



**BOROUGH COUNCIL  
REGULAR MEETING AGENDA  
April 27, 2021 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**

**OPENING PRAYER**

**ROLL CALL**

Mayor Robert Fazen  
Council President Abel Gomez  
C. Jake Hardin  
C. Richard Jannuzzi  
C. Brad Galeta  
C. Vinnie Petti  
C. Anthony Pranzatelli

**APPROVAL OF MINUTES**

April 13, 2021 Regular Meeting

Motion:           Second:

Roll Call:

C. Abel Gomez\_\_\_    C. Jake Hardin\_\_\_    C. Richard Jannuzzi\_\_\_  
C. Brad Galeta\_\_\_    C. Vinnie Petti\_\_\_    C. Anthony Pranzatelli\_\_\_



**ADVERTISED HEARING OR SPECIAL PRESENTATION**

**Arbor Day Proclamation & Flag Raise**

**Deputy Police Chief Pinning**

**COVID-19 Update**

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

**Peter Vastola- Animal Control Solutions**

**GREETINGS FOR COMMENTS AND INVITATIONS FOR DISCUSSION**

**OPENING OF BIDS**

**ENGINEER'S REPORT- DALE LEUBNER, SUPERINTENDENT OF PUBLIC WORKS**

**COMMITTEE REPORTS**

Chair of Finance – C. Anthony Pranzatelli

Liaison Committees: Architectural Review Advisory Committee, Bound Brook Seniors

Chair of Public Works, Bldgs., Grounds & Utilities – C. Vinnie Petti

Liaison Committees:

Chair of Public Safety (Police & Fire) – Council President Abel Gomez

Liaison Committees: Board of Engineers, Board of Education, Historic Preservation Commission, Office of Emergency Management, Rescue Squad, Parking Commission,

Chair of Personnel, Administration & Ordinances - C. Brad Galeta

Liaison Committees: BB/SBB Municipal Alliance/Youth Services Commission, Recreation Commission, Shade Tree Commission

Chair of Economic Development C. Jake Hardin

Liaison Committees: Planning Board, Special Improvement District

Chair of Zoning, Construction & Code Enforcement - C. Richard Jannuzzi

Liaison Committees: Board of Health, Library Advisory Committee



**INTRODUCTION OF ORDINANCES – FIRST READING**

Ordinance 2021-011 An Ordinance of the Borough of Bound Brook Amending Chapter 2, Administration, Article 3, Departments Established, of the General Revised Ordinances of the Borough of Bound Brook to Create Section 2-29, Department of Recreation

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on May 11, 2021.

Second:

Roll Call:

C. Abel Gomez\_\_\_ C. Jake Hardin\_\_\_ C. Richard Jannuzzi\_\_\_  
C. Brad Galeta\_\_\_ C. Vinnie Petti\_\_\_ C. Anthony Pranzatelli\_\_\_

Ordinance 2021-012 AN ORDINANCE OF THE BOROUGH OF BOUND BROOK, COUNTY OF SOMERSET, NEW JERSEY APPROVING THE PILOT APPLICATION AND AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND WEST MAIN BOUND BROOK URBAN RENEWAL, LLC FOR PROPERTY LOCATED ON BLOCK 1, LOTS 38.02, 39, 39.01, 40 AND 41 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BOUND BROOK AND LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on May 11, 2021.

Second:

Roll Call:

C. Abel Gomez\_\_\_ C. Jake Hardin\_\_\_ C. Richard Jannuzzi\_\_\_  
C. Brad Galeta\_\_\_ C. Vinnie Petti\_\_\_ C. Anthony Pranzatelli\_\_\_



Ordinance 2021-013 Ordinance Amending and Supplementing Chapter 7, Traffic of the General Revised Ordinances of the Borough of Bound Brook Section 39.2, “Handicapped Parking on Street for Private Residences”

Motion: Movant: I move the ordinance be passed on first reading, advertised according to law and a public hearing be held on May 11, 2021.

