

# ***DRAFT MINUTES***

*These are the Draft Minutes of the Regular Meeting of the North Plainfield Borough Council held on Monday, 10 July 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, **July 10, 2017** at 7:32 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 (absent – excused)  
Keiona R. Miller (7:33 p.m.)  
Frank Righetti  
Wendy Schaefer  
Douglas M. Singleterry (absent – excused)  
Frank “Skip” Stabile  
Lawrence La Ronde, Council President

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

The Pledge of Allegiance to the Flag was led by Ms. Schaefer.

Council President La Ronde requested a moment of silence for the men and women serving in our Armed Forces.

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, Board of Health, and Regular Meeting of June 26, 2017.

Council President La Ronde called for a Roll Call on the minutes of the Agenda Conference, Board of Health, and Regular Meeting of June 26, 2017:

Aye: Miller, Schaefer, Stabile, La Ronde

Abstain: Righetti

### **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. 07-10-17-01** BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

07-10-17-01a, b, c, d, e, f, g, h

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. 07-10-17-01a** RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GROTTO ENGINEERING ASSOCIATES, LLC FOR THE 2017 EMERGENCY ON-CALL REPAIR CONTRACT FOR THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield is in need of a Professional Engineer to prepare bid specifications for emergency on-call repair services (the "Project"); and,

WHEREAS, Grotto Engineering Associates, LLC, with its 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 March 20, 2017, in an amount of Two Thousand Seven Hundred Dollars (\$2,700.00) per set of bid specifications; 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, a copy of said proposal being maintained in the Office of the Borough Clerk, the contents of which are incorporated herein.

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 Two Thousand Seven Hundred Dollars (\$2,700.00) per set of bid specifications 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. 07-10-17-01b RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH GROTTTO ENGINEERING ASSOCIATES, L.L.C. FOR THE CAPITAL ROAD IMPROVEMENTS FOR VARIOUS ROADS IN THE BOROUGH OF NORTH PLAINFIELD**

WHEREAS, the Borough of North Plainfield is in need of certain professional services relating to improvements to various streets in the Borough of North Plainfield under the 2017 Capital Road Improvements Project (hereinafter referred to as the "Project"); and,

WHEREAS, Grotto Engineering Associates, LLC, with its 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 March 20, 2017, in the total amount not to exceed Seventy-Four Thousand Dollars (\$74,000.00) (Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00) for Design Documents and Forty-Six Thousand Five Hundred Dollars (\$46,500.00) for Bid Support, Contract Administration and Inspection); 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, a copy of said proposal being maintained in the Office of the Borough Clerk, the contents of which are incorporated herein.

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-Four Thousand Dollars (\$74,000.00) as per Grotto's proposal 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. 07-10-17-01c RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MOTT MACDONALD AMENDING THE GENERAL ENGINEERING SERVICES BUDGET FOR CALENDAR YEARS 2016-2017 FOR THE BOROUGH OF NORTH PLAINFIELD**

WHEREAS, the Borough of North Plainfield was 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 Mott MacDonald, with its principal place of business located at 3 Paragon Way, Freehold, New Jersey 07728, as it was in the business of providing Engineering Services and previously submitted a proposal for 2016-2017 General Engineering Services with a Budget limit of Two Hundred Sixteen Thousand Five Hundred Dollars (\$216,500.00); and,

WHEREAS, Mott MacDonald did perform Engineering Services for the Borough of North Plainfield for a period between May 1, 2016 and April 30, 2017; and,

WHEREAS, Mott MacDonald by way of letter dated June 20, 2017, claims to have incurred expenses for said services in a total of Two Hundred Twenty-Five Thousand Two Hundred Fifty Dollars (\$225,250.00), a copy of said letter being maintained in the Office of the Borough Clerk, the contents of which are incorporated herein; and,

WHEREAS, the Borough of North Plainfield is desirous of amending the authorizing resolution and the Professional Services Agreement to raise the budget limit to Two Hundred Twenty-Five Thousand Two Hundred Fifty Dollars (\$225,250.00) to compensate Mott MacDonald for those costs incurred performing Engineering Services for a total increase of Eight Thousand Seven Hundred Fifty Dollars (\$8,750.00).

