

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Tuesday, July 21, 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 (virtual) Meeting of the Council of the Borough of North Plainfield held on Tuesday, **July 21, 2020** at 4:05 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 Mr. La Ronde.

Council President Stabile requested a moment of silence for the men and women serving in our Armed Forces and for Congressman John Lewis who passed away on July 17, 2020.

The Council President read the following Notice of Compliance:

"This virtual meeting is being held in compliance with N.J.S.A. 10:4-6 et seq. Adequate notice of this meeting was provided by transmitting notice to the official newspapers of the Borough, The Courier News, WKMB Radio, WJLP-TV, the Alternative Press and also to the Star Ledger on July 13, 2020 and by posting a copy of this notice on the bulletin boards in the Municipal Building and the Memorial Library reserved for such purpose."

Mayor Giordano read the Mayor's Call of Meeting:

I, Michael Giordano, Jr., Mayor of the Borough of North Plainfield, do hereby call a Special Meeting of the North Plainfield Borough Council for Tuesday, July 21, 2020 at 4:00 PM. Such Meeting is expected to be conducted by telephone/videoconference due to the current COVID-19 Virus Public Health Emergency declared by Governor Philip Murphy which requires social distancing measures that would not be achievable in the customary location in the Council Chambers at North Plainfield Borough Hall in addition to P.L. 2020, c.11. The Borough Clerk is charged with providing proper notice of the Meeting to all applicable parties, setting up the technical parameters of the meeting, training the participants in the proper use/procedures of the telephone/videoconferencing methodology and conducting the Meeting in accordance with all governing statutes, including the allowance for public participation. The purpose of this Special Council Meeting is to hold a Public Hearing and vote on Ordinance No. 20-03 (Parking Prohibition on Jennings Lane), Ordinance No. 20-04 (Affordable Housing), and Ordinance No. 20-05 (Villa Maria Site Redevelopment Plan). Further anticipated action includes the introduction of an ordinance to establish an Affordable Housing Overlay Zone for The Old Mill Site, and the introduction of an ordinance to extend a No Parking Zone on Mountain Avenue. Resolutions to be considered and acted upon include approving an Affordable Housing Spending Plan, approving a closeout of the US Route 22/North Drive Sanitary Sewer project with National Water Main Cleaning Co., approving a grant application to the NJDOT for Brook Ave. Roadway Reconstruction, approving a closeout of the Public Works Fueling Facility project with T. Slack Environmental Services, and approval to enter into a Federal Aid Cost Reimbursement Agreement with the NJDOT for the Somerset Street Streetscape project. Other anticipated business includes approval of payment of bills, consideration of a plan for capital projects and any other such matters of business as may be necessary and required to be approved at an otherwise regularly scheduled Council Meeting.

The Clerk had submitted copies of the minutes of the Regular Meeting and Executive Session of June 9, 2020.

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

DISCUSSION: 2020 Capital Plan

Mr. Hollod explained that the process to solicit projects and expenditures from all departments had begun. A Capital Plan would typically fund road improvement projects as well as large equipment purchases. A separate bond would fund sewer improvement projects.

HEARING:

ORDINANCE NO. 20-03 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 7-3.4, ENTITLED, "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS," SECTION 7A-2, SCHEDULE II, "NO PARKING."

The Clerk read the Ordinance by its title.

PUBLIC COMMENT:

Erika Wilson, 349 Brook Avenue, North Plainfield, requested clarification of the ordinance, specifically if it would pertain to Brook Avenue. Mr. Hollod advised that this ordinance would prohibit parking on the south side of the Jennings Lane dead end. He asked that Ms. Wilson reach out to him with any concerns regarding parking on Brook Avenue.

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

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

RESOLUTION NO. 07-21-20-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 20-03 be adopted and advertised as required by statute.

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

HEARING:

ORDINANCE NO. 20-04 AN ORDINANCE REPEALING AND REPLACING IN ITS ENTIRETY ARTICLE IX OF CHAPTER XXII OF THE “CODE OF THE BOROUGH OF NORTH PLAINFIELD” REGARDING AFFORDABLE HOUSING, TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) AND TO COMPLY WITH THE BOROUGH’S THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

The Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

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

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

RESOLUTION NO. 07-21-20-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 20-04 be adopted and advertised as required by statute.

