

DRAFT MINUTES

These are the Draft Minutes of the Regular Meeting of the Borough Council of North Plainfield, NJ held on Monday, 14 March 2011. Every attempt has been made to make these minutes as comprehensive and conclusive as possible. However, as it is a draft document, it is not to be construed as an official account of the actions of the Governing Body occurring at an actual meeting. If changes are approved, revised minutes will be posted to the website and/or provided with changes as announced at a future meeting.

MINUTES of the Regular Meeting of the Council of the Borough of North Plainfield held on Monday, **March 14, 2011** at 8:32 p.m. at the North Plainfield Community Center, 614 Greenbrook Road, North Plainfield, New Jersey.

PRESENT:

Council Members: Mary H. Forbes
Lawrence La Ronde
Everett Merrill
Frank Righetti
Douglas M. Singleterry
Frank "Skip" Stabile, Council President

Also Present: Mayor Michael Giordano, Jr.
David E. Hollod, Borough Administrator
Eric M. Bernstein, Esq., Borough Attorney
Richard K. Phoenix, RMC, Borough Clerk

ABSENT:

Council Members: Robert E. Hitchcock (excused)

The Pledge of Allegiance to the Flag was led by Council President Stabile.

Council President Stabile read the following Notice of Compliance:

"This is a Regular Meeting of the Council of the Borough of North Plainfield. Adequate notice of this meeting was given pursuant to *N.J.S.A.* 10:4-6 et seq. by transmitting said notice to the *Courier News* and *The Star Ledger* on December 14, 2010, by publication of the announcement in the *Courier News* of December 17, 2010 and by posting a copy of this notice on the bulletin boards in the municipal building and memorial library reserved for such purpose."

The Clerk had submitted copies of the minutes of the Agenda Conference and Regular Meeting of February 28, 2011.

Council President Stabile called for a Roll Call on the minutes:

Agenda Conference and Regular Meeting of February 28, 2011:

Ayes: Forbes, Merrill, Righetti, Singleterry, Stabile

Abstain: La Ronde

Mrs. Forbes presented the following Resolution and moved its adoption:

RESOLUTION NO. 03-14-11-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 11-04 be read by its title by the Clerk and be passed on its first reading and advertised as required by statute, fixing March 28, 2011 at 7:30 p.m. or as soon thereafter as the matter can be heard, as the time and the North Plainfield Community Center, 614 Greenbrook Road, North Plainfield, New Jersey as the place for hearing and final adoption.

Seconded by Mr. Righetti and on Roll Call carried all six voting aye.

The Clerk read the Ordinance by its title as follows:

ORDINANCE NO. 11-04 CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Mr. Singleterry presented the following Resolution and moved its adoption:

RESOLUTION NO. 03-14-11-02 MUNICIPAL BUDGET OF THE BOROUGH OF NORTH PLAINFIELD, COUNTY OF SOMERSET FOR THE FISCAL YEAR 2011

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2011;

BE IT FURTHER RESOLVED, that said Budget be published in The Courier News in the issue of April 12, 2011

The Governing Body of the Borough of North Plainfield does hereby approve the following as the Budget for the year 2011:

2011 MUNICIPAL BUDGET

Of the Borough of North Plainfield, County of
Somerset for the Fiscal Year 2011.

REVENUE AND APPROPRIATION SUMMARIES

Summary of Revenues	Anticipated	
	2011	2010
1. Surplus	700,000.00	750,000.00
2. Total Miscellaneous Revenues	3,227,901.32	3,134,064.00
3. Receipts from Delinquent Taxes	1,000,000.00	991,000.00
4. a) Local Tax for Municipal Purposes	16,541,874.29	15,747,283.07
b) Addition to Local District School Tax	0.00	0.00
Total Amount to be Raised by Taxes for Support of Municipal Budget	16,541,874.29	15,747,283.07
Total General Revenues	21,469,775.61	20,622,347.07

Summary of Appropriations	2011 Budget	2010 Budget
1. Operating Expenses: Salaries & Wages	10,521,606.00	10,400,608.00
Other Expenses	5,415,176.32	4,984,155.72
2. Deferred Charges & Other Appropriations	2,519,863.00	2,365,237.81
3. Capital Improvements	51,000.00	60,000.00
4. Debt Service	1,362,130.29	1,212,345.54
5. Reserve for Uncollected Taxes	1,600,000.00	1,600,000.00
Total General Appropriations	21,469,775.61	20,622,347.07
Total Number of Employees	132	132

