

# ***DRAFT MINUTES***

*These are the Draft Minutes of the Regular Meeting  
of the North Plainfield Borough Council held on Monday, 6 May 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, **May 6, 2019** at 7:33 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  
David 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 Chief Eaton.

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 in honor of the organization Moms Demand Action:

WHEREAS, every day, 96 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other developed countries; and

WHEREAS, protecting public safety in the communities they serve is the mayor's highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade was tragically shot and killed just weeks later, and she would now be celebrating her 22nd birthday; and

WHEREAS, to help honor Hadiya – and all Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated the first Friday in June as National Gun Violence Awareness Day; and

WHEREAS, a group of Hadiya's friends, asked their classmates to commemorate her life by wearing orange; the color hunters wear to announce themselves to other hunters when in the woods; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 7th, 2019, to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 7th, Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our community safe.

NOW, THEREFORE BE IT RESOLVED, that I, Michael Giordano Jr., Mayor of the Borough of North Plainfield declare June 7th, 2019 to be National Gun Violence Awareness Day. I encourage all citizens to support efforts to prevent the tragic effects of gun violence.

Mayor Giordano administered the following Oaths of Office:

Ross Innocenti	Firefighter/EMT
Melissa Zittel	Uniformed EMT

Chief William Eaton then offered the evening's awards presentation, detailing the incidents that led to the commendatory actions of the award recipients.

## **FIRE DEPARTMENT AWARDS PRESENTATION**

### **SERVICE COMMENDATION AWARDS**

Captain James DiPaolo	Lieutenant Thomas McDonald
Firefighter Jeffrey Meyer	Firefighter Kristopher Piccola
Firefighter Brendan Kinney	Firefighter Patrick Lanzone
Firefighter Kevin Miller	

EMT Michael Frey	EMT John Schulz
EMT Gary Howard	EMT Deirdre Wright
EMT Susan Connolly	EMT Ryan Lucas
EMT Matt Kiefer	
Callman Tyris McMillan	

Council President Stabile offered his congratulations and called for a five minute recess at 7:51 p.m.

The Council President reconvened the meeting promptly at 7:56 p.m. with all seven council members present.

The Clerk had submitted copies of the minutes of the Agenda Conference and Regular Meeting of April 22, 2019.

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

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

**RESOLUTION NO. 05-06-19-01** BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance entitled: BOND ORDINANCE NO. 19-04, PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, APPROPRIATING \$2,951,000 THEREFOR, (INCLUDING A STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$308,000) AND AUTHORIZING THE ISSUANCE OF \$2,566,000 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF, heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 20<sup>th</sup> day of May, 2019 at 7:30 o'clock, p.m., or as soon thereafter as the matter can be reached, at

the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

The Clerk read the ordinance by its title as follows:

**BOND ORDINANCE NO. 19-04** BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, APPROPRIATING \$2,951,000 THEREFOR (INCLUDING A STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$308,000) AND AUTHORIZING THE ISSUANCE OF \$2,566,000 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

**RESOLUTION NO. 05-06-19-02** BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance entitled: BOND ORDINANCE NO. 19-05, PROVIDING FOR THE 2019 SANITARY SEWER AND REPAIR PROGRAM OF THE SEWER UTILITY WITHIN THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$1,197,000 THEREFORE (INCLUDING COMMUNITY DEVELOPMENT BLOCK GRANTS IN THE AGGREGATE AMOUNT OF \$150,000) AND AUTHORIZING THE ISSUANCE OF \$1,097,000 IN BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 20<sup>th</sup> day of May, 2019 at 7:30 o'clock, p.m., or as soon thereafter as the matter can be reached, at the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

The Clerk then announced that the Supplemental Debt Statement in connection with both Bond Ordinances 19-04 and 19-05 had been filed by Chief Financial Officer DeBlasio with the Department of Community Affairs and produced evidence of same.

The Clerk then read the ordinance by its title as follows:

**BOND ORDINANCE NO. 19-05** BOND ORDINANCE PROVIDING FOR THE 2019 SANITARY SEWER AND REPAIR PROGRAM OF THE SEWER UTILITY WITHIN THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$1,197,000 THEREFOR (INCLUDING COMMUNITY DEVELOPMENT BLOCK GRANTS IN THE AGGREGATE AMOUNT OF \$150,000) AND AUTHORIZING THE ISSUANCE OF \$1,097,000 IN BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

**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.

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

**RESOLUTION NO. 05-06-19-03** BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

05-06-19-03 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. La Ronde and on Roll Call carried all seven voting aye.