Second:

Roll Call:

C. Abel Gomez\_\_\_\_ C. Jake Hardin\_\_\_\_ C. Richard Jannuzzi\_\_\_\_  
C. Brad Galeta\_\_\_\_ C. Vinnie Petti\_\_\_\_ C. Anthony Pranzatelli\_\_\_\_

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

Ordinance 2021-09 Calendar Year 2021 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

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. Jake Hardin\_\_\_\_ C. Richard Jannuzzi\_\_\_\_  
C. Brad Galeta\_\_\_\_ C. Vinnie Petti\_\_\_\_ C. Anthony Pranzatelli\_\_\_\_



Ordinance 2021-10 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL ACQUISITIONS AND IMPROVEMENTS, BY AND IN THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,904,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS 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. Abel Gomez \_\_\_ C. Jake Hardin \_\_\_ C. Richard Jannuzzi \_\_\_  
C. Brad Galeta \_\_\_ C. Vinnie Petti \_\_\_ C. Anthony Pranzatelli \_\_\_

### 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:

2021-071 Resolution Authorizing the Execution of Various Documents in Connection with the Somerset County Improvement Authority's Somerset Municipal Banc Program

2021-072 Resolution Authorizing Submission of the Fiscal Year 2021-22 Bound Brook/South Bound Brook Municipal Alliance Request for Application with Somerset County Board of County Commissioners in the Amount of \$13,727.86

2021-073 Resolution Authorizing Salary Compensation Agreement with Deputy Police Chief



- 2021-074 Resolution Approving the Promotion of Derrick Deloach and Robert Timpano to Driver
- 2021-075 Resolution Approving the Hire of Isabel Ullmann as Gym Supervisor for the 2021 Recreation Season
- 2021-076 Resolution Approving and Authorizing the Execution of a Redevelopment Agreement with West Main Bound Brook Urban Renewal, LLC as Redeveloper for Property Known as Tax Block 1, Lots 38.02, 39, 39.01, 40 and 41 Located on West Main Street in the Downtown Redevelopment Area for Redevelopment of a Mixed-Use Project
- 2021-077 Resolution Authorizing a Payment in Lieu of Parking Agreement for Meridia 1
- 2021-078 Resolution Authorizing a Payment in Lieu of Parking Agreement for Meridia 300

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**APPROVAL OF VOUCHERS**

- 2021-079 Resolution Approving Vouchers in the Amount of \$1,380,346.21

Motion: Second:

Roll Call:

C. Abel Gomez\_\_\_\_ C. Jake Hardin\_\_\_\_ C. Richard Jannuzzi\_\_\_\_  
C. Brad Galeta\_\_\_\_ C. Vinnie Petti\_\_\_\_ C. Anthony Pranzatelli\_\_\_\_

**OPEN TO THE PUBLIC FOR COMMENT**

**AUTHORIZE EXECUTIVE SESSION**

- 2021-080 Resolution Authorizing Executive Session

Motion: Second: All in favor:

**ADJOURNMENT**

Motion: Second: All in favor:



# *ARBOR DAY PROCLAMATION*

WHEREAS, The Spanish village of Mondoñedo held the first documented arbor plantation festival in the world organized by its mayor in 1594, and

WHEREAS, The first American Arbor Day was originated in Nebraska City, Nebraska by J. Sterling Morton On April 10, 1872 where an estimated one million trees were planted in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our Borough increase property values, enhance the economic vitality of business areas, contribute to a carbon neutral environment, and beautify our community, and

THEREFORE, BE IT RESOLVED: that I, Robert Fazen, Mayor of Bound Brook, do hereby proclaim April 30, 2021 as Arbor Day in Bound Brook and urge all citizens to support efforts to protect our trees and promote the well-being of this and future generations.

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**Mayor Robert Fazen**  
Bound Brook, New Jersey  
April 27, 2021

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2021-011

AN ORDINANCE OF THE BOROUGH OF BOUND BROOK AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE 3, DEPARTMENTS ESTABLISHED, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO CREATE SECTION 2-29, DEPARTMENT OF RECREATION

WHEREAS, there is a need to memorialize the creation of the Department of Recreation; and

WHEREAS, the Personnel Committee recommend to create the position of Assistant Recreation Director;

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:

**SECTION 1.** That Chapter 2, Administration, Article III, Departments Established, of the General Revised Ordinances of the Borough of Bound Brook, is hereby amended and supplement to create section 2-29, Department of Recreation to read as follows:

**Section 2-29 RECREATION DEPARTMENT ESTABLISHED**

There is hereby established in the Borough a recreation department, which shall administer all Borough approved programs and activities.

**Section 2-29.1 RECREATION DIRECTOR**

The recreation director shall have the responsibility for overall supervision of the recreation programs and activities. The recreation director shall direct and supervise all employees assigned to the recreation direction and shall have the authority and responsibility for the assignment of employees to all functions within the department. The recreation director shall be under the direction of the Borough Administrator and Recreation Commission.

