

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Monday, February 24, 2020.*

*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, **February 24, 2020** at 8:03 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 Council President 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 18, 2019. 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*, *WJLP-TV* and *WKMB* Radio on November 19, 2019, 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 Agenda Conference and Regular Meeting of February 10, 2020.

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

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. 02-24-20-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

02-24-20-01 a, b, c, d

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 CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 02-24-20-01a RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH THE COUNTY OF SOMERSET FOR A CERTIFIED RECYCLING PROFESSIONAL TO SIGN ANNUAL RECYCLING TONNAGE REPORTS FOR THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield has duly enacted a recycling plan for all recyclable materials as designated by the Somerset County Solid Waste Management Plan and amendments thereto codified in the Borough Code under section 14-7, "Recycling Program" and,

WHEREAS, pursuant to the Recycling Enhancement Act, N.J.S.A. 13:1E-96.2 et seq., the Borough of North Plainfield is in need of a Certified Recycling Professional to approve and sign a mandatory Annual Recycling Tonnage Report to be submitted to the New Jersey Department of Environmental Protection; and,

WHEREAS, the County of Somerset, a body politic having its offices located at 20 Grove Street, P.O. Box 3000, Somerville, New Jersey 08876 (hereinafter referred to as the "County"), has a Certified Recycling Professional on staff; and,

WHEREAS, while it is understood that the responsibility for the accuracy of all tonnage and materials reported lies with the Borough of North Plainfield, the Borough is desirous of retaining the services of the County's Certified Recycling Professional for the signing of said Annual Recycling Tonnage Report to be submitted to the New Jersey Department of Environmental Protection at a rate of Forty One Dollars and Eighty-Two Cents (\$41.82) per hour as needed, not to exceed an annual amount of One Thousand Dollars (\$1,000.00).

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 enter into said contract with the County of Somerset, a copy of which is attached hereto and made a part hereof, for the services of the County's Certified Recycling Professional to sign the Borough's Annual Recycling Tonnage Reports at a rate of Forty One Dollars and Eighty-Two Cents (\$41.82) per hour as needed, not to exceed an annual amount of One Thousand Dollars (\$1,000.00).

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute any and all documents on behalf of the Borough to effectuate this Resolution.

BE IT FURTHER RESOLVED that the execution 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 of this contract to Somerset County, pursuant to N.J.S.A. 13:1E-99.14, is an exception to the bidding requirements as set forth in the Local Public Contracts Law of the State of New Jersey, pursuant to N.J.S.A. 40A:11-5(2).

RESOLUTION NO. 02-24-20-01b RESOLUTION OF THE BOROUGH COUNCIL APPROVING PAYMENT NO. 3 (FINAL) TO S. BROTHERS, INC. AND THE CLOSING OUT OF THE CONTRACT AND RELEASE OF RETAINAGE FOR THE PROJECT KNOWN AS THE 2019 CAPITAL ROAD IMPROVEMENTS – VARIOUS STREETS

WHEREAS, the Borough of North Plainfield previously awarded a contract for certain road improvements with regard to a project known as the "2019 Capital Road Improvements – Various Streets" 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 February 5, 2020, 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. 3 (Final) in the total amount of Fifteen Thousand Six Hundred and Eighteen Dollars and Thirty-Six Cents (\$15,618.36), plus the release of any and all of the Contractor's retained funds held by the Borough for the Project; and,

WHEREAS, in accordance with the Contract, the Contractor has submitted a one (1) year Maintenance Bond in the amount of Seventy-Eight Thousand Ninety-One Dollars and Seventy-Nine Cents (\$78,091.79), with an effective date of December 31, 2019; 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 Partial Payment No. 3 (Final) and the Closeout of the Project known as 2019 Capital Road Improvements – Various Streets, is approved with S. Brothers, Inc. whose main offices are located in South River, New Jersey 08882, in the total amount of Fifteen Thousand Six Hundred and Eighteen Dollars and Thirty-Six Cents (\$15,618.36), 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 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. 3 (Final).

RESOLUTION NO. 02-24-20-01c WHEREAS, the following organization has been issued identification number 352-5-27290 by the New Jersey Legalized Games of Chance Control Commission and has submitted applications to conduct raffles; and

WHEREAS, investigation has shown that this organization meets the requirements for the issuance of raffles licenses;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be and is hereby authorized to issue raffles licenses to the following:

West End School PTA
447 Greenbrook Road, North Plainfield
On-premises 50-50 cash draw raffle – RL #1190
March 21, 2020, 6:00 – 10:00 p.m.
On-premises merchandise draw raffle – RL #1189
March 21, 2020, 6:00 – 10:00 p.m.

RESOLUTION NO. 02-24-20-01d 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 24th day of February, 2020 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

COMMUNICATIONS:

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| NJ State League of Municipalities Trenton, NJ | Newsletters & Advisories |
| County of Somerset, Somerville New Jersey State Treasurer, Trenton, NJ | Newsletters & General Correspondence Hotel/Motel Occupancy Tax Distribution |

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| Jose Rodriguez, Esq., Trenton, NJ Division of Alcoholic Beverage Control Trenton, NJ Bart Thomas, North Plainfield NJ Dept. of Environmental Protection Trenton, NJ Nick Ciampa, Somerset, NJ Brenda Johnson, North Plainfield Plainfield Area Humane Society Plainfield, NJ Somerset County Business Partnership Somerville, NJ PARSA, Middlesex, NJ | Person-to-Person Transfer: 1814-33-008-006 Notice of Apparent Violation: 1814-33-001-003 Shade Tree Advisory Bd. Minutes Weekly Update Friends of Vermeule Mansion Minutes 987 Route 22 Westbound Access Invoice and Report Newsletters Agenda and Minutes |
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PUBLIC COMMENT:

Frank D'Amore, 40 Willow Avenue, North Plainfield, urged for a revision of Chapter 11-6.22 of the Borough Code to require the issuance of a rental certificate of occupancy every twelve months. The speaker advised that at least four different multi-family homes are illegally occupied without rental certificates of occupancy.

REQUESTS FOR AGENDA ITEMS: None.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

Mayor Giordano reported on the success of the Winterfest 2020 event. Census notices will go out on March 10 and all residents will be urged to complete the paperwork. He thanked everyone that attended the Harlem Wizards' basketball game to raise money for Project Graduation.

Mr. Hollod advised of the need for a public hearing for the CDBG project at the next meeting. A resolution authorizing the submittal of the Library Grant Application would also be needed.

Ms. Miller reported on the success of the Black History Month Celebration, thanking everyone involved for their efforts with same. Ms. Corzo added that the event was well organized and the speakers were phenomenal.

Mr. La Ronde reported on his attendance at the basketball game, noting how great it was to see a community event so well attended.

Motion to adjourn by Ms. Miller seconded by Ms. Corzo and on voice vote carried unanimously.

Meeting adjourned at 8:18 p.m.

Borough Clerk

Council President