

## **BOROUGH OF BOUND BROOK-MINUTES**

### **AGENDA/WORKSHOP MEETING- AUGUST 14, 2007**

Mayor Frank Ryan called the meeting to order at 7:00 PM with a reading of the Open Public Meetings Law Statement, Pledge of Allegiance and Opening Prayer read by Donna Marie Godleski, Borough Clerk.

#### **ROLL CALL**

Mayor Frank J. Ryan	Present
Councilman Jeffrey Thompson	Present
Councilman Javier Vasquez	Present
Councilman Carey Pilato	Present
Councilman James Lefkowitz	Present
Councilman Paul Hasting	Present
Councilwoman Jacquelyn Nicholson	Absent

Also present: Administrator, John J. Kennedy; Borough Attorney James G. O'Donohue; Borough Engineer- Robert R. Keady, Borough Clerk Donna Marie Godleski.

#### **Engineers Report –T&M Associates-**

##### **Mr. Keady reported-**

- 1) Flood Damage Prevention Ordinance – NJDEP has advised ordinance must be adopted by September 28, 2007. This ordinance replaces your existing ordinance in place. Ordinance sets a protocol of development within flood zone areas. There are a few areas that must be filled in regarding fines.
- 2) Resolution authorizes T&M to submit NJDOT application for Highland Place-Route 28 to Grove –  
Application has been prepared. Resolution is on the agenda for council approval. Application will then be forwarded to the Department of Transportation.
- 3) Recommend resolution for Watchung Road Reconstruction-subsurface utility investigation work be done now. Received two quotations; low bidder is Geotrack in the amount of \$11,975.00.
- 4) Request for next council meeting a resolution to authorize to proceed on the design Of Highland Place from West Maple Avenue. This work will be charged to Bond Ordinance No. 07-13.  
Mr. Keady reported he has two items for discussion in executive session.

Page Two

Agenda/Workshop Meeting Minutes

August 14, 2007

**OPEN TO THE PUBLIC**

Dr. Tulsi Maharjan-Chairperson of the Somerset County Cultural Diversity Coalition. Tulsi informed he has chaired this celebration for the past 4 years. The celebration this year is scheduled for October 7. All community groups are invited which will bring together the community. During this event we would like to recognize everyone that helped during the flood.

Council Vasquez reported the committee for this event is open to everyone. We would like to recognize everyone that helped with flood issues during the storm.

Motion moved by C. Thompson; second C. Vasquez subject to approval of police department; all in favor.

226 West Franklin-resident asked will there be discussion on the budget.

Stacey Pilato-222 West Franklin Street-

Commented on the budget stating that it is possible for council to pass a flat tax this year. There are concerns about surplus. Urge all council to return whatever the borough has to the taxpayers. Mrs. Pilato stated that when I have increases in my household I make the cuts. I feel that my money is actually going into the borough in the form of taxes. This must be a responsible budget; we need to live within our means. We should exercise good government. Stop the unnecessary spending in the borough.

Rafael Rosario-Owner of Café Imperial-

Mr. Rosario sent an invitation letter to the Mayor and Council of their grand opening of Café Imperial. The event will be combined with the annual celebration of Central American Independence Day- September 16, 2007- In his letter he has requested permission to serve wine and beer.

Councilpersons stated that they had not received his letter.

Mayor Ryan stated a copy of the letter has been sent over to the police department for their review. Application will be placed on the agenda for August 28, 2007 council meeting.

Lt. Jannone stated to Mr. Rosario that a special event application must be filled out for any event in the borough and must be circulated to all departments for review and/or approvals. Mr. Rosario stated he had the event application. He was advised that the application will then be circulated to all departments.

Council advised that the Event Application will be on the agenda for the next meeting.

**Page Three**  
**Agenda/Workshop Meeting Minutes**  
**August 14, 2007**

**Stacey Pilato, 222 West Franklin Street**

Will we have an opportunity to comment on the budget after it is discussed or do we have to wait until the end of the meeting. Mr. Kennedy advised that the public will have any opportunity to speak after it is discussed.

**Pournaras- 570 Winsor Street**

Is the engineer staying for the entire meeting. For the borough to save money you can look at excusing the engineer after his items are done.

C. Hasting stated the engineer will attend the first meeting of the month starting in September.

Motion to close to the public for closed session matter moved by C. Vasquez; second by C. Hasting; all in favor

Engineer items discussed-

Flood Damage Prevention Ordinance-Attorney advised the only area in the ordinance to be completed is the maximum penalty and does council agree. Consensus of council agreed.

