

# ***DRAFT MINUTES***

*These are the Draft Minutes of the Regular Meeting of the North Plainfield Borough Council held on Monday, June 28, 2021. 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 Governing Body'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, **June 28, 2021** at 8:16 p.m. via Zoom.

## **PRESENT:**

Council Members: Aimee Corzo  
Suzette Given  
Steven McIntyre  
Everett Merrill  
Keiona R. Miller  
Wendy Schaefer  
Frank "Skip" Stabile, Council President

Also Present: Lawrence La Ronde, Mayor  
David Hollod, Business Administrator  
Phil George, Esq., Associate Borough Attorney  
Richard K. Phoenix, RMC, Borough Clerk  
Stephanie Sherwood, RMC, CMR, Deputy Clerk

Mr. Phoenix 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 December 28, 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 Board of Health, Agenda Conference and Regular Meeting of June 14, 2021.

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

## **HEARING:**

**ORDINANCE NO. 21-03** AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 3 OF THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, ENTITLED "POLICE REGULATIONS," MORE SPECIFICALLY TO ADD A NEW SUBSECTION 3-7.11 ENTITLED "INSTALLATION, REPAIR AND MODIFICATION OF AUTOMOTIVE EXHAUST SYSTEMS."

The Clerk read the ordinance by its title.

**PUBLIC COMMENT:**

Frank D'Amore, 40 Willow Avenue, North Plainfield, called to question how the ordinance would be enforced and by whom.

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

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

**RESOLUTION NO. 06-28-21-01** BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 21-03 be adopted and advertised as required by statute.

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

Ms. Schaefer motioned to table Ordinance No. 21-08.

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

Title of the tabled ordinance was:

**ORDINANCE NO. 21-08** AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 10 OF THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, ENTITLED "BUILDING AND HOUSING," TO ADD A NEW SUBSECTION ENTITLED "SHORT-TERM RENTALS"

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

**RESOLUTION NO. 06-28-21-03** BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 21-09 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing July 12, 2021 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 Ms. Corzo with Roll Call as follows:

Aye: Corzo, Given, McIntyre, Merrill, Schaefer, Stabile

Abstain: Miller

Resolution carried 6-0-1.

The Clerk read the ordinance by its title as follows:

**ORDINANCE NO. 21-09** AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 2, "ADMINISTRATION," ARTICLE IV, ENTITLED "CODE OF ETHICS," MOST NOTABLY SUBSECTION 2-43.6, ENTITLED "PUBLIC PARTICIPATION."

**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. 06-28-21-04** BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

06-28-21-04 a, b, c, d, e, f, g, h, i, j, k

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 seven voting aye.

**APPROVED CONSENT AGENDA RESOLUTIONS:**

**RESOLUTION NO. 06-28-21-04a** APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE JACKSON 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-2022-Jackson Avenue Improvements-2022 NJDOT-00125 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. 06-28-21-04b RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH CMS CONSTRUCTION, INC. FOR THE WEST END AVENUE SANITARY SEWER REPLACEMENT PROJECT**

WHEREAS, the Borough of North Plainfield is in need of certain sanitary sewer replacement improvements as it relates to the West End Avenue Sanitary Sewer Replacement Project (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and received seven (7) bids, the three (3) lowest of which are as follows:

<u>Bidding Entity</u>	<u>Base Bid</u>
CMS Construction, Inc.	\$355,425.00
Lima Charlie Construction	\$578,000.00
Colonnelli Bros., Inc.	\$583,400.00

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC, as well as Mott MacDonald, 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, CMS Construction, Inc., whose main offices are located at 521 North Avenue, Plainfield, NJ 07060 (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: West End Avenue Sanitary Sewer Replacement  
 Successful Bidder: CMS Construction, Inc.  
 Base Bid: In the Amount Not to Exceed Three Hundred and Fifty-Five Thousand and Four Hundred and Twenty-Five Dollars (\$355,425.00)

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 paving services of CMS Construction, 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 CMS Construction, Inc. for the Project known as the West End Avenue Sewer Replacement Project.

