

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Monday, 20 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 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, **May 20, 2019** at 7:55 p.m. at the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

PRESENT:

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

Also Present: Michael Giordano, Jr., Mayor
David Hollod, Business Administrator
John Kaplan, Esq., Associate Borough Attorney
Stephanie Sherwood, RMC, CMR, Deputy Clerk

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."

The Deputy Clerk had submitted copies of the minutes of the Regular Meeting of May 6, 2019.

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

Council President Stabile advised that Bond Ordinance Nos. 19-04 and 19-05 could not be adopted with just the four Council members in attendance. The hearings would be held that evening, with the second reading carried to the June 10, 2019 meeting.

HEARING:

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

The Deputy Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Ms. Miller, seconded by Mr. Singleterry and on Roll Call carried all four voting aye.

HEARING:

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

The Deputy Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Ms. Miller, seconded by Mr. Merrill and on Roll Call carried all four voting aye.

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

RESOLUTION NO. 05-20-19-03 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 19-06 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing June 10, 2019 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. Singleterry and on Roll Call carried all four voting aye.

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

ORDINANCE NO. 19-06 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."

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

RESOLUTION NO. 05-20-19-04 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 19-07 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing June 10, 2019 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. Merrill and on Roll Call carried all four voting aye.

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

ORDINANCE NO. 19-07 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC," ADDING SECTION 7-20 ENTITLED, "ON-STREET PARKING FOR FIRE DEPARTMENT VEHICLES" AND SCHEDULE XXVIII, "ON-STREET PARKING FOR FIRE DEPARTMENT VEHICLES."

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. Merrill presented the following Resolution and moved its adoption:

RESOLUTION NO. 05-20-19-05 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

05-20-19-05 a, b, c, d, e, f, g, h, i, j

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

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

APPROVED RESOLUTIONS:

RESOLUTION NO. 05-20-19-05a REQUESTING APPROVAL OF INSERTION OF \$4,685.94 FOR THE 2019 BUDGET REVENUE AVAILABLE FROM THE BODY ARMOR GRANT

WHEREAS, N.J.S. 40:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough of North Plainfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$4,685.94 which item is now available as a revenue from the Body Armor Grant.

BE IT FURTHER RESOLVED that a like sum of \$4,685.94 be and the same is hereby appropriated under the caption of:

Body Armor Grant

RESOLUTION NO. 05-20-19-05b WHEREAS, East End School PTO, 170 Oneida Avenue, North Plainfield, New Jersey, has applied for licenses to conduct an on-premise 50-50 cash raffle and an on-premise merchandise raffle on June 1, 2019; and

WHEREAS, East End School PTO has been issued Identification No. 352-5-39102 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 licenses to East End School PTO for an on-premise 50-50 cash raffle (RL-1183) and an on-premise merchandise raffle (RL-1182) to be held on June 1, 2019 at 170 Oneida Avenue, North Plainfield, New Jersey.

RESOLUTION NO. 05-20-19-05c 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 Construction Permit Fee:

Patrick Ramos \$ 155.00
 91 Mountain Avenue
 North Plainfield, NJ 07060

RESOLUTION NO. 05-20-19-05d 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 166 Lot 3 448 Catalpa Ave. # 16-00114 issued 11/28/16

RESOLUTION NO. 05-20-19-05e RESOLUTION TO ESTABLISH SALARIES AND WAGES FOR THE YEAR 2019 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 2019;

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 2019 as follows:

<u>TITLE</u>	<u>2019</u>
Administrative Assistant	\$ 52,020
Business Administrator/Assistant Borough Engineer	154,763
Chief Financial Officer	45,318
Construction Official	23,600
Court Administrator	87,740
Director of Public Works	N/A ¹
Municipal Prosecutor	27,808
Office of Emergency Management Coordinator	10,200
Recreation Director	76,500
Assistant Recreation Director	12,021
Deputy Registrar	1,135
Tax Assessor	73,818
Tax Collector	11,444
Treasurer/QPA/Deputy CFO	9,733
Code Enforcement Officer	54,591
Municipal Court Judge	N/A ²
Zoning Officer	N/A ¹

¹ Contracted With Grotto Engineering

² Contracted with Watchung/Green Brook

RESOLUTION NO. 05-20-19-05f RESOLUTION TO ESTABLISH SALARIES AND WAGES FOR THE YEAR 2019 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 2019;

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 2019 as follows:

<u>TITLE</u>	<u>2019</u>
Borough Clerk	\$76,288
Deputy Borough Clerk	\$53,035

RESOLUTION NO. 05-20-19-05g RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LICENSE AGREEMENT WITH THE COUNTY OF UNION FOR THE USE OF GREEN BROOK PARK FOR ITS ANNUAL FOURTH OF JULY FIREWORKS DISPLAY IN THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield desires to have a fireworks display in honor of the 4th of July in Green Brook Park (hereinafter referred to as the "Fireworks") to be held on Saturday, July 6, 2019, with a proposed rain date of Sunday, July 7, 2019; and,

WHEREAS, the County of Union, a body politic of the State of New Jersey, with offices at the Union County Administration Building, 10 Elizabethtown Road, Elizabeth, New Jersey is the owner and operator of Green Brook Park; and,

WHEREAS, the County of Union requires that the Borough of North Plainfield have a license agreement to use Green Brook Park for its Fireworks, a copy of said license agreement 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 using Green Brook Park for its Fireworks and entering into said license agreement with the County of Union.

