

# ***DRAFT MINUTES***

*These are the Draft Minutes of the Regular Meeting  
of the North Plainfield Borough Council held on Monday, 28 November 2016.*

*Every attempt has been made to make these as comprehensive  
and conclusive as possible. However, as it is a draft document, it is  
not to be construed as a formal depiction of the official conduct of business and is subject to  
revision up to and following the Governing Body's actual approval of same. If changes are  
necessary, revised minutes will be posted to the website.*

**MINUTES** of the Regular Meeting of the Council of the Borough of North Plainfield held on Monday, **November 28, 2016** at 8:01 p.m. at the North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

## **PRESENT:**

Council Members: Everett Merrill (absent – excused)  
Keiona R. Miller (absent – excused)  
Frank Righetti  
Wendy Schaefer  
Douglas M. Singleterry  
Frank “Skip” Stabile  
Lawrence La Ronde, Council President

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

Council President La Ronde read the following Notice of Compliance:

"This is a Regular Meeting of the Council of the Borough of North Plainfield, scheduled by resolution of the Council adopted on December 14, 2015. 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*, *The Star-Ledger*, *The Alternative Press* and *WKMB* Radio on December 15, 2015 by publication of the announcement in the *Courier News* of December 17, 2015 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 Board of Health, Agenda Conference and the Regular Meeting of October 11, 2016.

Council President La Ronde called for a Roll Call on the minutes of the Board of Health, Agenda Conference and the Regular Meeting of October 11, 2016:

Ayes: Righetti, Schaefer, Singleterry, La Ronde  
Abstain: Stabile

**CONSENT AGENDA**

Council President La Ronde 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.

Mr. Stabile requested that item “h” be removed for a separate vote.

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

**RESOLUTION NO. 11-28-16-01** BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

11-28-16-01a, b, c, d, e, f, g, i, j, k, l, m, n, o, p, q, r, s, t and u

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 five voting aye.

**APPROVED RESOLUTIONS:**

**RESOLUTION NO. 11-28-16-01a** BE IT RESOLVED by the Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Treasurer is hereby authorized to refund permits fees due to cancellation of job:

Refund of Building Permit Fees

Sunrun Installation Services \$195.00  
29 Worlds Fair Drive Unit K  
Somerset, NJ 08873

Job: 748 Ayres Avenue

**RESOLUTION NO. 11-28-16-01b** BE IT RESOLVED by the Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Treasurer is hereby authorized to refund the following:

Refund of Building Permit Fees

Fox Unlimited \$200.00  
60 Mountain Boulevard



WHEREAS, at the request of the Contractor, a Final Payment Application in the amount of Fourteen Thousand Ninety-Seven Dollars and Twenty-Eight Cents (\$14,097.28) has been submitted to the Borough of North Plainfield; and,

WHEREAS, David J. Testa, PE, CME, C.P.W.M. of Grotto Engineering Associates, LLC, Borough Engineers, has reviewed the Contractor's submission for Final Payment Application for a total (final) payment of Fourteen Thousand Ninety-Seven Dollars and Twenty-Eight Cents (\$14,097.28); and,

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq., and the offices of Eric M. Bernstein & Associates, LLC has reviewed the Engineer's and the Contractor's submission and accepts same based on the recommendations of the Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Council hereby authorizes the Borough's Chief Financial Officer to direct the total (final) payment of Fourteen Thousand Ninety-Seven Dollars and Twenty-Eight Cents (\$14,097.28) to the Contractor; and,

BE IT FURTHER RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey authorize the Total (final) Payment Application is approved in the total amount of Fourteen Thousand Ninety-Seven Dollars and Twenty-Eight Cents (\$14,097.28) and payment for same is authorized to be made to the Contractor.

BE IT FURTHER RESOLVED that this Resolution shall be subject to the Certification of the Borough's Chief Financial Officer as to the availability of funds for payment for same.

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute all necessary documents to close out the project and issue final payment.

