

SOUTH BOUND BROOK BOROUGH COUNCIL

REGULAR MEETING MINUTES

Minutes of the Regular Meeting of the Mayor and Council held April 14, 2009 at Fellowship Hall, Clinton Street, South Bound Brook, NJ 08880.

The meeting was called to order at 7:33 PM with a reading of the Open Public Meetings Law Statement by Mayor Terry Warrelmann, the Pledge of Allegiance and a prayer was requested by the Borough Clerk for Councilperson Allenovitch who suffered a minor stroke a few days ago.

Roll Call:

Mayor Terry Warrelmann	(Present)
Council President Dennis Quinlan	(Present)
Councilperson Tom Ormosi	(Present)
Councilperson Kathleen Conner	(Present)
Councilperson Caryl Shoffner	(Present)
Councilperson Tony Godleski	(Present)
Councilperson Bob Allenovitch	(Absent)

Attending:

Chief of Police: William King
Substituting for Borough Attorney: Frank Todaeo

Letters and Communications:

- No letters.
- Communications: Little League Parade on Saturday plus Battle of Bound Brook on Friday, Saturday and Sunday. Pasta Dinner at the Reformed Church on Saturday evening and Pancake Breakfast at the Fire House on Sunday morning.

Approval of the Minutes:

- **Motion** by Councilperson Shoffner to approve the March Meetings Minutes, seconded by Councilperson Conner, all ayes.

Mayor's Report:

- Letter from American Water Works Association concerning safe water for drinking.
- Letter from Chief King commending the Fire Department and the First Aid Squad

and the Somerset Volunteer Fire and Rescue Co. Number 1, for a job well done in their treatment on scene and removal to the helicopter landing zone of a bicycle accident victim on March 27th. Mayor also wanted to commend all of the departments, including our Police Department. They did a fantastic job.

Council Reports:

Public Works/Historical Commission (Councilperson Quinlan):

- The Battle of Bound Brook Event is this weekend. The Main event is on Saturday morning at 10:30 AM. The main fighting will be on the bridge.
- The company that was awarded the contract for removal of asbestos from the Staats House has done the survey. Report to follow.
- Met with Borough Engineer and members of the Historic Commission at the N.J. Watershed Authority. Watershed Authority had received a grant from the DEP to do a sediment cleanup in one of the outfalls to the Canal at the Staat's House. The retention basin is not going to work. Would like to invite them to a future Council Meeting to give some ideas and estimated tonnage of silt that needs to be remediated.

Redevelopment (Councilperson Ormosi):

- Last night Rutgers University students gave a presentation on Redevelopment. About 20 students from a Public Health Class that was interested in the redevelopment we did, what the processes were that we went through and what occurred on the site. After the class we walked along Canal Crossing pointing out the results of all the work we did since 1996.
- Continuing to try to get access to Washington Park. There are some people interested in touring the site.
- The people who were interested in the GAF Research Building have not returned calls. Don't know if they are still interested.
- The owner of the property at the end of town (formerly a gas station) has closed and begun the process of setting up a used car lot. He is also applying for Façade Improvement Grant money. Councilperson Godleski asked if he was eligible to receive Façade Grant money. Colin Driver will look into that.
- Councilperson Shoffner asked about the empty stores on Main Street. Do we have any people interested in occupying those locations? We are always interested in finding people to occupy empty spaces. Asked about the status of the stores by Canal Crossing. The builder has backed out of the project.