**Section 2-29.2 ASSISTANT RECREATION DIRECTOR**

There shall be an Assistant Recreation Director appointed by the Mayor and Council. The Assistant Recreation Director shall be an assistant to the Recreation Director and shall perform such duties of the Recreation Director as may be assigned by the Borough Administrator, Recreation Director, Recreation Commission, Mayor or Borough Council, so far as permitted by law.



**SECTION 2.** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part hereof, and to this end, the provisions of this Ordinance are hereby declared severable.

**SECTION 3.** All other ordinances, codes or parts thereof that are in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Borough ordinances, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Borough's ordinances are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4.** This Ordinance shall take effect upon passage and publication as required by law.

\_\_\_\_\_  
Jasmine D. Mathis  
Borough Clerk

By: \_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: April 27, 2021

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2021-012

**AN ORDINANCE OF THE BOROUGH OF BOUND BROOK, COUNTY OF SOMERSET, NEW JERSEY APPROVING THE PILOT APPLICATION AND AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF BOUND BROOK AND WEST MAIN BOUND BROOK URBAN RENEWAL, LLC FOR PROPERTY LOCATED ON BLOCK 1, LOTS 38.02, 39, 39.01, 40 AND 41 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BOUND BROOK AND LOCATED IN THE DOWNTOWN REDEVELOPMENT AREA**

**WHEREAS**, in January 2000, the Borough Council of the Borough of Bound Brook designated various properties in its downtown along the Main Street corridor as an area need of redevelopment (“**Redevelopment Areas 1 & 2**”) and adopted a redevelopment plan for Redevelopment Areas 1 & 2 in February 2000 and subsequently adopted an Amended Redevelopment Plan for Redevelopment Area 2 on August 11, 2015, which was amended on October 23, 2018 and December 30, 2019; and

**WHEREAS**, Block 1, Lots 38.02, 39, 39.01, 40 and 41 (the “**Property**”) is located in Redevelopment Area 2; and

**WHEREAS**, on March 9, 2021, the Borough approved a redevelopment agreement (the “**Redevelopment Agreement**”) for the redevelopment of Block 1, Lots 38.02, 39, 39.01, 40 & 41 with West Bound Brook Urban Renewal, LLC, an approved urban renewal entity (the “**Redeveloper**” or “**Entity**”); and

**WHEREAS**, the Entity is the owner of Block 1, Lot 39.01 and contract purchaser of Block 1, Lots 38.02, 39, 40 & 41, which makes up the Property; and

**WHEREAS**, the Entity is proposing the construction of a 64-unit multi-family residential building with 2,000 square feet of commercial space and 70 parking spaces subject to site plan approval by the Borough Planning Board (the “**Project**”); and

**WHEREAS**, the Entity was created for the purposes of acquiring, owning, holding, developing, maintaining, financing, mortgaging, improving, operating, leasing, managing, using, refinancing, selling, subdividing, or otherwise dealing with the Property and the Project; and

**WHEREAS**, pursuant to and in accordance with the provisions of the Long-Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto (the “**Long Term Tax Exemption Law**”, as codified in N.J.S.A. 40A:20-1 et seq.), the Borough is authorized to provide for payment in lieu of taxes within a redevelopment area; and

**WHEREAS**, on February 25, 2021, the Entity submitted an application for the approval of a Project, as such term is used in the Long-Term Tax Exemption Law, all in accordance with N.J.S.A. 40A:20-8 (the “**Exemption Application**”, a copy of which is attached hereto as Exhibit B); and

**WHEREAS**, the Exemption Application requested a 20-year term for a financial agreement and an annual service charge based on 11% of annual gross revenues for years 1 through 10; 12% of annual gross revenues for years 11 through 15; and 13% of annual gross revenues for years 16 through 20; and

**WHEREAS**, the Borough agrees to a 20-year term for a financial agreement and an annual service charge based on 11% of annual gross revenues for years 1 through 10; 12% of annual gross revenues for years 11 through 15; and 13% of annual gross revenues for years 16 through 20; and

**WHEREAS**, pursuant to the Long-Term Tax Exemption Law, the Borough is authorized to enter into a financial agreement with a redeveloper for payment of an annual service charge for municipal services in lieu of taxes for market rate housing and commercial projects; and

**WHEREAS**, the Entity has requested that the Borough enter into a financial agreement for payment of an annual service charge for municipal services in lieu of taxes (the “**Financial Agreement**”) for the Project; and

**WHEREAS**, the Borough and the Entity have reached agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charges and desire to execute the Financial Agreement.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Bound Brook, County of Somerset, New Jersey, as follows:

**Section 1.** The Borough acknowledges that by effectuating the redevelopment of the Project, West Main Bound Brook Urban Renewal, LLC will significantly limit its profits due to the extraordinary costs to be borne by the Entity, which will provide significant and long-term benefits to the Borough.

