

# **SOUTH BOUND BROOK BOROUGH COUNCIL REGULAR MEETING MINUTES**

**Minutes of the Regular Meeting of the Mayor and Council held April 13, 2010 at Borough Hall, 12 Main 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 by the Borough Clerk for a moment of silence in memory of former Congressman Bob Franks who passed away recently.**

## **Roll Call:**

<b>Mayor Terry Warrelmann</b>	<b>(Present)</b>
<b>Council President Dennis Quinlan</b>	<b>(Present)</b>
<b>Councilperson Tom Ormosi</b>	<b>(Present)</b>
<b>Councilperson Caryl Shoffner</b>	<b>(Present)</b>
<b>Councilperson Tony Godleski</b>	<b>(Present)</b>
<b>Councilperson Peter Dykes</b>	<b>(Present)</b>
<b>Councilperson Harold Kildow</b>	<b>(Absent)</b>

## **Letters and Communications:**

- Letter from American Water Co. explaining a petition they are filing with the Board of Public Utility seeking an increase in the rates. In the future we will receive a public notice when there will be a public hearing.

## **Approval of the Minutes:**

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

## **Mayor's Report:**

- Commented on the Battle of Bound. It was a good event, enjoyed by those who turned out to watch.

## **Council Reports:**

### **Public Works/Historical Commission (Councilperson Quinlan):**

- Thanked all those who participated and/or helped with the Battle of Bound Brook Event (too many to list here). Thank you letters will be going out to all the

organizations and groups which helped to make this event a success.

- Letter from the Friends of the Abraham Staat's House informing the Council that the Staat's House property will be hosting the New Jersey History Fair May 1, 2010. Usually the State Park at Washington Crossing hosts this event but can not this year. Public hours are 10:00 AM to 4:00 PM. They are asking for permission for the Living History Re-enactors to camp at the Staat's House and have cooking fires (permit already received from Fire Official VanHorn). Possible camping dates are Friday, April 30<sup>th</sup> and Saturday, May 1<sup>st</sup>. They would be off of the property by 4:00 PM Sunday. Police Department permission is also requested for a blank firing discharge of weapons as part of the re-enactment. Parking problems that arose at the Battle of Bound Brook will be addressed and corrected. **Motion** by Councilperson Quinlan approving the request from the Friends of the Abraham Staat's House Society to host a Mini History Fair on Saturday, May 1<sup>st</sup>, seconded by Councilperson Ormosi, all in favor, all ayes.

#### **Public Safety – Police Department/Redevelopment (Councilperson Ormosi):**

- Grant for the hiring of a police officer and three years expenses for that officer (salary, benefits, etc.) has been applied for. This is a Federal Grant. We applied last year but did not receive any grant money.
- List of First Aid Squad members eligible for LOSAP will be read during the Agenda Portion of the meeting.
- Façade Improvement Grant for Ovations is on the Agenda.

#### **Finance (Councilperson Godleski):**

- Claims Voucher Resolution – Payment of the Bills – **Motion** by Councilperson Godleski for Claims Voucher Resolution in the amount of \$548,792.66, seconded by Councilperson Quinlan, discussion. Councilperson Godleski noted that \$461,000.00 was for the School. Roll call vote taken, all ayes.
- Over Payment of Taxes and or PILOT - **Motion** by Councilperson Godleski for approval of Resolution for Over Payment of Taxes/PILOT. The Resolution authorizes the Tax Collector/Chief Financial Officer to refund the following property: 33 Liberty Way in the amount of \$1,659.06, seconded by Councilperson Ormosi, discussion. Borough Clerk explained that overpayments happen because the property is sold and at closing there may have been an escrow paid or the taxes were paid ahead of time. Roll call vote taken, all ayes.

#### **Public Safety – Fire Department (Councilperson Dykes):**

- Fire Department Monthly Report for March submitted. Total alarms answered – 19, 428.9 man hrs. answering alarms; 31.2 man hrs. maintenance of trucks and equipment; 45.5 man hrs. department training; 18.5 man hrs. Board of Engineers Meeting; 27 man hrs. Captain's administrative duties. Borough Clerk asked for breakdown of man hrs. because of the storm. He will take

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that with him to FEMA Meeting on April 19<sup>th</sup> along with a Police Storm Report and Public Works Report (picked up storm damaged items for two weeks).

