

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Monday, October 26, 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 Monday, **October 26, 2020** at 7:36 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
Brian Hak, Esq., Associate 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. Phoenix.

Council President Stabile requested a moment of silence for the men and women serving in our Armed Forces. He then asked for a moment of silence for Dennis Passe who passed away unexpectedly on September 24, 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 October 21, 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."

The Clerk had submitted copies of the minutes of the Regular Meeting and Executive Session of September 22, 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.

Mr. Merrill requested that item “k” be removed for separate vote.

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

RESOLUTION NO. 10-26-20-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

10-26-20-01 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.

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

APPROVED CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 10-26-20-01a BE IT RESOLVED by the Council of the Borough of North Plainfield that, pursuant to N.P.R.G.O. 4-1 et seq., it does hereby authorize the issuance of licenses for the owner/operation of limousines to the following for one year in accordance with the applications heretofore submitted:

Shahid Riaz
137 Sandford Avenue
North Plainfield, NJ 07060

RESOLUTION NO. 10-26-20-01b BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby authorize the issuance of a license to drive a taxicab for two years, pursuant to N.P.R.G.O. 4-1 et seq., to the following in accordance with the applications heretofore submitted:

Blanca C. Shulca
14 Linden Avenue
North Plainfield, NJ 07060

RESOLUTION NO. 10-26-20-01c 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 Dumpster Bond:

John O'Brien \$ 200.00
158 Delacy Avenue
North Plainfield, New Jersey 07060

RESOLUTION NO. 10-26-20-01d A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES

WHEREAS, the owner of 38 Race Street also known as Block 83 Lot 11 was deemed as a 100 % Disabled Veteran and is now exempt from property taxes per the Assessor and;

WHEREAS, taxes have been levied on the aforementioned parcel for fourth quarter 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.

RESOLUTION NO. 10-26-20-01e RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH ZUCCARO, INC. FOR SOMERSET STREET STREETScape IMPROVEMENTS-HOWARD STREET TO GRANDVIEW AVENUE PROJECT

WHEREAS, the Borough of North Plainfield is in need of certain streetscape improvements as it relates to the Somerset Street Streetscape Improvements-Howard Street to Grandview Avenue Project (hereinafter referred to as the "Project"); and,

WHEREAS, on June 26, 2020, the Federal Highway Administration authorized funding in the amount of \$291,158.00 for the construction of the Project; and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and received nine (9) bids, the three (3) lowest of which were:

<u>Bidding Entity</u>	<u>Base Bid</u>
Zuccaro, Inc.	\$328,998.00
Cifelli & Son General Construction, Inc.	\$339,754.00
AA Berms, LLC	\$354,266.00

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, Zuccaro, Inc., whose main offices are located at 248 Alberta Drive, Saddle Brook, New Jersey 07633 (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: Somerset Street Streetscape Improvements-Howard Street to
Grandview Avenue
Successful Bidder: Zuccaro, Inc.
Base Bid: In the Amount Not to Exceed Three Hundred and Twenty-Eight
Thousand Nine Hundred and Ninety-Eight Dollars (\$328,998.00)

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 construction services of Zuccaro, 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 Zuccaro, Inc. for the Project known as the Somerset Street Streetscape Improvements-Howard Street to Grandview Avenue.

RESOLUTION NO. 10-26-20-01f RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH PROTECTIVE PAVING, LLC FOR THE MEMORIAL LIBRARY PARKING LOT RESURFACING PROJECT

WHEREAS, the Borough of North Plainfield is in need of certain parking lot resurfacing improvements as it relates to the Memorial Library Parking Lot Resurfacing Project (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and received four (4) bids, the three (3) lowest of which are as follows:

<u>Bidding Entity</u>	<u>Base Bid</u>
Protective Paving, LLC	\$38,491.47
JAG Paving Corp.	\$52,342.00
Garden State Sealing	\$55,777.00

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, Protective Paving, LLC, whose main offices are located at 12 Kearney Drive, Milltown, New Jersey 08850 (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: Memorial Library Parking Lot Resurfacing
 Successful Bidder: Protective Paving, LLC
 Base Bid: In the Amount Not to Exceed Thirty-Eight Thousand Four Hundred and Ninety-One Dollars and Forty-Seven Cents (\$38,491.47)

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 paving services of Protective Paving, 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 bid documents and the bid proposal of Protective Paving, LLC for the Project, known as the Memorial Library Parking Lot Resurfacing.