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 a license agreement with the County of Union, without the need for any further action of this Borough Council, for the purposes cited above.

BE IT FURTHER RESOLVED that the resolution is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey.

RESOLUTION NO. 05-20-19-05h RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH S. BROTHERS, INC. FOR 2019 CAPITAL ROAD PROGRAM – VARIOUS STREETS IN THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield is in need of certain road improvements on various streets in the Borough of North Plainfield (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and the following three (3) bids were the lowest bids received:

<u>Bidding Entity</u>	<u>Base Bid</u>	<u>Alternate 1 Bid</u>	<u>Alternate 2 Bid</u>
S. Brothers Inc.	\$764,310.72	\$61,997.53	\$91,867.15
CCM Contracting, Inc.	\$772,938.00	\$42,063.00	\$85,630.00
P&A Construction, Inc.	\$773,628.70	\$57,721.78	\$90,318.40

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC, as well as Grotto Engineering Associates, LLC, the Borough’s Engineer on the Project, have reviewed the bid submissions and recommend the award of the bid and contract for the Project to the lowest responsive and responsible bidder, S. Brothers, Inc., whose main offices are located at 16 Sobechko Road, Manalapan, New Jersey 07726 (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 responsive and 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: 2019 Capital Road Program – Various Roads
 Successful Bidder: S. Brothers, Inc.
 Base Bid: In the Amount of Seven Hundred Sixty-Four Thousand Three Hundred Ten Dollars and Seventy-two Cents (\$764,310.72)

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute a contract and all other necessary documents to engage the construction services of S. Brothers, 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 S. Brothers, Inc. for the Project known as the 2019 Capital Road Program – Various Streets.

RESOLUTION NO. 05-20-19-05i WHEREAS, It has come to the attention of the Tax Collector that a double payment in the amount of \$2236.20 was made on the Taxes of the property know as Block 195 Lot 20, also known as 694 Greenbrook Road.; and

WHEREAS, said overpayment should be refunded:

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

Refund Real Estate Tax Overpayment:

Dorothy Hicks	\$ 2236.20
c/o	
Goldstein Law Firm	
Mr. Eliot Goldstein	
92 East Main Street	
Suite 408	
Somerville, NJ 08876	

RESOLUTION NO. 05-20-19-05j 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 20th 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
Somerset Co. Business Partnership Somerville, NJ	Added Conference Events
William Baker, Information Station Specialists, Zeeland, Michigan	Correspondence re: Antenna Installation
Sustainable Raritan River New Brunswick	Nomination Deadline
Somerset Co. Freeholders Somerville, NJ	Pledge to Stand Up for Others
FEMA, Washington, DC	Mitigation Minutes (newsletters)
Borough Clerk, Watchung, NJ	Updated Land Use Ordinances
NJ Dept. of Transportation Trenton, NJ	Accelerated Road Grants / State Aid Appropriations
NJ DEP, Trenton, NJ	Update (newsletter)
Michael Yochim North Plainfield	“A Big Thank You”
Somerset County Clerk Somerville, NJ	Extended Mail-In Ballot Hours
Carrot Top Industries	Peace Officers’ Memorial Day

PUBLIC COMMENT:

Frank D’Amore, 40 Willow Avenue, North Plainfield, expressed his displeasure with the lack of enforcement of Borough Code section 26-8 which regulates solid waste storage and collection. Citing 22 Mountain Avenue, he advised of an unsecured dumpster on the property which is being used for household trash.

REQUESTS FOR AGENDA ITEMS: None.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Mayor Giordano detailed the Memorial Day ceremonies timeline. He then recognized and thanked the Girl Scouts in attendance.

All of the Council members thanked the Girl Scouts for attending the meeting.

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

RESOLUTION NO. 05-20-19-06 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:

COLLECTIVE BARGAINING AGREEMENTS
WITH TEAMSTERS, IAFF UNIONS

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. Merrill and on Roll Call carried all four voting aye.

Executive Session convened at 8:15 p.m.

EXECUTIVE SESSION

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

Council President Stabile reconvened the meeting at 8:22 p.m. with all four council members present.

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

Meeting adjourned at 8:23 p.m.

Borough Clerk

Council President