**RESOLUTION NO. 11-28-16-01f** RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GROTTO ENGINEERING ASSOCIATES, LLC FOR THE 2016 NORWOOD AVENUE ROAD IMPROVEMENTS – NJDOT 2016 FOR THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield is in need of a Professional Engineer to provide the design documents for pavement, sidewalk, curb and drainage improvements to Norwood Avenue from Mountain Ave to Brook Avenue (approximately 2,400 feet) within the Borough known as the Norwood Avenue Road Improvements – NJDOT 2016 (the "Project"); and,

WHEREAS, Grotto Engineering Associates, LLC, with a principal place of business located at 340 North Avenue, Cranford, New Jersey 07016, is in the business of providing engineering services and previously submitted a proposal for the Project for the Borough of North Plainfield, Somerset County, New Jersey, dated May 9, 2016, in an amount not to exceed Seventy Five Thousand Five Hundred (\$75,500.00) Dollars; and,

WHEREAS, the Borough of North Plainfield is desirous of obtaining the services of Grotto Engineering Services, LLC to perform all of those services contemplated in the afore-referenced proposal.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that the Borough Council does hereby award said contract to Grotto Engineering Associates, LLC, 340 North Avenue, Cranford, New Jersey 07016 in an amount not to exceed Seventy-Five Thousand Five Hundred (\$75,500.00) Dollars, and authorizes the Mayor and the Borough Clerk to sign and/or execute a Professional Services Agreement with Grotto Engineering Associates without the need for any further action of this Borough Council.

BE IT FURTHER RESOLVED that the award of this Contract shall be subject to the Certification of the Borough's Chief Financial Officer as to the availability of funds for payment for same.

BE IT FURTHER RESOLVED that the award is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey.

**RESOLUTION NO. 11-28-16-01g RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GROTTO ENGINEERING ASSOCIATES, LLC FOR THE 2016 STORMWATER REPORTING FOR THE BOROUGH OF NORTH PLAINFIELD**

WHEREAS, the Borough of North Plainfield is in need of a Professional Engineer to provide assistance in the preparation of the Borough’s Annual Report and Certification on its Stormwater Pollution Prevention Plan (“SPPP”); and,

WHEREAS, Grotto Engineering Associates, LLC, with a principal place of business located at 340 North Avenue, Cranford, New Jersey 07016, is in the business of providing Engineering Services and previously submitted a proposal for the Project for the Borough of North Plainfield, Somerset County, New Jersey, dated October 26, 2016, in an amount not to exceed Six Thousand (\$6,000.00) Dollars; and,

WHEREAS, the Borough of North Plainfield is desirous of obtaining the services of Grotto Engineering Services, LLC to perform all of those services contemplated in the afore-referenced proposal.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that the Borough Council does hereby award said contract to Grotto Engineering Associates, LLC, 340 North Avenue, Cranford, New Jersey 07016 in an amount not to exceed Six Thousand (\$6,000.00) Dollars, and authorizes the Mayor and the Borough Clerk to sign and/or execute a Professional Services Agreement with Grotto Engineering Associates, LLC without the need for any further action of this Borough Council.

BE IT FURTHER RESOLVED that the award of this Contract shall be subject to the Certification of the Borough’s Chief Financial Officer as to the availability of funds for payment for same.

BE IT FURTHER RESOLVED that the award is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey.

**RESOLUTION NO. 11-28-16-01i AMENDED RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MOTT MACDONALD FOR GENERAL ENGINEERING SERVICES FOR CALENDAR YEAR 2016 FOR THE BOROUGH OF NORTH PLAINFIELD**

WHEREAS, the Borough of North Plainfield is in need of a Professional Engineer to provide certain General Engineering Services for the period between May 1, 2016 and April 30, 2017; and,

WHEREAS, the Borough of North Plainfield previously passed a resolution authorizing the Mayor and Borough Clerk to execute a professional services agreement with Hatch Mott MacDonald, with a principal place of business located at 11 Wood Avenue South, Iselin, New Jersey 08830, as it was in the

business of providing Engineering Services and previously submitted a proposal for 2016 General Engineering Services Budget for the Borough of North Plainfield, Somerset County, New Jersey; and,

WHEREAS, Hatch Mott MacDonald has changed its professional business name to Mott MacDonald; and,

WHEREAS, the Borough of North Plainfield is desirous of amending the authorizing resolution and the Professional Services Agreement to continue the services of Mott MacDonald to perform all of those services previously contemplated in the afore-referenced proposal.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that the Borough Council does hereby authorize the Mayor and Clerk to execute an Amended Professional Services Agreement to reflect the updated name of the contracted engineer to Mott MacDonald, with a principal place of business located at 11 Wood Avenue South, Iselin, New Jersey, without the need for any further action of this Borough Council.

BE IT FURTHER RESOLVED that the award of this Contract shall be subject to the Certification of the Borough's Chief Financial Officer as to the availability of funds for payment for same.