Finance (Councilperson Godleski):

- Claims Voucher Resolution – Payment of the Bills – **Motion** by Councilperson Godleski for Claims Voucher Resolution in the amount of \$839,469.30, seconded by Councilperson Ormosi, discussion, roll call vote taken, all ayes

- As a point of interest – Moody’s Investments has downgraded the recommendations for municipal bonds across the whole country. We are going to have to be very careful when we bond because interest rates will go up and along with that the loan taxes have to go up.
- Emergency Temporary Budget Resolution – **Motion** by Councilperson Godleski for Resolution authorizing emergency appropriations to the 2009 budget the total is as presented, seconded by Councilperson Ormosi, discussion, roll call vote taken, all ayes.
- Cap Waiver Resolution – **Motion** by Councilperson Godleski for Cap Waiver Resolution, seconded by Councilperson Quinlan, discussion, roll call vote taken, 4 ayes and 1 nay (Councilperson Conner).
- Estimated Tax Bills Resolution – **Motion** by Councilperson Godleski for Estimated Tax Bills (2009) Resolution, seconded by Councilperson Quinlan, discussion, roll call vote taken, all ayes.

Recreation/Board of Education (Councilperson Shoffner):

- Reported on Board of Education Budget Hearing – The budget will be increased by 4.2% equating to an estimated \$146.46 per year.
- The pad has been laid at fire hazard area where the dumpsters are and lines will be painted as soon as the seasons change so that the paint will adhere to the asphalt.
- Recreation Sports has one softball team per each level and soccer has three teams. The Committee is looking for bands and donations for Music In The Park. A different vendor has been found for Movie In The Park, at a lower cost.
- Recreation Social Committee has started to look into getting the Summer Park Program rolling. The Easter Program was successful even though not all the seats were filled. Committee has found that having the program on a week night is better attended.
- Therapeutic Recreation Programs – Sponsored by the Somerset County Parks Commission - \$1400.00 to join allowing our special needs children to participate in special programs, summer camps, etc. **Motion** by Councilperson Quinlan to open the meeting to have Recreation Director Donna Piazzolla speak further on this program, seconded by Councilperson Ormosi, all ayes. As stated previously, the program will give out special needs children the opportunity to participate in these special programs. The cost to participate will come from the Social Committee budget. Parents will be responsible for transportation. Councilperson Ormosi feels that in time there may be grant money available for such a program. **Motion** by Councilperson Quinlan to close the meeting to the public, seconded by Councilperson Conner, all ayes.

Public Safety – Fire Department (Councilperson Conner):

- Fire Department Monthly Report submitted. 12 alarms answered, 298 man hrs. answering alarms; 81.5 man hrs for equipment and truck maintenance; 55 man hrs.

- for department training; 22.5 man hrs. for Board of Engineer Meetings and 16 man hrs. for Captain's Administrative duties. Total man hrs. for the month of March 485. List of everyone eligible for LOSAP.
- Asked about the work at the Staat's House – if it would change the designation as an historic place. Everything being done to the House is in accordance with the Historic Structure Report and meant to restore the House to its Historic context. State grant with a local match being used for this project.

Professional Reports:

Resolution:

- **Motion** by Councilperson Quinlan for Resolution appointing Francis P. Linnus, Esq. as a conflict attorney to represent and protect the Borough's interest in the Tax Appeal involving 81 Main St., seconded by Councilperson Ormosi, discussion. Councilperson Conner ask if the property is a business or residence. It is a two family house. All in favor, all ayes. This was necessary because Borough Attorney William Cooper had previously represented the owner of the property on various matters.

Police Chief Report:

- Overnight Parking survey is in progress.
- Police Department Monthly Report submitted.

Borough Clerk:

- Reported on the status of our record retention. Through the PARIS Grant we have been able to remove everything from the attic. Some records dated back to 1930. The County rented the lift and we took it out from the window. Five or six County employees took them out and put them on the ground. The State Archive Director came up from Trenton. We shredded over 5000 lbs. of records today, authorized by the State of New Jersey and we probably have about another 5000 lbs. of records that need to be gone through to see what needs to be kept or not. All those records are being kept next door in the former Cliff's Auto Body. Working on an agreement with Bound Brook to store our records in the new County Public Works facility. They have room for about 200 – 400 boxes. We're hoping to do this as a shared service with Bound Brook.
- Thank you to the owners of the South Side Grille for allowing us to used their parking lot to expedite this job.

Motion by Councilperson Quinlan to open the meeting to the public, seconded by Councilperson Conner, all ayes.