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 increased amount of the budget in said Agreement from Two Hundred Sixteen Thousand Five Hundred Dollars (\$216,500.00)

to Two Hundred Twenty-Five Thousand Two Hundred Fifty Dollars (\$225,250.00), with a total increase of Eight Thousand Seven Hundred Fifty Dollars (\$8,750.00).

BE IT FURTHER RESOLVED that the execution of this Amended Professional Services Agreement 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. 07-10-17-01d RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AMENDED PROFESSIONAL SERVICES AGREEMENT WITH MOTT MACDONALD EXTENDING THE 2016-2017 GENERAL ENGINEERING SERVICES AGREEMENT WITH THE BOROUGH OF NORTH PLAINFIELD**

WHEREAS, the Borough of North Plainfield was 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 Mott MacDonald, with its principal place of business located at 3 Paragon Way, Freehold, New Jersey 07728, as it was in the business of providing Engineering Services and previously submitted a proposal for 2016-2017 General Engineering Services for the period between May 1, 2016 and April 30, 2017; and,

WHEREAS, Mott MacDonald did perform Engineering Services for the Borough of North Plainfield for a period between May 1, 2016 and April 30, 2017; and,

WHEREAS, Mott MacDonald, by way of letter dated June 20, 2017, requests that this period be extended through August 31, 2017, with a total cost to the Borough of Forty-Six Thousand Dollars (\$46,000.00) (Task One being Twenty-One Thousand Dollars (\$21,000.00) and Task Two being Twenty-Five Thousand Dollars (\$25,000.00)), a copy of said letter being maintained in the Office of the Borough Clerk, the contents of which are incorporated herein; and,

WHEREAS, the Borough of North Plainfield is desirous of amending the authorizing resolution and the Professional Services Agreement to extend the period of the Agreement through August 31, 2017 for a total sum of Forty-Six Thousand Dollars (\$46,000.00).

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 extension of time for the Agreement through August 31, 2017 for a total sum of Forty-Six Thousand Dollars (\$46,000.00).

BE IT FURTHER RESOLVED that the execution of this Amended Professional Services Agreement 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. 07-10-17-01e RESOLUTION OF THE BOROUGH COUNCIL APPROVING PAYMENT NO. 4 (FINAL) AND THE CLOSING OUT OF THE CONTRACT AND RELEASE OF RETAINAGE TO YOUR WAY CONSTRUCTION INC. FOR THE PROJECT KNOWN AS SOMERSET STREET & PEARL STREET MUNICIPAL PARKING LOT**

WHEREAS, the Borough of North Plainfield previously awarded a contract for certain municipal parking lot improvements with regard to a project known as "Somerset Street & Pearl Street Municipal Parking Lot" (hereinafter referred to as the "Project"), with said contract having been awarded to Your Way Construction Inc., whose main offices are located at 404 Coit Street, Irvington, New Jersey 07111 (hereinafter referred to as the "Contractor"); and,

WHEREAS, David J. Testa, P.E., C.M.E., C.P.W.M., of Grotto Engineering Associates, LLC (hereinafter referred to as the "Engineer"), on behalf of the Borough, has reviewed the Contractor's submission for Payment No. 4 (Final) in the total amount of Six Thousand Six Hundred Two Dollars and Thirty-Seven Cents (\$6,602.37) and for the total closeout of the Project, which includes the release of any of the Contractor's retained funds held by the Borough for the Project; and,

WHEREAS, the Engineer, on behalf of the Borough, has reviewed the Contractor's request for Payment No. 4, reducing the net amount of the completed project in the total amount of One Thousand Five Hundred Seven Dollars and Thirty-Seven Cents (\$1,507.37) to One Hundred Seventy Thousand Six Hundred Seventy-Six Dollars and Fifty-Two Cents (\$170,676.52); and,

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq., and the offices of Eric M. Bernstein & Associates, L.L.C. 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 Payment No. 4 (Final), dated June 23, 2017, and Closeout of the Project known as Somerset Street & Pearl Street Municipal Parking Lot, which includes the release of any retainage held by the Borough, is approved in the total amount of Six Thousand Six Hundred Two Dollars and Thirty-Seven Cents (\$6,602.37), 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 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 award is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey.