- Pancake Breakfast went very well. Thank you to all who helped.
- Fire Department needs more pumps.
- Due to lack of funding and time constraints there will not be a Bike Race this year.

### **Recreation (Councilperson Shoffner):**

- The Easter Program was a successful event. 200 plus attended.
- Recreation will have two softball teams and four soccer teams this Spring.
- Easter Egg Hunt was a lot of fun. Kids loved it. Only recommendation is that parents need to be trained to not find so many eggs.
- Summer Park Program – advertise on the Message Board. Social Committee will meet on April 19<sup>th</sup> at 6:00 PM to discuss the Summer Park Program.
- Recreation Sports and Social Committees need to meet with Councilperson Godleski to discuss finances.
- Meeting on April 21<sup>st</sup> with the County Therapeutic Group.
- Millennium International Textiles is the name of the company that has a Collection

Box for clothes at the firehouse.

### **Borough Attorney Report:**

- Executive Session to discuss two items; a personnel matter and Verry vs SBB.
- Amboy Bank – Paid the escrow so the Planning Board can go ahead with the Redevelopment Study. Town and Country did put up a Performance Guarantee but only 38% of the work has been done. Since 2006 nothing has been done. A brief hearing was held with explanations from the Borough Engineer of what has not been completed (sidewalks, landscaping, final pavement, improvements on Elizabeth and High Streets, sanitary sewer water systems, storm sewers). Attorney asked Borough Engineer if Town and Country was deficient in those areas and would he recommend the Council declare Town and Country in default. Yes. As a result of this recommendation a **Motion** was made by Councilperson Quinlan for Resolution declaring the developer, Town and Country, in default and the Borough authorizes action against Surety, seconded by Councilperson Ormosi, discussion. Councilperson Shoffner asked if all the Council members would get a copy of the Resolution. Yes, it will be included in the Minutes. Roll call vote taken, all ayes.
- Councilperson Shoffner asked about tax assessments. She wanted to know if the assessment at Finchley Gardens would be hurt since there are many vacancies. It seems to her that Finchley Gardens is not pursuing getting renters in. They have to show that they are making good faith efforts to get renters. If not that would be held against them.

### **Borough Engineer Report:**

- Reported on the Prospect St. property drainage problem. The dry well was covered

with all kinds of debris. Public Works removed a ton and a half of debris that was preventing the dry well from doing its job.

- Canal Crossing Lighting – Meeting with the Electrical Inspector Thursday morning to finalize all the permits.
- The Staat’s House asbestos removal will begin on Monday. It should take a week to get it all out. Grant money will be used for this project.
- DOT Project – Howard and Jerome Avenues – most of the project will be paid for by grants. The preparation of bids specs need to be paid by the town. We still have to bond this project. **Motion** by Councilperson Dykes to authorize Borough Attorney to start the bonding process for the Howard and Jerome Avenues project, seconded by Councilperson Quinlan, discussion, roll call vote taken, 4 ayes and 1 abstention (Councilperson Shoffner).
- Planning Board is working on the Study of Washington Park as an area of redevelopment. When it’s done there will be a public hearing on that Study, a recommendation will be made to the Mayor and Council.. If approved authorization will be given to do a Redevelopment Plan of the area. The Bank has been paying for everything.

#### **Borough Clerk Report:**

- No report.

#### **Chief of Police Report:**

- No report.

Before making a motion to open the meeting to the public, Councilperson Quinlan asked about the fire alarm test report for the Staat’s House. Fire Official suggested having the system tested even though ADT is there all the time. Any building that has a central alarm system should have it tested frequently.

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

Kathy Conner – Louis Avenue

- Asked for the Fire Department total man hours for the month of March. Total man hours for March were 551.1.
- Asked what time garbage is to be picked up. Several residents complaining it is being picked up too early (before 6:00 AM).
- How much did the new police car cost? \$23,000.00 lease/purchase.
- Where are the flags at the school parking lot? Borough Clerk thinks the school is responsible for the flags. Borough Clerk will check with the school.
- Asked if Borough Engineer needed to be under oath when testifying about Town and Country and the Performance Guarantee. Borough Attorney decided to have Borough Engineer swear that the testimony he gave previously was the truth.