**RESOLUTION NO. 06-28-21-04c** RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ACCEPT A PROPOSAL OF AN AGGREGATE AMOUNT NOT TO EXCEED \$89,000.00 FROM GROTTO ENGINEERING RELATED TO THE 2021 CAPITAL ROAD IMPROVEMENT PROGRAM AND EXECUTE ANY AND ALL DOCUMENTS ON BEHALF OF THE BOROUGH TO EFFECTUATE SAME

WHEREAS, the Borough of North Plainfield is in need of certain improvements to roadways throughout the Borough as part of the 2021 Capital Road Improvement Program; and,

WHEREAS, the Borough of North Plainfield has received a proposal from Grotto Engineering Associates, LLC to provide professional services, including, but not limited to, preparation of public bid design documents for said road improvements, as well as providing bid support and construction administration/observation services related to the project; and,

WHEREAS, Grotto Engineering Associates, LLC has recommended that the following streets be included in the Borough's 2021 Capital Road Improvement Program in the following order:

1. Berry Hill Court
2. Holly Drive
3. Jefferies Place/Farragut Road
4. Gavin Place
5. Glen Court
6. Glenside Place
7. Howard Street
8. Louise Ave
9. Mercer Ave
10. Mountainview Drive
11. Stahls Way
12. Steiner Place (Linden to Gavin)
13. Steiner Place (Howard to Dupont)
14. Summit Ave (Westervelt to Delacy)
15. Taft Ave

This list is subject to change based upon available funding and road conditions; and,

WHEREAS, the scope of the 2021 Capital Road Improvements is anticipated to incorporate approximately Eleven Thousand Seven Hundred (11,700) linear feet (2.21 miles) of roadway

resurfacing at an estimated total project cost of Eight Hundred Forty Thousand (\$840,000.00) Dollars; and,

WHEREAS, Grotto Engineering Associates, LLC will obtain field data in order to determine that the physical features of the roadways will be gathered (as required) to develop location mapping and unit price quantities for the roadway improvements. The Borough's tax maps will be used, as needed, to develop any base mapping needed and to assist in establishing existing features such as pavement limits, driveways, and utilities, etc., in order to ensure that the proposed improvements are accurately designed. Field mapping data information collected for base mapping will be compiled using AutoCAD. The production of these design documents will not exceed a total amount of Forty Seven Thousand (\$47,000.00) Dollars; and,

WHEREAS, following the completion of the bid documents, Grotto Engineering Associates, LLC will coordinate bid dates with the Borough and will provide assistance through the entire bidding process. Bid Packages will be sold by Grotto from their Cranford, New Jersey Office location. Following the receipt of bid proposals, Grotto Engineering will review all bids submitted and provide a recommendation of award to the Borough; and,

WHEREAS, following award of contract by the Borough, Grotto Engineering Associates, LLC will prepare all contract documents and conduct a pre-construction meeting with the successful contractor, all appropriate Borough personnel and any affected utility companies. During the course of construction, Grotto Associates, LLC will further provide construction observation and administrative services to ensure that the contractor is performing all construction in full accordance with the contract documents; and,

WHEREAS, Grotto Engineering Associates, LLC will also review and approve all payment applications submitted by the contractor before they are presented to the Borough for payment. As the project approaches completion, Grotto Engineering Associates, LLC will provide the contractor with a detailed punch list of any and all items requiring repair and/or correction. Grotto Engineering Associates, LLC will also prepare the final payment and closeout documents, and,

WHEREAS, the aforementioned services related to Bid Support, Contract Administration and Inspection will not exceed an additional amount of Forty Two Thousand (\$42,000.00) Dollars; 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 accepts the proposal submitted by Grotto Engineering Associates LLC in an amount not to exceed Forty Seven Thousand (\$47,000.00) Dollars for services related to Design Documents, as well as an additional amount not to exceed Forty Two Thousand (\$42,000.00) Dollars for services related to Bid Support, Contract Administration and Inspection for an aggregate amount not to exceed Eighty Nine Thousand (\$89,000.00) Dollars.

