

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Monday, 17 December 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, **December 17, 2018** at 8:23 p.m. at the North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

PRESENT:

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

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

The Council President (Acting) 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 Executive Session of October 9, 2018 and the Agenda Conference and Regular Meeting of November 19, 2018.

The Council President (Acting) called for a Roll Call on the minutes: All in favor.

HEARING: ORDINANCE NO. 18-15 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER XXII ENTITLED, "LAND DEVELOPMENT" TO ADD MARIJUANA RECREATION AND MEDICAL USE RETAIL OUTLETS AS A PROHIBITED USE IN ALL RESIDENTIAL AND BUSINESS ZONES WITHIN THE BOROUGH

The Clerk read the Ordinance by its title as above.

Motion to table by Ms. Miller, seconded by Mr. Singleterry and on a Roll Call vote, ordered tabled, all six in favor.

Ordinance No. 18-15 was thereupon ordered tabled with no further comment.

CONSENT AGENDA

Council President (Acting) Stabile 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. Corzo presented the following Resolution and moved its adoption:

RESOLUTION NO. 12-17-18-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

12-17-18-02 a, b, c, d, e, f, g, h, i, j, k, l, m, n, o, p

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

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

APPROVED RESOLUTIONS:

RESOLUTION NO. 12-17-18-02a Resolution Supporting the Drive Sober or Get Pulled Over 2018 Year End Holiday Crackdown

Whereas, impaired drivers on our nation's roads killed 10,874 people in 2017; and

Whereas, 20% of motor vehicle fatalities in New Jersey are alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled Over Year End Holiday Crackdown; and

Whereas, the project will involve increased impaired driving enforcement from December 7, 2018 through January 1, 2019; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be it resolved that North Plainfield Borough declares its support for the Drive Sober or Get Pulled Over 2018 Year End Holiday Crackdown from December 7, 2018 through January 1, 2019 and pledges to increase awareness of the dangers of drinking and driving.

RESOLUTION NO. 12-17-18-02b WHEREAS, St. Joseph Church, 99 Westervelt Avenue, North Plainfield, New Jersey, has applied for a license to conduct a three-month Calendar Raffle from April 2, 2019 through June 4, 2019; and

WHEREAS, St. Joseph Church has been issued Identification No. 352-1-11754 by the New Jersey Legalized Games of Chance Control Commission; and

WHEREAS, St. Joseph Church has paid its fees in full. Investigation has shown that said applicant meets the requirements for the issuance of a raffle license;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of North Plainfield hereby authorizes the issue of License No. RL-1176 to St. Joseph Church for a three-month Calendar Raffle to be held April 2, 2019 through June 4, 2019 at 99 Westervelt Avenue, North Plainfield, New Jersey.

RESOLUTION NO. 12-17-18-02c RESOLUTION AUTHORIZING CONTRACTS APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the Borough of North Plainfield, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any state contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of North Plainfield has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of North Plainfield intends to enter into contracts with the attached referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of North Plainfield pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be

chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of North Plainfield and the referenced State Contract Vendors shall be for the 2019 Year, and:

<u>A/C #</u>	<u>Name</u>		
88273	AK Equipment	69944	Highpoint Furniture
74018	Absolute Fire	83930	Home Depot
80963	Air & Gas Technologies	82693	Horizon Blue Cross & Blue Shield
65808	Air Purifiers, Inc.	63522	Innovation Doc Imaging, LLC
69942	All Steel Inc.	87466	John Deere Landscapes
68766	Allied Oil, Co.	74012	Kaldoz
61419	American Tire Service	69923	KML Technology, Inc.
71048	Approved Fire Protection	69531	Kova Corp.
83331	Atlantic Salt	67875	Lanigan Assoc. Inc.
73991	Atlantic Tactical	67872	Lawman Supply Co.
A79161	Beyer Bros	85850	Lawson Products
01785	Bodyworks by Tiffany	62423	Lifesavers
63767	Boises Bus Interiors	70142	Mayline Furniture
85017	Broadview Network	77814	Messercola Excavating
81413	BSN Sports	81520	Morpho Trak
71054	Cairns	T0213	Morton Salt Inc.
T2085	Cambria Truck Center	53804	Motorola
68645	Cintas Fire Protection	83909	Motorola Solutions
80977	CMF Business	69830	Office Business Systems
27171	Computer Systems Method	42285	Office Solutions
71056	Continental Fire & Safety	47705	Pitney Bowes
70137	Dell Marketing, LP (70256)	82709	Ricoh Americas Corporation
81301	Draeger Safety Inc.	80866	Rutgers the State University
67873	Eagle Point Gun/TJ Morris-Son	81408	Safety Down Under Inc.
81338	East Coast Emergency Lighting	68461	Sagem Morphotrak
72300	Elite Tree Service	71063	Scott
84698	Emerald City Auto Spa	64040	Sharpe Electronic Corp.
75248	Ergo Space Design Inc.	82236	Sherwin Williams
67899	ESI Equipment	82226	Siperstein's
81357	Firefighter One	71057	Stanfield
81397	Finch Fuel Oil Co. Inc.	76921	Storr Tractor Company
T0106	Flemington Department Store	85193	Traffic Safety Services
15/16-08	Foley Incorporated	67765	Trico Equipment
70462	Ford Motor Credit	76669	Turnout Fire & Safety
73032	Garden State Highway	82583	Verizon Wireless
71062	Gen-el Safety & Ind.	69933	WB Mason Co, Inc.
71048	Globe Manufacturing	71642	WE Timmerman Co.
73783	Hertrich Fleet Services	73902	Weldon Asphalt

70262 Hewlett Packard

BE IT FURTHER RESOLVED, that the referenced State Contract Vendors are projected to exceed the bid threshold for the 2019 Year:

68766 Allied Oil, Co.	70462 Ford Motor Credit
73032 Garden State Highway	77814 Messercola Excavating

RESOLUTION NO. 12-17-18-02d WHEREAS, the installation of a solar system at 51 Mountain Avenue was never done, Spectrum Energy Inc. now requests refund of their payment of permits.

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

Refund of Building and Electrical Permit Fee:

Spectrum Energy Inc. \$ 284.00
 3081 Route 73 South
 Maple Shade, N.J. 08052

RESOLUTION NO. 12-17-18-02e CANCEL UNEXPENDED BUDGET APPROPRIATION BALANCES

WHEREAS, certain unexpended budget appropriation balances have been reviewed and can be cancelled, and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to surplus.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that the following unexpended balances appropriations be cancelled:

<u>Sewer Utility</u>		
<u>Acc Number</u>	<u>Title/Description</u>	<u>Amount Cancelled</u>
55-501-101	Sewer-Salaries and Wages	\$ 75,000.00
55-501-299	Sewer-OE	200,000.00
55-502-299	PARSA	<u>75,000.00</u>
Totals		\$350,000.00

RESOLUTION NO. 12-17-18-02f 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 79 Lot 28	29-31 Fairview Ave.	Cert. #04-29	issued 10-27-04
		#08-00076	issued 12-04-08
		#09-00266	issued 10-01-09

RESOLUTION NO. 12-17-18-02g WHEREAS, Sage Title Agency, paid \$2,181.10 on Block 30 Lot 22, for 2018 in error due to a total tax exemption the homeowner has on the property. They have requested refund of their payment.

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

Refund Real Estate Tax Payment:

Sage Title Agency	\$ 2,181.10
948 McBride Avenue	
Woodland Park, NJ 07424	

Re: 162 Delacy Avenue

RESOLUTION NO. 12-17-18-02h A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES

WHEREAS, the Lache Taylor purchased the property known as Block 30 Lot 22, 162 Delacy Avenue., in North Plainfield in September, 2018; and

WHEREAS, Lache Taylor is a 100% disabled veteran and exempt from paying taxes on the property she owns; and

WHEREAS, taxes have been levied on the aforementioned parcel the fourth quarter of 2018 and first of 2019;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of North Plainfield of Somerset County, State of New Jersey, that the Tax Collector is hereby authorized to cancel taxes as indicated and refund the title company:

Block 30 Lot 22	4th Quarter	\$2161.41 cancel & refund
	1 st Quarter	\$ 19.69 cancel & refund