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Marge Eickhorst – Reid Street

- Wanted to know how The Friends of the Abraham Staat’s House can afford to have the Staat’s House host an event on May 1<sup>st</sup> that normally is held at Washington Crossing. The Group that normally runs the event will pay for the Port-a-Potties and volunteers will conduct the event. The Borough will not incur any expense from this event.
- Asked why Borough tax payers were not thanked for helping to fund the Battle of Bound Brook. Councilperson Quinlan apologized leaving the tax payers off the thank you list. He proceeded to thank the Tax Payers and Mrs. Eickhorst for reminding him.

Sean Lambertz – Cedar Street

- Asked if LOSAP funds for the Fire Department were in the bills to be paid this month. There seems to be a lack of communication from the CFO to the Fire Department. All the necessary steps were followed by the Fire Department. However, the CFO did not follow through. Borough Clerk asked that a motion be made authorizing the CFO issue to Lincoln Financials the LOSAP money due, approximately \$20,000.00. Councilperson Godleski made that **Motion** authorizing the CFO with the stipulation that everything is in order, seconded by Councilperson Ormosi with the same stipulation, discussion. Roll call vote taken, 4 ayes and 1 abstention (Councilperson Shoffner). The Council will meet with the CFO and make sure there is better communication in the future.

Kathy Conner – Louis Avenue

- Asked how many Rescue Squad members are eligible for LOSAP. Six members are eligible.

Michelle Duh – Louis Avenue

- Asked about the Cop Grant. Grant covers the first three years of employment. After that the Borough will pay.

Mary Bowers – Stewart Street

- Asked if any progress has been made on developing the retail property at Canal Crossing. Unfortunately commercial developers are having a hard time borrowing money at this time. With the down economy and the length of the litigation the developer we had pulled out. We will keep on looking for a developer to come in and build on that property.

**Motion by Councilperson Shoffner to close the meeting to the public, seconded by Councilperson Ormosi, all in favor, all ayes.**

**Agenda:**

**Ordinance 2010-002 - Motor Vehicle Ordinance (First Reading):**

**Motion** by Councilperson Ormosi for Ordinance 2010-002 and Ordinance amending the Chapter 3, Section 3-2 Regulations for Motor Vehicles, seconded by Councilperson

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Shoffner, discussion. Councilperson Dykes **asked** about cars parking on lawns. This already exists but this Ordinance clarifies it. Police and Zoning Officer will be able to write summons. He also asked about cars being restored. They are only allowed to be on the driveway 30 days. Because of the previous discussion and other questions Councilperson Ormosi withdrew his **Motion**.

### **Earth Day Events:**

**Motion** by Councilperson Quinlan to approve the Earth Day Events (Paper Shredding) at the Robert Morris Parking Lot on April 24<sup>th</sup>, seconded by Councilperson Ormosi, all in favor, all ayes. Clean Communities will not sponsor the electronic recycling so the coordinator is looking how to fund it.

### **L.O.S.A.P. – First Aid Squad:**

**Motion** by Councilperson Shoffner to accept the list of the following First Aid Squad members for who have successfully served on the First Aid Squad and have fulfilled all the obligations of the L.O.S.A.P. program: Marianne Manley, Barbara Karpinsky, Miguel Gonzalez, Mike Allenovitch, Richard Ungerleiter and Adam Manley. Seconded by Councilperson Quinlan, all in favor, all ayes.

### **Facade Improvement Resolution:**

**Motion** by Councilperson Ormosi for Façade Improvement Resolution for Ovations Restaurant in the amount of \$7,059.88 replacing windows and doors at 295 Canal Road, seconded by Councilperson Quinlan, discussion. Roll call vote taken, all ayes. This amount is half of the total cost which was \$14, 119.75.