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 services of Grotto Engineering Associates LLC, for the 2021 Capital Road Improvement Program; 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 Grotto Engineering Associates, LLC dated June 9, 2021 for the Project known as the 2021 Capital Road Improvement Program.

**RESOLUTION NO. 06-28-21-04d** RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH PHILLIPS PREISS GRYGEIL LEHENY & HUGHES LLC TO ASSIST WITH THE BOROUGH'S PLAN ENDORSEMENT FOR TOWN CENTER

WHEREAS, the Borough of North Plainfield is in need of assistance in petitioning the New Jersey Office of Planning Advocacy (OPA) for continued designation as a Town Center; and,

WHEREAS, the municipal plan endorsement process involves ten (10) steps, which are as follows:

1. Pre-Petition
2. Appointment of a Plan Endorsement Advisory Committee
3. Municipal Self-Assessment
4. State Opportunities & Constraints Assessment
5. Community Visioning
6. Consistency Review
7. Action Plan Authorization and Completion
8. Recommendation Report and Draft Planning & Implementation Agreement
9. State Planning Commission Endorsement
10. Monitoring and Benefits

and,

WHEREAS, the Borough of North Plainfield has received a proposal to assist in the completion of the Municipal Plan Endorsement Process from Phillips Preiss Grygiel Leheny & Hughes LLC, Planning and Real Estate Consultants in an amount not to exceed Twenty Two Thousand Five Hundred (\$22,500.00) Dollars as allocated by each process step as follows:

1. Pre-Petition- \$1,500.00
2. Appointment of Plan Endorsement Advisory Committee- \$500.00
3. Municipal Self-Assessment- \$2,000.00 to \$3,000.00
4. State Opportunities & Constraints Assessment- \$500.00
5. Community Visioning- \$8,000.00 to \$12,000.00
6. Consistency Review- \$1,000.00
7. Action Plan Authorization and Completion- \$1,500.00 to \$3,000.00

8. Recommendation Report and Draft Planning & Implementation Agreement- \$500.00
9. State Planning Commission Endorsement- \$500.00
10. Monitoring and Benefits- to be determined

and,

WHEREAS, said proposal estimates the cost of services to be in the range of \$16,000.00 to \$22,500.00, inclusive of attendance at up to seven (7) public meetings in the Borough of North Plainfield throughout the various phases; and,

WHEREAS, the estimated budget may vary depending upon assistance from Borough staff and the Somerset County Planning Division, which has expressed a willingness to assist the Borough with this undertaking as set forth in the proposal attached hereto; 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 accepts the attached proposal submitted by Phillips Preiss Grygiel Leheny & Hughes LLC, for an amount not to exceed Twenty Two Thousand Five Hundred (\$22,500.00) Dollars without further approval of the Borough Council of the Borough of North Plainfield; and,

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 services of Phillips Preiss Grygiel Leheny & Hughes LLC to assist in petitioning the New Jersey Office of Planning Advocacy (OPA) for continued designation as a Town Center; 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.

**RESOLUTION NO. 06-28-21-04e** RESOLUTION OF THE BOROUGH COUNCIL APPROVING AND ACCEPTING THE NORTH PLAINFIELD WASHINGTON PARK HISTORIC DISTRICT DESIGN GUIDELINES.

WHEREAS, the Borough of North Plainfield previously awarded a contract for certain professional services for the North Plainfield Washington Park Historic District Design Guidelines (hereinafter referred to as the "Project") located in the Borough of North Plainfield; and,

WHEREAS, the Project has been completed and the final product has been delivered to the North Plainfield Historic Preservation Commission and the Borough Council.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Project is hereby approved and accepted without the need for any further action of this Borough Council.