RESOLUTION NO. 12-17-18-02i 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 Borough’s 2018 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>		
25-265-200 Fire Hydrant	\$ 2,187.00	
25-268-200 LOSAP		\$ 2,187.00
23-220-200 Group Insurance	62,500.00	
25-265-200 Fire Hydrant		2,500.00
26-290-100 Streets & Roads-S&W		20,000.00
26-290-200 Streets & Roads-OE		35,000.00
26-310-200 Building & Grounds-OE		<u>5,000.00</u>
Totals	<u>\$64,687.00</u>	<u>\$64,687.00</u>

RESOLUTION NO. 12-17-18-02j 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 1st 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 Tuesday, January 1, 2019 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 a later hour on Tuesday, January 1, 2019; 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, 2019;

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, 2019 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. 12-17-18-02k RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN EXTENSION OF A

GENERAL ENGINEERING SERVICES AGREEMENT WITH MOTT MACDONALD FOR THE PERIOD BETWEEN JANUARY 1, 2019 THROUGH JUNE 30, 2019 FOR THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough Council for the Borough of North Plainfield previously approved a General Engineering Services Agreement with Mott MacDonald for the Calendar Year 2018; and,

WHEREAS, the Borough of North Plainfield is in need of an extension of the General Engineering Services Agreement for the period January 1, 2019 and running through June 30, 2019; and,

WHEREAS, Mott MacDonald, with a principal place of business located at 3 Paragon Way, Freehold, New Jersey 07728, is in the business of providing general engineering services and has submitted a proposal dated December 12, 2018 to extend the previously authorized General Engineering Services Agreement for a total proposed budget of One Hundred Forty-Four Thousand Dollars (\$144,000.00); Ninety-Six Thousand Five Hundred Dollars (\$96,500.00) for Task 1 – Engineering Services for Application Coordination, Design, Bidding Assistance, and Construction Administration and Inspection of Projects funded through the Somerset County Community Development Block Grant (“CDBG”) program and Forty-Seven Thousand Five Hundred Dollars (\$47,500.00) for Task 2 – Additional General Engineering Services, which are contemplated and set forth in the afore-referenced proposal, a copy of said proposal being maintained in the Office of the Borough Clerk, and the contents of which are incorporated herein; and,

WHEREAS, the Borough of North Plainfield is desirous of extending the term of the previously authorized General Engineering Services Agreement by extending the engineering services agreement of Mott MacDonald 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 authorize the Mayor and the Borough Clerk to sign and/or execute an extension of the General Engineering Services Agreement with Mott MacDonald, 3 Paragon Way, Freehold, New Jersey 07060, as contemplated in the afore-referenced proposal 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. 12-17-18-02/ RESOLUTION OF THE BOROUGH COUNCIL APPROVING PAYMENT APPLICATION NO. TWO AND CHANGE WORK ORDER NO. ONE TO NORTH AMERICAN PIPELINE SERVICES LLC FOR THE PROJECT KNOWN AS THE WEST END SANITARY SEWER REHABILITATION PROJECT

WHEREAS, the Borough of North Plainfield previously awarded a contract for certain improvements with regard to a project known as the “West End Sanitary Sewer Rehabilitation” project (hereinafter referred to as the “Project”), with said contract having been awarded to North American

Pipeline Services LLC, with an address of 210 Bennett Road, Freehold, New Jersey 07728; (hereinafter referred to as the “Contractor”); and,

WHEREAS, Mott MacDonald Consulting Engineers (hereinafter referred to as the “Engineer”), on behalf of the Borough, has reviewed the Contractor’s submission for Change Order No. 1, for an adjustment of the contract quantities to reflect changes in the scope of work, and Payment Application No. 2 in the total amount of Six Thousand Twenty-One Dollars and Twelve Cents (\$6,021.12); 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 accept 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 Application No. 2 and Change Order No. 1, dated December 5, 2018, for the Project known as the West End Sanitary Sewer Rehabilitation project, is approved with Six Thousand Twenty-One Dollars and Twelve Cents (\$6,021.12), which Payment Application and Change Order 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; and,

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. 2 and approve Change Work Order No. 1.