### **Budget 2010:**

Councilperson Godleski explained that we have to make up \$98,000.00 that the Governor took away. Every Department's operating budget was cut. Some were cut more than others, it was not a straight 5%. Money will be taken out of surplus. Currently we are at a 7 ½ cent increase. Furloughs and layoffs are possible. Mayor will apply for extraordinary aid. Council will meet for a work session on April 22<sup>nd</sup> at 7:00 PM. Borough personnel would like to meet with Council Personnel or Finance Committee.

### **Release of Escrow Fund Resolution:**

**Motion** by Councilperson Ormosi for approval of Release of Escrow Funds for V.P. Auto Sales in the amount of \$1,361.50 plus any applicable accrued interest effective April 13, 2010, seconded by Councilperson Godleski, discussion. Roll call vote taken, all ayes.

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

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Sean Lambertz- Cedar Street

- Asked if the Vehicle Ordinance included boats? It does not. There are boats parked on some properties. It may be a property maintenance issue.

Kathy Conner – Louis Avenue

- Asked if the Budget Work Meeting on April 22<sup>nd</sup> was open to the public. The meeting will not be open for the public to speak.
- Can the Façade Improvement Grant money be applied for more than once? Yes, it is used for different phases of projects.

Marge Eickhorst – Reid Street

- The \$180 tax increase per household is based on \$235,000.00 which is the average assessed value. There are some houses assessed over \$300,000.00, \$340,000.00, \$350,000.00 and those taxes are \$9,500.00, \$9,600.00.

Mary Bowers – Stewart Street

- Have the Council members looked at their salaries and the cost of going to conferences. She also wanted to know if we really had to hire another police officer. Mayor said we are interviewing for a police officer but may not be hiring right now. We are down one officer but we could possibly be down two in the near future. We would then need to hire.
- She asked if the PBA is considering a pay cut. The Borough is in negotiations right now with the PBA and can't discuss what's going on.
- Councilperson Dykes revealed that a percentage of the funds for conferences is being cut. Every line item is being looked at and if it can be cut a cut will be made.

Diana Piazzolla – Recreation Director

- Asked if the departments will be notified about any cuts made to what has already been submitted. Councilperson Shoffner answered that a meeting will be set up with both Recreation Committees and the Finance Chairman.

Marianne Manley – Borough Employee

- Asked if employees will get advanced notice about furloughs and layoffs so that they can prepare for the loss of income. The employees will be given as much notice as possible. She also feels that the Council should cut some programs from the Budget. The Borough Clerk explained that all areas are being looked at. When you cut programs a different segment of the population will be unhappy. The Council is trying to be fair to all employees and tax payers.

Sean Lambertz – Cedar Street

- Suggested doing away with Summer Hours. Having the Borough Offices be open until 4:30 on Fridays in the summer would lessen the impact of furlough days on the public. Summer hours have not come up for discussion yet.

Mary Bowers – Stewart

- Suggested putting off the Canal Walkway Lighting Project until next year. She feels that we can not afford another PSE&G Bill at this time. Council feels that the lack of lighting on that walkway is a safety issue and the lights should be installed.

**Motion by Councilperson Shoffner to close the meeting to the public, seconded by Councilperson Ormosi, all in favor, all ayes.**

**Executive Session Resolution:**

Borough Clerk read Resolution for Executive Session to discuss PBA Contract, Verry vs South Bound Brook. **Motion** by Councilperson Ormosi to approve Resolution for Executive Session, seconded by Councilperson Dykes, all in favor, all ayes. After a 5 minute break Executive Session will begin at 9:40 PM.

**Motion** by Councilperson Quinlan to return to public session, seconded by Councilperson Ormosi, all in favor, all ayes. (10:09 PM)

**Motion** by Councilperson Quinlan to have Frank Taddaeo take the necessary steps to defend the Borough in the matter of Verry vs South Bound Brook, seconded by Councilperson Ormosi, discussion. Roll call vote taken, all ayes.

**Adjournment:**

Having completed the peoples' business a **Motion** to adjourn was made by Councilperson Quinlan, seconded by Councilperson Dykes, all in favor, all ayes. Meeting adjourned at 10:11 PM.

Respectfully submitted,

Donald E. Kazar, Borough Clerk