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

HEARING:

ORDINANCE NO. 20-05 AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR AN AREA IN NEED OF REDEVELOPMENT CONSISTING OF BLOCK 110, LOTS 2.02 TO 2.14 IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, et. seq.

The Clerk read the Ordinance by its title.

PUBLIC COMMENT:

Geri Modell, 296 Brook Avenue, North Plainfield, requested an explanation of the ordinance. Mr. Bernstein advised that the ordinance allows for the adoption of a redevelopment plan of the old Villa Maria site of which affordable housing would be built upon a small portion.

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

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

RESOLUTION NO. 07-21-20-03 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 20-05 be adopted and advertised as required by statute.

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

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

RESOLUTION NO. 07-21-20-04 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 20-06 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing August 10, 2020 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.

Mr. Bernstein interjected that the meeting date would need to be changed to the end of August.

As amended, Resolution was seconded by Mr. La Ronde and on Roll Call carried all seven voting aye.

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 20-06 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 22 OF THE BOROUGH CODE, ENTITLED "LAND DEVELOPMENT" MOST NOTABLY SECTION 22-113, ENTITLED "AHO AFFORDABLE HOUSING OVERLAY ZONE" AND SECTION 22-133 ENTITLED "INCLUSIONARY HOUSING REQUIREMENTS FOR REZONING AND VARIANCES"

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

RESOLUTION NO. 07-21-20-05 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 20-07 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing August 10, 2020 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.

Mr. Bernstein indicated that this meeting date would also need to be changed to the end of August.

As amended, Resolution was seconded by Ms. Corzo and on Roll Call carried all seven voting aye.

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 20-07 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 7A OF THE BOROUGH CODE, ENTITLED "TRAFFIC SCHEDULES", MOST NOTABLY SECTION 7A-2, ENTITLED "SCHEDULE II: NO PARKING"

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

RESOLUTION NO. 07-21-20-06 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

07-21-20-06 a, b, c, d, e, f, g, h, i, j, k, l, m, n, o

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

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

APPROVED CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 07-21-20-06a WHEREAS, the Borough of North Plainfield has duly executed a recycling plan for all recyclable materials as designated by the Somerset County Solid Waste Management Plan and amendments thereto; and,

WHEREAS, as part of said Plan, the Borough is desirous to retain the services of Somerset County for its recycling program and the County is equally desirous to provide such services; and,

WHEREAS, an Agreement between the County and the Borough has been created to provide said recycling services for calendar year 2020.

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 of North Plainfield hereby

agrees to enter into an Agreement with the County of Somerset for Somerset County to provide recycling services for calendar year 2020 to the Borough under the terms and conditions of said Agreement, which is attached. The Mayor and Borough Clerk are hereby authorized to execute said Agreement on behalf of the Borough.

RESOLUTION NO. 07-21-20-06b APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BROOK AVENUE IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of North Plainfield formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2021-Brook Avenue Improvements-2021 NJDOT-00134** to the New Jersey Department of Transportation on behalf of the Borough of North Plainfield.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of North Plainfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

RESOLUTION NO. 07-21-20-06c RESOLUTION ADOPTING AN UPDATED AFFORDABLE HOUSING TRUST FUND SPENDING PLAN FOR THE BOROUGH OF NORTH PLAINFIELD AND REQUESTING JUDICIAL REVIEW AND APPROVAL OF SAME

WHEREAS, the Borough has adopted development fee ordinance creating a dedicated revenue source for affordable housing and establishing an Affordable Housing Trust Fund; and,

WHEREAS, N.J.A.C. 5:97-8.1(d) requires that a municipality with an affordable housing trust fund receive approval of a spending plan from the Council on Affordable Housing or a Court prior to spending any of the funds in its affordable housing trust fund; and,

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds;

5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance in accordance with an implementation schedule approved by the Council;
9. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and;
10. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, the Borough's planning consultant, Phillips Preiss Grygiel Leheny Hughes LLC, has prepared an updated Affordable Housing Trust Fund Spending Plan for the Borough consistent with the requirements set forth above; and;

WHEREAS, the Borough shall seek judicial review and approval of its updated Affordable Housing Trust Fund Spending Plan as part of its obligations under the Settlement Agreement between the Borough of North Plainfield and the Fair Share Housing Center.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the updated Affordable Housing Trust Fund Spending Plan is hereby adopted subject to judicial review and approval.