RESOLUTION NO. 12-17-18-02m RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD ACCEPTING THE PROJECT KNOWN AS METRO STORAGE AND AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE, BONDS AND ESCROW

WHEREAS, an application and construction project known as Metro Storage, located at 351 Route 22 West, Block 6.02, Lots 1, 2.01 and 5 on the official tax map of the Borough of North Plainfield, was approved by the Borough of North Plainfield Planning Board by Resolution in Application No. BA-15-003; and,

WHEREAS, Metro Storage, the applicant before the Borough Planning Board, has posted a performance guarantee, bonds and escrow for the guarantee of the installation of required public improvements as required under the Municipal Land Use Law (hereinafter referred to as the “MLUL”), *N.J.S.A. 40:55D-1 et seq.*; and,

WHEREAS, the Borough Engineer, Grotto Engineering Associates, LLC, by Senior Project Manager David J. Testa, P.E., C.M.E., C.P.W.M., in a letter dated November 30, 2018, has recommended acceptance of the public improvements and release of the performance guarantees; and,

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC, have reviewed the recommendations of David J. Testa, P.E. and concur with his recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that the project known as “Metro Storage”, located at 351 Route 22 West, Block 6.02, Lots 1, 2.01 and 5 on the official tax map of the Borough of North Plainfield, be and is hereby accepted and the performance guarantee, bonds and escrow may be released.

RESOLUTION NO. 12-17-18-02n RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH MESSERCOLA EXCAVATING CO., INC. FOR THE NORTH PLAINFIELD 2019-2020 ON-CALL SERVICES – EMERGENCY REPAIRS FOR THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield is in need of a service provider of on-call services and emergency repairs for the 2019-2020 year throughout the Borough (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and the following two (2) bids were received:

<u>Bidding Entity</u>	<u>Total Amount of Schedule “A” Hourly Charges</u>
Messercola Excavating Co., Inc	\$920.00
Montana Construction Corp. Inc.	1,400.00

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC, have reviewed the bid submissions and recommend the award of the bid and contract for the Project to the lowest responsible and responsive bidder, Messercola Excavating Co., Inc. whose main offices are located at 549 East Third Street, Plainfield, New Jersey 07060 (hereinafter referred to as the “Contractor”) as there are no material defects with the bid proposal; and,

WHEREAS, the Borough of North Plainfield is desirous of obtaining the services of the Contractor to perform all those services contemplated in the Borough’s bid documents and the bid proposal submitted by the Contractor; and,

WHEREAS, the Borough of North Plainfield finds that the Contractor is the lowest responsible and responsive bidder for the Project pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

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 awards the following Bid and Contract:

Project: 2019-2020 On-Call Services – Emergency Repairs
 Successful Bidder: Messercola Excavating Co., Inc., 549 East Third Street, Plainfield, New Jersey 07060

Total Bid: In the Amount of Nine Hundred Twenty Dollars and Zero Cents (\$920.00) per hour

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute the contract and all necessary documents to engage the on-call emergency repair services of Messercola Excavating Co., Inc. for the Project; and,

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; and,

BE IT FURTHER RESOLVED that the award and the contract and its performance shall be consistent with all applicable laws, the Borough’s bid documents and the bid proposal of Messercola Excavating Co., Inc. for the Project known as the 2019-2020 On-Call Services – Emergency Repairs.

RESOLUTION NO. 12-17-18-02o RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH RICH TREE SERVICE, INC. FOR THE MAINTENANCE AND REMOVAL OF TREES THROUGHOUT THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield is in need of certain services to maintain and remove trees throughout the Borough for the calendar year 2019 and Alternate A for calendar year 2020 (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and four (4) bids were received. The following four (4) bids were received:

<u>Bidding Entity</u>	<u>Base Bid Total Amount</u>	<u>Alternate A</u>
Rich Tree Service, Inc.	\$115.00/hour	\$115.00/hour
Caffrey Tree and Landscape, LLC	\$180.00/hour	\$180.00/hour
M&A Tree Service, Inc.	\$285.00/hour	\$285.00/hour
Downes Tree Service Inc.	\$685.00/hour	\$700.00/hour

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC have reviewed the bid submissions and recommend the award of the bid and contract for the Project to the lowest responsible bidder, Rich Tree Service Inc., whose main offices are located at 325 Bergen Street, South Plainfield, New Jersey 07080 (hereinafter referred to as the “Contractor”) as there are no material defects with the bid proposal; and,

