

DRAFT MINUTES

These are the Draft Minutes of the Regular Meeting of the North Plainfield Borough Council held on Monday, 21 October 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 Council'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, **October 21, 2019** at 8:10 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 (absent – excused)
Wendy Schaefer
Douglas M. Singleterry
Frank “Skip” Stabile, Council President

Also Present: Michael Giordano, Jr., Mayor
David Hollod, Business Administrator
Patrick DeBlasio, Chief Financial Officer
John Kaplan, Esq., Associate Borough Attorney
Richard K. Phoenix, RMC, Borough Clerk
Stephanie Sherwood, RMC, CMR, Deputy Clerk

The Council President then 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 Clerk had submitted copies of the minutes of the Regular Meeting of September 23, 2019.

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

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

RESOLUTION NO. 10-21-19-01 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 19-09 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing November 18, 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. La Ronde and on Roll Call carried all six voting aye.

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 19-09 ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE 12-122 “HISTORIC DISTRICT RESIDENCE ZONES” OF THE *ZONING ORDINANCE* OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NORTH PLAINFIELD

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. 10-21-19-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

10-21-19-02 a, b, c, d, e

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

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

APPROVED RESOLUTIONS:

RESOLUTION NO. 10-21-19-02a RESOLUTION OF THE BOROUGH COUNCIL APPROVING PAYMENT NO. TWO (FINAL) TO S. BROTHERS, INC., CHANGE WORK ORDER NO. ONE AND THE CLOSING OUT OF THE CONTRACT AND RELEASE OF RETAINAGE FOR THE PROJECT KNOWN AS THE SANDFORD AVENUE IMPROVEMENTS – NJDOT 2017

WHEREAS, the Borough of North Plainfield previously awarded a contract for certain road improvements with regard to a project known as the “Sandford Avenue Improvements” project (hereinafter referred to as the “Project”), with said contract having been awarded to S. Brothers Inc. whose main offices are located in South River, New Jersey 08882 (hereinafter referred to as the “Contractor”); and,

WHEREAS, David J. Testa, P.E., C.M.E., C.P.W.M. of Grotto Engineering and Associates, LLC (hereinafter referred to as the “Engineer”), on behalf of the Borough, by letter dated September 23, 2019, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, has reviewed the Contractor’s submission for Payment No. 2 (Final) in the total amount of Twenty Thousand Nine Hundred Thirty-Five Dollars and Eighty-Two Cents (\$20,935.82), plus the release of any and all of the Contractor’s retained funds held by the Borough for the Project; and,

WHEREAS, the Engineer, on behalf of the Borough, by letter dated September 23, 2019, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, has requested “Change Order Request No. 1” to amend the professional services contract for the Project modifying the services and materials, with a reduction of Eleven Thousand Three Hundred Sixty Dollars and Forty-Five Cents (\$11,360.45); and,

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, L.L.C. has reviewed the Engineer’s and the Contractor’s submissions and accepts 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 Partial Payment No. 2 (Final), dated August 23, 2019, and the Closeout of the Project known as the Sandford Avenue Improvements – NJDOT 2017, is approved with S. Brothers, Inc. whose main offices are located in South River, New Jersey 08882, in the total amount of Twenty Thousand Nine Hundred Thirty-Five Dollars and Eighty-Two Cents (\$20,935.82), plus the release of any and all of the Contractor’s retained funds held by the Borough for the Project, which Final Payment Request and Closeout 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 by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Council hereby authorizes the Mayor and the Borough Clerk, on behalf of the Borough, to sign and/or execute Change Order Request No. 1, dated August 28, 2019, with S. Brothers, Inc., which Change Order Request No. 1 is incorporated herein by reference as if same was fully set forth, without the need for any further action of this Borough Council

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 and issue Payment No. 2 (Final).

RESOLUTION NO. 10-21-19-02b RESOLUTION OF THE BOROUGH COUNCIL ADOPTING AN UPDATED EDITION OF THE EMPLOYEE HANDBOOK FOR THE EMPLOYEES OF THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield is in need of adopting a reviewed and revised edition of the Borough's employee handbook to provide guidelines for Borough employees; and,

WHEREAS, the Borough of North Plainfield's Administration, with the aid of the Borough's Attorney, has reviewed and revised the Employee Handbook where appropriate; and,

WHEREAS, the Mayor and Borough Council are desirous to adopt the revised edition of the Employee Handbook as the official employee handbook to provide guidelines for the employees of the Borough of North Plainfield, subject to applicable collective bargaining agreements.

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 adopt the revised edition of the Borough of North Plainfield Employee Handbook as the official handbook of the Borough of North Plainfield to provide guidelines for Borough employees with the understanding that the handbook is not a contract of employment and is further subject to all applicable collective bargaining agreements.

RESOLUTION NO. 10-21-19-02c RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

WHEREAS, N.J.S.A. 40A:4-5, as amended by P.L. 2017, c. 183, requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services of the New Jersey Department of Community Affairs; and,

WHEREAS, the members of the Borough Council have familiarized themselves with the contents of the above-referenced enforcement guidance and with the Borough’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of North Plainfield hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

RESOLUTION NO. 10-21-19-02d WHEREAS, the North Plainfield Conference St. Vincent de Paul Society, 99 Westervelt Avenue, North Plainfield, New Jersey, has applied for a license to conduct an off-premises 50-50 cash draw raffle on December 22, 2019; and

WHEREAS, the Society has been issued Identification No. 352-3-42606 by the New Jersey Legalized Games of Chance Control Commission; and

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

NOW, THEREFORE, BE IT RESOLVED that the Clerk be and is hereby authorized to issue a license to the North Plainfield Conference St. Vincent de Paul Society for an off-premises 50-50 cash draw raffles to be held on December 22, 2019 at 99 Westervelt Avenue, North Plainfield, New Jersey.

RESOLUTION NO. 10-21-19-02e 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 21st day of October, 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:

NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
County of Somerset, Somerville, NJ	Newsletters & General Correspondence
Plainfield Area Humane Society Plainfield, NJ	Invoice and Report
NJ Dept. of Labor, Trenton, NJ	Grants, Growing Apprenticeships
NJDEP, Trenton, NJ	Public Access Rules
Plainfield Area Regional Sewerage Authority	Minutes and Agenda
Middlesex, NJ	Commitment to Communities

NJ Dept. of Transportation, Trenton, NJ	
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PUBLIC COMMENT:

Frank D'Amore, Sr., 40 Willow Avenue, North Plainfield, called to attention a violation at 22 Mountain Avenue originally reported months ago. Reporting that the garbage remains in plain view, the speaker voiced his concerns with the lack of property maintenance enforcement.

REQUESTS FOR AGENDA ITEMS: None.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Mayor Giordano commented on the success of the first ever North Plainfield Fall Festival. He then reported on a successful meeting with the New Jersey Department of Transportation regarding the traffic lights on Route 22 at West End Avenue, Wilson Avenue and North Drive. He asked that residents exercise caution while out trick-or-treating. Please visit the Borough's website for further details regarding all events.

Mr. Merrill recognized Patrick DeBlasio and staff for their hard work. He thanked Katherine Miller for the new historic district ordinance. All other Council members echoed his sentiments.

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

Meeting adjourned at 8:20 p.m.

Borough Clerk

Council President