BE IT FURTHER RESOLVED that the Borough Council hereby requests that the Borough's updated Affordable Housing Trust Fund Spending Plan be forwarded to the Honorable Thomas C. Miller, A.J.S.C. by the Borough Director of Law for his review and approval.

RESOLUTION NO. 07-21-20-06d RESOLUTION OF THE BOROUGH COUNCIL APPROVING PAYMENT APPLICATION NO. 1-FINAL AND CHANGE ORDER NO. 1 TO NATIONAL WATER MAIN CLEANING CO. AND THE CLOSING OUT OF THE CONTRACT FOR THE ROUTE 22 AND NORTH DRIVE SANITARY SEWER IMPROVEMENTS PROJECT

WHEREAS, the Borough of North Plainfield previously awarded a contract for the Route 22 and North Drive Sanitary Sewer Improvements Project (hereinafter referred to as the "Project"). Said contract was awarded to National Water Main Cleaning Co., whose main offices are located at 1806 Newark Turnpike, Kearny, New Jersey 07032 (hereinafter referred to as the "Contractor"); and,

WHEREAS, Bryan Oakes, Jr., P.E. of Mott MacDonald (hereinafter referred to as the “Engineer”), on behalf of the Borough, by a letter dated July 15, 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 Application No. 1-Final in the total amount of Twenty-Seven Thousand Thirty-Six Dollars and Sixty-Eight Cents (\$27,036.68); and,

WHEREAS, a Change Order No. 1 in the amount of Twenty-Five Thousand Seven Hundred and Fifty-Eight Dollars and Thirty-Two Cents (\$25,758.32) has reduced the original Contract Sum from Fifty-Two Thousand Seven Hundred and Ninety-Five Dollars (\$52,795.00) to Twenty-Seven Thousand Thirty-Six Dollars and Sixty-Eight Cents (\$27,036.68); and,

WHEREAS, in accordance with the Contract, the Contractor has submitted a one (1) year Maintenance Bond in the amount of Twenty-Seven Thousand Thirty-Six Dollars and Sixty-Eight Cents (\$27,036.68); 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 Payment Application No. 1-Final and the Closeout of the Route 22 and North Drive Sanitary Sewer Improvements Project is approved for National Water Main Cleaning Co., whose main offices are located at 1806 Newark Turnpike, Kearny, New Jersey 07032, in the total amount of Twenty-Seven Thousand Thirty-Six Dollars and Sixty-Eight Cents (\$27,036.68), 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 the Change Order No. 1 in the amount of Twenty-Five Thousand Seven Hundred and Fifty-Eight Dollars and Thirty-Two Cents (\$25,758.32), which has reduced the original Contract Sum from Fifty-Two Thousand Seven Hundred and Ninety-Five Dollars (\$52,795.00) to Twenty-Seven Thousand Thirty-Six Dollars and Sixty-Eight Cents (\$27,036.68), is hereby approved; 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 on Payment Application No. 1-Final.

RESOLUTION NO. 07-21-20-06e RESOLUTION OF THE BOROUGH COUNCIL APPROVING PAYMENT NO. 6 (FINAL) TO T. SLACK ENVIRONMENTAL SERVICES AND THE CLOSING OUT OF THE CONTRACT AND RELEASE OF RETAINAGE FOR THE DEPARTMENT OF PUBLIC WORKS FUELING FACILITY PROJECT

WHEREAS, the Borough of North Plainfield previously awarded a contract for the Department of Public Works Fueling Facility Project (hereinafter referred to as the "Project"), with said contract having been awarded to T. Slack Environmental Services, whose main offices are located at 180 Market Street, Kenilworth, New Jersey 07033 (hereinafter referred to as the "Contractor"); and,

WHEREAS, Erin B. Abline, P.E. of Suburban Consulting Engineers, Inc. (hereinafter referred to as the "Engineer"), on behalf of the Borough, by a letter dated June 8, 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. 6 (Final) in the total amount of Nine Thousand Nine Hundred and Thirty-One Dollars and Eighty-Eight Cents (\$9,931.88), plus the release of any and all of the Contractor's retained funds held by the Borough for the Project; and,