**RESOLUTION NO. 07-10-17-01f** RESOLUTION AUTHORIZING THE MAYOR AND/OR THE MAYOR AND BOROUGH CLERK AND/OR THE BOROUGH ADMINISTRATOR TO ACT AND EXECUTE AGREEMENTS ON BEHALF OF THE BOROUGH DURING THE TIME THE BOROUGH COUNCIL IS NOT IN SESSION

WHEREAS, there are certain periods of time when the North Plainfield Borough Council is not in session and no meetings are scheduled and/or held by the Borough Council; and,

WHEREAS, during such time when the Borough Council is not in session, or where otherwise appropriate and/or necessary, certain actions may need to be taken by the Borough of North Plainfield with respect to paying bills, executing agreements and other such items; and,

WHEREAS, the Borough Council will only be holding two (2) meetings during the time period between July 10, 2017 and September 11, 2017; and,

WHEREAS, the Borough wishes to authorize the Mayor and/or the Mayor and Borough Clerk and/or the Borough Administrator to take any necessary action on behalf of the Borough during the time the Borough Council is not in session including, but not limited to, paying bills and executing agreements on behalf of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Mayor and/or the Mayor and Borough Clerk and/or the Borough Administrator are hereby authorized to pay bills, execute any and all agreements and/or take any other action on behalf of the Borough that becomes necessary during the time the Borough Council is not in session and no meetings are scheduled and/or held by the Borough Council.

**RESOLUTION NO. 07-10-17-01g** 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 75 Lot 22                      490 Somerset St.                      Certificate # 10-00064                      Issued 08/25/10

**RESOLUTION NO. 07-10-17-01h** 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 10<sup>th</sup> day of July, 2017 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

**HEARING:**

RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1814-33-007-008  
(DOMBAR LLC, d/b/a INTERNATIONAL CLUB & SPORTS BAR)

The Clerk read the above title.

Mr. Bernstein conducted the hearing, explaining that it was a continuation as the objector's presentation had been started at the July 10, 2017 meeting.

Mr. Stephen A. Caputo, Esq. identified himself as representing Dombar LLC, while Mr. Phillip Rosenbach, Esq. advised that he was representing the owners of Somerset Square.

Joshua Smallwood, Jr., stated that he is a security officer at the International Club & Sports Bar stationed at the main entrance to check ID's. He explained that Mr. Long had installed an eight foot fence between the properties which prohibits their view into the Somerset Square parking lot and does not allow them to stop their patrons from illegally parking there. Under questioning from Mr. Caputo, he explained that a large fight had occurred in 2016, although it was not clear if all of the participants were their patrons.

Danny Dominguez, manager of the International Club & Sports Bar, began by responding to and disagreeing with several portions of Mr. Long's affidavit. Referencing the surveillance videos provided by Mr. Long, he assured that most late-night traffic in the Somerset Square parking lot was due to taxicabs. Addressing Mr. Long's notion that Somerset Square maintains a safe shopping environment, he advised that shoplifting, disorderly persons, loitering and public urination often occur overnight because the Quick Chek remains open twenty-four hours. He further advised that five arrests had been made in Quick Chek since the last meeting. Addressing Mr. Long's statement that beer bottles found on his property could only have come from the bar patrons, Mr. Dominguez chose to conduct his own surveys of the property. Over several weeks' time, he detailed having found just a few beer bottles, noting that he does not sell beer cans.

Addressing the Computer Aided Dispatch records he had submitted as evidence, Mr. Dominguez conceded that 2014 saw the heaviest police call volume, mostly due to various events held by renters of the banquet hall. He advised of a carjacking and shooting which occurred in the Quick Chek parking lot during his establishment's off hours. Police calls to his establishment had subsided each year since then, he reported. Detailing aspects of his TIPS (training for intervention procedures) certification, he assured that he has made every effort to maintain a clean and safe establishment.

