

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Friday, 30 July 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, **July 30, 2018** at 8:21 p.m. at the North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

PRESENT:

Council Members: Everett Merrill
Keiona R. Miller
Frank Righetti
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

Council President La Ronde read the following Notice:

An Executive Session on the topic of Affordable Housing 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 thirty minutes following the convening of the Regular Meeting.

The Council President read the following Notice of Compliance:

"This is a Regular Meeting of the Council of the Borough of North Plainfield, scheduled. 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 July 16, 2018 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 June 25, 2018 and the Special Meeting of June 29, 2018.

The Council President called for a Roll Call on the minutes of the Agenda Conference and Regular Meeting of June 25, 2018: All in favor.

The Council President called for a Roll Call on the minutes of the Special Meeting of June 29, 2018:

Aye: Miller, Righetti, Singleterry, Stabile, La Ronde

Abstain: Merrill, Schaefer

HEARING:

ORDINANCE NO. 18-10 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC," SECTION 7-3 ENTITLED, "PROHIBITED PARKING," MOST NOTABLY, SECTION 7-3.5, ENTITLED "PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS," SCHEDULE III, "PARKING PROHIBITED CERTAIN HOURS."

The Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Mr. Stabile, seconded by Mr. Merrill and on Roll Call carried all seven voting aye.

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

RESOLUTION NO. 07-30-18-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 18-10 be adopted and advertised as required by statute.

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

HEARING:

ORDINANCE NO. 18-11 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC," SECTION 7-13 ENTITLED, "SCHOOL BUS ZONES," MOST NOTABLY, SCHEDULE XIX, "SCHOOL BUS ZONES."

The Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Mr. Righetti, seconded by Mr. Stabile and on Roll Call carried all seven voting aye.

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

RESOLUTION NO. 07-30-18-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 18-11 be adopted and advertised as required by statute.

Seconded by Mr. Righetti with Roll Call as follows:

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

Abstain: Miller

Resolution carried 6-0-1.

HEARING:

ORDINANCE NO. 18-12 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC," SECTION 7-5 ENTITLED, "ONE-WAY STREETS," MOST NOTABLY, SCHEDULE VII, ENTITLED "ONE-WAY STREETS."

The Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Mr. Stabile, seconded by Mr. Merrill and on Roll Call carried all seven voting aye.

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

RESOLUTION NO. 07-30-18-03 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 18-12 be adopted and advertised as required by statute.

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

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

RESOLUTION NO. 07-30-18-04 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 18-13 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing August 13, 2018 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. Righetti and on Roll Call carried all seven voting aye.

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 18-13 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER 22, LAND

DEVELOPMENT, ARTICLE VIII, ZONING BOARD OF ADJUSTMENT, SECTION 22-101, WATER RUN-OFF CONTROL, MOST NOTABLY, SECTION 22-101.3, MAINTENANCE OF SYSTEMS

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. 07-30-18-05 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

07-30-18-05 a, b, c, d, e, f, g, h, i

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 seven voting aye.

APPROVED RESOLUTIONS:

RESOLUTION NO. 07-30-18-05a RESOLUTION AUTHORIZING MASTER PUBLIC WORKS SHARED SERVICES AGREEMENT FOR SHARING PUBLIC WORKS EQUIPMENT BETWEEN SOMERSET COUNTY MUNICIPALITIES, THE COUNTY AND EACH OTHER

WHEREAS, various County of Somerset municipalities are desirous of sharing public works equipment and public works employees with the County and/or any designated municipality to provide public works services, general maintenance and related services; and

WHEREAS, the County of Somerset is desirous of providing those services to the County of Somerset municipalities in accordance with the terms of an agreement, copy of which is on file with the Clerk of the Board; and

WHEREAS, the Interlocal Services Act (NJSA 40:8A-1 et seq) authorizes and empowers the County of Somerset and the County of Somerset municipalities to enter into such an agreement.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey does hereby authorize the Mayor and Clerk of the Borough of North Plainfield to execute agreements, as prepared by County Counsel and on file with the Clerk of the Board to provide the services to the County of Somerset municipalities as described in said agreements.

BE IT FURTHER RESOLVED that a certified copy of this Resolution is on file and available for inspection by the public in the office of the Borough Clerk and that a copy be forwarded to the State of New Jersey.

RESOLUTION NO. 07-30-18-05f WHEREAS, St. Luke's Church, 300 Clinton Avenue, North Plainfield, New Jersey, has applied for a license to conduct an off-premises 50-50 cash draw raffle on November 25, 2018; and

WHEREAS, St. Luke's Church has been issued Identification No. 352-1-14479 by the New Jersey Legalized Games of Chance Control Commission; and

WHEREAS, investigation has shown that said applicant meets the requirements for the issuance of a raffle license;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be and is hereby authorized to issue a license to St. Luke's Church for an off-premises 50-50 cash draw raffle to be held on November 25, 2018 at 300 Clinton Avenue, North Plainfield, New Jersey.