**Section 2.** The Borough makes the following findings:

- A. Relative benefits of the Project when compared to the costs:
  1. The Property currently generates approximately \$46,653 in real estate tax revenue to the Borough as the Property is underutilized with residential and commercial uses, and vacant land. The projected Annual Service Charge over the 20-year term will generate an average annual revenue to the Borough of approximately \$195,565.
  2. It is estimated that the Project will create jobs during construction and permanent jobs;

3. The Project should stabilize and contribute to the economic growth of existing local business and to the creation of new business, which will serve the new residents and attract additional people to the Borough;

4. The Project will further the redevelopment objectives of the Redevelopment Plan for Redevelopment Area 2; and

5. The redevelopment of the Property will greatly improve the downtown neighborhood.

6. The Borough has determined that the benefits of the Project significantly outweigh the costs to the Borough.

B. Assessment of the importance of the tax exemption defined in obtaining development of the Project and influencing the locational decisions of probable occupants:

1. The relative stability and predictability of the Annual Service Charge will make the Project more attractive to investors and lenders needed to finance the Project; and

2. The relative stability and predictability of the Annual Service Charge will allow stabilization of the Project operating budget, allowing a high level of urban design and aesthetics as well as the use of high quality materials which will maintain the appearance of the building over the life of the Project, which will insure the likelihood of the success of the Project and insure that it will have a positive impact on the surrounding area.

C. Based upon the above determinations by the Borough and the provisions of N.J.S.A. 40A:20-12, this Agreement contains appropriate tax exemption provisions and an appropriate Annual Service Charge schedule.

**Section 3.** The Exemption Application is hereby accepted and approved.

**Section 4.** The Financial Agreement shall be for a twenty (20) year term with an annual service charge starting at eleven percent (11%) of annual gross revenues for years 1 through 10; twelve percent (12%) of annual gross revenues for years 11 through 15; and thirteen percent (13%) of annual gross revenues for years 16 through 20, all in accordance with the Long-Term Tax Exemption Law.

**Section 5.** The Financial Agreement is hereby authorized to be executed and delivered on behalf of the Borough by the Mayor in substantially the form attached hereto as Exhibit B. The Borough Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor and to affix the corporate seal of the Borough to the Financial Agreement.

**Section 6.** This ordinance shall take effect upon final passage and publication as required by law.

\_\_\_\_\_  
Jasmine D. Mathis  
Borough Clerk

By: \_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: April 27, 2021

**EXHIBIT A**

**EXEMPTION APPLICATION**

**EXHIBIT B**

**FORM OF FINANCIAL AGREEMENT**

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2021-013

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII, TRAFFIC, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK SECTION 7-39.2, “HANDICAPPED PARKING ON STREET FOR PRIVATE RESIDENCES”.

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

SECTION 1. Chapter VII, Traffic, Section 7-39.2, “Handicapped Parking on Street for Private Residences” of the General Revised Ordinances of the Borough of Bound Brook are 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:

7-39.2 Handicapped Parking on Streets for Private Residences.

In accordance with the provisions of N.J.S.A 39:4-197.6 and 39:4-197.7, the following on-street locations are designated as handicapped parking spaces in front of private residences occupied by handicapped persons. Such spaces are for use by persons who have been issued special identification cards or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No person, other than the permit-holder of the permit identified below, shall be permitted in these spaces.