Marianne Manley – 164 Prospect St.

- Asked if there was any truth to the rumor that Somerset Medical Center would give the town 24/7 First Aid coverage? The Mayor said no. He also said that after their performance the on March 27th that they do a wonderful job covering the town from 6:00 PM to 6:00 AM. The Mayor and Council have not authorized anyone to contact Somerset Medical Center for full coverage of the town.
- Asked where the money for Movie In The Park comes from. It comes from the Public Events line item. A total of \$9,000.00 was put in that line item. That amount is for all of the public events not just Movie in the Park. Last year \$3,500.00 was budgeted for Movie In The Park. This year it is less because Recreation has found a new vendor.

Jimmy Shah – High Street & Owner of South Side Grille

- Asked about the high reassessment on his property. He was advised to see the Tax Assessor and have her explain how the figure was arrived at. If he is still not satisfied he can file a Tax Appeal to appeal the assessment. The Tax Rate has not been determined yet.

Marianne Manley – 164 Prospect St.

- If the School Budget fails does the Council tell the Board of Education where to cut. Council can recommend where to cut but Board of Education can cut wherever they want. If the Council recommended dollar amount is not agreed to the Board of Ed can appeal to the State.

Motion by Councilperson Godleski to close the meeting to the public, seconded by Councilperson Conner, all ayes.

Agenda:

Elizabeth St. Parking Lot Ordinance (First Reading):

Motion by Councilperson Quinlan for Elizabeth St. Parking Lot Traffic Regulations Ordinance, seconded by Councilperson Ormosi, discussion. Councilperson Conner asked if this Ordinance means that the Police Department can enforce the traffic regulations. Yes, once the Ordinance is passed. Roll call vote taken, all ayes.

Municipal Public Defender:

Tabled until next month.

Ordinance 2009-002 Cable Ordinance (Second Reading):

Motion by Councilperson Godleski for Ordinance 2009-002 Cable Ordinance, an Ordinance granting municipal consent for the operation of a cable television system with the Borough of South Bound Brook to CSC TKR, Inc., D/B/A Cablevision of Raritan

Valley, seconded by Councilperson Ormosi.

Motion by Councilperson Godleski to open the meeting for public hearing on this Ordinance, seconded by Councilperson Quinlan, all ayes.

No public response.

Motion by Councilperson Shoffner to close the public hearing on this Ordinance, seconded by Councilperson Godleski, all ayes.

Discussion. Roll call vote taken, all ayes.

Bulk Pickup Resolution:

Motion by Councilperson Quinlan for Bulk Pickup Resolution allowing four pickups per year with a fee of \$75.00 per pickup. The space requirement is 10' wide by 4' deep by 3' high. One or two items can be picked up charged on a per item basis. Permits can be obtained at Borough Hall. Seconded by Councilperson Conner, discussion, roll call vote taken, all ayes.

Ordinance 2009-003 Salary Ordinance (Second Reading):

Motion by Councilperson Godleski for Ordinance 2009-003 Salary Ordinance, an Ordinance determining the salaries, wages or other compensation to be paid to certain officers, governing body and other employees of the Borough of South Bound Brook, seconded by Councilperson Quinlan.

Motion by Councilperson Quinlan to open the meeting for public hearing on this Ordinance, seconded by Councilperson Godleski, all ayes.

No public response.

Motion by Councilperson Godleski to close the public hearing, seconded by Councilperson Conner, all ayes.

Discussion. Councilperson Conner asked if this was the zero percent increase. Yes, no increases for 2009 for non-contracted employees. Roll call vote taken, all ayes.

Ordinance 2009-004 CAP Waiver Ordinance (Second Reading):

Motion by Councilperson Godleski for Ordinance 2009-004 Cap Waiver Ordinance, an Ordinance to exceed the Municipal Budget appropriation limits and to establish a CAP Bank, seconded by Councilperson Ormosi.

Motion by Councilperson Quinlan to open the meeting for public hearing on this Ordinance, seconded by Councilperson Godleski, all ayes.

