

SOUTH BOUND BROOK BOROUGH COUNCIL REGULAR MEETING MINUTES

Minutes of the Regular Meeting of the Mayor and Council held September 8, 2009 at Fellowship Hall, Clinton Street, South Bound Brook, NJ 08880.

The meeting was called to order at 7:30 PM with a reading of the Open Public Meetings Law Statement by Mayor Terry Warrelmann, the Pledge of Allegiance and a request from the Borough Clerk for a moment of silence in remembrance of those who lost their lives on September 11, 2001 at the World Trade Center, the Pentagon and plane that crashed in Pennsylvania.

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	(Present)

Attending:

Borough Attorney: William Cooper
Chief of Police: William King
Borough Engineer: Tom Herits (will be late)

Police Promotions:

- Promotions will take place later in the meeting. Some officers are running late.

Approval of the Minutes:

- **Motion** by Councilperson Godleski for approval of the August Meetings Minutes, seconded by Councilperson Shoffner, all in favor, all ayes.

Mayor's Report:

- Spoke about meeting with the neighbors of the Washington Park project and the Amboy Bank. The neighbors voiced their concerns about the condition of the property and what is going to happen with it in the future.

Council Reports:

Public Works/Historical Commission (Councilperson Quinlan):

- This Saturday and Sunday are Canal Days at the Staat's House. There will be many events on both days. Saturday at 1:00 PM there will be an extremely worthwhile presentation by the Canal Commission's Historian. The program will have many pictures and facts about the Canal.
- Answered an inquiry from Councilperson Conner about the meeting on the H1N1 Flu Pandemic held August 25th. That meeting was for school nurses, school administrators and health officers. Elected officials did not have to attend.
- Would like to discuss the storm sewer between Bell St. and Cedar Street. A number of residents have called about the condition of this storm sewer. It was discussed at a Public Works Meeting and the Borough Engineer was asked to get some information for us. We can have further discussion when he arrives.

Redevelopment (Councilperson Ormosi):

- Not much to report. Will contact Emil from the Ukrainian Church to see if they are interested in the project on Elizabeth St. Planning Board will be meeting on September 17th to discuss the change of use for that property requested by Amboy Bank.

Finance (Councilperson Godleski):

- Claims Voucher Resolution – Payment of the Bills – **Motion** by Councilperson Godleski for Claims Voucher Resolution in the amount of \$650,616.61, seconded by Councilperson Quinlan, discussion. Roll call vote taken, all ayes.
- Cancellation of Tax Lien – **Motion** by Councilperson Godleski for Cancellation of Tax Lien on property known as 168 Prospect St. which was paid in full August 31, 2009, seconded by Councilperson Ormosi, discussion. All in favor, all ayes.
- Tax Exempt Resolution For Notes – **Motion** by Councilperson Godleski for Tax Exempt Resolution designating bond anticipation note in the amount of \$2,527,724.00 dated August 21, 2009 and payable August 20, 2010 as a qualified tax exempt obligation, seconded by Councilperson Ormosi, discussion. Councilperson Shoffner asked for more information about this Resolution. It was explained that this is the Borough validating to the IRS that this is a municipal debt and qualifies for tax-free status. This note is spread out over 20 or 30 years depending on how it is made out. The note has to do with the purchasing of large items i.e. road projects, capital improvement projects. Roll call vote taken, all ayes.

Police Department/Rescue Squad (Councilperson Allenovitch):

- Police Department Monthly Report - 182 calls answered, 15 First Aid calls, 7 Fire Department calls, 14 arrests and 2 DWI's.

- First Aid Squad Report – 13 calls answered for 150 miles and a total of 33.7 man hrs.

Fire Department (Councilperson Conner):

- Fire Department Monthly Report not available.
- Fire Company won the softball championship.
- Question – What is the procedure used for promotions of Borough employees?
In the case of the Police Department – the Chief would review those persons eligible for promotion. He would then make a recommendation to the Police Committee. They would discuss it and vote as to whether to make a recommendation to the Council to promote or reject the recommendation of the Chief. Basically it would be the same for regular employees. The Department Head would make the recommendation to the Personnel Committee which would discuss it and either recommend it to the full Council or reject it.

Recreation/Board of Education (Councilperson Shoffner):

- A patchwork quilt made by the children who attended the Summer Parks Program was presented to the Mayor and Council by Councilperson Shoffner. The quilt depicts the activities the children participated in during the program. It will hang in the gazebo on Community Day.
- This year's Summer Park Program went very well.
- Recreation Sports will have soccer starting up soon.
- Reminder – Community Day is this Sunday and Movie In The Park is Sept. 18th or the 25th.