Street	Side	Permit Number	Location
East High Street [Added 2-27-2018 by Ord. No. 2018-04]	North	HY2224	Beginning at a point 81 feet of the protracted northwestern curbline of John Street and East High Street ending 101 feet west of the same curbline
John Street [Ord. No. 2015-27 § 2; repealed 2-27-2018 by Ord. No. 2018-04]			
North Street [Amended 2-27-2018 by Ord. No. 2018-04; repealed 11-7-2018 by Ord. No. 2018-29]			



<u>East Second Street</u>	<u>South</u>	<u>#P1813261</u>	<u>Beginning at a point 140 feet of the protracted southeastern curb line of East St. and East Second St. ending 160 feet East of the same curb line</u>
<u>West Second Street</u>	<u>North</u>	<u>#HX7266</u>	<u>Beginning at a point 60 feet of the protracted northeastern curb line of Vosseller Ave and West Second St. ending 80 feet East of the same curb line</u>
<u>Linden Avenue</u>	<u>North</u>	<u>#C16HUZ</u>	<u>Beginning at a point 200 feet of the protracted northeastern curb line of Drake St. and Linden Ave. ending 220 feet West of the same curb line</u>

\_\_\_\_\_  
Jasmine D. Mathis  
Borough Clerk

By: \_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: April 27, 2021

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2021-09

**CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Bound Brook in the County of Somerset finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 2.5 % increase in the budget for said year, amounting to \$ 280,575.30 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Bound Brook, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Bound Brook shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 392,878.22, and that the CY 2021 municipal budget for the Borough of Bound Brook be approved and adopted in accordance with this ordinance.

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Attest: \_\_\_\_\_  
Jasmine D. Mathis, Borough Clerk  
Date of Introduction: April 13, 2021  
Date of Adoption: April 27, 2021

By: \_\_\_\_\_  
Mayor Robert Fazen

BOROUGH OF BOUND BROOK  
County of Somerset

ORDINANCE NO. 2021-10

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL ACQUISITIONS AND IMPROVEMENTS, BY AND IN THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE BOROUGH”); APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,904,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS 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 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 to be undertaken by the Borough of Bound Brook, in the County of Somerset, State of New Jersey (the “Borough”). For said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the aggregate amount of \$2,000,000, which sum includes (i) a 2019 grant in the amount of \$96,731 and (ii) a 2020 grant in the amount of \$77,442 expected to be received from the Community Development Block Grant Program (the “CDBG Grants”) and said amount being inclusive of down payments in the aggregate amount of \$96,000 now available in the Capital Improvement Fund of the Borough for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented, (the “Local Bond Law”).

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,000,000 appropriation not provided for

by application hereunder of said aggregate down payments, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount of \$1,904,000 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 an aggregate principal amount not exceeding \$1,904,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

**SECTION 3.** The various improvements hereby authorized and the various purposes for the financing of which said obligations are to be issued are as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Purchase one (1) Ford pick-up truck for the Police Department;	\$48,000	\$45,714	\$2,286	5 years
(ii) Purchase of body cameras for the Police Department and information technology upgrades for the Municipal Building;	\$71,000	\$67,390	\$3,610	7 years
(iii) Purchase of garbage and recycling cans for the Department of Administration;	\$25,000	\$23,809	\$1,191	5 years
(iv) Capital improvements to the Department of Administration, including, but not limited to, carpet replacement;	\$30,000	\$28,571	\$1,429	10 years
(v) Purchase of turnout gear and hose` and pager replacements for the Fire Department;	\$39,000	\$37,142	\$1,858	10 years
(vi) Purchase of a sport utility vehicle for the Fire Department;	\$62,000	\$59,047	\$2,953	5 years

Final Reading Ordinance 2021-10

(vii) Purchase and installation of a pool liner for the Borough Pool;	\$100,000	\$95,238	\$4,762	10 years
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Final Reading Ordinance 2021-10

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(viii) Borough-wide roadway improvements, including, but not limited to, overlay, paving and milling improvements, reconstruction of all or a portion of West Second Street and Windsor Street and the replacement, reconstruction, and installation of gutter and drainage improvements to various roads throughout the Borough; and	\$1,530,000 (including the CDBG Grants)	\$1,457,000	\$73,000	10 years
(ix) Purchase of two (2) 4x4 pick-up trucks with plows and a lawn mower for the Department of Public Works;	\$65,000	\$61,519	\$3,481	5 years
(x) Inlet modification to decrease drainage issues to all or a portion of Cherry Avenue; and	\$25,000	\$23,809	\$1,191	15 years
(xi) Purchase of parking machines, meters, and/or pay stations for the Department of Parking.	<u>\$5,000</u>	<u>\$4,761</u>	<u>\$239</u>	7 years
TOTALS	<u>\$1,625,000.00</u>	<u>\$1,547,089.00</u>	<u>\$77,911.00</u>	9.37 years

(a) The estimated aggregate maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,904,000.