No public response.

Motion by Councilperson Godleski to close the public hearing, seconded by Councilperson Ormosi, all ayes.

Discussion. Councilperson Conner asked if the CAP Waiver could be explained. Inside CAP is the amount of money you are allowed to spend inside your CAP. The Government established a 2.5% CAP. This allows us to go to 3.5%. This gives us more money inside of CAP. We are well below our CAP. Roll call vote taken, all ayes.

Ordinance 2009-005 Capital Ordinance (Second Reading):

Motion by Councilperson Godleski for Ordinance 2009-005 Capital Ordinance, an Ordinance authorizing the general repairs and purchase of equipment for the Borough of South Bound Brook and funded through the Capital Fund Balance in a total amount of \$30,000.00, seconded by Councilperson Quinlan.

Motion by Councilperson Quinlan to open the meeting for public hearing on this Ordinance, seconded by Councilperson Godleski, all ayes.

No public response.

Motion by Councilperson Godleski to close the public hearing, seconded by Councilperson Shoffner, all ayes.

Discussion. Councilperson Shoffner asked what the \$30,000.00 will be used for. \$15,000.00 will go towards the Municipal Courtroom in Bound Brook which we share. \$15,000.00 for computer system for the Police Department as per directive from the Attorney General. Roll call vote taken, all ayes.

Bond Release for Canal Crossing:

Motion by Councilperson Ormosi for approval of Resolution authorizing release of the Performance Guarantee and accepting a 2 year Maintenance Bond (\$429,346.67) for Matzel & Mumford project known as Canal Crossing, seconded by Councilperson Quinlan, discussion. Councilperson Shoffner asked if this amount covers the broken sprinklers? Everything has passed according to the plans that were submitted to the Planning Board and the Building Department, as being completed, like landscaping. The Maintenance Bond posted is for things that may break or be repaired. Roll call vote taken, all ayes.

Board of Health Appointment:

Motion by Councilperson Quinlan to approve appointment of Lillian Barber of High St. to the South Bound Brook Board of Health, seconded by Councilperson Ormosi, all in favor, all ayes.

Bid Specs for Private Hauling:

Motion by Councilperson Quinlan authorizing the Borough Engineer to put together a bid spec package to be brought back to the Council, seconded by Councilperson Godleski, discussion, all in favor, all ayes.

Clinton Street Project:

Borough Clerk reported that there were 10 bids submitted for this project and the bids were opened on April 9th by the Borough Engineer. The low bidder was Jenacar Builders Contractor Co. \$281,220.09. **Motion** by Councilperson Quinlan to award the Clinton St.

Project to Jenacar Builders Contractor Co., seconded by Councilperson Ormosi, all in favor, all ayes.

Motion by Councilperson Shoffner to open the meeting to the public, seconded by Councilperson Ormosi, all ayes.

No public response.

Motion by Councilperson Conner to close the meeting to the public, seconded by Councilperson Shoffner, all ayes.

The Borough Clerk read the Closed Session Resolution to discuss pending litigation. **Motion** by Councilperson Conner to go to Executive Session, seconded by Councilperson Godleski, all ayes. (9:10 PM)

Motion by Councilperson Godleski to return to Regular Session, seconded by Councilperson Quinlan, all ayes. (9:50 PM)

Settlement Resolution:

Motion by Councilperson Ormosi for Resolution approving settlement in the matter of Borough of South Bound Brook vs Route 517 Development LLC, Docket #SOM-L-A15-05, seconded by Councilperson Quinlan, discussion, roll call vote taken, all ayes.

Mayor spoke about a letter received from the State concerning the problem we had with POSHA. Everything has been abated and we are up to par.

Adjournment:

Having completed the peoples' business a **Motion** to adjourn was made by Councilperson Quinlan, seconded by Councilperson Godleski, all in favor, all ayes. Meeting adjourned at 9:54 PM.

Respectfully submitted,

Donald E. Kazar, Borough Clerk