2011 Dedicated Sewer Utility Budget		
Summary of Revenues	Anticipated	
	2011	2010
1. Surplus	14,952.02	
2. Miscellaneous Revenues	1,916,000.00	1,942,143.05
3. Deficit (General Budget)		64,237.81
Total Revenues	1,930,952.02	2,006,380.86
Summary of Appropriations	2011 Budget	2010 Budget
1. Operating Expenses: Salaries & Wages	187,000.00	187,000.00
Other Expenses	1,549,000.00	1,497,000.00
2. Capital Improvements	0.00	0.00
3. Debt Service	179,952.02	187,225.49
4. Deferred Charges & Other Appropriations	15,000.00	135,155.37
5. Surplus (General Budget)	0.00	0.00
Total Appropriations	1,930,952.02	2,006,380.86
Total Number of Employees	4	4

Balance of Outstanding Debt				
	General	Water Utility	Sewer Utility	Utility-Other
Interest	260,851.21	n/a	168,192.30	n/a
Principal	3,025,000.00	n/a	1,301,463.44	n/a
Outstanding Balance	3,285,851.21	n/a	1,469,655.74	n/a

Notice is hereby given that the Budget and Tax Resolution was approved by the Borough Council of the Borough of North Plainfield, County of Somerset on March 14, 2011.

A Hearing on the Budget and Tax Resolution will be held at the North Plainfield Community Center, 614 Greenbrook Road, North Plainfield, NJ, on April 25, 2011 at 7:30 o'clock P.M., at which time and place objections to said budget and Tax Resolution for the year 2011 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of Richard Phoenix, Borough Clerk, at Borough Hall, 263 Somerset St., North Plainfield, NJ 07060 during the hours of 8:00 A.M. to 4:30 P.M.

Richard K. Phoenix, RMC
Borough Clerk, North Plainfield

03/14/11

A Hearing on the Budget and Tax Resolution will be held at the North Plainfield Community Center, 614 Greenbrook Road, on April 25, 2011 at 7:30 O'clock (p.m.) at which time and place objections to said budget and Tax Resolution for the year 2011 may be presented by taxpayers or other interested persons.

Seconded by Mr. Righetti and on Roll Call carried all six voting aye.

CONSENT AGENDA

Council President Stabile stated that all matters listed on the Consent Agenda are considered to be routine in nature and will be approved by one motion. There will be no separate discussion of these items. If any discussion is desired by Council, that particular item will be removed from the Consent Agenda and will be considered separately.

Mrs. Forbes stated her concerns about one of the taxi driver's applications; it appeared that the application was incomplete. Mr. Bernstein advised the Council to hold that particular application for next meeting.

Mrs. Forbes requested that item "j" be removed for a separate vote.

Mr. Bernstein commented on item "b," advising that having received only one bid is acceptable as per the Local Public Contracts Law.

Mr. La Ronde presented the following Resolution and moved its adoption:

RESOLUTION NO. 03-14-11-03 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

03-14-11-03a, b, c, d, e, f, g, h, and i (as amended)

having been placed on the Consent Agenda and there having been no objection thereto, the same are hereby approved.

Seconded by Mr. Righetti and on Roll Call carried all six voting aye.

APPROVED RESOLUTIONS:

RESOLUTION NO. 03-14-11-03a DESIGNATING THE MONTH OF MARCH AS *WOMEN'S HISTORY MONTH*

WHEREAS, New Jersey women of every race, class and ethnic background have made historic contributions to the growth and strength of our State in countless recorded and unrecorded ways; and

WHEREAS, New Jersey women have played and continue to play a critical economic, cultural and social role in every sphere of the life of the State by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, New Jersey women have played a unique role throughout the history of the State by providing the majority of the volunteer labor force of the State; and

WHEREAS, New Jersey women were particularly important in the establishment of early charitable, philanthropic and cultural institutions in our State; and

WHEREAS, New Jersey women of every race, class and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, New Jersey women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement and other movements, especially the peace movement, which creates a more fair and just society for all; and

