

DRAFT MINUTES

These are the Draft Minutes of the Regular Meeting of the North Plainfield Borough Council held on Monday, 12 June 2017. 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, **June 12, 2017** at 7:44 p.m. at the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

Mr. Phoenix read the following notice:

NOTICE: *An Executive Session on the topic of **Attorney/Client Privilege** is scheduled to be called at the close of regular business of this meeting. It is anticipated that recess for the Executive Session may be called approximately fifteen minutes following the convening of the Regular Meeting. Following the Executive Session, formal action may be taken.*

PRESENT:

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

Also Present: David E. Hollod, Business Administrator
Eric M. Bernstein, Esq., Borough Attorney
Richard K. Phoenix, RMC, Borough Clerk
Stephanie Sherwood, RMC, CMR, Deputy Clerk

The Council President 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 November 28, 2016. 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 November 29, 2016, by publication of the announcement in the

Courier News on December 1, 2016 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 May 22, 2017.

Council President La Ronde called for a Roll Call on the minutes of the Agenda Conference and Regular Meeting of May 22, 2017: All in favor.

The Council President recognized the following appointment:

APPOINTMENTS BY MAYOR NOT REQUIRING COUNCIL CONFIRMATION:

SPECIAL EVENTS ADVISORY COMMITTEE:

Alba Soto

Three-year unexpired term

HEARING:

ORDINANCE NO. 17-10 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER X ENTITLED "BUILDING AND HOUSING," ARTICLE I ENTITLED "STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY," SECTION 10-1.2 ENTITLED "FEES FOR A CONSTRUCTION PERMIT"

The Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Ms. Miller, seconded by Mr. Stabile and on Roll Call carried all six voting aye.

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

RESOLUTION NO. 06-12-17-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 17-10 be adopted and advertised as required by statute.

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

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

RESOLUTION NO. 06-12-17-02 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 17-11 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing June 26, 2017 at 7:30 p.m. or as soon thereafter as the matter can be heard, as the time and the North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey as the place for hearing and final adoption.

Seconded by Ms. Miller and on Roll Call carried all six voting aye.

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 17-11 AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING CERTAIN SECTIONS OF THE NORTH PLAINFIELD BOROUGH CODE BY ADDING A SECTION TO THE NORTH PLAINFIELD BOROUGH CODE AS TO CHAPTER 3, "POLICE REGULATIONS," BANNING THE SALE OF DOGS AND CATS

Ms. Miller presented the following Resolution and moved its adoption:

RESOLUTION NO. 06-12-17-03 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance entitled: ORDINANCE NO. 17-12, BOND ORDINANCE PROVIDING FOR VARIOUS 2017 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, APPROPRIATING \$2,296,000 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$223,500) AND AUTHORIZING THE ISSUANCE OF \$1,968,875 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF, heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 26th day of June, 2017 at 7:30 o'clock, p.m., or as soon thereafter as the matter can be reached, at the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Seconded by Ms. Schaefer and on Roll Call carried all six voting aye.

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 17-12 BOND ORDINANCE PROVIDING FOR VARIOUS 2017 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, APPROPRIATING \$2,296,000 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$223,500) AND AUTHORIZING THE ISSUANCE OF \$1,968,875 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

RESOLUTION NO. 06-12-17-04 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 17-13 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing June 26, 2017 at 7:30 p.m. or as soon thereafter as the matter can be heard, as the time and the North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey as the place for hearing and final adoption.

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

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 17-13 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VI ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE IV ENTITLED "REGULATION OF LICENSES"

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.

Ms. Schaefer presented the following Resolution and moved its adoption:

RESOLUTION NO. 06-12-17-05 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

06-12-17-05a, b, c, d, e

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

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

APPROVED RESOLUTIONS:

RESOLUTION NO. 06-12-17-05a REQUESTING APPROVAL OF INSERTION OF \$15,459.02 THE 2017 BUDGET REVENUE AVAILABLE FROM THE MUNICIPAL ALLIANCE PROGRAM GRANT

WHEREAS, N.J.S. 40:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough of North Plainfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$15,459.02 which item is now available as revenue from the Municipal Alliance Program Grant.

BE IT FURTHER RESOLVED that a like sum of \$15,429.02 be and the same is hereby appropriated under the caption of Municipal Alliance Program Grant, and

BE IT FURTHER RESOLVED that the sum of \$3,864.75 representing the amount required for the borough's share of the aforementioned undertaking or improvement appears in the budget of the year 2017 under the caption of Municipal Alliance-Matching Funds and is hereby appropriated under the caption of Municipal Alliance Program Grant-Matching Funds. (Sheet 24)

RESOLUTION NO. 06-12-17-05b 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 97 Lot 9	15 Linden Ave.	Cert. #09-00282	Issued 10-01-09
		#11-00102	Issued 09-20-11
		#13-00150	Issued 12/04/13
		#14-00132	Issued 10/29/14
Block 101 Lot 45	208 Grove Street	Cert. #12-00139	Issued 10-23-12
Block 143 Lot 19	100-106 Sycamore Ave.	Cert. #06-00092	Issued 06-29-06