BE IT FURTHER RESOLVED that the award is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey.

**RESOLUTION NO. 11-28-16-01j RESOLUTION OF THE BOROUGH COUNCIL OF NORTH PLAINFIELD SUSPENDING THE BUSINESS HOUR RESTRICTION ON THE SALE OF ALCOHOLIC BEVERAGES AT CERTAIN PLENARY RETAIL CONSUMPTION LICENSEES' ESTABLISHMENTS**

WHEREAS, the Borough of North Plainfield has an ordinance prohibiting the sale of alcoholic beverages on January 1, New Year's Day, between the hours of 2:00 a.m. and 7:00 a.m. unless January 1<sup>st</sup> is a Sunday; and,

WHEREAS, the Borough has received written requests from The Bridge, Plenary Retail Consumption License No. 1814-33-001-003, and Dombar LLC, t/a International Club and Sports Bar, Plenary Retail Consumption License No. 1814-33-007-008 to allow the extension of their hours of operation on January 1, 2017 to better enable them to serve their clientele and to improve their receipts during difficult financial times; and

WHEREAS, The Bridge, Plenary Retail Consumption License No. 1814-33-001-003 and Dombar LLC, t/a International Club and Sports Bar, Plenary Retail Consumption License No. 1814-33-007-008 have requested permission to close at 3:00 a.m. on Sunday, January 1, 2017; and

WHEREAS, New Year's Eve generates a large amount of business for alcoholic beverage licensees in the Borough; and,

WHEREAS, the Borough wishes to grant the requests of The Bridge and International Club and Sports Bar to remain open until a later hour on January 1, 2017;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that the business hours restriction on the sale of alcoholic beverages is hereby suspended on January 1, 2017 to allow The Bridge, and International Club and Sports Bar to sell alcoholic beverages until last call at 2:00 a.m. with non-alcoholic sales permitted until 3:00 a.m. closing at that time.

**RESOLUTION NO. 11-28-16-01k** BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby adopt the following schedule as a schedule of agenda conferences and regular council meetings for the year 2017.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to post copies of said Schedule on the bulletin board in Borough Hall reserved for said purpose, to forward copies of same to the *Courier News, The Star Ledger, WKMB Radio, The Alternative Press* and the North Plainfield Memorial Library and to take such other steps as shall be required by law to comply with the Open Public Meetings Act.

*COUNCIL MEETING SCHEDULE*

Agenda Conferences and Regular Meetings of the Council of the Borough of North Plainfield for the year 2017 shall be held in the Council Chambers of the Municipal Building, 263 Somerset Street, North Plainfield, New Jersey. Agenda Conferences shall begin at 7:30 p.m., immediately followed by Regular Meetings. Executive Sessions and meetings of the Borough Council acting as the local Board of Health may be convened as announced. Said meetings shall be held on the following dates:

January	1	23
February	14	27
March	13	27
April	10	24
May	8	22
June	12	26
July	10	24
August	14	
September	11	25
October	10	23
November	13	27
December	11	

AND, BE IT FINALLY RESOLVED that the Borough Council will conduct its Biennial Organizational Meeting at 1:00 p.m., prevailing local time on January 1, 2017 in the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield.

**RESOLUTION NO. 11-28-16-01l** RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE CONTRACT CHANGE ORDER REQUEST NO. 1 AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH SUBURBAN CONSULTING ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PROPOSED FUELING FACILITY AT THE DEPARTMENT OF PUBLIC WORKS PROPERTY FOR THE BOROUGH OF NORTH PLAINFIELD



WHEREAS, the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, awarded a contract for Professional Engineering Services to Suburban Consulting Engineers, Inc., with a principal place of business located at 96 U.S. Highway 206, Suite 101, Flanders, New Jersey 07836 (“SCE”), and authorized the Mayor and the Borough Clerk to execute a contract with SCE on behalf of the Borough, with respect to the proposed fueling facility at the Department of Public Works Property; and,

WHEREAS, SCE, by letter dated October 28, 2016, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, has requested “Change Order Request No. 1” to amend the professional services contract for the design services of the fueling facility requesting the following additions for a lump sum payment of Ten Thousand Five Hundred Dollars (\$10,500.00):

- Soil sampling services performed by SCE’s Licensed Site Remediation Professional sub-consultant at site, evaluation of results and assessment;
- Soil analytical testing of three (3) soil samples at the project site; and,
- Evaluation and analysis of an underground storage tank versus an aboveground storage tank, including client meetings, cost estimates and field inspections.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Council hereby authorizes the Mayor and the Borough Clerk, on behalf of the Borough, to sign and/or execute Change Order Request No. 1, dated October 28, 2016, with Suburban Consulting Engineers, Inc. which Change Order Request is incorporated herein by reference as if same was fully set forth, without the need for any further action of this Borough Council.