RESOLUTION NO. 07-30-18-05g RESOLUTION AUTHORIZING AN EXTENSION TO PAY TAXES UNTIL AUGUST 22, 2018

WHEREAS, the Borough of North Plainfield adopted its 2018 Municipal Budget on April 9, 2018, and

WHEREAS, because of the late adoption of the New Jersey State Budget and calculation of the Tax Rate by the County Board of Taxation and the corresponding late printing of the tax bills, third quarter tax bills will not be mailed by the deadline of July 17, 2018; and

WHEREAS, THE Borough Council believes that the residents of the Borough are entitled to a reasonable time to receive their tax bills for the third quarter and to pay the same without being delinquent and subject to the payment of interest; and

NOW THEREFORE, BE IT RESOLVED that pursuant to N.J.S. 54:4-66.5 interest at a rate of \$.00000001% shall be charged on unpaid third quarter 2018 taxes provided same are paid on or before August 22, 2018, and provided further that interest thereafter shall be payable at the rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 to be calculated from August 1, 2018 until the date of actual payment.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Finance and Tax Collector's Offices forthwith.

RESOLUTION NO. 07-30-18-05h 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 fees due to cancelation of inspection:

Refund of Building Permit Fees

Rose-Line Paillant \$ 50.00
 52 Vanness Court
 Maplewood, New Jersey 07040

Job: 615 Parkview Ave.

RESOLUTION NO. 07-30-18-05i 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 30th day of July, 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
Plainfield Area Humane Society Plainfield, NJ	Invoice and Report
Plainfield Area Regional Sewerage Authority, Middlesex, NJ	Agenda and Minutes
Frank N. D’Amore Sr. North Plainfield	Property Maintenance Report
NJ Poison Control Center New Brunswick, NJ	Dealing with a Heatwave
Betsy Ramos, Esq. Capehart Scatchard, Esqs. Mount Laurel, NJ	NJ Public Entity Law Monthly
NJ Cannabis Industry Association Trenton, NJ	Golf Outing
NJ Local Technical Assistance Program New Brunswick, NJ	Training Opportunities
Sustainable Raritan River New Brunswick, NJ	Newsletter
Tri-County Chamber of Commerce South Plainfield, NJ	Newsletter
NJ Highlands Coalition Boonton, NJ	Newsletter
NJ Cannabis Weekly Trenton, NJ	Business-to-Business Newsletter
NJ State Treasurer	Hotel/Motel Tax Distribution

Trenton, NJ NJ Senior Olympics Woodbridge, NJ	Newsletter
Somerset County Election Board Somerville, NJ	Printing Invoice
Lockheed Martin Corporation Bethesda, MD	Status Report
Tina Totten, North Plainfield Christine Holman, North Plainfield	Green Brook Flood Control Memorial Request to be heard by Borough Council

REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENT:

Christine Holman, 21 Myrtle Avenue, North Plainfield, commented on the limebike program, stating that bikes had been left on her lawn. She suggested the use of bike stations as a way to control the issue. Ms. Schaefer interjected that the bikes are self-docking and they have a phone number on them which may be used to have them picked up.

Frank D'Amore, 40 Willow Avenue, North Plainfield, again urged the Council to go on record in opposition to Governor Murphy's legislation regarding recreational marijuana. Council President La Ronde confirmed that they would look into it.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Speaking on behalf of Mayor Giordano, Mr. Hollod reported that the Fourth of July parade and community day were well attended. The outdoor concerts at Vermeule have begun. An immigration forum will be held in September. The Car Nutz Car Cruise was well attended. Library events are now posted on the Borough website. National Night Out will be held Tuesday, August 7. The condition of the athletic fields would be discussed with Dave Testa. Regarding the keeping of animals, Mr. Hollod indicated that the procedure involves going before the Board of Health to obtain their approval. Advising that the ordinance doesn't provide much guidance, he reported that the Registrar would look at how neighboring towns deal with it. Ms. Schaefer added that large animals are a one-time fee. Mr. Hollod advised that other towns consider the lot size as well.

Mr. Bernstein advised that the subject line of the Executive Session resolution should be amended to read "Attorney/Client Privilege." Council indicated its agreement.

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

RESOLUTION NO. 07-30-18-06 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 seven 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 10:08 p.m. with all seven council members present.

Mr. Bernstein explained that discussion items of the Executive Session included the Borough COAH obligations.

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

Meeting adjourned at 10:09 p.m.

Borough Clerk

Council President