Police Promotions:

- **Motion** by Councilperson Allenovitch for approval of the promotion of Sgt. Jeffrey Titus to the rank of Lieutenant effective September 8, 2009, seconded by Councilperson Godleski, discussion. Roll call vote taken, 5 ayes and 1 nay (Councilperson Conner).
- **Motion** by Councilperson Allenovitch for approval of the promotion of Officer Marc D'Amore to the rank of Sergeant effective September 8, 2009, seconded by Councilperson Godleski, discussion. Councilperson Conner asked if the approval of the promotions is already determined because all of the candidates are present with their families. Borough Attorney answered that the Council had to vote tonight but since there was no problem in Committee the candidates were asked to attend. Roll call vote taken, 5 ayes and 1 nay (Councilperson Conner).
- **Motion** by Councilperson Allenovitch for approval of the promotion of Officer Edward McGovern to the rank of Sergeant effective, September 8, 2009, seconded by Councilperson Godleski, discussion. Roll call vote taken, 4 ayes and 2 nays (Councilpersons Conner and Shoffner).
After each promotion was approved the Borough Clerk administered the Oath of Office to the new Lieutenant and Sergeants.

Mayor Warrelmann congratulated the three men promoted and wished them success in future.

Borough Attorney Report:

- Borough Attorney has four issues for Executive Session. Two are personnel issues and the other two are contract negotiations

Borough Clerk Report:

- Nothing to report.

Motion by Councilperson Godleski to open the meeting to the public, seconded by Councilperson Quinlan, all in favor, all ayes.

Steve Fry – 244 Maple Avenue

- Asked about the law concerning age restricted housing. Mayor explained that the law now says that a Planning Board is can either change the designation or keep it. If kept the Planning Board must show the rationale for their decision. The petitioner has the right to appeal the decision to the State. The State would then give it's ruling.

John Salkeld – 244 Cedar St.

- Continued discussion about Washington Park and the Planning Board decision. He feels that if the Planning Board decides to keep it age restricted the Bank will appeal to the State and the State will decide in the Bank's favor. He thinks we are beaten already. Mayor says let's wait until the Planning Board Meeting next week.

Bill Schubert – 12 von Steuben Lane

- Asked about a survey that was going to be done by the Police concerning the overnight parking. The survey was done and the Police Committee got copies of it. The Police Committee will study the survey and report back to the Mayor and Council next month.
- He reported that there is someone parked on Von Steuben and they are sleeping in the car. Police Department will look into this.

Gerry Fasanella – 9 Baldwin Avenue

- Asked if there is a fire ordinance about cooking outside. His neighbors are cooking on stoves with wood underneath and smoke and smell of fire is coming into his house. Mayor asked the Councilperson Conner, Fire Commissioner to get in touch with the Fire Chief and have him get in touch with Barry Van Horn for a recommendation.

Marianne Manley – 164 Prospect Street

- Asked about the \$12,000 error in the Budget. Borough Clerk said it was not an error. In March when the Budget was introduced we did not know what the Note interest was going to be. A number was put in and now an adjustment has to be made to

what the real number is. That amount was paid in July 2009. There was more money paid out than was in the Budget therefore, money had to be put in the Budget to cover that cost.

John Salkeld – 244 Cedar Street

- Asked about the Police Officer suspended with pay. Has that case been resolved yet? The Borough Attorney said nothing has changed.

Motion by Councilperson Quinlan to close the meeting to the public, seconded by Councilperson Godleski, all in favor, all ayes.

Agenda:

2009 Municipal Budget:

Tabled.

Middlesex Joint Insurance Renewal:

Motion by Councilperson Quinlan for approval of the renewal of our membership in the Middlesex County Municipal Joint Insurance Fund commencing on January 1, 2010 and terminating on December 31, 2012, seconded by Councilperson Ormosi, discussion. Councilperson Conner asked how much we pay and if this is the best one we could find. Borough Clerk said this is the best. Borough Attorney said they are very accessible and easy to deal with. We are covered for five million dollars in liability and 2 million dollar rider. We pay approximately \$160,000.00 per year. Roll call vote taken, all ayes.

Change Order Resolution for Prospect Street:

Motion by Councilperson Quinlan for approval of Change Order Resolution for Prospect Street project, seconded by Councilperson Godleski, discussion. Councilperson Shoffner asked what made the cost of the project go up \$65,000.00. Borough Clerk said it may have been the cost of the paving material, additional work on curbing or sidewalks that may not have been in the original contract. In this case there was a little sewer problem that had to be taken care of and some work was done on Johnson St. which was added in. Sometimes a project decreases in cost and sometimes not. Roll call vote taken, all ayes.

In-fall #21 at Barber Blvd.:

Discussion of the project which will filter the drinking water. The filtration system will cost approximately \$2,500.00 yearly to maintain. The first two years will not cost the Borough anything. This is a shared service with NJ Water Authority. **Motion** by Councilperson Godleski to approve the In-Fall #21 Project at Barber Blvd., seconded by Councilperson Quinlan, discussion. There was discussion during the open part of the meeting with the representative of the Water Company. Roll call vote taken, all ayes.

Canal Crossing Lighting:

Will discuss when the Borough Engineer arrives.

Staat's House Grant Discussion:

Updates on grants still active.