RESOLUTION NO. 10-26-20-01g RESOLUTION OF THE BOROUGH COUNCIL APPROVING PAYMENT APPLICATION NO. 2-FINAL AND CHANGE ORDER NO. 1 TO S.

BROTHERS, INC. AND THE CLOSING OUT OF THE CONTRACT FOR THE 2018 NJDOT-CLINTON AVENUE IMPROVEMENTS PROJECT

WHEREAS, the Borough of North Plainfield previously awarded a contract for the 2018 NJDOT-Clinton Avenue Improvements Project (hereinafter referred to as the "Project"). Said contract was awarded to S. Brothers, Inc., whose main offices are located at P.O. Box 317, South River, New Jersey 08882 (hereinafter referred to as the "Contractor"); and,

WHEREAS, David Testa, P.E. of Grotto Engineering Associates, LLC (hereinafter referred to as the "Engineer"), on behalf of the Borough, by a letter dated September 30, 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. 2-Final in the total amount of Thirty-Two Thousand Two Hundred and Fourteen Dollars and Twenty-One Cents (\$32,214.21); and,

WHEREAS, Change Order No. 1 was submitted in the amount of Twenty-Four Thousand Five Hundred and Twenty-Six Dollars and Seventeen Cents (\$24,526.17), which increased the original Contract Sum from Three Hundred and Fifty-One Thousand Eight Hundred and Seventy-Eight Dollars and Fifty-Six Cents (\$351,878.56) to Three Hundred and Seventy-Six Thousand Four Hundred and Four Dollars and Seventy-Three Cents (\$376,404.73). Said Change Order No. 1 was also approved by Mr. Testa; and,

WHEREAS, in accordance with the Contract, the Contractor has submitted a one (1) year Maintenance Bond in the amount of Thirty-Seven Thousand Six Hundred and Forty Dollars and Forty-Seven Cents (\$37,640.47) (ten (10%) percent of the final contract price); 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. 2-Final and the Closeout of the 2018 NJDOT-Clinton Avenue Improvements Project is approved for S. Brothers, Inc., whose main offices are located at P.O. Box 317, South River, New Jersey 08882, in the total amount of Thirty-Two Thousand Two Hundred and Fourteen Dollars and Twenty-One Cents (\$32,214.21), 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-Four Thousand Five Hundred and Twenty-Six Dollars and Seventeen Cents (\$24,526.17), which has increased the original Contract Sum from Three Hundred and Fifty-One Thousand Eight Hundred and Seventy-Eight Dollars and Fifty-Six Cents (\$351,878.56) to Three Hundred and Seventy-Six Thousand Four Hundred and Four Dollars and Seventy-Three Cents (\$376,404.73), 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. 2-Final.

RESOLUTION NO. 10-26-20-01h REQUESTING APPROVAL OF INSERTION OF \$13,861.59 FOR THE 2020 BUDGET REVENUE AVAILABLE FROM THE FEMA ASSISTANCE TO FIREFIGHTERS 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 \$13,861.59 which item is now available as revenue from the FEMA Assistance to Firefighters Grant.