WHEREAS, despite these contributions, the role of women in history has been consistently overlooked and undervalued in the literature, teaching and study of American history; and

WHEREAS, the Department of Community Affairs, specifically the Division on Women's goals are to remember and celebrate New Jersey women and to:

- Ensure that New Jersey women are offered equal opportunities in education, the workforce and healthcare regardless of age, sexual orientation, income, ethnicity, race or religion.
- Identify, implement, measure and coordinate programs that address the needs of New Jersey women.
- Engage in continuous study and research on issues affecting New Jersey women and their families, develop policy papers and legislative recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that March 2011 is designated as "Women's History Month" under the National Women History Project's 2011 theme: *Our History is Our Strength*.

RESOLUTION NO. 03-14-11-03b RESOLUTION AWARDED CONTRACT FOR LEAF, GRASS AND BRUSH PICK-UP AND REMOVAL SERVICES FOR THE BOROUGH OF NORTH PLAINFIELD FOR CALENDAR YEAR 2011 TO S. ROTONDI & SONS, INC.

WHEREAS, the Borough of North Plainfield prepared Bid Specifications and requested Bids for leaf, grass and brush pick-up and removal services for the Borough for calendar year 2011 (the "Project"); and,

WHEREAS, S. Rotondi & Sons, Inc was the only bidder for the Project and submitted a bid of One Hundred Forty-Four Thousand Dollars (\$144,000.00) for leaf pick-up and removal, Eleven Thousand One Hundred Sixty Dollars (\$11,160.00) for grass pick-up and removal and Nine Thousand Five Hundred Sixty Dollars (\$9,560.00) for brush pick-up and removal, for a total bid of One Hundred Sixty-Four Thousand Seven Hundred Twenty Dollars (\$164,720.00); and,

WHEREAS, it is determined that S. Rotondi & Sons, Inc. is the lowest responsible bidder for this Project; and,

WHEREAS, the Borough wishes to enter into a contract with S. Rotondi & Sons, Inc. to perform leaf, grass and brush pick-up and removal services for the Borough for calendar year 2011 for the total sum of One Hundred Sixty-Four Thousand Seven Hundred Twenty Dollars (\$164,720.00).

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that S. Rotondi & Sons Inc. is hereby awarded the contract to perform leaf, grass and brush pick-up and removal services for the Borough for calendar year 2011 and the Mayor and Borough Clerk are hereby authorized to execute a contract with S. Rotondi & Sons, Inc. for such services, which contract shall be found in the Borough Clerk's office.

RESOLUTION NO. 03-14-11-03c WHEREAS, West End School PTA, 447 Greenbrook Road, North Plainfield, New Jersey, has applied for licenses to conduct on-premise 50-50 draw raffles on April 14, 2011; May 21, 2011; June 1 and 2, 2011; and, an on-premise draw raffle awarding merchandise as prizes on May 21, 2011; and

WHEREAS, West End School PTA has been issued Identification No. 352-5-27290 by the New Jersey Legalized Games of Chance Control Commission; and

WHEREAS, investigation has shown that said applicant meets the requirements for the issuance of raffles licenses;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be and is hereby authorized to issue licenses to West End School PTA to conduct on-premise 50-50 draw raffles to be held on April 14, 2011; May 21, 2011; June 1 and 2, 2011; and, an on-premise draw raffle awarding merchandise as prizes on May 21, 2011 at West End School, 447 Greenbrook Road, North Plainfield.

RESOLUTION NO. 03-14-11-03d A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY SAFE AND SECURE

COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Borough of North Plainfield wishes to apply for a project under the Safe and Secure Communities Program, and

WHEREAS, the Council of the Borough of North Plainfield has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of North Plainfield for the purpose described in the application;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that:

1. As a matter of public policy, the Borough of North Plainfield wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to the applicant as authorized.