C. Pilato asked engineer for a status on two items-Piedmont and Mountain and loss of trees on Watchung Road.

Mr. Keady reported -

Piedmont and Mountain- received inquiries from residents; negotiations with county; expanded what was originally in field; balance of safety versus operation of intersection; came to a resolution with county. This will be further discussed in closed session.

Watchung Road 95% complete with design; performed tree inspection with Shade Tree Commission on August 3 to assess; 17 trees require removal; 140 street trees; working with Shade Tree in providing replacements; implement into our plans and will go out for bid.

Motion to adjourn to executive session at 7:38 p.m. moved by C. Hasting; second by C. Vasquez; all in favor. Robert Keady, Engineer will attend the closed session for discussion of contract negotiations.

**Page Four**  
**Agenda/Workshop Minutes**  
**August 14, 2007**

**Return to regular meeting at 8:10 p.m.**

Motion moved by C. Hasting; second C. Pilato all in favor to authorize change order to the contract for Piedmont Drive. Change order is a reduction in contract price in the amount of \$1,395.10. This is due to a drainage revision to field conditions; intersection improvement at Mountain Avenue.

Motion moved by C. Thompson; second by C. Hasting ; all in favor to authorize change order to contract for Winsor Street in the amount of \$21,004.80 and will be subject to T&M Associates review of as built quantities. The change is an intersection drainage and ADA access improvements intersection West Franklin and Winsor Street.

Engineer was excused at 8:15 p.m.

**ORDINANCE -FOR ADOPTION- TABLED**

**BOND ORDINANCE- B07-16- BOND ORDINANCE TO AUTHORIZE THE MAKING OF IMPROVEMENTS TO COURTROOM AT THE COURTHOUSE IN, BY AND FOR THE BOROUGH OF BOUND BROOK, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$50,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

Motion to table ordinance to the next council meeting moved by C. Lefkowitz; second by C. Hasting;

Roll Call: All in favor

C. Lefkowitz would like an opportunity to meet with the contractor to talk about exterior renovations to the municipal building. Attorney reported that if the material is to change within the contractors proposal then ordinance would need to be re-introduced. Non material amendments would not require this step.

**Page Five**

**Agenda/Workshop Meeting Minutes**

**August 14, 2007**

**INTRODUCTION OF AMENDMENT TO 2007 MUNICIPAL BUDGET**

Motion: C. Hasting                      Second: C. Vasquez

Discussion-

Randy Bahr Chief Financial Officer went over the amendment to the budget. There are changes to the budget. We are looking at a two cent tax increase for the local budget.

John Kennedy announced the Borough was awarded \$500,000 in discretionary aid.

C. Pilato addressed budget line items-

Municipal Court revenues; Construction Fees; Engineering Fees; Legal Fees;

C. Pilato stated there is room to reduce legal and engineering fees. There is also room to reduce other line items in the budget which were discussed.

C. Hasting stated that what C. Pilato is pointing out is by reducing these areas we can bring a flat tax; no increase.

C. Hasting reviewed the line items discussed; these areas will be reduced in the budget-

Parking- \$15,000

Construction- \$10,000

Admin-\$2,500

Clerk-\$2,500

Legal-\$30,000

Engineer-15,000

Bldgs and Grounds- 9,650 –

These reductions in the budget will be introduced at special meeting.

A special meeting was approved for August 21, 2007 to introduce these amendments to the municipal budget.

Council approved the Regular council meeting of September 11<sup>th</sup> be moved to September 10<sup>th</sup>.

**RESOLUTIONS:**

**07-114-Authorize Finance Officer to Release Street Opening Bonds –**

Motion: C. Lefkowitz                      Second: C. Vasquez

Roll Call: Unanimously approved

Page Six

Agenda/Workshop Meeting Minutes

August 14, 2007

**07-115-Authorize Tax Collector to refund tax overpayment on Block 96, Lot 2.02;  
1794 Middlebrook Road**

Motion: C. Thompson                      Second: C. Hasting

Roll Call: Unanimously approved

**07-116-Authorize Change Order No. 1 for project closeout on Watchung Road  
Sanitary Sewer Rehabilitation**

Motion: C. Lefkowitz                      Second: C. Thompson

Roll Call: Unanimously approved

**07-117-Authorize T&M Associates to submit New Jersey Department of  
Transportation application for Highland Place –Route 28 (West Union) to Grove  
Avenue**