BE IT FURTHER RESOLVED that the award of this Change Order Request No. 1 shall be subject to the Certification of the Borough’s Chief Financial Officer as to the availability of funds for payment for same.

BE IT FURTHER RESOLVED that the award is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey.

**RESOLUTION NO. 11-28-16-01m RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GROTTO ENGINEERING ASSOCIATES, LLC, FOR 2017 MUNICIPAL ENGINEERING SERVICES FOR THE BOROUGH OF NORTH PLAINFIELD**

WHEREAS, the Borough of North Plainfield is in need of a Borough Engineer to provide certain specified Engineering Services for the calendar year 2017; and,

WHEREAS, Grotto Engineering Associates, LLC, with a principal place of business located at 340 North Avenue, Cranford, New Jersey 07016, is in the business of providing Professional Engineering Services and previously submitted a proposal dated November 10, 2016, for Professional Services for the 2017 Municipal Engineering Services for the Borough of North Plainfield, Somerset County, New Jersey, a copy of which is on file with the Borough Clerk; and,

WHEREAS, the Borough of North Plainfield is desirous of obtaining the services of Grotto Engineering Associates, LLC, to perform all of those services contemplated in the afore-referenced proposal, a copy of which is on file in the Office of the Borough Clerk and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that the Borough Council does hereby award said contract to Grotto Engineering Associates, LLC, 340 North Avenue, Cranford, New Jersey, and authorizes the Mayor and the Borough Clerk to sign and/or execute a Professional Services Agreement with Grotto Engineering Associates, LLC, without the need for any further action of this Borough Council.

BE IT FURTHER RESOLVED that the award of this Contract shall be subject to the Certification of the Borough’s Chief Financial Officer as to the availability of funds for payment for same.

BE IT FURTHER RESOLVED that the award is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey.

**RESOLUTION NO. 11-28-16-01n PROVIDING FOR THE TRANSFER OF SURPLUS FUNDS**

WHEREAS, N.J.S. 40A:4-58 provides for the transfer of surplus funds from one account to the other during the last two months of the calendar year:

NOW, THEREFORE, BE IT RESOLVED By the Council of the Borough of North Plainfield that transfers be made in the Boroughs' 2016 budget appropriations in accordance with the following schedule:

BE IT FURTHER RESOLVED that this Resolution shall take effect upon adoption.

<u>A/C #</u>	<u>NAME</u>	<u>FROM</u>	<u>TO</u>
	<u>CURRENT FUND</u>		
23-220-200	Group Insurance	\$60,000.00	
20-155-200	Department of Law-OE		40,000.00
31-201-200	Contingent		5,000.00
31-461-200	Technology		5,000.00
27-330-200	Health		10,000.00
25-269-101	Fire-S&W	12,000.00	
25-269-299	Emergency Medical Services		8,000.00
26-315-222	Vehicle Maintenance-Fire		4,000.00
	Totals	<u>\$72,000.00</u>	<u>\$72,000.00</u>

**RESOLUTION NO. 11-28-16-01o RESOLUTION OF THE BOROUGH COUNCIL APPROVING FINAL PAYMENT #5 AND CHANGE WORK ORDER #1 TO FRED DEVENS CONSTRUCTION AND THE CLOSING OUT OF CONTRACT 2015-02, THE PROJECT KNOWN AS GERAUD AVENUE PUMP STATION**

WHEREAS, the Borough of North Plainfield previously awarded contract 2015-02 for certain improvements with regard to a project known as “Geraud Avenue Pump Station” (hereinafter referred to as the “Project”), said contract having been awarded to Fred Devens Construction, with an address of 403 Stonetown Road, Ringwood, New Jersey (hereinafter referred to as the “Contractor”); and,

