

SOUTH BOUND BROOK BOROUGH COUNCIL REGULAR MEETING MINUTES

Minutes of the Regular Meeting of the Mayor and Council held December 14, 2010 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 prayer that those serving in the Armed Forces and their families will have a safe and happy Holiday Season.

Roll Call:

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

Attending:

Borough Attorney: William Cooper (arrived 8:05 PM)
Chief of Police: William King
Councilwoman Elect: Michele Duh
Councilwoman Elect: Kathy Conner

Approval of the Minutes:

- **Motion** by Councilperson Ormosi to approve the October and November Meetings Minutes, seconded by Councilperson Shoffner, discussion. Councilperson Dykes asked for a moment to check something in the November Minutes, all in favor, all ayes.

Mayor's Report:

- Attended a meeting with Chief King regarding the regionalizing Police Departments in the County. The projection is a savings of 17 million dollars over a period of five or more years. Mayor Warrelmann and other Mayors are being cautious as to how much savings will be realized by the towns. There is also a concern as to what area South Bound Brook would be put into. The next two meetings should be even more interesting. They involve the Courts and Code Enforcement. Mayor will report on those meetings after they occur.

Council Reports:

Public Works/Historical Commission (Councilperson Quinlan):

- A second phone line will be needed at the Staat's House because a Commercial Fire Alarm System needs two lines and we only have one. This will be paid for by the Grant.
- Canal Road Sewer Main blockage will be TVd to see what the problem is.
- Negotiations continue with DPW.

Public Safety – Police Department/Rescue Squad (Councilperson Ormosi):

- Attended meeting regarding regionalization of Police Departments. Volunteered, if needed, to serve on a committee pertaining to this issue. For now the Mayor and Police Chief will attend these meetings.
- PBA and Police Committee are still trying to come to an agreement.
- Police Report for the month of November submitted.

Finance (Councilperson Godleski):

- Claims Voucher Resolution – Payment of the Bills – **Motion** by Councilperson Godleski to approve Claims Voucher Resolution in the amount of \$773,934.86, seconded by Councilperson Ormosi, discussion. \$468,000.00 was the School Tax. Roll call vote taken, all ayes.
- **Motion** by Councilperson Godleski for Chapter 159 Resolution 48:4-87 for the Borough of South Bound Brook for the 2008 Somerset County Historical Preservation Grant in the amount of \$87,820.00 – appropriation in the 2008 Budget for Somerset County Historical Preservation Grant in the amount of \$87,820.00, seconded by Councilperson Ormosi, discussion. Councilperson Shoffner wanted to know why the money did not get into the 2008 Budget. It arrived too late. The money now needs to be spent. This money is for the perserving the corn crib and the smoke house at the Staat's House. Roll call vote taken, all ayes.
- Overpayment of Taxes Resolution – **Motion** by Councilperson Godleski for approval of Overpayment of Taxes and/or PILOT Resolution. The Tax Collector, Deputy Tax Collector and Chief Financial Officer are authorized to refund the properties listed. Seconded by Councilperson Ormosi, discussion. Borough Clerk explained how this happens. Roll call vote taken, all ayes.

Public Safety – Fire Department/Board of Education (Councilperson Dykes):

- Board of Ed News – Business Administrator has resigned effective January 23, 2011. School Superintendent said that it will not be hard to fill the position.
- Fire Department has lived within its Budget this year. Great job.
- Fire Department Monthly Report for November – Total alarms answered, 21; man hrs. answering alarms 168.6; man hrs. on maintenance of trucks and equipment 9½;

man hrs. for department training 0 man hrs.; Board of Engineers Meeting 12 man hrs.; Captain's Administrative duties 15 ½ man hrs.; total man hrs. 205.6.

Personnel (Councilperson Kildow):

- Thanked the Mayor and Council for their help this year. He appreciated the experience of serving as a Council Member. He feels the town is in good hands as he leaves. Mayor thanked him in return for his service.

Recreation – Social and Sports (Councilperson Shoffner):

- The Holiday Tree Lighting at Borough Hall and the Holiday Program at the School were both successful events.
- The Recreation Committee is looking for two members to replace Kathy Conner and Michele Duh who have resigned.