RECESS:

Mr. Bernstein called for a recess at 8:35 p.m., with the hearing being reconvened at 8:45 p.m., all Council Members again marked present that were present at the initial roll call.

RECONVENE:

Mr. Bernstein advised that Councilman Righetti would recuse himself as he had not reviewed all of the evidence and did not attend the previous meeting.

Mr. Dominguez shared his concerns with the surveillance videos Mr. Long provided, specifically that they may have been edited. Illegal parking at Somerset Square has occurred for years and lack of adequate signage only exacerbates the issue. Stressing that his patrons are advised never to park in Mr. Long's lot, he further noted that he had installed signs on his property indicating same. Taxicabs to and from his business are asked to use his driveway, he concluded.

Mr. Bernstein called for a brief sidebar at 9:10 p.m. with Messrs. Caputo and Rosenbach, and reconvened the hearing at 9:12 p.m.

Mr. Dominguez voiced his displeasure with Mr. Long's claim that all of the problems in the Somerset Square lot are a direct result of his establishment. Again stressing that he and Mr. Weber have made every effort to run a good, clean establishment, he reported that nothing short of closing his business would be satisfactory to Mr. Long.

RECESS:

Mr. Bernstein called for a recess at 9:48 p.m., with the hearing being reconvened at 9:53 p.m., all Council Members again marked present that were present at the initial roll call. Mr. Righetti again recused himself.

RECONVENE:

Mr. Bernstein presented to Messrs. Caputo and Rosenbach a Notice of Final Decision between Dombar, LLC and ABC.

Mr. Caputo began by stating that a great deal of testimony had been heard and a great amount of evidence submitted. Mr. Long's claim that all problems in the Somerset Square shopping center are a direct result of the International Club & Sports Bar is simply not true. He noted that the Somerset Square parking lot is adjoined by another licensed establishment and a package goods store is a little over a block away. Messrs. Dominguez and Weber have made every effort to run a clean and safe establishment. They do not allow illicit events and they have even made improvements to the immediate surrounding area.

Mr. Rosenbach began by stating that a liquor license is a privilege in New Jersey. The license holder is responsible for the patrons' activities directly outside of the establishment and the videos disclose that there have been incidents on his client's property. Liquor-licensed establishments must be held to a high standard and the International Club & Sports Bar is not meeting that standard.

Motion to close public hearing by Mr. Stabile, seconded by Ms. Schaefer and on voice vote carried all four in favor.

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

**RESOLUTION NO. 07-10-17-02** 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 four voting aye.

#### EXECUTIVE SESSION

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

Council President La Ronde reconvened the meeting at 11:16 p.m. with all four council members present.

Mr. Bernstein read the following Resolution:

**RESOLUTION NO. 07-10-17-03 WHEREAS**, the Applicant below has applied for a renewal of its Plenary Retail Consumption License for the period of July 1, 2017 through June 30, 2018 and the submitted application forms are complete; and,

WHEREAS, an objection was raised by a neighboring property owner as to the propriety of the Applicant's renewal of his liquor license, in which evidence and testimony were presented by both the objector and the Applicant; and,

WHEREAS, during the hearing Applicant, through his counsel, admitted that he had submitted deliberately misleading applications to the State ABC and the Borough of North Plainfield for renewal by failing to disclose a fifty (50%) percent owner of the Applicant in 2014, 2015, 2016 and 2017, until a correct application in conjunction with a change of ownership application was filed on June 15, 2017; and,

WHEREAS, after hearing all of the testimony and receiving all of the evidence and after having deliberated as to the application, the Borough Council of the Borough of North Plainfield determined that the objector's evidence/testimony did not meet the standard for a finding of the preponderance of credible evidence to deny the license renewal of Applicant, but the Applicant's applications for renewal in 2014, 2015, 2016 and 2017 were deliberately misleading as to ownership of the Applicant that shows violations of N.J.S.A. 33:1-25 and N.J.A.C. 13:2-2.14(a) and N.J.A.C. 13:2-2.14(b).