(b) The estimated aggregate cost of said improvements or purposes is \$2,000,000, the excess thereof over the estimated aggregate maximum amount of bonds or notes to be issued therefor is the aggregate down payments available for such improvements or purposes in the amount of \$96,000.

(c) All such improvements or purposes described above shall also include, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental remediation, and all work, materials, supplies, equipment, labor and appurtenances necessary therefor and incidental thereto.

**SECTION 4.** 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, including the CDBG Grants, to the Borough for the improvements or 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. 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, including the CDBG Grants, 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, provided that no note shall mature later than one (1) year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief

Financial Officer of the Borough. The Chief Financial Officer of the Borough shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer of the Borough upon the notes shall be conclusive evidence as to all such determinations. All bond anticipation 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 of the Borough is hereby authorized to sell part or all of the bond anticipation 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 of the Borough is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the bond anticipation 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. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond 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, a revised capital or temporary capital budget 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 which the Borough may lawfully undertake as general improvements, and no part of the costs thereof have 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 the said bonds authorized by this bond ordinance, is 9.37 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, within the 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 obligations provided for in this bond ordinance by \$1,904,000 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 purposes or improvements described in Section 3 hereof.

**SECTION 8.** 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 the 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, 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 to provide secondary market disclosure, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 9.** 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 principal of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 10.** 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 10 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 Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen

(18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

**SECTION 11.** 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 bond anticipation notes issued under this bond ordinance.

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

\_\_\_\_\_  
Jasmine D. Mathis  
Borough Clerk

By: \_\_\_\_\_  
Mayor Robert Fazen

Date of Introduction: April 13, 2021  
Date of Adoption: April 27, 2021

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2021-071

**AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY'S SOMERSET MUNICIPAL BANC PROGRAM**

**WHEREAS**, under the Somerset Municipal Banc Program (as defined herein), various municipalities, an educational services commission and school districts within the County of Somerset (the "County") and the County (each a "Participant") submit a request (the "Application") to the Somerset County Improvement Authority (the "Authority") to borrow funds from the Authority (the "Somerset Municipal Banc Program") to finance the lease purchase of certain capital equipment and, if applicable, other personal property (the "Equipment"; the financing of the Equipment under the Somerset Municipal Banc Program may be referred to herein as the "Project"); and

**WHEREAS**, under the Somerset Municipal Banc Program, the Authority intends to enter into the hereinafter defined Authority Lease with Commerce Commercial Leasing, LLC (the "Lessor"); and

**WHEREAS**, under the Somerset Municipal Banc Program, the Lessor intends to provide funds to acquire the Equipment over time, and immediately lease the Equipment to the Authority, all pursuant to the terms of that certain "Master Lease Purchase Agreement" to be entered into by and between the Lessor, as lessor, and the Authority, as lessee (together with any amendments thereof or supplements thereto in accordance with the terms thereof, the "Authority Lease"); and

**WHEREAS**, under the Authority Lease, the Authority shall make rental payments that are subject to annual appropriation of the Authority solely from amounts received by the Participant under the hereinafter defined Participant Lease; and

**WHEREAS**, simultaneously with the Authority Lease, the Authority will sublease the Equipment to the Participant pursuant to the terms of that certain "Sublease Purchase Agreement" to be entered into by and between the Authority, as sublessor, and the Participant, as sublessee (together with any amendments thereof or supplements thereto in accordance with the terms thereof, the "Participant Lease"), under which Participant Lease the Participant will make rental payments that are subject to annual appropriation of said Participant in an amount sufficient to pay the corresponding rental payments applicable to the Equipment, and as appropriated by the Authority under the Authority Lease, plus all administrative expenses of the Somerset Municipal Banc Program; and

**WHEREAS**, pursuant to the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto, specifically Section 37 thereof (N.J.S.A. 40:37A-79), the County may for the purpose of aiding the Authority in the planning, undertaking, acquisition, construction or operation of a public

facility, guaranty the punctual payment of moneys for the purposes of the Authority (the "County Guaranty"); and

**WHEREAS**, in order to implement the County Guaranty, and in accordance with the terms of that certain agreement entitled Guaranty Agreement between the County and the Authority (the "County Agreement"), the County intends to appropriate moneys to the Authority to the extent the lease payments made by the Authority to the Lessor are not sufficient.