**RESOLUTION NO. 06-28-21-04f** WHEREAS, the following applicants have applied for renewal of Plenary Retail Consumption or Plenary Retail Distribution Licenses for the period July 1, 2021 through June 30, 2022 and the submitted application forms are complete in all respects; and

WHEREAS, the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC laws and regulations; and

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 following applicants for the period July 1, 2021 through June 30, 2022:

1814-32-011-012	J & N Wine and Spirits LLC, t/a Buy Rite 967 US Highway 22 West
1814-33-001-003	L Penaloza LLC, t/a The Bridge 50-54 Watchung Avenue
1814-33-003-004	El Salvador Inc, t/a Tesoro Salvadoreño Restaurant 64 Somerset Street
1814-33-004-005	Toson Food & Beverages North Plainfield LLC 1250 Route 22 East
1814-33-008-006	Mi Mundo Latino LLC, t/a Mi Mundo Latino 375 Somerset Street
1814-33-010-012	Texas Roadhouse Holdings LLC 1258 Route 22 Eastbound
1814-33-007-008	Dombar LLC – International Club and Sports Bar 403 Somerset Street
1814-44-005-009	Clinton Liquors of North Plainfield Inc., t/a Clinton Liquors 64 Watchung Avenue
1814-44-006-007	R&R Spirits Inc., t/a Star Discount Liquors 25 Greenbrook Road
1814-44-012-006	Shivaam LLC, t/a Herb’s Liquor 194 Somerset Street
1814-44-013-013	NB Liquors Inc. 1290 US Highway 22

**RESOLUTION NO. 06-28-21-04g** 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, 2021 through June 30, 2022.

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. 06-28-21-04h** 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 Akram, t/a  
Falcon Limo  
12A Interhaven Avenue  
North Plainfield, NJ 07060

**RESOLUTION NO. 06-28-21-04i** BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby grant permission for the public display of fireworks on July 10, 2021 with a rain date of July 11, 2021; and

BE IT FURTHER RESOLVED that all appropriate permissions, clearances and conventions appertaining to the traditional North Plainfield Independence Day Parade be granted and appropriately applied to the scheduled municipal festivities of Monday, July 5, 2021; and

BE IT FINALLY RESOLVED that any fees regarding these municipally sponsored activities are hereby waived.

**RESOLUTION NO. 06-28-21-04j** BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby authorize the Mayor and Borough Clerk to execute an Agreement with Garden State Fireworks, Inc., P.O. Box 403, 383 Carlton Road, Millington, NJ 07946-2002 for the public display of fireworks on July 10, 2021 with a rain date of July 11, 2021 for an amount not to exceed \$15,000.00.

**RESOLUTION NO. 06-28-21-04k** 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 28<sup>th</sup> day of June, 2021 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 & Communications
Plainfield Area Humane Society Plainfield, NJ	Report and Invoicing
Plainfield Area Regional Sewerage Authority Middlesex, NJ	Minutes and Agenda
NJ Highlands Coalition, Boonton, NJ	NJ School of Conservation
Somerset County Business Partnership Somerville	Somerset County Celebrates Juneteenth
NJ Dept. of Environmental Protection Trenton	Newsletter
NJ Motion Picture & TV Commission Trenton, NJ	Newsletter

**REQUESTS FOR AGENDA ITEMS:**

Mr. Merrill requested an update from the Police Department on the liquor license establishments.

**PUBLIC COMMENT:**

Frank D’Amore, 40 Willow Avenue, North Plainfield, was happy to learn that the Fourth of July parade and fireworks would be held this year.

**COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS**

Mayor La Ronde announced that the Fourth of July parade would be held Monday, July 5 at 10:00 am and the fireworks would be held on Saturday, July 10 at 6:30 pm.

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

Meeting adjourned at 9:01 p.m.

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Borough Clerk

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Council President