**APPROVED RESOLUTIONS:**

**RESOLUTION NO. 05-06-19-03a** RESOLUTION ACKNOWLEDGING AUTOMATIC RENEWAL OF 2008-2010 COOPERATION AGREEMENTS REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAM ACTIVITIES

WHEREAS, Title I of the Housing and Community Development Act of 1974 provides for substantial federal funds being made available to certain urban counties for use therein; and

WHEREAS, the Community Development Block Grant Program and the HOME Investment Partnership Programs have benefited the County as a whole and have provided a unique opportunity for intermunicipal cooperation and

WHEREAS, the program has provided substantial benefits to persons of low and moderate income including the elderly and disabled, and that these benefits would be lost without a renewal of the County cooperation agreement; and

WHEREAS, the Borough of North Plainfield desires to preserve benefits of the Community Development Block Grant Program and the HOME Investment Partnership Programs for the County by renewing its participation in the Somerset County Community Development Consortium; and

WHEREAS, the Shared Services and Consolidation Act (NJSA 40A:65-1) provides a mechanism through which counties and municipalities may enter into agreements for the provision of joint services; and

WHEREAS, (NJSA 40A:65-1) provides that authorization for participation in such a cooperative program must be by resolution:

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of North Plainfield, County of Somerset, State of New Jersey, that:

1. It does hereby authorize continued participation in the Somerset County Community Development Consortium or Urban County.
2. It does hereby authorize, ratify and confirm a certain agreement (hereinafter referred to as "Contract") between the Borough of North Plainfield and the County of Somerset entitled "Agreement Between the County of Somerset and Certain Municipalities Located Therein For the Establishment of Cooperative Means of Conducting Certain Community Development Activities" and is further authorized to amend language that is contained in the existing agreement to comply with new requirements from the Department of Housing and Urban Development. This agreement shall automatically renew in every successive qualification period unless notice that it wishes to withdraw is provided to HUD and Somerset County.
3. It hereby authorizes full participation by the Borough of North Plainfield in all aspects of the activities provided for within said Contract pursuant to the terms and conditions as more fully set forth in said Contract.
4. It hereby incorporates said Agreement into this Resolution by reference, as if fully set forth herein.
5. The Mayor and Municipal Clerk are hereby authorized to execute the Contract with the County and Copy of said Contract will remain filed in the Office of the Municipal Clerk for public inspection.

**RESOLUTION NO. 05-06-19-03b REQUESTING BUS SHELTERS**

WHEREAS, NJ Transit has funds for the purchase of bus shelters throughout the State of New Jersey; and

WHEREAS, the governing body of a municipality in New Jersey or the Board of Chosen Freeholders of a county may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

WHEREAS, the Borough of North Plainfield, in the interest of promoting public transportation, conservation of energy, traffic safety and the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction;

NOW, THEREFORE, BE IT RESOLVED that application is hereby made by the Borough of North Plainfield to the New Jersey Transit Corporation for the purchase and installation of one (1) bus shelter as set forth in Exhibit A, made a part hereof; and,

BE IT FURTHER RESOLVED by the Council of the Borough of North Plainfield that the Mayor and Borough Clerk be authorized to execute an agreement with New Jersey Transit to arrange for the purchase and installation of the shelter.

**RESOLUTION NO. 05-06-19-03c RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GROTTO ENGINEERING ASSOCIATES, LLC FOR THE GRANDVIEW AVENUE ROAD IMPROVEMENT PROJECT – NJDOT 2019 FOR THE BOROUGH OF NORTH PLAINFIELD**

WHEREAS, the Borough of North Plainfield has received a grant in the amount of Three Hundred Eight Thousand Dollars (\$308,000.00) from the State of New Jersey Department of Transportation Local Aid for pavement, sidewalk, curb and drainage improvements to Grandview Avenue from Somerset Street to Westervelt Avenue (approximately one thousand seven hundred [1,700] feet) within the Borough known as the Grandview Avenue Road Improvements – NJDOT 2019 (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield is in need of professional engineering services to provide the design documents and services relative to bid support and construction observation and administration for the Project; and,

WHEREAS, Grotto Engineering Associates, LLC, with a principal place of business located at 340 North Avenue, Cranford, New Jersey 07016, is in the business of providing professional engineering services and previously submitted a proposal for the Project for the Borough of North Plainfield, Somerset County, New Jersey, dated April 30, 2019, as follows:

Item 1: Bid Design Documents in an amount of Thirty-One Thousand Dollars (\$31,000.00) in the form of a fixed fee; and,

Item 2: Bid Support, Construction Observation, Contract Administration and Testing at an hourly rate in an amount not to exceed of Thirty-Four Thousand Dollars (\$34,000.00).

All of these fees 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 obtaining the services of Grotto Engineering Associates, LLC 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 award said contract to Grotto Engineering Associates, LLC, 340 North Avenue, Cranford, New Jersey 07016 in an amount set forth above 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. 05-06-19-03d** WHEREAS, tangible personal property has come into the possession of the Police Department of the Borough of North Plainfield by finding or recovery; and

WHEREAS, the whereabouts of the owners of said property is unknown and cannot be ascertained; and

WHEREAS, said property has not been disposed of and has been in the possession of the Police Department for at least six (6) months; and

WHEREAS, *N.J.S.A.* 40A:14-157 provides for the sale of said tangible property at public auction;

NOW, THEREFORE, BE IT RESOLVED, that the Police Department be and hereby is authorized and directed to sell said tangible personal property at a public auction to be held on Saturday, June 15, 2019, starting at 9:00am and ending at 1:00pm, at the North Plainfield Department of Public Works Facility, located at 254 Steiner Place North Plainfield, NJ 07060;

BE IT FURTHER RESOLVED that any monies received as a result of said auction shall be paid into the general municipal treasury in accordance with the provisions of *N.J.S.A.* 40A:14-157.