WHEREAS, Kyle A. Smith, P.E., of Mott MacDonald (hereinafter referred to as the “Engineer”), on behalf of the Borough, has reviewed the Contractor’s submission for Final Payment #5 in the total amount of Fifteen Thousand Three Hundred Thirty-Six Dollars and Fifty-Nine Cents (\$15,336.59) and for the total closeout of the Project, which includes but may not be limited to, upon the Contractor submitting an appropriate Maintenance Bond, the release of any of the Contractor’s retained funds held by the Borough and the execution of any maintenance agreement for the Project; and,

WHEREAS, the Engineer, on behalf of the Borough, has reviewed the Contractor’s request for Change Order No. 1-Final, reducing the net amount of the completed project in the total amount of Sixteen Thousand Seven Hundred Fifty-Eight Dollars and Forty-One Cents (\$16,758.41); and,

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq., and the offices of Eric M. Bernstein & Associates, LLC has reviewed the Engineer’s and the Contractor’s submissions and accepts same based on the recommendations of the Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the request for Final Payment #5, dated November 2, 2016, and Closeout of the project known as Geraud Avenue Pump Station to Fred Devens Construction, is approved in the total amount of Fifteen Thousand Three Hundred Thirty-Six Dollars and Fifty-Nine Cents (\$15,336.59), which Final Payment Request and Closeout request is incorporated herein by reference as if same was fully set forth within, and payment for same is authorized to be made to the Contractor, without the need for any further action of this Borough Council; and,

BE IT FURTHER RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, Change Order Request No. 1-Final, dated November 2, 2016, with Fred Devens Construction, is approved reducing the net amount of the completed project in the total amount of Sixteen Thousand Seven Hundred Fifty-Eight Dollars and Forty-One Cents (\$16,758.41), which Change Order Request is incorporated herein by reference as if same was fully set forth within, without the need for any further action of this Borough Council.

BE IT FURTHER RESOLVED that this Resolution shall be subject to the Certification of the Borough’s Chief Financial Officer as to the availability of funds for payment for same.

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute all necessary documents to close out the Project, issue Final Payment #5 and approve Change Work Order #1.

**RESOLUTION NO. 11-28-16-01p** BE IT RESOLVED by the Council of the Borough of North Plainfield that the Tax Collector is hereby authorized and directed to create duplicate tax sale certificates as follows:

Block 101 Lot 51      220 Grove Street      Cert. #11-00114      Issued 09-20-11

**RESOLUTION NO. 11-28-16-01q** BE IT RESOLVED by the Council of the Borough of North Plainfield that the Tax Collector is hereby authorized and directed to create duplicate tax sale certificates as follows:

Block 83 Lot 10      36 Race Street	Cert. #04-00034	Issued 10-27-04
	Cert. #07-00060	Issued 12-18-07
	Cert. #08-00081	Issued 12-04-08
	Cert. #12-00107	Issued 10-23-12
	Cert. #14-00111	Issued 10-29-14

**RESOLUTION NO. 11-28-16-01r** WHEREAS, it has come to the attention of the Tax Collector that an overpayment in the amount of \$5,000.00 was made on the taxes of the property known as Block 160.01 Lot 22, also known as 170 Stahls Way; and

WHEREAS, said overpayment should be refunded;

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

Refund Real Estate Tax Overpayment:

Richard Gorman	\$5,000.00
170 Stahls Way	
North Plainfield, NJ 07060	

**RESOLUTION NO. 11-28-16-01s** WHEREAS, it has come to the attention of the Tax Collector that a Veteran Deduction was erroneously removed from the property known as Block 6.01 Lot 1.08, also known as 401 Highway 22, B1 Unit 8 for the period of 2012-2016; and

WHEREAS, said deduction should be valid;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield, that the Tax Collector is authorized to adjust and credit the deduction:

Credit of Veteran Deduction:

Lynwood Darden	\$1,500.00
401 Highway 22 Building 1 Unit 8	
North Plainfield, NJ 07060	

**RESOLUTION NO. 11-28-16-01t** BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby authorize the issuance of a license to drive a taxicab for two years, pursuant to N.P.R.G.O. 4-1 et seq., to the following in accordance with the applications heretofore submitted:

Jaime G. Rivera-Flores  
 9 Steiner Avenue  
 North Plainfield, NJ 07060

**RESOLUTION NO. 11-28-16-01u** 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 28<sup>th</sup> day of November, 2016 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

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

**RESOLUTION NO. 11-28-16-01h** RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ACCEPT CERTAIN IMPROVEMENTS AND RELEASE THE PERFORMANCE GUARANTEES POSTED BY THE DEVELOPER OF BLOCK 604, LOT 10, MOUNT PHOENIX INC., DOING BUSINESS AS KIDDIE ACADEMY