Borough Clerk Report:

- The Office is preparing for the end of year and the beginning of next year.

At this time the Mayor spoke about a letter he received from the Middlesex Utilities. For the first quarter they are charging us a \$44,000.00 overage. That was when we had heavy rains and the Canal flooded over and the water was behind the Borough Garage and on the Tow Path (State Property). Mayor wants a meeting with them because he is not willing to pay this high charge. We will also need to keep informing the residents not to have their sump pumps pump into their basement sinks.

Chief of Police Report:

- Nothing at this time.

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

Kathy Conner – Louis Avenue

- She also attended the meeting about Regionalization of Police Departments and found it to be very enlightening. It looks like that is the way of the future.
- She asked the Board of Education to look into a shared service for a Business Administrator. She also spoke about additional state aid received which will go toward teacher's salaries.
- Asked about the overtime for the Police Department for November. It was \$6,242.74 and 24 vacation days taken.

Bruce Blumenthal – Elizabeth Street

- Asked about the Best Practice Survey. An official spoken to at the League Conference

said that we had done very well and could receive some State Aid. We were in the 98 to 99 percentile.

Mr. Hague – Edgewood Terrace

- Asked about the Riverbrook Walk Project and tax relief. Second Reading on the PILOT Program Ordinance is on the Agenda. A public hearing will be held at that time.

Kathy Conner – Louis Avenue

- Asked for the total amount for the Overpayment of Taxes. Borough Clerk estimated that it was no more that \$6,000.00 or \$7,000.00. He also said that it does not effect the Budget either way. It is money that has to be refunded because it was overpaid.

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

Borough Attorney arrived and the Mayor asked if he had anything to report. All his items are on the Agenda.

Agenda:

Ordinance 2010-009 – Animal Control Ordinance (Second Reading):

Motion by Councilperson Quinlan for approval of Ordinance 2010-009 – Animal Control Ordinance amending Chapter 5 Animal Control to include _5-3 “keeping animals and fowl for domestic use”, seconded by Councilperson Ormosi, discussion. Borough Attorney commented that his records indicate that when it was introduced and approved on November 9th, paragraph B the last sentence was to be deleted “however poultry kept temporarily for markets and educational purposes maybe kept under conditions other than those specified”. When the Ordinance goes to final publication that sentence should be eliminated. **Motion** by Councilperson Quinlan as amended, seconded by Councilperson Ormosi as amended.

Motion by Councilperson Quinlan to open the meeting for public hearing on Ordinance 2010-009, seconded by Councilperson Godleski, all in favor, all ayes.

No public response.

Motion by Councilperson Quinlan to close the public hearing, seconded by Councilperson Shoffner, all in favor, all ayes.

Discussion. Councilperson Shoffner is glad that this is finally done. Roll call vote taken, all ayes.

Ordinance 2010-008 – PILOT 107-109 Elizabeth Street (Second Reading):

Motion by Councilperson Ormosi for approval of Ordinance 2010-008 – PILOT for 107-109 Elizabeth Street, seconded by Councilperson Dykes.

Motion by Councilperson Quinlan to open the meeting for public hearing on Ordinance 2010-008, seconded by Councilperson Godleski, all in favor, all ayes.

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Mary Bowers – Stewart Street

- Asked the representative for Riverbrook Walk how much tax money the Borough would get from a unit that sold for \$180,000.00. The amount was \$2662.00. The entire amount minus 5% (to the County) goes to the Borough. Normally property tax money is split between the School, County, Municipality, Library and Open Space Tax. Borough share of that is much less than what would be received from the PILOT.

George Hague – Edgewood Terrace

- Spoke about additional children for both the Robert Morris School and the High School. He also spoke about the number of people occupying each unit. Mayor asked if he had seen the size of each unit. They are not huge and can only support a couple of adults and maybe one child.
- Asked if the property could have been turned into a park. We do not own that property therefore it was not up to us to make the property a park.
- Spoke about the sewer line. That property is not on the Elizabeth Street sewer line. It is hooked up to High Street flowing towards Cedar Street.
- Asked about how much revenue this project will generate? The projected revenue is as follows: 2011 Municipal receipts are projected to be \$40,908; in 2012 Municipal receipts are projected at \$84,740 and by 2014 the lowest projection in added Municipal receipts would be \$252,900.