BE IT FURTHER RESOLVED that the Borough Clerk shall cause a notice of said auction, designating the time and place therefore, to be published in an official newspaper of the Borough not less than ten (10) days prior to the date of said public auction.



**RESOLUTION NO. 05-06-19-03e** 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 170.02 Lot 1 463-73 Tappan Ave # 06-00111 issued 06/29/06

**RESOLUTION NO. 05-06-19-03f** RESOLUTION AUTHORIZING A SMALL CITIES LOAN, PROMISSORY NOTE AND SECURITY AGREEMENT BETWEEN THE BOROUGH AND JAMES J. HARTY AND HARTY BROS. CARPET AND AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE SAME ON BEHALF OF THE BOROUGH

WHEREAS, Harty Bros. Carpet has completed an application to obtain funding from the Borough of North Plainfield (hereinafter referred to as the "Borough") as Lender, in the amount of Twenty Thousand Dollars and Zero Cents (\$20,000.00) (the "Loan"), under a loan program known as the "Small Cities Loan Program" a/k/a "North Plainfield Economic Development Loan Program" (hereinafter referred to as the "Loan Program"); and,

WHEREAS, the Loan Program provides for loans to qualified owners of commercial properties located within the Borough for the purpose of improvements to the commercial property;

WHEREAS, the Borrowers are the owners of real property known as 392 Somerset Street, North Plainfield, New Jersey (hereinafter referred to as the "Property"), and the purpose of the Loan is for improvements to the parking lot (filling a large hole and repaving), sidewalk, ramp and water drain at the Property;

WHEREAS, the Borough and its counsel, Eric M. Bernstein & Associates, LLC, have reviewed the proposed Promissory Note and Security Agreement between the Borough and the Borrowers and find same acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that it hereby authorizes the Borough to make the Loan to the Borrowers and to enter into the Promissory Note and Security Agreement in the form presented herein; and,

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk are authorized to execute such Security Agreement and other documents as may be necessary to effectuate this Resolution.

**RESOLUTION NO. 05-06-19-03g** 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 6<sup>th</sup> day of May, 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	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
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
Rhonda Pisano, Deputy Borough Clerk Bernards Twp., NJ	Procurement Fraud Symposium
Plainfield Area Regional Sewerage Authority Middlesex, NJ	Sanitary Sewer Cleaning Advisory
William Baker, Information Station Specialists, Zeeland, Michigan	New Medium Wave transmitting Antenna
NJ Local Technical Assistance Program New Brunswick	N J L T A P Newsletter

**PUBLIC COMMENT:**

Frank D’Amore, 40 Willow Avenue, North Plainfield, shared his concerns with the bank owned property at 625 Ayres Avenue as the garage was demolished and never rebuilt as mandated in the construction permit. He inquired after a written procedure detailing how the Council would use their investigative authority. Advising that he had filed an OPRA request on April 12, 2019, he noted that a response was not provided within the seven day time frame.

Mike Yochim, 264 Duer Street, North Plainfield, shared his displeasure with the increase in noise pollution in his neighborhood over the last several years. Explaining that taxicab drivers use their horns to alert customers of their arrival, he also found fault with ice cream trucks playing loud music. Council President Stabile acknowledged that he had experienced the same frustrations and would look further into the matter.

Desmond Battiste, 145 Mali Drive, North Plainfield, thanked all of the volunteers for their efforts with Spring Clean Community Day. He then offered to provide

information on blue light safety towers used in parks and public places to notify residents of emergencies.

**REQUESTS FOR AGENDA ITEMS:** None.

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

Mayor Giordano thanked all of the volunteers for their efforts with Spring Clean Community Day. He announced that Greenbrook Road would be paved on May 20 and a new bus shelter would be erected at Route 22 and West End Avenue.

Mr. Hollod announced that the new fuel facility at the Department of Public Works yard would open that week. He then reported on the recent energy improvements made at Borough Hall and the Community Center.

Mr. Merrill reported that the School Board had adopted a sixty-nine million dollar budget which reflected an increase in State aid of approximately ten percent. Capital improvement funds would be used for various projects. Responding to Ms. Miller's inquiry, he noted that the teachers had not yet agreed on a new contract.

All of the Council members congratulated the new firefighter and EMT and offered their praises of the award recipients.

Mr. La Ronde announced the first annual Christmas in July event to be held Saturday, July 27 from 10:00 a.m. to 4:00 p.m. at the Vermeule Mansion grounds.

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

Meeting adjourned at 8:37 p.m.

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Borough Clerk

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Council President