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Borough of North Plainfield to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Borough Engineer; and,

WHEREAS, John Ao, owner of Mount Phoenix Inc., the developer of Kiddie Academy of Watchung Square, with a main business address of 112 Nostrand Road, Hillsborough, New Jersey 08844, has deposited with the Borough of North Plainfield a performance guarantee which was to guarantee the completion of all improvements on the premises located at 325 North Drive in the Borough of North Plainfield, also known as Block 604, Lot 10, as show on the Tax Map of the Borough of North Plainfield; and,

WHEREAS, David J. Testa, P.E., C.M.E., C.P.W.M. of Grotto Engineering Associates, LLC, representing the Borough Engineer, has advised the Borough Business Administrator by letter dated November 8, 2016, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements have been completed and that the Borough Engineer recommends the acceptance of same and the release of the aforementioned performance, subject to the posting of a maintenance guarantee representing fifteen percent (15%) of the cost of the improvements, or Thirty-Two Thousand Two Hundred Ninety-Seven Dollars and Seventy Cents (\$32,297.70), as well as the payment of any outstanding engineering and administrative fees.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the improvements referred to above are hereby accepted as per the aforesaid correspondence of David J. Testa, P.E., C.M.E., C.P.W.M. and the full release of the Performance Guarantee for Mount Phoenix Inc. is hereby released, canceled and discharged.

BE IT FURTHER RESOLVED by the Borough Council that this Resolution shall not become effective unless and until the Borough of North Plainfield is furnished with the posting of a maintenance guarantee in the amount of fifteen percent (15%) of the cost of the improvements, or Thirty Two Thousand

Two Hundred Ninety-Seven Dollars and Seventy Cents (\$32,297.70) and payment of any outstanding engineering and administrative fees occurs.

Seconded by Mr. Righetti with Roll Call as follows:

Aye: Righetti, Schaefer, Singleterry, La Ronde  
 Nay: Stabile

Resolution carried 4-1.

**COMMUNICATIONS:**

<p>Somerset County Office of Public Information                  Somerville, NJ                  Richard K. Phoenix, RMC – Borough Clerk &amp;                  Chief Operator, WPQJ970 – 1630-AM Radio                  Tri-County Chamber of Commerce                  South Plainfield, NJ                  NJ State League of Municipalities                  Trenton, NJ                  NJ Dept. of Environmental Protection                  Trenton, NJ                  Plainfield Area Humane Society                  Plainfield, NJ                  Sustainable Raritan River Coalition                  New Brunswick, NJ                  NJ Highlands Coalition                  Boonton, NJ                  Nick Ciampa, Fleetwood Camera Museum                  NJ State Treasurer                  Trenton, NJ                  Cathy Reese, Township Clerk                  Warren Twp., NJ                  NJ State Treasurer, Trenton, NJ</p>	<p>Various Communications, Advisories and                  News Releases                  Calendar Updates and Advisories; Time-Sensitive                  Radio Scripts                  Newsletters and Advisories                    Newsletters and Advisories                    Various Newsletters and Advisories                    Report and Invoicing                    Newsletters                    Newsletters                    Lights of Washington Park book                  Report of Hotel/Motel Tax Revenue                    Local ABC fee questionnaire                    Hotel/Motel Occupancy Tax Report</p>
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**REQUESTS FOR AGENDA ITEMS:** None.

**PUBLIC COMMENT:**

Frank D’Amore, Sr., 40 Willow Avenue, North Plainfield, commented on the Master Plan, specifically calling for the inclusion of an Historic Element.

**COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:**

Mayor Giordano thanked the Special Events Committee for their efforts with Santa Comes to Town and the Recreation Committee for their efforts with the exterior decorations and lights.

Mr. Hollod announced that Budget Hearings are scheduled for December 9 at 9:30 a.m. in the newly renovated conference room.

Mr. Righetti thanked all of the volunteers for their efforts with Santa Comes to Town and Mr. Stabile echoed those sentiments.

The Council President announced that the joint meeting with the Board of Education on December 12, 2016 would be held at the community center.

Motion to adjourn by Mr. Righetti, seconded by Ms. Schaefer and carried unanimously.

Meeting adjourned at 8:11 p.m.

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Borough Clerk

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Council President