WHEREAS, a Change Order in the amount of Four Thousand Four Hundred and Twenty-Five Dollars (\$4,425.00) has reduced the original Contract Sum from Five Hundred and One Thousand Nineteen Dollars (\$501,019.00) to Four Hundred Ninety-Six Thousand Five Hundred Ninety-Four Dollars (\$496,594.00); and,

WHEREAS, in accordance with the Contract, the Contractor has submitted a two (2) year Maintenance Bond in the amount of Four Hundred Ninety-Six Thousand Five Hundred Ninety-Four Dollars (\$496,594.00), with an effective date of October 15, 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. 6 (Final) and the Closeout of the Department of Public Works Fueling Facility Project is approved for T. Slack Environmental Services, whose main offices are located 180 Market Street, Kenilworth, New Jersey 07033, in the total amount of Nine Thousand Nine Hundred and Thirty-One Dollars and Eighty-Eight Cents (\$9,931.88), 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 the Change Order in the amount of Four Thousand Four Hundred and Twenty-Five Dollars (\$4,425.00), which has reduced the original Contract Sum from Five Hundred and One Thousand Nineteen Dollars (\$501,019.00) to Four Hundred Ninety-Six Thousand Five Hundred Ninety-Four Dollars (\$496,594.00), is hereby approved; 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. 6 (Final).

RESOLUTION NO. 07-21-20-06f RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A FEDERAL AID COST REIMBURSEMENT AGREEMENT WITH THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE SOMERSET STREET STREETScape IMPROVEMENTS PROJECT

WHEREAS, the New Jersey State Legislature has enacted legislation by which certain Federal aid funds may be made available for use on local transportation related projects of public entities that are qualified to act as subrecipients of these Federal aid funds in accordance with the intent of Federal law; and,

WHEREAS, on June 26, 2020, the Federal Highway Administration authorized funding in the amount of \$291,158.00 for the construction of a Federal Aid Highway Program project to be known as Somerset Street Streetscape Improvements-Howard Street to Grandview Avenue Street Project (hereinafter referred to as the "Project"); and,

WHEREAS, before Federal funds will be made available for the Project, the Borough of North Plainfield ("hereinafter referred to as the "Borough") and the State of New Jersey, Department of Transportation (hereinafter referred to as "NJDOT") are required to enter into an agreement to establish the terms and conditions applicable to the Borough when receiving such Federal funds for the Project and for the subsequent operation and maintenance of the completed facility; and,

WHEREAS, the Borough desires to enter into a Federal Aid Cost Reimbursement Agreement with the NJDOT with respect to the Project, a copy of which is annexed hereto and incorporated herein and is on file in the Borough Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute a Federal Aid Cost Reimbursement Agreement with the NJDOT with respect to the Project, a copy of which is annexed hereto and incorporated herein and is on file in the office of the Borough Clerk.

RESOLUTION NO. 07-21-20-06g WHEREAS, applications have been filed pursuant to N.P.R.G.O. 4-10 for licenses to utilize certain lots within the Borough of North Plainfield for the display or storage for sale of motor vehicles; and

WHEREAS, the Council of the Borough of North Plainfield has received certifications from the appropriate Borough officials that the applicants have satisfactorily complied with all applicable laws, ordinances and regulations;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that the Borough Clerk is hereby authorized and directed to issue licenses in accordance with the filed

applications to the applicants listed below for the utilization of certain lots within the Borough for the display or storage for sale of motor vehicles for the period July 1, 2020 through June 30, 2021.