RESOLUTION NO. 03-14-11-03e BE IT RESOLVED, by the Council of the Borough of North Plainfield, that the Borough Tax Collector is authorized to make the following refunds:

Refund Property Tax Overpayment:

Block 203.06 Lot 55 1 st Quarter 2011	\$ 1,624.29	Steven & Marcy Rayner 448 Greenbrook Road North Plainfield, NJ 07060
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RESOLUTION NO. 03-14-11-03f BE IT RESOLVED, by the Council of the Borough of North Plainfield, that the Borough Tax Collector is authorized to make the following refunds:

<u>Tax Sale Certificate</u>	<u>Amount</u>	<u>Lienholder</u>
Block 126 Lot 7 Certificate #10-00116 Premium	\$ 1,273.84 \$ 900.00	Alternax Tax Cert. Fund II 200 South Park Rd, Suite 320QQ Hollywood, FL 33021
Block 81 Lot 1	\$ 9,513.80	Divot Capital

Certificate #10-00071
Premium

9,800.00

200 South Park Rd, Suite 320QQ
Hollywood, FL 33021

RESOLUTION NO. 03-14-11-03g WHEREAS, the inspection of 9-11 Steiner Place was never done, Anthony DiNuzzo now requests refund of his payment.

BE IT RESOLVED, by the Council of the Borough of North Plainfield, that the Treasurer is authorized to make the following refund:

Refund of Certificate of Compliance Inspection Fee:

Anthony DiNuzzo \$ 75.00
c/o Richard Coven
Re/Max Competitive Edge
177 Washington Valley Road
Warren, NJ 07059

RESOLUTION NO. 03-14-11-03h WHEREAS, the Borough of North Plainfield is the owner of the following surplus vehicles no longer needed for public use:

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>MINIMUM BID</u>
1.	2001 Ford, Black 2FAFP71W51X82529 Mileage: 100,000+ Runs Poorly	\$ 100.00
2.	1999 Ford, Black 2FAFP71W8XX200580 Mileage: 100,000+ Does Not Run	100.00
3.	1996 Ford, Black 2FALP71W5TX168863 Mileage: 100,000+ Runs Poorly	100.00

The following boats have been determined to no longer serve the purpose for their original purchase. Below are the boats to be auctioned off this year. The units are to be sold as two packages with the 13' hull, 35 hp motor and trailer as one package; and, the 17' hull, 55 hp motor and trailer to be sold as a second package – all used by Fire Dept.

PACKAGE ONE:

1976 Boston Whaler (13' Hull), VIN #: BWCC1955M76G; Condition: very good;

1976 Johnson (35 hp Engine), VIN #: Mod.# 35e176s, Ser.# E4461560 (last run early '90s);
 Condition: very good to unknown;
 1975 Tee Nee 13' trailer, VIN # 1060154; Condition: very good;
 MINIMUM BID (PACKAGE): \$1,200.00

PACKAGE TWO:

1976 Boston Whaler (17' Hull); VIN #: BWCB6328M76F; Condition: very good;
 1976 Johnson (55 hp Engine); VIN #: Mod.# 55e176e, Ser.# E4471389 (last run early
 '90s); Condition: very good to unknown;
 1975 Tee Nee 17' trailer; VIN # 1501716; Condition: very good.
 MINIMUM BID (PACKAGE): \$2,000.00

WHEREAS, the Borough of North Plainfield desires to authorize the sale of the above surplus vehicles at public sale pursuant to N.J.S.A. 40A:11-36 to the highest bidder;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield, County of Somerset, State of New Jersey as follows:

1. The Borough of North Plainfield hereby declares that the above-described surplus vehicles are no longer needed for public use.
2. The Borough of North Plainfield, its officers and attorney are hereby authorized and directed to take any and all steps necessary to proceed with a public sale of said surplus vehicles.
3. The notice of the above, date, time and place of the public sale, together with a description of the surplus vehicles and the conditions of sale, shall be published in the Courier News, the official newspaper of the Borough of North Plainfield, with the sale being held not less than seven (7) days nor more than fourteen (14) days after publication of said notice. The surplus vehicles will be sold on a cash basis to the highest bidders.
4. No limit shall be placed on the number of surplus vehicles that can be purchased by any one bidder.
5. This resolution shall take effect immediately.

