATE MONTHLY PARKING PASS**

**WHEREAS**, Bay Ly made a duplicate payment for a monthly parking pass; and

**WHEREAS**, the Clerk's Office received a request to refund payment;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bound Brook, that the Finance Department is hereby authorized to issue a refund in the amount of \$50.00 to Bay Ly.

Attest:

Approved:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Dominic Longo

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2024-133

**RESOLUTION AUTHORIZING PREPARATION AND ISSUANCE OF TAX BILLS FOR THE THIRD INSTALLMENT OF 2024**

**WHEREAS**, the Borough of Bound Brook is awaiting Budget approval from the State of New Jersey in order to adopt the 2024 budget and the Bound Brook Borough Tax Collector may be unable to mail the Borough's 2024 tax bills on a timely basis; and

**WHEREAS**, the Bound Brook CFO in consultation with the Tax Collector has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates, and the range of permitted estimated tax levies;

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

1. The Bound Brook Tax Collector is hereby authorized and directed to prepare, and issue estimated tax bills for the Borough for the third installment of 2024 taxes. The Tax Collector shall proceed to take such actions as are permitted and required by P.L. 1994, c72 (N.J.S.A. 54:4-66.2 and 54.4-66.3).
2. The entire estimated tax levy for 2024 is hereby set at \$28,276,288.48.
3. The addition to the tax levy for the Special Improvement District is \$245,000.00.
4. In Accordance with law the third installment of 2024 taxes shall not be subject to interest until the later of August 10<sup>th</sup> or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimate tax bills shall contain a notice specifying the date on which interest may begin to accrue.

ATTEST:

APPROVED:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Dominic Longo, Mayor

Date of Adoption: May 14, 2024

BOROUGH OF BOUND BROOK

RESOLUTION 2024-134

**RESOLUTION APPROVING VOUCHERS IN THE AMOUNT OF \$5,785,121.22**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the Borough of Bound Brook, County of Somerset, and State of New Jersey that vouchers are approved for the following funds in the amount of \$668,884.05.

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$5,289,252.13
GRANT FUND	\$44,885.33
GENERAL CAPITAL FUND	\$437,929.30
GENERAL TRUST FUND	\$910.00
RECREATION TRUST	\$5,440.00
PAYROLL	\$6,704.46
TOTAL	<u>\$5,785,121.22</u>

Attest:

Approved:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

\_\_\_\_\_  
Mayor Dominic Longo

Date of Adoption: April 23, 2024

BOROUGH OF BOUND  
County of Somerset

RESOLUTION 2024-135

**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

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

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

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

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

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

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

Reason for Closed Session – Contract Negotiations & 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 Dominic Longo

Attest:

\_\_\_\_\_  
Jasmine D. McCoy, Borough Clerk

Date of Adoption: May 14, 2024