WHEREAS, the Borough of North Plainfield is desirous of obtaining the services of the Contractor to perform all those services contemplated in the Borough’s bid documents and the bid proposal submitted by the Contractor; and,

WHEREAS, the Borough of North Plainfield finds that the Contractor is the lowest responsible bidder for the Project pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

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 awards the following Bid and Contract:

Project: Tree Maintenance and Removal
 Successful Bidder: Rich Tree Service, Inc.
 Total Bid: In the Amount of One Hundred Fifteen Dollars and Zero Cents Per Hour (\$115.00).
 Term: Calendar Years 2019 and 2020.

BE IT FURTHER RESOLVED that the Borough Council, at the recommendation of the Administrator, accepts Alternate Bid A for the services in calendar year 2020.

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute the contract and all necessary documents to engage the construction services of Rich Tree Service, Inc. for the Project; and,

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; and,

BE IT FURTHER RESOLVED that the award and the contract and its performance shall be consistent with all applicable laws, the Borough’s bid documents and the bid proposal of Rich Tree Service, Inc. for the Project known as the Tree Maintenance and Removal Services.

RESOLUTION NO. 12-17-18-02p 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 17th day of December, 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	Invoices and Reports
Plainfield Area Regional Sewerage Authority, Middlesex, NJ	Agenda and Minutes
Frank N. D’Amore Sr. North Plainfield	Property Maintenance Reports
NJ Dept. of Environmental Protection Trenton, NJ	Weekly Updates

Somerset County Business Partnership Somerville, NJ	Newsletters
Plainfield Area Regional Sewerage Authority Middlesex, NJ	Minutes and Agenda
NJLTAP, New Brunswick, NJ	Newsletter
Capehart-Scatchard, LLC	NJ Public Entity Law Monthly & Happy
Mt. Laurel, NJ	Thanksgiving
Geoff Penna, The Radio Source	1630-AM Streaming Statistics
Zeeland, Michigan	
NJ Poison Control	Don't Gamble at the Dinner Table
New Brunswick, NJ	
Center for Creative Land Recycling NYC	Grant Writing Workshop
Somerset County Election Board of Canvassers, Somerville, NJ	Statement of Determinations
Maureen Coxwell, Deputy Somerset County Clerk, Somerville, NJ	Election Certification
NJ Division of Taxation, Trenton, NJ	Homestead Benefit Reminder
Tina Totten, North Plainfield, NJ	Green Brook Flood Control advisory
NJ Dept. of Environmental Protection Trenton, NJ	Newsletter
Luis Penaloza, The Bridge Tavern North Plainfield, NJ	Request for Extended New Year's Opening Hours
Friends of Vermeule Mansion North Plainfield, NJ	Meeting Minutes
Jack Fowler, North Plainfield, NJ	Application for Board of Adjustment appt.
Information Station Specialists Zeeland, Michigan	The Source Newsletter

REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENT:

Frank N. D'Amore Sr., 40 Willow Avenue, North Plainfield, urged the Council to consider selling the parking lot on Somerset Street. He wished everyone a happy and safe Holiday season.

Ms. Miller requested that designated parking for the wheelchair-bound on the Fairview Avenue side of Watchung Avenue near the Presbyterian Church be discussed at the January 14, 2019 meeting of the Council.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Mayor Giordano wished a very merry Christmas and a happy New Year.

Mr. Hollod thanked Katherine Miller for all of her work with the Historic Preservation Grant document.

Mr. Singleterry congratulated Mr. Merrill on his necktie.

Ms. Miller thanked all in attendance, and wished all the happiest of holidays including Kwanzaa.

All Council members wished everyone a very happy and healthy Holiday season.

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

RESOLUTION NO. 12-17-18-03 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:

AFFORDABLE HOUSING

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

EXECUTIVE SESSION

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

Council President (Acting) Stabile reconvened the meeting at 9:45 p.m. with five council members present. Mr. Merrill was excused at 9:40 p.m.

Mr. Bernstein advised that the Executive Session had concerned the details involving the potential acquisition of the Villa Maria site and possible financing with action to be taken by the governing body in the new year.

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

Meeting adjourned at 9:47 p.m.

Borough Clerk

Council President