Motion: C. Vasquez                      Second: C. Thompson

Roll Call: Unanimously approved

**07-118-Authorize purchase order to Geotrack of Kenilworth, N.J. to perform  
subsurface utility investigation for the Watchung Road Reconstruction**

Motion: C. Hasting                      Second: C. Thompson

Roll Call: Unanimously approved

**07-119-Approval of Vouchers**

Motion: C. Hasting excluding Voucher No. 23041 in the amount of \$431.10

Second: C. Vasquez

Roll Call: Unanimously approved

**07-120-Authorize Executive Session: (Contract Negotiations)**

Motion: C. Hasting                      Second: C. Vasquez

Roll Call: Unanimously approved

**Resolutions Discussed and Added to the Agenda-**

**07-121-Authorize Executive Session ( Negotiations; Personnel)**

Motion: C. Lefkowitz                      Second: C. Vasquez

Roll Call: Unanimously approved

**07-122- Authorize AboveNet Communications, Inc. to install  
telecommunications facilities along, under and over the public right-of-way**

Motion: C. Thompson stating permission will be granted for a period of 15 years;

Second: C. Hasting

Roll Call: Unanimously approved

**Page Seven**  
**Agenda/Workshop Minutes**  
**August 14, 2007**

**07-123- Authorize change order to contract amount-Piedmont Drive**

**Improvements-**

Motion: C. Hasting                      Second: C. Pilato

Roll Call: Unanimously approved

**07-124-Authorize change order to contract amount-Winsor Street**

**Improvements**

Motion: C. Thompson                      Second: C. Hasting

Roll Call: Unanimously approved

**Other Items For Approval:**

- 1) Bound Brook House Co. No. 1 request permission to solicit funds on Vosseller Avenue near Union Avenue to conduct fund drive-  
Date was changed by the Fire Chief to August 25, 2007 from the 18<sup>th</sup>.  
Motion moved by C. Thompson; second C. Pilato; all in favor.

**Items discussed -**

Mr. O'Donohue, borough attorney reported to council that AboveNet Communications, Inc. has requested permission to install telecommunications facilities along, under and over the public right-of-way. They are seeking to lease or obtain space and access to poles with other utilities particularly Verizon. Attorney suggested a modification to their resolution changing the term of fifty (50) years to fifteen (15) years. Consensus of council agreed.

Mr. Kennedy , Borough Administrator reported on the following-

- 1) Correspondence from Parking Commission and Library Director regarding Striping and metering both sides of High Street from Hamilton Street to East Street-

C. Pilato- Suggested the striping be done first. C. Lefkowitz will work with public works department on this item.

Metering and assigned parking spaces will be;do not agree with assigned parking spaces for personnel.

**Page Eight**  
**Agenda/Workshop Minutes**  
**August 14, 2007**

**2) Billian Park Proposal-**

C. Lefkowitz working with Mr. Longo; Proposal from Reynolds Group-furnish professional civil engineering and land surveying services for a conceptual design of Billian Park –estimate of \$16,000.

Mr. Billian reviewed and agreed in principle. Apply for grants; need better set of plans; There is over \$40,000 in trust fund.

Approve expenditure to hire Reynolds group to complete planning contingent upon the certification of funds in Billian Trust Fund. Motion moved by C. Hasting; Second by C. Pilato; all in favor.

**OPEN TO PUBLIC**

**McHendry-211 West Franklin Street**

Mr. McHendry thanked the borough council for the hold on a tax increase. He attended a borough finance committee a few months back and submitted a preliminary proposal to reduce health insurance costs. He had asked if the borough would be pursuing this.

C. Hasting reported that the committee will be meeting soon to discuss.

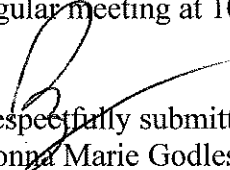
**Cimino- 520 Dalay Place**

Mr. Cimino complained about no parking lot attendant at the municipal lot. The borough is losing money. Council Vasquez reported the borough will be hiring an attendant within the next month.

Motion to adjourn to executive session at 9:50 p.m. moved by C. Thompson; second by C. Vasquez; all in favor.

**ADJOURNMENT**

Motion to adjourn moved by C. Hasting; second by C. Thompson; all in favor regular meeting at 10:20 p.m.

  
Respectfully submitted by  
Donna Marie Godleski, Borough Clerk