

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Monday, 25 March 2019.*

*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 Board'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, **March 25, 2019** at 7:34 p.m. at the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

PRESENT:

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

Also Present: Michael Giordano, Jr., Mayor
John Kaplan, Esq., Associate Borough Attorney
Richard K. Phoenix, RMC, Borough Clerk
Stephanie Sherwood, RMC, CMR, Deputy Clerk

The Pledge of Allegiance to the Flag was led by Mayor Giordano.

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

Council President Stabile 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 19, 2018. 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 20, 2018 by publication of the announcement in the *Courier News* of November 24, 2018 and by posting a copy of this notice on the bulletin boards in the Municipal Building and Memorial Library reserved for such purpose."

Mayor Giordano presented the following Mayoral Proclamation to Danny Battista, President and Edward Schaefer, Vice President of the Car Nutz Car Club:

WHEREAS: the CAR NUTZ CAR CLUB originated from a notion that a group of car enthusiasts from North Plainfield could form a club dedicated to the enjoyment and love of its members' muscle and classic cars; and

WHEREAS: during the winter of 2004 the CAR NUTZ CAR CLUB'S six charter members gathered at the Bagelmasters Deli and held the first meeting of their fledgling car club; and

WHEREAS: the first members of the CLUB were Dan Battista, Allen Bender, Neil Gary, Mike Pellegrino, Tony Stanislao, and Larry Van Winkle; and

WHEREAS: the name for the CLUB was discussed and North Plainfield resident Ralph Shaeffer suggested "CAR NUTZ CAR CLUB", which was voted on and accepted; and

WHEREAS: more members joined the CLUB and Mike Pellegrino was voted in as president, Dan Battista as Vice President, Brian Van Winkle as treasurer and Larry Van Winkle as Recording Secretary and the by-laws were written; and

WHEREAS: the CAR NUTZ CAR CLUB had its first Cruise Night at The Outback Steak House in the spring of 2004; and

WHEREAS: beginning in the spring of 2016, the CLUB has had its Cruise Nights at the Scotchwood Diner; and

WHEREAS: the current CLUB officials are Dan Battista, President, Ed Schaefer, Vice President, Al Graziano, Treasurer and Vincent Pagano, Recording Secretary; and

WHEREAS: the CAR NUTZ CAR CLUB holds a car show yearly, participates in parades, rallies and has donated tens of thousands of dollars to many worthwhile causes including North Plainfield High School Project Graduation, and D.A.R.E, and the Plainfield Area Humane Society; and

WHEREAS: the CAR NUTZ CAR CLUB is celebrating its 15th anniversary in the Spring of 2019 and has grown to over 35 members;

NOW, THEREFORE, BE IT PROCLAIMED that I, Michael Giordano Jr., Mayor of the Borough of North Plainfield, do hereby recognize the CAR NUTZ CAR CLUB for its contributions to our Borough, and do hereby urge everyone to join me in wishing the CAR NUTZ members many more years pursuing the love of their hobby, Muscle and Classic cars.

The Clerk had submitted copies of the minutes of the Board of Health, Agenda Conference, and Regular Meeting of March 11, 2019.

3/25/19

The Council President called for a Roll Call on the minutes:

Aye: Corzo, La Ronde, Schaefer, Singleterry

Abstain: Merrill, Miller, Stabile

Mr. La Ronde presented the following Resolution and moved its adoption:

RESOLUTION NO. 03-25-19-01 BE IT RESOLVED by the Council of the Borough of North Plainfield, pursuant to N.J.S.A. 40A:4-8, that the approved 2019 Municipal Budget of the Borough of North Plainfield be read by its title; and

BE IT FURTHER RESOLVED that it is the determination of the Council that a complete copy of the approved budget, as aforesaid, has been made available for public inspection at the North Plainfield Memorial Library and the Somerset County Library at least one week prior to today's date, and that a copy of said budget has been made available to each person requesting the same during said week and during this public hearing.

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

The Clerk read the Budget by its title.

HEARING:

MUNICIPAL BUDGET OF THE BOROUGH OF NORTH PLAINFIELD,
COUNTY OF SOMERSET, FOR THE FISCAL YEAR 2019

PUBLIC COMMENT: None.

Motion to close public comment by Mr. La Ronde, seconded by Ms. Corzo and on Roll Call carried all seven voting aye.

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

RESOLUTION NO. 03-25-19-02 BE IT RESOLVED by the Mayor and Borough Council of the Borough of North Plainfield, County of Somerset, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$26,504,874.47 (Twenty-Six Million, Five Hundred Four Thousand, Eight Hundred Seventy-Four Dollars and Forty-Seven Cents) item 2 below, for municipal purposes. I so move.

Seconded by Mr. Merrill with Roll Call as follows:

Aye: Corzo, La Ronde, Merrill, Schaefer, Singleterry, Stabile
Abstain: Miller

Resolution carried 6-0-1.

CONSENT AGENDA

Council President 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.