1. Cartopia, LLC
897 Route 22 West
2. GPB Cars 12 LLC, d/b/a North Plainfield Nissan
545 Route 22 West
3. Global Motors Corp., t/a Global Auto Mall
1099-1155 Route 22 West
4. Mike Joseph Masi, t/a M&R Auto Sales
505 Somerset Street
5. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.
700 Route 22 East
6. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.
726-750 Route 22 East
7. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.
767 Route 22 West
8. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.
16-18 Hudson Avenue

RESOLUTION NO. 07-21-20-06h 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, July 18, 2020, 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. 07-21-20-06i BE IT RESOLVED, by the Borough Council of the Borough of North Plainfield, that the Treasurer is authorized to cancel the following outstanding checks:

	<u>Ck#</u>	<u>Date</u>	<u>Amount</u>	
Unity # 770002392	25752	2019	\$ 44.95	Current
	25768	2019	1965.00	
	25853	2019	108.48	
	26783	2019	55.00	
	26953	2019	3947.00	
	26955	2019	110.00	
	27282	2019	350.00	
	28150	2019	50.00	
	28207	2019	169.99	
	28328	2019	50.63	
	28505	2019	<u>6.00</u>	
			\$ 6,857.05	
Unity# 770002283				
	117844	2019	32.53	Payroll
	117882	2019	337.39	
	117926	2019	8.19	
	117976	2019	16.52	
	118078	2019	90.34	
	118155	2019	90.33	
	118290	2019	394.89	
	118366	2019	166.71	
	118440	2019	475.58	
	118743	2019	90.34	
	118821	2019	50.72	
	118917	2019	33.99	
	118952	2019	90.35	
	118961	2019	16.98	
	119009	2019	8.49	
	119022	2019	143.09	
	119031	2019	337.44	
	119043	2019	90.34	

119103	2019	90.35
119130	2019	563.28
119162	2019	90.34
119224	2019	90.35
119456	2019	<u>510.31</u>
		\$3,818.85

RESOLUTION NO. 07-21-20-06j A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL SEWER FEES

WHEREAS, Thor Realty owns the property known as Block 76 Lot 5, 14 Regent Street, in North Plainfield; and

WHEREAS, Thor Realty had the water meter removed from the property they own; and

WHEREAS, sewer fees have been levied on the aforementioned parcel for 2020;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of North Plainfield of Somerset County, State of New Jersey, that the Tax Collector is hereby authorized to cancel Sewer fees as indicated:

Block 76 Lot 5	1 st Half	\$103.03 cancel
	2 nd Half	\$103.03 cancel

RESOLUTION NO. 07-21-20-06k WHEREAS, the homeowner and Stevens & Berger LLC. both paid second Quarter Taxes on Block 148 Lot 10, Stevens & Berger have requested refund of that over payment, and;

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

Refund Real Estate Over Tax Payment:

Terrence B. Berger	\$ 2,839.40
35 Olcott Square	
PO Box 685	
Bernardsvile, NJ 07924	

RESOLUTION NO. 07-21-20-06l AUTHORIZING AN ELECTRONIC TAX SALE

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services,

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/Real Auction.com to conduct pilot programs, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Borough of North Plainfield wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of North Plainfield, New Jersey, that the Tax Collector is hereby authorized to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services if necessary.

RESOLUTION NO. 07-21-20-06m RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH E2 PROJECT MANAGEMENT, LLC FOR PROFESSIONAL SERVICES FOR THE NORTH PLAINFIELD WASHINGTON PARK HISTORIC DISTRICT DESIGN GUIDELINES PROJECT

WHEREAS, the Borough of North Plainfield is in need of certain professional services for the Washington Park Historic District Design Guidelines (hereinafter referred to as the “Project”) located in the Borough of North Plainfield; and,

WHEREAS, the Borough of North Plainfield solicited requests for proposals (hereinafter referred to as an “RFP”) for the Project and the following six (6) RFP responses were received:

<u>Bidding Entity</u>	<u>Total Amount</u>
<u>Clark, Caton, Hintz</u>	\$38,000.00
<u>Easton Architects, LLP</u>	\$16,175.00
<u>Richard Grubb & Associates</u>	\$24,999.00
<u>PS&S</u>	\$23,100.00
<u>JMT - Trenton</u>	\$22,609.96
<u>E2 Project Management, LLC</u>	\$19,948.00

WHEREAS, representatives of the Borough of North Plainfield along with the Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC have reviewed the RFPs and recommend the award of the RFP and contract for the Project to E2 Project Management, LLC, whose main offices are located at 97 Hibernia Avenue, Rockaway, NJ 07866 (hereinafter referred to as the “Contractor”) since they best address the Borough’s needs and have accumulated the most points according to the RFP Evaluation Criteria contained in the subject RFP for the Project; 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 RFP documents and the

proposal submitted by the Contractor, a copy of said proposal being maintained in the Office of the Borough Clerk, the contents of which are incorporated herein; and,

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 contract:

Project: Washington Park Historic District Design Guidelines

Successful Proposal: E2 Project Management, LLC

Total Proposal: In the Amount not to exceed Nineteen Thousand Nine Hundred Forty-Eight Dollars (\$19,948.00)

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 professional services of E2Project Management, LLC 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 RFP documents and the proposal of E2 Project Management, LLC for the Project known as the Washington Park Historic District Design Guidelines.