BE IT FURTHER RESOLVED that a like sum of \$13,861.59 be and the same is hereby appropriated under the caption of:

FEMA Assistance to Firefighters Grant

RESOLUTION NO. 10-26-20-01i 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 due to plan changes:

Refund of Board of Adjustment Fees:

Jewel Williams \$ 230.00
106-108 Tappan Avenue
North Plainfield, NJ 07060

RESOLUTION NO. 10-26-20-01j LOCAL GOVERNMENT EMERGENCY FUND (CRF) GRANT

WHEREAS, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and

fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

WHEREAS, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

WHEREAS, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

WHEREAS, the Department of Community Affairs (“DCA”), through the Division of Local Government Services (“DLGS” or “Division”), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the “LGEF” or “Program”), provided through an allocation of the State of New Jersey’s CARES Act Coronavirus Relief Fund (CRF Funds); and

WHEREAS, counties and municipalities excluded from the federal government’s direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

WHEREAS, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

WHEREAS, LGEF Grants exist to support costs incurred as part of a local unit’s response to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the Council, that the Borough of North Plainfield will apply for a LGEF Grant in the amount of \$362,849.

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

RESOLUTION NO. 10-26-20-01k 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 26th day of October, 2020 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

Seconded by Ms. Miller with Roll Call as follows:

Aye: Corzo, La Ronde, Miller, Schaefer, Singleterry, Stabile
Abstain: Merrill

Resolution carried 6-0-1.

COMMUNICATIONS:

NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
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
NJ Dept. of Environmental Protection Trenton, NJ	Newsletters
Frank N. D'Amore Sr., North Plainfield	Property Maintenance Report
NJLTAP, New Brunswick, NJ	Webinar – Asphalt Road Paving
NJ Dept. of Transportation, Trenton	Transportation Set-Aside Program
NJ Highlands Coalition,, Boonton, NJ	Newsletters
International Club, North Plainfield	Request to extend New Year's Hours
US Census, Washington, DC	Data Collection Ending
NJ State Treasurer, Trenton, NJ	Hotel/Motel Occupancy Tax Distribution
	Table of Equalized Valuations
Richard K. Phoenix, RMC – Borough Clerk & Chief Operator, WPQJ970 – 1630-AM Comcast, Union, NJ	Communications, Media Reports and Radio Scripts Newsletter

PUBLIC COMMENT:

Frank D'Amore, 40 Willow Avenue, North Plainfield, referenced his comments from the September 22 meeting about the deterioration of the property located at 120 Sycamore Avenue. He questioned why the owner of the property had not been issued summonses as the house is in severe disrepair. Reporting that a Rental Certificate of Occupancy had never been issued to 179 Grove Street, he noted that nine people were living in a two bedroom home. He shared concerns over 31-33 Myrtle Avenue being used as a boarding house. He indicated that a Rental Certificate of Occupancy had not been issued for 97 Rockview Avenue or 291 Duer Street.

REQUESTS FOR AGENDA ITEMS: None.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

Mayor Giordano offered his condolences to the family and friends of Dennis Passe, noting that he would be sorely missed.

Mr. Merrill reported that teachers had begun virtual instruction from the schools and pupils would return to the classrooms on November 10. He offered his condolences to Dennis's family and friends while complimenting the amazing job Ms. Woods and Mr. Irovando had done in the Recreation Department through a most difficult and challenging time.

Ms. Corzo offered condolences to Dennis's family, friends, and coworkers.

Ms. Schafer also offered condolences to Dennis's family, friends, and coworkers.

Ms. Miller offered condolences to the Passe family. Voicing her concerns about Halloween trick-or-treating, she urged for everyone to be safe.

Mr. Singleterry offered his condolences to Dennis's family and friends.

Council President Stabile urged for everyone to continue to take the appropriate precautions regarding Covid-19. He then offered his condolences to Dennis's family and friends, noting that Dennis would be sorely missed. He thanked Ms. Woods and Mr. Irovando for their efforts in carrying on with the work in the Recreation Department.

Mayor Giordano announced their intent to rename the field at 93 Greenbrook Road after Mr. Passe.

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

Meeting adjourned at 8:16 p.m.

Borough Clerk

Council President