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

RESOLUTION NO. 03-25-19-03 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

03-25-19-03 a, b, c, d, e, f, g

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

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

APPROVED RESOLUTIONS:

RESOLUTION NO. 03-25-19-03a AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING BETWEEN BOROUGH OF NORTH PLAINFIELD AND SOMERSET COUNTY OFFICE OF EMERGENCY MANAGEMENT FOR THE IMPLEMENTATION OF RESCUE TASK FORCE

WHEREAS, the Somerset County Office of Emergency Management recently acquired a grant to foster the development of local first responder agencies using the Rescue Task Force (“RTF”) concept; and

WHEREAS, a Memorandum of Understanding (“MOU”) between the Borough of North Plainfield and the North Plainfield Fire/EMS and Police Departments is required in order to participate in the Somerset County RTF program and receive a portion of the federal funding provided for this project in the form of personal protective equipment and RTF-related medical equipment & supplies;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of North Plainfield, in the County of Somerset, State of New Jersey, that the Mayor and Clerk are hereby authorized and directed to sign the MOU described in the preamble.

RESOLUTION NO. 03-25-19-03b 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 148	Lot 51	116 Myrtle Ave.	Cert. #12-00176	issued 10-23-12
			Cert. #13-00221	issued 12-04-13

RESOLUTION NO. 03-25-19-03c RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD AUTHORIZING A CONTRACT WITH BUSINESS & GOVERNMENT INSURANCE AGENCY FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES

WHEREAS, the bylaws of the Garden State Municipal Joint Insurance Fund require professional risk management consulting services to be performed; and

WHEREAS, the Business & Government Insurance Agency has offered its professional risk management consulting services to the Borough of North Plainfield for the Fund Year January 1, 2019 to December 31, 2019; and

WHEREAS, the Business & Government Insurance Agency has proposed compensation for its services in the amount of seven percent (7%) of the Borough's annual assessment as promulgated by the Garden State Municipal JIF.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that Business & Government Insurance Agency be and is hereby appointed to provide professional risk management consulting services as referenced herein and that the Fund Commissioner and Borough Clerk are hereby authorized to execute all documents relevant to this service.

RESOLUTION NO. 03-25-19-03d 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 the following:

Refund of Dumpster Permit:

Miao Y. Wang \$ 200.00
48 Tree Top Circle
Princeton, New Jersey 08540

Property at:

3 Allen Place
North Plainfield. New Jersey 07060

Refund of Dumpster Permit:

Ricardo Villarreal/Legacy Assoc. Builders \$ 200.00
 509 E. Grant Avenue
 Roselle Park, New Jersey 07204

Property at:

342 Redmont Road
 North Plainfield. New Jersey 07060

Refund of Dumpster Permit:

Gonzalo Perez Lopez \$ 200.00
 1 Winans Avenue
 Piscataway, New Jersey 08854-3348

Property at:

188 Brook Avenue
 North Plainfield. New Jersey 07060

RESOLUTION NO. 03-25-19-03e WHEREAS, the Raritan Valley Line (RVL) trains currently terminate in Newark Penn Station and riders destined for midtown Manhattan and Penn Station must transfer platforms and trains; and,

WHEREAS, RVL is one of the busiest and fastest growing lines of NJ Transit with more than 23,000 weekday passengers and no midtown direct, one-seat ride in and out of NY; and,

WHEREAS, RVL did get some off-peak hour one-seat service in 2014 and 2015 that provided relief and on average a 30 minute reduction in commuting time each way; and,

WHEREAS, the off-peak one-seat service on RVL, Atlantic City and Princeton Lines were suspended in 2018 because of Positive Train Control installation; and,

WHEREAS, Atlantic City and Princeton trains will be restored on May 24, 2019, there is no confirmation that service will be restored on the RVL; and,

WHEREAS, the Borough of North Plainfield and the Raritan Valley Line Mayors Alliance of 32 Mayors in Union, Somerset, Hunterdon and Middlesex Counties, organized in 2018 by Fanwood Mayor Colleen Mahr, Westfield Mayor Shelley Brindle and Bound Brook Mayor Robert Fazen, are committed advocates for equitable service for RVL; and,

WHEREAS, 23,000 commuters and approximately 400,000 residents in towns served by the RVL deserve to know when the suspended off-peak morning and evening direct trains into New York will be back on schedule; and,

WHEREAS, midtown direct train service, known as “one-seat ride” has a positive impact on North Plainfield, quality of life for our residents, home values and business growth;

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of North Plainfield urge Governor Phil Murphy, DOT Commissioner Gutierrez and our State Legislators to support the immediate restoration of the off-peak hour “one seat ride” to NY Penn Station.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Governor Murphy, the North Plainfield Legislative Delegation and NJ Transit.

RESOLUTION NO. 03-25-19-03f RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN ENGAGEMENT LETTER WITH HODULIK & MORRISON, P.A. FOR THE APPOINTMENT OF AN AUDITOR FOR THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, there exists a need for auditing and financial services for the Borough of North Plainfield; and,

WHEREAS, Hodulik & Morrison, P.A., Certified Public Accountants and Registered Municipal Accountants, with an office address of 1102 Raritan Avenue, P.O. Box 1450, Highland Park, New Jersey 08904, submitted an Engagement Letter for Auditing and Accounting Services dated December 28, 2018, a copy of which is on file in the office of the Borough Clerk and made a part hereof (hereinafter referred to as the “Engagement Letter”); and

WHEREAS, the proposed cost of the Statutory Audit services as contemplated within the afore-referenced Engagement Letter is Forty-Six Thousand Dollars and Zero Cents (\$46,000.00); and,

WHEREAS, the Borough of North Plainfield is desirous to obtain the services of Hodulik & Morrison, P.A., to perform all of those services contemplated in the afore-referenced Engagement Letter.

