

# ***DRAFT MINUTES***

*These are the Draft Minutes of the Regular Meeting  
of the North Plainfield Borough Council held on Monday, 23 April 2018.*

*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, **April 23, 2018** at 7:46 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  
Frank Righetti (absent – excused)  
Wendy Schaefer (absent – excused)  
Douglas M. Singleterry  
Frank “Skip” Stabile  
Lawrence La Ronde, Council President

Also Present: Michael Giordano, Jr., Mayor  
Frank Puccio, Esq., Associate Borough Attorney  
Richard K. Phoenix, RMC, Borough 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 27, 2017. 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 28, 2017 by publication of the announcement in the *Courier News* of December 1, 2017 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 Regular Meeting of April 9, 2018.

The Council President called for a Roll Call on the minutes of the Regular Meeting of April 9, 2018: All in favor.

## **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 presented the following Resolution and moved its adoption:

**RESOLUTION NO. 04-23-18-01** BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

04-23-18-01 a, 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. Singleterry and on Roll Call carried all four voting aye.

**APPROVED RESOLUTIONS:**

**RESOLUTION NO. 04-23-18-01a** RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF GREEN BROOK WHEREIN THE BOROUGH OF NORTH PLAINFIELD WILL TRANSFER A BUCKET TRUCK TO THE TOWNSHIP OF GREEN BROOK AND THE TOWNSHIP OF GREEN BROOK WILL PROVIDE THE USE OF THE BUCKET TRUCK AND ITS OPERATOR TO THE BOROUGH OF NORTH PLAINFIELD TWELVE (12) DAYS PER YEAR

WHEREAS, the Borough of North Plainfield is the owner of a GMC C7500 Bucket Truck VIN#1GDM7H1C5YJ516375 (“Bucket Truck”); and,

WHEREAS, the Borough of North Plainfield has limited use for the Bucket Truck; and,

WHEREAS, the Township of Green Brook is in need of a bucket truck similar to the Bucket Truck owned by the Borough of North Plainfield; and,

WHEREAS, the Borough of North Plainfield is desirous of transferring ownership of the Bucket Truck to the Township of Green Brook in exchange for the use of the Bucket Truck and its operator on twelve (12) days per year as contemplated in the proposed Shared Services Agreement, a copy of said Agreement being maintained in the Office of the Borough Clerk, the contents of which are incorporated herein; and,

WHEREAS, this proposed transfer of the Bucket Truck is authorized by N.J.S.A. 40A:12-13(b).

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 agree to enter into said Shared Services Agreement with the Township of Green Brook for the transfer of its GMC C7500 Bucket Truck VIN#1GDM7H1C5YJ516375 to the Township of Green Brook in exchange for the Township

of Green Brook providing use of the Bucket Truck and its operator to the Borough of North Plainfield on twelve (12) days per year as authorized by N.J.S.A. 40A:12-13(b) and as set forth in the proposed Shared Services Agreement. The Borough Council also authorizes the Mayor and the Borough Clerk to sign and/or execute a Shared Services Agreement with the Township of Green Brook without the need for any further action of this Borough Council.

BE IT FURTHER RESOLVED that the transfer of the Bucket Truck is made pursuant to and consistent with the Local Public Contracts Laws and other applicable Laws of the State of New Jersey.

**RESOLUTION NO. 04-23-18-01b RESOLUTION OF THE BOROUGH COUNCIL DESIGNATING BOROUGH OF NORTH PLAINFIELD POLICE OFFICERS AS HUMANE LAW ENFORCEMENT OFFICERS FOR THE BOROUGH OF NORTH PLAINFIELD**

WHEREAS, pursuant to *P.L. 2017, Chapter 331*, the State of New Jersey transferred the power of humane law enforcement from the New Jersey Society for the Prevention of Cruelty to Animals to the county prosecutor in each county and required the designation of a municipal humane law enforcement officer in each municipality with an existing police department; and,

WHEREAS, as the Borough of North Plainfield has an existing police department, it must designate a law enforcement officer from the North Plainfield Police Department as a Humane Law Enforcement Officer; and,

WHEREAS, the North Plainfield Police Department desires to appoint two (2) police officers, one (1) from each platoon, as the Borough's Humane Law Enforcement Officers; and,

WHEREAS, on April 5, 2018, North Plainfield Police Chief William G. Parenti issued North Plainfield Police Department Personnel Order PO-18-07, assigning Police Officers Robert Kropewnicki and William Parenti, Jr. as North Plainfield's Humane Law Enforcement Officers.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, pursuant to *P.L. 2017, Chapter 331*, that Police Officers Robert Kropewnicki and William Parenti, Jr. are hereby designated as North Plainfield's Humane Law Enforcement Officers.