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Bound Brook as follows:

Section 1. That the Participant Lease, in the form presented to this meeting, be and the same is hereby approved, and the Mayor, Chief Financial Officer or Business Administrator of the Borough of Bound Brook (each, an "Authorized Participant Representative") is hereby authorized to, and one of such officers shall execute the Participant Lease, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addresses designated on such Participant Lease, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That any Authorized Participant Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for the execution and delivery of the Participant Lease and for carrying out the sale, issuance and delivery of the lease obligations, and all related transactions contemplated by this resolution.

Section 3. This Resolution constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough of Bound Brook reasonably expects to pay expenditures with respect to the Equipment prior to the date that Borough of Bound Brook incurs obligations under the Participant Lease. The Borough of Bound Brook reasonably expects to reimburse such expenditures with the proceeds of obligations to be incurred by the Borough of Bound Brook under the Participant Lease. The maximum principal amount of obligations expected to be issued for payment of the costs of the Equipment is \$150,000.00

Section 4. This resolution shall become effective immediately.

Attest:

Approved:

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

\_\_\_\_\_  
Mayor Robert P. Fazen

Date of Adoption: April 27, 2021

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2021-072

**AUTHORIZING SUBMISSION OF THE FISCAL YEAR 2021-22 BOUND BROOK/SOUTH BOUND BROOK MUNICIPAL ALLIANCE REQUEST FOR APPLICATION WITH SOMERSET COUNTY BOARD OF COUNTY COMMISSIONERS IN THE AMOUNT OF \$13,727.86**

**WHEREAS**, the Borough of Bound Brook, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

**WHEREAS**, The Borough of Bound Brook Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, The Borough of Bound Brook intends to submit an application for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Somerset; and

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

1. The Mayor and Alliance Chairperson are authorized to sign the original of this grant application.
2. The Borough of Bound Brook is hereby authorized to submit an application for the Bound Brook/S. Bound Brook Municipal Alliance grant for fiscal year 2021-22 in the amount of \$13,727.86

DEDR	\$6,863.93
Cash Match	\$1,715.98
In-Kind	\$5,147.95
3. The Borough of Bound Brook acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
4. The Borough of Bound Brook accepts subsequent award of this grant.

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

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

Date of Adoption: April 27, 2021

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2021-073

SALARY COMPENSATION AGREEMENT BETWEEN THE BOROUGH OF BOUND AND  
DEPUTY CHIEF OF BOUND BROOK POLICE DEPARTMENT KEVIN RIVENBARK

BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook that it does hereby authorize and direct the Mayor and Clerk to execute certain document entitled Salary Compensation Agreement Kevin Rivenbark and Borough of Bound Brook, Somerset County, New Jersey for 2021 -2025 in the form annexed hereto and made a part hereof.

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

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

Date of Adoption: April 27, 2021

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2021-074

RESOLUTION APPROVING THE PROMOTION OF ROBERT TIMPANO AND DERRICK  
DELOACH TO DRIVER

WHEREAS, the Superintendent of Public Works has recommended the promotion for Robert Timpano and Derrick Deloach to the position of Driver; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook Robert Timpano be promoted to Driver at an hourly rate of \$29.64 and Derrick Derrick Deloach be promoted to Driver at an hourly rate of \$28.92 per the ASFME Contract.

BE IT FURTHER RESOLVED, the promotions shall be effective April 28, 2021.

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

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

Date of Adoption: April 27, 2021



BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2021-075

RESOLUTION APPROVING THE HIRE OF ISABEL ULLMANN AS GYM SUPERVISOR  
FOR THE 2021 RECREATION SEASON

WHEREAS, there is a need for a gym supervisor for the 2021 recreation season; and

WHEREAS, the Recreation Director has recommended the hire of Isabel Ullmann;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook, Isabel Ullman be hired effective April 28, 2021 at an hourly rate of \$12.00.