Solid Waste Bid Package:

Bid packages are ready. Borough Clerk has had 4 phone inquiries and 2 packages have been picked up. Bid packages will be available until November.

Recreation (Social) Committee Appointment:

The Recreation Social Committee has recommended Mrs. Nancy Kordell for appointment to the Recreation Social Committee. Concerning the conflict of interest problem in the Spring, in the future the Council Recreation Committee will interview for the Park Program. **Motion** by Councilperson Shoffner for the appointment of Nancy Kordell to the Recreation Social Committee, seconded by Councilperson Allenovitch, discussion, all in favor, all ayes.

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

Marie Scannell – 25 Barber Blvd.

- Ask about the Canal Crossing lighting. She wanted to know why it is back on the Agenda after it was voted down last month. Councilperson Quinlan answered that it can be put on the Agenda as many times as the Council member would like. Councilperson Quinlan feels it is an important safety issue.

Mary Bowers – Stewart Street

- Asked about the solid waste bid packages. She feels that it is a done deal. Mayor explained that the Council, by getting bids, is trying to see if it would be more cost effective to have the trash picked up by a private hauler rather than our Public Works. There are many jobs performed by our Public Works Department and not having to pick up the trash will free the men up to do other things. Also, our garbage collection truck is getting old and we will have to consider purchasing a new truck in a couple of years.

Steve Fry – 244 Maple Avenue

- Asked how the Recreation Social Committee advertised or sought someone to serve on the Social Committee. They did not do either. Ms. Kordell was recommended because she had served before. They also need a replacement for Stacey LaRue who has not attended meetings for a year. The Committee needs seven members. He had reservations about her previously being on the Committee and interviewing for the Summer Park Program. She ultimately got the supervisor job. Things will change for

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next year. The Council Recreation Committee will do the interviewing for the Summer Park Program.

- Asked if the Council will open the meeting to the public after the discussion of the Canal Crossing Lighting. The answer is yes.

Dennis Eickhorst – 21 Reid Street

- Asked if Councilperson Conner has presented the Borough Attorney with any information about the no nepotism policy or ordinance? She is gathering more information. A Committee was set up to bring recommendations to the full Council with reviewal by the Borough Attorney. The Committee will be an Ad-Hoc Committee not the Personnel Committee consisting of Councilpersons Conner, Shoffner and Ormosi.

Bill Schubert – 12 Von Steuben Lane

- Asked what made Councilpersons Conner and Shoffner decide that a No Nepotism Ordinance is needed in South Bound Brook? Mayor did not know why it was being brought up at this time.

Motion by Councilperson Allenovitch to close the meeting to the public, seconded by Councilperson Conner, all in favor, all ayes.

Canal Crossing Lighting:

Discussion of the lighting. Councilperson Quinlan feels that with the money from an old grant and cutting back on the number of lights we can lower the cost. He also feels that it is a safety issue. Councilperson Conner feels that it's the Engineer costs and the lighting bill that is the problem, since the Borough is strapped for money. Councilperson Shoffner asked about using solar energy. This may not work because of a lack of direct sunshine. Mayor asked if LED lighting would work. Councilperson Quinlan is satisfied with the objections and will get more information to be able to address some of those objections and discuss it again.

Motion by Councilperson Quinlan to open the meeting to the public on the subject of Canal Crossing Lighting, seconded by Councilperson Godleski, all in favor, all ayes.

Bill Schubert – 12 Von Steuben Lane

- Spoke about money for lighting being well spent if a crime was prevented on that walkway. He feels that the cost would not be that much, even though no figures are available at this time. Councilperson Quinlan will get cost figures for a future discussion of this item.

Motion by Councilperson Allenovitch to close the meeting to the public, seconded by Councilperson Quinlan all in favor, all ayes.

Executive Session Resolution:

Borough Clerk read the Resolution for Executive Session to discuss collective bargaining agreement with Public Works - contract negotiations Amboy National

Bank; employment - Lt. Prudente's retirement agreement; motor vehicle ticket issued.

Motion by Councilperson Conner to approve Executive Session Resolution, seconded by Councilperson Shoffner, all in favor, all ayes. (9:25 PM)

Motion by Councilperson Quinlan to go back to Regular Session, seconded by Councilperson Ormosi, all in favor, all ayes. (10:08 PM)

Motion by Councilperson Conner to approve Agreement with Lt. Prudente, seconded by Councilperson Shoffner, discussion, roll call vote taken, all ayes.

Motion by Councilperson Conner to allow Paul Kaminsky to retain Counsel, seconded by Councilperson Ormosi, discussion, roll call vote taken, all ayes.

Motion by Councilperson Quinlan to allow him to present the Public Works contract to the Labor Lawyer, seconded by Councilperson Conner, discussion, all in favor, all ayes.

Adjournment:

Having completed the peoples' business a **Motion** to adjourn was made by Councilperson Quinlan, seconded by Councilperson Godleski, all ayes. Meeting adjourned at 10:09 PM.

Respectfully submitted,

Donald E. Kazar, Borough Clerk