**RESOLUTION NO. 04-23-18-01c RESOLUTION OF THE BOROUGH COUNCIL APPROVING PAYMENT NO. 4 (FINAL) AND CHANGE ORDER NO. 1 AND THE CLOSING OUT OF THE CONTRACT AND RELEASE OF RETAINAGE FOR THE PROJECT KNOWN AS THE GROVE STREET PUMP STATION AND SANITARY SEWER IMPROVEMENTS PROJECT**

WHEREAS, the Borough of North Plainfield previously awarded a contract for certain improvements with regard to a project known as the "Grove Street Pump Station and Sanitary Sewer Improvements Project" (hereinafter referred to as the "Project"), with said contract having been awarded to T.R. Weniger, Inc., whose main offices are located at 1900 New Brunswick Avenue, Piscataway, New Jersey 08854 (hereinafter referred to as the "Contractor"); and,

WHEREAS, Kyle A. Smith, P.E., C.M.E., of Mott MacDonald (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 Twenty-Three Thousand One Hundred Sixty-One Dollars and Forty-Eight Cents (\$23,161.48) 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 Change Work Order No. 1, reducing the net amount of the completed Project in the total amount of Thirteen Thousand Eight Hundred Thirty Dollars and Eighty-Four Cents (\$13,830.84), reducing the total contract price from Three Hundred Fourteen Thousand One Hundred Fifteen Dollars and Zero Cents (\$314,115.00) to Three Hundred Thousand Two Hundred Eighty-Four Dollars and Sixteen Cents (\$300,284.16); and,

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, L.L.C. have 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 March 7, 2018, and Closeout of the Project known as the Grove Street Pump Station and Sanitary Sewer Improvements Project, is approved in the total amount of Twenty-Three Thousand One Hundred Sixty-One Dollars and Forty-Eight Cents (\$23,161.48), 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 Work Order Request No. 1, dated March 7, 2018, with T.R. Weniger, Inc. is approved reducing the net amount of the completed project in the total amount of Thirteen Thousand Eight Hundred Thirty Dollars and Eighty-Four Cents (\$13,830.84), reducing the total contract price from Three Hundred Fourteen Thousand One Hundred Fifteen Dollars and Zero Cents (\$314,115.00) to Three Hundred Thousand Two Hundred Eighty-Four Dollars and Sixteen Cents (\$300,284.16), which Change Work 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 Payment No. 4 (Final) and approve Change Work Order No. 1.

**RESOLUTION NO. 04-23-18-01d RESOLUTION TO ESTABLISH SALARIES AND WAGES FOR THE YEAR 2018 FOR EMPLOYEES NOT COVERED BY THE TERMS AND CONDITIONS OF A COLLECTIVE BARGAINING AGREEMENT**

WHEREAS, certain employees of the Borough of North Plainfield are not covered by the terms and conditions of a collective bargaining agreement and thus need to have their compensation established for calendar year 2018;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that the following titles will receive the following compensation for calendar year 2018 as follows:

<u>TITLE</u>	<u>2018</u>
Administrative Assistant	\$ 51,000
Business Administrator/Assistant Borough Engineer	151,728
Chief Financial Officer	44,429
Construction Official	23,137
Court Administrator	84,520
Director of Public Works	N/A*
Municipal Prosecutor	27,263
Office of Emergency Management Coordinator	10,000
Recreation Director	75,000
Assistant Recreation Director	11,785
Deputy Registrar	1,113
Tax Assessor	72,371
Tax Collector	11,220
Treasurer/QPA/Deputy CFO	9,542
Code Enforcement Officer	53,521
Municipal Court Judge	N/A#
Zoning Officer	N/A*

---

\*Contracted with Grotto Engineering

#Contracted with Watchung/Greenbrook

**RESOLUTION NO. 04-23-18-01e** RESOLUTION TO ESTABLISH SALARIES AND WAGES FOR THE YEAR 2018 FOR EMPLOYEES NOT COVERED BY THE TERMS AND CONDITIONS OF A COLLECTIVE BARGAINING AGREEMENT