RESOLUTION NO. 06-12-17-05c WHEREAS, Guillermo Rivera inadvertently paid the second Quarter Tax balance on Block 156.01 Lot 28, he has requested refund of that payment, and;

WHEREAS, Corelogic had already paid the tax balance as they should have;

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

Refund Homeowner Erroneous Tax Payment:

Guillermo Rivera	\$ 458.82
189 Martins Way	
North Plainfield, NJ 07060	

RESOLUTION NO. 06-12-17-05d WHEREAS, the following organization has been issued identification number 352-5-31277 by the New Jersey Legalized Games of Chance Control Commission and has submitted applications to conduct raffles; and

WHEREAS, investigation has shown that this organization meets the requirements for the issuance of raffles licenses;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be and is hereby authorized to issue raffles licenses to the following:

North Plainfield Youth Sports Association

233 Henry Court, North Plainfield

Off-Premises cash draw raffles:

RL – 1155

On-premises 50-50 cash draw raffles:

RL - 1156, June 28, 2017

RL - 1157 , July 8, 2017; rain: July 9, 2017

RL - 1158, July 17, 2017

RL - 1159, October 7, 2017

RESOLUTION NO. 06-12-17-05e 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 12th day of June, 2017 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

COMMUNICATIONS:

Somerset County Office of Public Information
Somerville, NJ
Richard K. Phoenix, RMC – Borough Clerk &
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
Highlands Coalition
Boonton, NJ
Frank N. D’Amore Sr., North Plainfield
NJ Transit, Hoboken, NJ
Tina Totten, North Plainfield
NJ Local Technology Assistance Program
New Brunswick
Sustainable Jersey, New Brunswick
NJ Healthcare Quality, Trenton, NJ
Hon. Leonard Lance, Westfield, NJ
Executive Media Group, Washington, DC
Plainfield Area Regional Sewerage Authority
Middlesex, NJ
Somerset Co. Sheriff, Somerville, NJ
NJ State Dept. of Transportation, Trenton, NJ
Capehart Scatchard, P.C.
Mount Laurel, NJ
FEMA, Washington, DC

Various Communications, Advisories and
News Releases
Calendar Updates and Advisories; Time-Sensitive
Radio Scripts
Newsletters and Advisories

Newsletters and Advisories

Various Newsletters and Advisories

Newsletters

Property Maintenance Memos
Summer Track Repair Advisory
Green Brook Flood Control Meeting
Newsletter(s)

Conference & Awards Ceremony
Mayors’ Wellness Campaign
Town Hall Meeting Advisory
Cuts in Community Development Block Grants
Meeting Minutes & Agenda

Flag Day Festival
Municipal Aid for Sandford Ave. Improvement
NJ Public Entity Law Monthly

Prepare for Hurricane Season

Tri-County Chamber of Commerce, South Plainfield	Newsletters
Gerry Montague, Ridewise, Bridgewater	Safe Routes to School Silver Award
NJ American Water, Voorhees, NJ	Water Quality Report
Det. Eric Fowler, North Plainfield Police Dept.	Invitation to DARE Graduation
Verizon, Newark, NJ	Newsletter
Ken Wedeen, Somerset Co. Planning Bd.	Raritan Valley Rail Coalition Press Release
Somerville, NJ	

REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENT:

Frank D'Amore, Sr., 40 Willow Avenue, North Plainfield, thanked Administration for the flags installed around Memorial Park.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Speaking on behalf of Mayor Giordano, Mr. Hollod thanked those that attended the Memorial Day ceremonies. The Summerfest kickoff will be held June 17 and will include live music and a movie, he concluded.

Mr. Merrill thanked the PBA for the generous donation to Project Graduation, noting that they had raised the money at a charity softball tournament.

Ms. Miller presented the following Resolution and moved its adoption:

RESOLUTION NO. 06-12-17-06 BE IT RESOLVED by the Council of the Borough of North Plainfield that prior to the adjournment of this meeting it shall convene in executive session from which the public will be excluded for the purpose of discussion on:

ATTORNEY/CLIENT PRIVILEGE

Exclusion of the public for this purpose is specifically permitted by N.J.S.A. 10:4-6 et seq. The contents of this discussion will not be disclosed until such time as the disclosure of same will not adversely affect the public interest and upon resolution of the Council. Formal action may be taken following end of executive session.

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

EXECUTIVE SESSION

Motion to come out of Executive Session by Mr. Stabile, seconded by Mr. Merrill and carried unanimously.

Council President La Ronde reconvened the meeting at 8:40 p.m. with all seven council members present.

Mr. Bernstein explained that discussion items of the Executive Session included the Borough COAH obligations and process involved in a certain Plenary Retail Consumption License renewal.

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

Meeting adjourned at 8:44 p.m.

Borough Clerk

Council President