Approved:

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Mayor Robert P. Fazen

Attest:

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Jasmine D. Mathis, Borough Clerk

Date of Adoption: April 27, 2021

BOROUGH OF BOUND BROOK  
County of Somerset

RESOLUTION 2021-076

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH WEST MAIN BOUND BROOK URBAN RENEWAL LLC AS REDEVELOPER FOR PROPERTY KNOWN AS TAX BLOCK 1, LOTS 38.02, 39, 39.01, 40 AND 41 LOCATED ON WEST MAIN STREET IN THE DOWNTOWN REDEVELOPMENT AREA FOR REDEVELOPMENT OF A MIXED-USE PROJECT

**WHEREAS**, in January 2000, the Borough Council of the Borough of Bound Brook designated various properties in its downtown along the Main Street corridor as an area need of redevelopment (“Redevelopment Areas 1 & 2”) and adopted a redevelopment plan for Redevelopment Areas 1 & 2 in February 2000 and subsequently adopted an Amended Redevelopment Plan for Redevelopment Area 2 on August 11, 2015, which was amended on October 23, 2018 and December 30, 2019; and

**WHEREAS**, the Borough of Bound Brook (the “Borough”) has been promoting the redevelopment of public and privately-owned properties in Redevelopment Areas 1 & 2; and

**WHEREAS**, Block 1, Lots 38.02, 39, 39.01, 40 and 41 are located in Redevelopment Area 2 and are privately owned (referred to as the “Properties”); and

**WHEREAS**, West Main Bound Brook Urban Renewal, LLC (“West Main” or the “Redeveloper”) owns Block 1, Lot 39.01 and is the contract purchaser of Block 1, Lots 38.02, 39, 40 and 41; and

**WHEREAS**, West Main made a presentation to the Borough Council on November 26, 2019 regarding its concept proposal to redevelop the Properties for mixed use project with commercial on ground floor and multi-family residential on the upper floors; and

**WHEREAS**, the concept proposal from West Main has been reviewed and found consistent with the Borough's goals for redeveloping the downtown area; and

**WHEREAS**, on November 26, 2019, the Borough adopted a resolution conditionally designating West Main as redeveloper of the Properties for a period of 120 days subject to certain conditions, which designation was extended by the Borough for a period of 120 days on October 10, 2019; and

**WHEREAS**, the Borough and West Main entered into an escrow agreement, which requires West Main to pay any and all costs incurred by the Borough from the date of the conditional designation to execution of a redevelopment agreement or termination of the redeveloper designation regarding the redevelopment of the Properties; and

**WHEREAS**, the Borough and Redeveloper have agreed to the terms and conditions with

respect to the redevelopment of the Properties, the construction of the improvements and the payment of certain costs in connection; and

**WHEREAS**, the Borough believes that the redevelopment of the Properties in the manner proposed by the Redeveloper is in the vital and best interests of the community and promotes the health, safety, morals and welfare of the Borough's residents and is in accord with the public purpose and provisions of the Local Redevelopment and Housing Law and all other applicable laws; and

**WHEREAS**, the Borough and the Redeveloper desire to fully and thoroughly address the rights and obligations of the Parties hereto in connection with the redevelopment of the Properties by way of a redevelopment agreement, in a form substantially consistent with that attached and annexed hereto, and the Borough and the Redeveloper acknowledge that the mutual promises contained in the redevelopment agreement shall be good and valuable consideration for the binding execution of the redevelopment agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Bound Brook that it hereby approves and authorizes the execution of a redevelopment agreement with West Main Bound Brook Urban Renewal, LLC c/o Philly Capital Group, 1199 Ludlow Street, Unit 1412, Wilmington, Delaware 19807 as redeveloper for the redevelopment of Tax Block 1, Lots 38.02, 39, 39.01, 40 and 41.

**BE IT FURTHER RESOLVED** that the Mayor and the Borough Clerk are hereby authorized to execute any and all documents, including the redevelopment agreement substantially consistent with the form of agreement attached hereto, to effectuate the completion and implementation of this project, subject to final review by general counsel as to legal form and content.

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

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

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

Date of Adoption: April 27, 2021

BOROUGH OF BOUND BROOK  
RESOLUTION 2021-079

APPROVAL OF VOUCHERS

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 \$ 1,380,346.21

<u>FUND</u>	<u>AMOUNT</u>
CURRENT	\$ 1,330,368.59
GENERAL CAPITAL	\$ 15,367.49
GENERAL TRUST	\$ 7,191.02
RECREATION TRUST	\$ 7,418.65
DEVELOPERS ESCROW	\$ 15,018.37
PAYROLL FUND	\$ 4,982.09
TOTAL	<u>\$ 1,380,346.21</u>

Approved:

\_\_\_\_\_  
Mayor Robert P. Fazen

Attest:

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

Date of Adoption: April 27, 2021

BOROUGH OF BOUND  
County of Somerset

RESOLUTION 2021-080

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 –

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. Mathis, Borough Clerk

Date of Adoption: , 2021