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 Borough Clerk to sign and/or execute the Engagement Letter with Hodulik & Morrison, P.A., Certified Public Accountants and Registered Municipal Accountants, with an office address of 1102 Raritan Avenue, P.O. Box 1450, Highland Park, New Jersey 08904 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. 03-25-19-03g 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 25th day of March, 2019 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 NJ State League of Municipalities Trenton, NJ	Calendar Updates and Advisories; Time-Sensitive Radio Scripts Newsletters & Advisories
Plainfield Area Humane Society Plainfield, NJ	Invoice and Report
NJ Dept. of Environmental Protection Trenton, NJ	Weekly Updates & Newsletters
Somerset County Business Partnership Somerville, NJ	Newsletters
Plainfield Area Regional Sewerage Authority, Middlesex, NJ	Minutes and Agenda
Partner Engineering and Science, Inc. Eatontown, NJ	Public Notification and Outreach
PSE&G, Newark, NJ	Notice of Filing & Public Hearings
Bart Thomas, North Plainfield	Shade Tree Advisory Bd. minutes
Lori Moog, Raritan Valley College	Information re: student volunteers
Tri-County Chamber of Commerce South Plainfield	Networking Events Newsletter
NJ Planning Officials, Warren, NJ	Newsletter
NJ State Treasurer, Trenton, NJ	Hotel/Motel Occupancy Tax Distribution
Tina Totten, North Plainfield	Green Brook Flood Control Comm. Meeting

PUBLIC COMMENT:

Frank D'Amore, 40 Willow Avenue, North Plainfield, expressed his displeasure with the lack of enforcement of Borough Code section 11-4.1 which requires that the owner or occupant keep the premises free of hazards such as refuse, litter, and trash. Citing properties on Sycamore Avenue and Rockview Avenue, he assured they would be found in violation as newspapers, advertisements, and sales circulars had accumulated for

better than six months. The speaker then thanked the Department of Public Works for their efforts in filling the pot holes.

REQUESTS FOR AGENDA ITEMS:

Mr. La Ronde requested the status on the Canvassing Ordinance.

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

RESOLUTION NO. 03-25-19-04 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:

PENDING LITIGATION

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. La Ronde and on Roll Call carried all seven voting aye. Executive Session convened at 7:52 p.m.

EXECUTIVE SESSION

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

Council President Stabile reconvened the meeting at 8:13 p.m. with all seven council members present.

Mr. La Ronde presented the following Resolution and moved its adoption:

RESOLUTION NO. 03-25-19-05 RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING SETTLEMENT OF LITIGATION INVOLVING THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield (incorrectly pled as the “N. Plainfield Police Department”) and Police Officers James Garafalo and Brian Rosko were sued in New Jersey Superior Court by an individual, Paul Marinaccio, in a matter entitled *Paul Marinaccio v. N. Plainfield Police Dept. et al.*, Civil Action Docket No. SOM-L-1086-18; and,

WHEREAS, the Borough of North Plainfield was represented in the matter through Borough Counsel’s office; and,

WHEREAS, after discussions and negotiation, including with the Court the representatives of the parties propose to settle any and all differences in exchange for a release of any further responsibility for damages arising from allegations contained in the Complaint as to this matter; and,

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq., and the offices of Eric M. Bernstein & Associates, L.L.C. recommend that this matter be settled for Five Thousand Dollars (\$5,000.00), which all parties have agreed to.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the payment of Five Thousand Dollars (\$5,000.00) be made to Paul Marinaccio, P.O. Box 7141, Green Brook, New Jersey 08812, upon receipt of an executed release, child support judgment search and the appropriate supporting documents.

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 Borough Clerk to sign and/or execute any and all necessary documents to settle this matter.

Seconded by Mr. Singleterry with Roll Call as follows:

Aye: La Ronde, Merrill, Singleterry, Stabile

Nay: Corzo, Schaefer

Abstain: Miller

Resolution carried 4-2-1.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Mayor Giordano announced that the annual St. Baldrick's Day Event had raised approximately \$50,000 to fight childhood cancer. He advised that radon test kits remain free and available to residents through the Mayor's Office. The Borough will install speed signs on Warfield Road and Greenbrook Road. Spring Clean Community Day will be held on Saturday, May 4 from 8:30 a.m. until 12:00 p.m.

Mr. Merrill reported that there had been no progress made with teachers' contract discussions. The school budget approved the addition of three new classrooms at East End School, he concluded.

Motion to adjourn by Ms. Miller, seconded by Mr. La Ronde and on voice vote carried unanimously.

Meeting adjourned at 8:17 p.m.

Borough Clerk

Council President