Kathy Conner – Louis Avenue

- Asked why a 10 year PILOT and not 5 years? Originally the developer asked for 15 years but 10 years was agreed to by the Borough and the developer. 10 years was more suited to what the developer needed in order to sell these condos.

Michele Duh – Louis Avenue

- Asked what happens when the unit is sold three years down the road, will the PILOT be extended? No, the PILOT will be for a total of ten years from the original purchase.
- Asked where the money goes from this PILOT Program? The money goes into the Budget to reduce taxes.

Steve Fry – Maple Avenue

- Spoke about garbage pickup and snow plowing. The Council said that those are the responsibility of the Homeowners Association. When he read the Financial Agreement attached to the Ordinance it seems to be the other way around. Borough Attorney has it in writing that they are responsible for garbage pickup and snow removal.
- Asked about a new rule that the State has to sign off on any new PILOT Programs. According to Attorney Robert Goldsmith there is a proposed legislation that hasn't moved out of Senate committee yet. Borough Attorney Cooper is satisfied that it is not a legal requirement at this time.

George Hague – Edgewood Terrace

- Asked if we pickup garbage at Canal Crossing? Yes. He wants to know why his services (grass pickup) have been cut and yet we give tax relief and garbage pickup to Canal Crossing. The streets in Canal Crossing are public streets which the Borough is responsible for. Yes, the grass pickup service has been cut however with private garbage pickup we now get to put out three cans per week instead of two which is an increase in that service.

Mary Bowers – Stewart Street

- Asked if any studies have been done as to what happens when the PILOT expires and people have to pay full taxes? Do they try to sell and move out? Nobody knows what will happen. It's like how do you know how many people will be moving out of SBB this year. Taxes will always be paid – either by the owner or bank.

Councilperson Kildow said that if the market was not so bad we wouldn't have to have tax relief.

Steve Fry – Maple Avenue

- Went to the DCA web site which said that the State needs to give a approval for a PILOT. Borough Attorney insists he is satisfied that this is not a requirement that we have to undertake at this point.

Motion by Councilperson Godleski to close the public hearing on Ordinance 2010-008, seconded by Councilperson Ormosi, all in favor, all ayes.

Discussion. Councilperson Shoffner did a comparison of similar towns along the rail line and units are selling without a PILOT. She also spoke about the 10 year PILOT Program. The developer originally wanted a 15 year PILOT but Council insisted on ten years. She asked about the Association Fee (\$265/mo.). That fee covers maintenance of the property, landscaping, garbage pickup, snow plowing etc. Roll call vote taken, 4 ayes and 2 nays (Councilpersons Godleski and Shoffner).

Change Order #2 for Staat's House Project Phase 2:

Motion by Councilperson Quinlan to approve Change Order #2 for Staat's House Project Phase 2, seconded by Councilperson Dykes, discussion. Councilperson Shoffner asked about this Grant and how much money is left and what addition work needs to be done Councilperson Quinlan said that the Staat's House has received almost a million and a half dollars in grant money. Roll call vote taken, all ayes.

Last Council Meeting of 2010:

Motion by Councilperson Quinlan to hold the last Council meeting of 2010 on December 28th at 6:30 PM in Council Chambers, seconded by Councilperson Ormosi, all in favor, all ayes.

Reorganization Meeting:

Motion by Councilperson Quinlan to hold the Reorganization Meeting on January 1, 2011 at 11:00 AM at Robert Morris School, seconded by Councilperson Shoffner, all in favor, all ayes.

At this time Mayor Warrelmann thanked Councilpersons Kildow and Godleski for their service and hard work. He thanked them for all their help.

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

Mary Bowers – Stewart Street

- Asked if grant money has to be used by a certain date. Borough Attorney said that two years is the amount of time being discussed. When grant money sits in an account for a long period of time that is when the State or County will take a look and if it is not going to be used they will take it back and put it to good use. Councilperson Shoffner said that the Recreation grant definitely had to be used by December 31st.

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

Mayor wished everyone Happy Holidays - Merry Christmas and Happy New Year.

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 9:30 PM.

Respectfully submitted,

Donald E. Kazar, Borough Clerk