RESOLUTION NO. 03-14-11-03i BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby authorize the issuance of licenses to drive a taxicab for calendar year 2011, pursuant to N.P.R.G.O. 4-1 et seq., to the following in accordance with the applications heretofore submitted:

Andres Ramos
 728 Carlton Ave, 2nd Floor
 Plainfield, NJ 07060

Wilfredo Ortega-Lazo
546 East 2nd Street, Apt. 2
Plainfield, NJ 07060

Maria E. Encarnacion
66 Harrison Avenue
North Plainfield, NJ 07060

Jose F. Ramos
213 Johnston Avenue
Plainfield, NJ 07062

Giovanny P. Tenezaca-Guallpa
183 Duer Street
North Plainfield, NJ 07060

Mr. La Ronde presented the following Resolution and moved its adoption:

RESOLUTION NO. 03-14-11-03j BE IT RESOLVED by the Council of the Borough of North Plainfield that the attached bills of the accounts named and for the amounts stated, having been duly audited and found to be correct as of this 14th day of March, 2011, the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

Seconded by Mr. Righetti with Roll Call as follows:

Ayes: La Ronde, Merrill, Righetti, Singleterry, Stabile
Abstain: Forbes

Resolution carried 5-0-1.

COMMUNICATIONS:

State of New Jersey Board of Public Utilities
Newark, NJ
Plainfield Area Regional Sewerage Authority
Middlesex, NJ

Somerset County Cultural & Heritage
Commission
PSE&G
Trenton, NJ

TRC Environmental Corporation
Millburn, NJ
Tyree Environmental Corp.
Cinnaminson, NJ
North Plainfield Rescue Squad
North Plainfield, NJ
Reliable Wood Products
Jersey City, NJ
Somerset County Board of Taxation

Re: Cable Television Renewal Certificate of Approval
Re: Plainfield Area Regional Sewerage Authority 1st Quarter 2011 Billing
Re: March 3, 2011 Agenda
Re: 2011 Somerset County Historic Preservation Grant Program
Re: Notice of Public Hearings Concerning the Implementation of a Long-Term Capacity Agreement Pilot Program
Re: Receptor Evaluation Form Submission Former Lockheed Electronics Co. Facility
Re: Receptor Evaluation Form Getty Service Station
Re: Profit & Loss Standard January – December 2010
Re: Bid for Leaf, Grass and Brush Pickup and Removal Services
Re: Equalization Table, County of Somerset for the Year 2011

REQUESTS FOR AGENDA ITEMS:

Mrs. Forbes stated that Senator Sweeney introduced a bill, S2794 regarding shared services and she would like it discussed.

PUBLIC COMMENT:

Hal Hirsch, 74 Mercer Avenue, questioned why the Borough is continuing to carry twice as much surplus in this budget. He questioned why there was \$20,000.00 added to the Planning Board's line. Why have certain salaries increased? He commented that the Recreation line has increased upwards of 5% which is more than the cost of living. He then commented that the leaf bid was thrown out last year and recently re-bid with only one bidder. Something doesn't seem right; perhaps the Borough should re-bid the project again.

Council President Stabile commented that Mr. Scognamiglio of Reliable Wood Products missed the bid this year due to their error as he was out of town. Mr. Bernstein added that the standard for awarding a bid is the lowest "responsible" bidder. The project was re-bid because one or more of the contractors were concerned about the language on the bids for an earlier round.

Council President Stabile advised that the Planning Board's increased funds are dedicated to the Master Plan update. Mr. Hollod added that the increases in the Health and Housing department will cover several salaries per the union contracts. Considering surplus, we're about on par with where we should be. These are unprecedented times. We've weathered the recessionary economy better than most. We can't borrow money, so surplus and reserves are good.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Mayor Giordano announced that Recreation held its first Mayor's Cup on Saturday night. Unfortunately, we lost both games to Dunellen.

Mr. Singleterry commented that the State Assembly passed a bill today that will allow an income tax check-off box for Red Cross donations; it goes before the Senate next week. Congratulations and thanks to former Council President Nathan Rudy for his part in that.

Mr. Merrill shared that he had the privilege of coaching basketball season; it was a fun time and a fine season.

Mr. La Ronde echoed the Mayor's sentiments about the Mayor's Cup saying that it was a very enjoyable night for everyone.

Mr. Hollod, replying to Mrs. Forbes, stated that the Borough had just received a \$30,000.00 check representing a Local Access Grant from Comcast as part of the franchise agreement.

Motion to adjourn by Mr. La Ronde, seconded by Mr. Merrill and on voice vote, carried unanimously.

Meeting adjourned at 9:02 p.m.

Borough Clerk

Council President