RESOLUTION NO. 07-21-20-06n WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Somerset;

NOW, THEREFORE, BE IT RESOLVED by the Borough of North Plainfield, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the North Plainfield Municipal Alliance grant for fiscal year 2020-2021 in the amount of:

DEDR	\$ 5,351.50
Cash Match	\$ 1,337.87
In-Kind	\$ 4,013.62

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. North Plainfield Borough accepts subsequent award of this grant.

RESOLUTION NO. 07-21-20-060 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 July, 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:

NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
State of NJ – Dept. of Environmental Protection, Trenton, NJ	Weekly Newsletters
County of Somerset, Somerville, NJ	Newsletters & Communications
Richard K. Phoenix, RMC – Borough Clerk Chief Operator, WPQJ970 – 1630-AM Radio	Updated Radio Scripts and Reports on Broadcast Radio Operations
Plainfield Area Humane Society Plainfield, NJ	Report and Invoicing
Plainfield Area Regional Sewerage Authority Middlesex, NJ	Minutes and Agenda
Frank N. D’Amore, Sr., North Plainfield Board of Education – North Plainfield	Property Maintenance Reports
PSE&G, Newark, NJ	School Year Calendar
NJ Dept. of Transportation, Trenton, NJ	Summer Preparations
NJ American Water, Voorhees, NJ	Approval of Route 22 Bus Stop
Somerset County Business Partnership Somerville, NJ	Newsdrop Newsletter
Division of ABC, Trenton, NJ	Newsletter
NJ Transit, Trenton, NJ	Invoicing
David Testa, P.E., Borough Engineer	Covid-19 Update
County of Somerset Solid Waste Management Somerville, NJ	2020 Capital Improvement Notice to Bidders
Somerset Co. Election Board, Somerville, NJ	2020 Recycling Contract
	Ballot Drop Box Locations

PUBLIC COMMENT:

Geri Modell, 296 Brook Avenue, North Plainfield, voiced her concerns with the use of illegal fireworks, specifically late into the night. Council President Stabile assured that many residents had expressed similar concerns. Mayor Giordano asked that residents call the police to report same.

REQUESTS FOR AGENDA ITEMS:

Ms. Schaefer reported that the Somerset County Health Officer had requested discussion of ordinances to regulate public swimming pools and massage parlors.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

Mayor Giordano recognized the passing of Congressman John Lewis, a civil rights pioneer. He then announced several updates on various Borough events including the Summer Concert series dates which may be found on the Borough website and Facebook page. The Farmers' Market opens every Saturday through August 29 from 9:00 a.m. to 12 p.m. There will be a movie night on August 22. Community Day is scheduled for September 5. National Night Out scheduled for August 4 has been cancelled. The library has reopened and continues to offer numerous virtual programs. He concluded by urging all residents to complete the 2020 Census.

Ms. Corzo offered her condolences on the passing of Congressman John Lewis.

Ms. Miller expressed her sadness upon learning of the passing of Congressman John Lewis. She urged residents to continue to wear masks and practice social distancing.

Mr. Merrill urged residents to check the Board of Education's website for information on the reopening of schools. He explained that remote learning, in school learning or a combination of the two had been discussed. A survey sent to parents asking if they felt comfortable sending their kids back to school indicated that approximately 35% do not want their kids back in school.

Ms. Schaefer advised of her continued efforts on the parking ordinance and the keeping of chickens and animals. She urged everyone to stay safe this summer.

Mr. Singleterry wished everyone a safe summer.

Urging residents to continue to take the virus seriously, Council President Stabile expressed his hope that everyone stay safe and enjoy the summer.

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

Meeting adjourned at 5:16 p.m.

Borough Clerk

Council President