WHEREAS, based on prior written agreement with the State ABC that resulted in disciplinary penalties being imposed, the Borough Council determined the violations of Title 33 of New Jersey Statutes and Title 13 of the New Jersey Administrative Code were second (2<sup>nd</sup>) violations; and,

WHEREAS, the Borough Council found the actions of the Applicant guilty as to its renewal applications as set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey as licensing authority renews the retail consumption license of the Applicant DOMBAR, LLC – International Club and Sports Bar, 403 Somerset Street, North Plainfield, New Jersey for the period of July 1, 2017 through June 30, 2018 (License No. 1814-33-007-008); and,

NOW THEREFORE, BE IT FURTHER RESOLVED that Applicant is found guilty, as second (2<sup>nd</sup>) violations of the following:

- (1) N.J.S.A. 33:1-25 and N.J.A.C. 13:2-2.14(a) – Failure to timely notify of a change in fact on the license application – three (3) days;
- (2) N.J.S.A. 33:1-25 and N.J.A.C. 13:2-2.14(b) – Failure to notify of a corporate structure change – three (3) days; and,
- (3) N.J.S.A. 33:1-25 – Failure to disclose or false, misleading or inaccurate answer to a question on an application, which would not by itself result in a disqualification for license - twenty (20) days;

for a total of twenty-six (26) days.

Said days will be held in abeyance pending the Applicant making a timely appeal to the State ABC. If no such appeal is filed, then the Borough Council shall establish the suspension period and require the surrender of the Applicant's ABC license for the period in question.

Motion to adopt Resolution No. 07-10-17-03 by Mr. Stabile, seconded by Ms. Schaefer and carried unanimously.

### **COMMUNICATIONS:**

Somerset County Office of Public Information  
Somerville, NJ  
Richard K. Phoenix, RMC – Borough Clerk &  
Chief Operator, WPQJ970 – 1630-AM Radio  
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  
NJ Local Technology Assistance Program  
New Brunswick  
Capehart Scatchard, P.C.  
Mount Laurel, NJ  
Tri-County Chamber of Commerce, South Plainfield  
Brookfort Dog & Cat Rescue Resort  
North Plainfield  
Berman Rosenbach, P.C.  
Morristown, NJ  
Jim McGreevey

Various Communications, Advisories and  
News Releases  
Calendar Updates and Advisories; Time-Sensitive  
Radio Scripts  
Newsletters and Advisories  
Newsletters and Advisories  
Various Newsletters and Advisories  
Property Maintenance Memos  
Summer Track Repair Advisory  
Newsletter(s)  
NJ Public Entity Law Monthly  
Newsletters  
Supporting Ordinance No. 17-11  
Opposition to Renewal of PRC Lic. No.  
1814-33-007-008  
Class of 2017 Graduation Ceremony

Jersey City, NJ  
Larry Cohen, Humane Society of US  
Henry Long, Somerset Square, North Plainfield  
Steven A Caputo, Esq.  
Plainfield, NJ

Opposing Puppy Mills  
Recording, Transcription of Conversations  
Subpoena *Duces Tecum* re: renewal of  
PRC Lic. No. 1814-33-007-008

**REQUESTS FOR AGENDA ITEMS:** None.

**PUBLIC COMMENT:**

Frank D’Amore, Sr., 40 Willow Avenue, North Plainfield, thanked all of the volunteers for their efforts with Community Day at West End School.

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

The Mayor thanked everyone for the success of North Plainfield Community Day. He announced several events including the July 17 Car Cruise, the July 21 North Plainfield Day at the Somerset Patriots ballpark, and the July 22 concert and movie night at Vermeule.

Ms. Schaefer noted the success of North Plainfield Community Day. Concurring with Ms. Schaefer, Councilman Stabile recognized Joe Irovando’s efforts with the parade and Community Day.

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

Meeting adjourned at 11:23 p.m.

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Borough Clerk

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Council President