WHEREAS, certain employees of the Borough of North Plainfield are not covered by the terms and conditions of a collective bargaining agreement and thus need to have their compensation established for calendar year 2018;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that the following titles will receive the following compensation for calendar year 2018 as follows:

<u>TITLE</u>	<u>2018</u>
Borough Clerk	\$74,792
Deputy Borough Clerk	\$51,995

**RESOLUTION NO. 04-23-18-01f** WHEREAS, the following applicant has filed application for an Outdoor Sidewalk Café license for the period ending December 31, 2018:

Saul P. Hernandez, t/a Pancho Villa Mexican Grill LLC

164 Somerset Street  
North Plainfield, NJ 07060

WHEREAS, review of the application and investigations of the site by appropriate Borough Officials discloses that the granting of said application would be in order;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that an Outdoor Sidewalk Café license be issued to the applicant in accordance with the filed application, subject to all requirements set forth in N.P.R.G.O. 14-10 and the following conditions:

1. Restaurant management shall keep the outdoor dining area clear of litter, food scraps and soiled dishes and utensils at all times.
2. Trash receptacles shall be provided in outdoor dining areas used for consuming take-out items unless public trash receptacles are located nearby.
3. At the end of each business day, the establishment is to clean and sweep the entire sidewalk in and around the outdoor dining area.
4. No debris shall be swept, washed, or blown into the sidewalk, gutter or street.
5. Trash receptacles shall be emptied daily.
6. If awnings or umbrellas are used, they shall be washed whenever they become dirty.
7. Applicant must not block adjacent doorway with any tables, chairs or planters, and must maintain six (6) feet of clear space between tables/planters and curb and/or structures to ensure A.D.A. compliance.

**RESOLUTION NO. 04-23-18-01g 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 certificate(s) as follows:

Block 3.01	Lot 1	365 Brook Ave.	Cert. #12-00005	issued 10-23-12
Block 147	Lot 19	79-81 Myrtle Ave.	Cert.#14-00177	issued 10-29-14

**RESOLUTION NO. 04-23-18-01h 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 23<sup>rd</sup> day of April, 2018 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	Various Communications, Advisories and News Releases
Richard K. Phoenix, RMC – Borough Clerk & Chief Operator, WPQJ970 – 1630-AM Radio	Calendar Updates and Advisories; Time-Sensitive Radio Scripts

NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
PSE&G Newark, NJ	Newsletters and Hearing Notices
NJ Highlands Coalition Boonton, NJ	Newsletters
Plainfield Area Humane Society Plainfield, NJ	Invoice and Report
Plainfield Area Regional Sewerage Authority, Middlesex, NJ	Agenda and Minutes
Midatlantic Engineering Hamilton, NJ	DEP Permitting paperwork
Betsy G. Ramos, Esq. Capehart Scatchard, Esqs., Mt. Laurel, NJ	NJ Public Entity Law Monthly
Tri-County Chamber of Commerce South Plainfield, NJ	Networking Event
Somerset County DPW Somerville, NJ	Storm Briefings
Somerset County Business Partnership Somerville, NJ	Monthly Message
Betsy G. Ramos, Esq. Capehart Scatchard, Esqs., Mt. Laurel, NJ	Member News
NJ American Water Co., Voorhees, NJ	Webinar: Nuts & Bolts of NJ Premises Liability Law
Township Clerk, Green Brook, NJ	Investing \$2.5-million in North Plainfield Zoning Ordinance Amendment
US Census Bureau, Washington, DC	What's New with America Counts
Cordell Toson, Manager, Arooga's North Plainfield	Outdoor Sidewalk Café Query
NJ DEP Trenton, NJ	Weekly Update
Getty Properties Corp. Jericho, NY	Response Action Outcome – Route 22EB Getty Station # 00665

**REQUESTS FOR AGENDA ITEMS:** None.

**PUBLIC COMMENT:** None.

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

Mayor Giordano reported that storm debris and bagged leaves are still being collected. He advised that the Giant Yard Sale at Vermeule was well attended. The annual Clean the Town event will be held Saturday, May 5. He asked that residents please stay tuned to the website and Facebook page for information about upcoming events.

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

Meeting adjourned at 7:51 p.m.



---

Borough Clerk

---

Council President