

BOROUGH OF NORTH PLAINFIELD

AGENDA

REGULAR COUNCIL MEETING

TUESDAY, AUGUST 25, 2020

Virtual Meeting (via Zoom)

4:00 p.m.

ROLL CALL:

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

NOTICE: Pursuant to the Executive Order of New Jersey Governor Murphy requiring social distancing due to Covid-19, this meeting excludes public attendance. The entire meeting proceedings, including opportunity for public comment will be made available live, in real time via the “Zoom” system at Join Zoom Meeting via the following Link:

Join Zoom Meeting

<https://us02web.zoom.us/j/82636141418?pwd=dVVGN014K0tBWjR3VXpJbi9tSXdvZz09>

Meeting ID: 826 3614 1418

Passcode: 985428

One tap mobile

+13126266799,,82636141418#,,,,,0#,,985428# US (Chicago)

+19292056099,,82636141418#,,,,,0#,,985428# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

Meeting ID: 826 3614 1418

Passcode: 985428

NOTICE: An Executive Session on the topic of **Attorney/Client Privilege (Affordable Housing)** is scheduled to be convened immediately following the Mayor’s Call of the Meeting.

Pledge of Allegiance to the Flag

Moment of Silence for the Men and Women Serving in Our Armed Forces

Statement of Compliance as to Notice of Meeting

CALL OF MEETING
Michael Giordano, Jr. – MAYOR

RESOLUTION:

Ms. Miller:

08-25-20-01 Convening Executive Session
(Attorney/Client Privilege) (Affordable Housing)

Roll Call

APPROVAL OF COUNCIL MEETING MINUTES:

Regular Meeting of July 21, 2020

Roll Call

**APPOINTMENTS BY MAYOR TO BOARDS, COMMITTEES AND COMMISSIONS
REQUIRING COUNCIL CONFIRMATION:**

GREEN BROOK FLOOD CONTROL COMMISSION:

Dr. Harry Allen

One-year term

DISCUSSION: 2020 Capital Plan

HEARING: 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”

Be read by its title by the Borough Clerk

MOTION: Close public hearing

Roll Call

RESOLUTION:

Ms. Corzo:

08-25-20-02 Adoption and advertising of Ordinance No. 20-06

Roll Call

HEARING: 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”

Be read by its title by the Borough Clerk

MOTION: Close public hearing Roll Call

RESOLUTION:

Ms. Schaefer:

08-25-20-03 Adoption and advertising of Ordinance No. 20-07 Roll Call

RESOLUTIONS:

Mr. La Ronde:

08-25-20-04 BOND ORDINANCE NO. 20-08 BOND ORDINANCE

be read by its title by the Borough Clerk Roll Call

SUPPLEMENTAL DEBT STATEMENT

In connection with tonight's Bond Ordinances, the Clerk reports on receipt of Supplemental Debt Statement.

RESOLUTIONS:

Mr. Merrill:

08-25-20-05 BOND ORDINANCE NO. 20-09 BOND ORDINANCE

be read by its title by the Borough Clerk Roll Call

CONSENT AGENDA

Statement by Council President

RESOLUTION:

Mr. La Ronde:

08-25-20-06 Approving Consent Agenda Roll Call

CONSENT AGENDA RESOLUTIONS:

- a. Appointment of Alternate Representative to Green Brook Flood Control Commission
- b. Authorizing Treasurer to Refund Construction Permit
- c. Authorizing Tax Collector to Cancel Taxes on mother lot on Maple Ave.
- d. Authorizing Tax Collector to Cancel Taxes on certain Norwood Ave. property
- e. Authorizing Tax Collector to Cancel Taxes
- f. Authorizing Tax Collector to create Duplicate Tax Sale Certificates
- g. Authorizing Insertion of Historic Preservation Grant Funds

- h. Resolution Authorizing a Professional Services Agreement with Mott MacDonald, LLC to Provide Certain Engineering Services for the Somerset Street Streetscape Improvements Project
- i. Resolution Awarding Bid and Authorizing Agreement with S. Brothers, Inc. for the 2020 Capital Road Improvement Program
- j. Approving the Consolidated Bill List of August 25, 2020

COMMUNICATIONS:

NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories / League Conference Goes “Virtual”
State of NJ – Dept. of Environmental Protection, Trenton, NJ	Weekly Newsletters
County of Somerset, Somerville, NJ	Newsletters & Communications
Plainfield Area Humane Society Plainfield, NJ	Report and Invoicing
Plainfield Area Regional Sewerage Authority Middlesex, NJ	Minutes and Agenda
Dept. of Community Affairs, Trenton, NJ	Energy Grant Program
Public Service Electric & Gas Newark, NJ	Reimbursement for Food and Medicines
NJ Dept. of Transportation, Trenton, NJ	Transportation Act Set-Aside Program
Somerset County Business/Professional Association, Somerville, NJ	Upcoming Meeting
Verizon/FIOS TV, Newark, NJ	Renewal of Systemwide Cable TV
Somerset Co. Election Board Somerville, NJ	Primary Results, Complete
Plainfield Area Regional Sewerage Authority Middlesex, NJ	Minutes & Agenda
Frank N. D’Amore Sr., North Plainfield	Property Maintenance Report
Green Brook Flood Control Commission Bound Brook, NJ	Meeting Notice

PUBLIC COMMENT

General public comments shall be limited to five minutes for each individual.
(Rule 29 of the Borough Council’s Rules of Order)

REQUESTS FOR AGENDA ITEMS

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

ADJOURNMENT

CONSENT AGENDA

August 25, 2020

RESOLUTION NOS. 08-25-20-06 a through j

RESOLUTION NO. 08-25-20-06

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

08-25-20-06 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.

Council President

Council Member

Introduced: August 25, 2020

Adopted: August 25, 2020

RESOLUTION NO. 08-25-20-06a

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield that upon nomination by the Mayor and with the advice and consent of this Council, DR. HARRY ALLEN be and hereby is appointed to the GREEN BROOK FLOOD CONTROL COMMISSION as the alternate representative of the Borough of North Plainfield to serve for the legal term commencing on August 26, 2020 and expiring on January 1, 2021, and until his successor shall have been appointed and qualified.

Council President

Council Member

Introduced: August 25, 2020

Adopted: August 25, 2020

RESOLUTION NO. 08-25-20-06b

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

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:

Vivint Solar Inc. \$ 205.00
Attn: AR Department
1800 W. Ashton Blvd.
Lehi, UT. 84043

Property at:

300 Mobus Avenue
North Plainfield. New Jersey 07060

Council President

Council Member

Introduced: August 25, 2020

Adopted: August 25, 2020

RESOLUTION NO. 08-25-20-06c

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**A RESOLUTION AUTHORIZING THE TAX COLLECTOR
TO CANCEL TAXES AND REFUND OVERPAYMENTS**

WHEREAS, the property at 177 Maple Avenue known as Block 160.01 Lot 15 was sub divided into Block 160.01 Lots 15.01,15.02 and 15.03 for 2020 per the Assessor and;

WHEREAS, taxes have been levied and duplicate payments were made by the Homeowner on this parcel for multiple quarters in 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 taxes on the mother lot and refund the overpayments.

Refund Overpayments to:

177 Maple NP LLC \$ 6,283.30
9 Blue Ridge Avenue
Green Brook, NJ 08812

Council President

Council Member

Introduced: August 25, 2020

Adopted: August 25, 2020

RESOLUTION NO. 08-25-20-06d

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**A RESOLUTION AUTHORIZING THE TAX COLLECTOR
TO CANCEL TAXES AND REFUND OVERPAYMENTS**

WHEREAS, the property at 196 Norwood Avenue known as Block 21.01 Lot 15 was deemed exempt from property taxes for 2020 per the Assessor and;

WHEREAS, taxes have been levied and paid by Corelogic on this parcel for multiple quarters in 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 taxes and refund overpayments.

Refund Overpayments to:

Corelogic- Attn. Refund Department \$ 4,645.76
PO Box 9202
Coppell, Texas 75019

Council President

Council Member

Introduced: August 25, 2020

Adopted: August 25, 2020

RESOLUTION NO. 08-25-20-06e

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**A RESOLUTION AUTHORIZING THE TAX COLLECTOR
TO CANCEL TAXES**

WHEREAS, the Hydewood Park Baptist Church also known as Block 22 Lot 19 was deemed exempt from property taxes per the Assessor and;

WHEREAS, taxes have been levied on the aforementioned parcel for multiple quarters to include 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 taxes on this parcel:

Council President

Council Member

Introduced: August 25, 2020

Adopted: August 25, 2020

RESOLUTION NO. 08-25-20-06f

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

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 203 Lot 20 558 Mountainview Dr. # 10-00185 issued 08/25/10

12-00232 issued 10/23/12

Council President

Council Member

Introduced: August 25, 2020

Adopted: August 25, 2020

RESOLUTION NO. 08-25-20-06g

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**REQUESTING APPROVAL OF INSERTION OF \$23,100.00
FOR THE 2020 BUDGET REVENUE AVAILABLE FROM THE NJDEP
HISTORIC PRESERVATION 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 2020 in the sum of \$23,100.00 which item is now available as a revenue from the NJDEP Historic Preservation Grant.

BE IT FURTHER RESOLVED that a like sum of \$23,100.00 be and the same is hereby appropriated under the caption of:

NJDEP Historic Preservation Grant

Council President

Council Member

Introduced: August 25, 2020

Adopted: August 25, 2020

RESOLUTION NO. 08-25-20-06h

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND
BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT
WITH MOTT MACDONALD, LLC FOR THE SOMERSET STREET STREETScape
IMPROVEMENTS PROJECT.**

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 known as the Somerset Street Streetscape Improvements Project (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough received two (2) proposals in response to a Request for Proposals for such services for the Project; and,

WHEREAS, Mott MacDonald, LLC, with a principal place of business located at 3 Paragon Way, Freehold, New Jersey 07728, is in the business of providing professional engineering services and submitted the lowest proposal for the Project, dated August 4, 2020, as follows:

Item 1: Construction/Resident Engineer Services in an amount not to exceed Thirty-One Thousand Two Hundred and Fifty (\$31,250.00) Dollars; and,

Item 2: Resident Inspection Services in an amount not to exceed of Thirty-Five Thousand Two Hundred and Fifty (\$35,250.00) Dollars.

For a Total Amount Not to Exceed Amount of: Sixty-Six Thousand Five Hundred (\$66,500.00) Dollars.

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 Mott MacDonald, 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 Mott MacDonald, LLC, 3 Paragon Way, Freehold, New Jersey 07728 in a total amount not to exceed as set forth above and authorizes the Mayor and the Borough Clerk to sign and/or execute a Professional Services Agreement with Mott MacDonald, LLC, without the need for any further action of this Borough Council, as to the proposal of August 4, 2020.

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.

Frank A. “Skip” Stabile
Council President

Council Member

Introduced: August 25, 2020
Adopted: August 25, 2020

CERTIFICATION

I, Richard, K. Phoenix, Municipal Clerk of the Borough of North Plainfield, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough Council at a regular meeting of the Borough Council held on August 25, 2020.

Richard K. Phoenix, R.M.C.
Borough Clerk, Borough of North Plainfield

Date signed: _____

RESOLUTION NO. 08-25-20-06i

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE
MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT
WITH S. BROTHERS, INC. FOR THE 2020 CAPITAL ROAD
IMPROVEMENT PROGRAM – VARIOUS STREETS**

WHEREAS, the Borough of North Plainfield is in need of certain road improvements for the 2020 Capital Road Improvement Program – Various Streets (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 received:

<u>Bidding Entity</u>	<u>Base Bid</u>
S. Brothers Inc.	\$778,915.55
Top Line Construction Corp.	\$825,406.73
CCM Contracting Inc.	\$855,293.77

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 P.O. Box 317, South River, New Jersey 08882 (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: 2020 Capital Road Improvement Program – Various Streets
Successful Bidder: S. Brothers, Inc.

Base Bid: In the Amount Not to Exceed Seven Hundred and Seventy-Eight Thousand Nine Hundred and Fifteen Dollars and Fifty-Five Cents (\$778,915.55)

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 2020 Capital Road Improvement Program – Various Streets.

Frank A. "Skip" Stabile
Council President

Council Member

Introduced: August 25, 2020
Adopted: August 25, 2020

CERTIFICATION

I, Richard K. Phoenix, Municipal Clerk of the Borough of North Plainfield, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough Council at a meeting of the Borough Council held on _____, 2020.

Richard K. Phoenix, R.M.C.
Borough Clerk
Borough of North Plainfield

Date signed:

RESOLUTION NO. 08-25-20-06j

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

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 25th day of August, 2020 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

Council President

Council Member

Introduced: August 25, 2020

Adopted: August 25, 2020