

MINUTES of the Regular Meeting of the Council of the Borough of North Plainfield held on Monday, **February 27, 2023** at 7:38 p.m. via Zoom.

PRESENT:

Council Members: Aimee Corzo, Council Vice President
Suzette Given
Steven McIntyre
Everett Merrill
Keiona R. Miller (absent – excused)
Wendy Schaefer
Frank “Skip” Stabile, Council President

Also Present: Lawrence La Ronde, Mayor
David E. Hollod, Business Administrator
Phil George, Esq., Associate Borough Attorney
Michele Irby-Garry, CMR, Acting Borough Clerk

Council President Stabile read the following Notice of Compliance:

“This 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 12, 2022 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 Flag Salute was led by Mr. McIntyre followed by a moment of silence for the men and women serving in the Armed Forces.

APPROVAL OF COUNCIL MEETING MINUTES:

The Acting Clerk had submitted copies of three sets of minutes.

The Council President called for a roll call on the Agenda Conference and Regular Meeting minutes of December 12, 2022: All in favor.

The Council President called for a roll call on the Reorganization minutes of January 2, 2023: All in favor.

The Council President called for a roll call on the Regular Meeting minutes of January 23, 2023:

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

HEARING:

Council President Stabile opened the floor to public comment on the following:

2023 Community Development Block Grant Project

PUBLIC COMMENT:

Francine Gargano, 57 Willow Avenue, North Plainfield, inquired after obtaining a copy of the grant paperwork; Mr. Hollod offered to email a copy of same to the speaker.

Motion to close public comment by Ms. Schaefer, seconded by Ms. Corzo and on roll call carried unanimously.

HEARING:

ORDINANCE NO. 23-03 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 7A OF THE BOROUGH CODE, ENTITLED "TRAFFIC SCHEDULES", MOST NOTABLY SECTION 7A-21, ENTITLED "SECTION 7A-21 SCHEDULE XXI ON-STREET HANDICAPPED PARKING."

The Acting Clerk read the ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Ms. Schaefer, seconded by Mr. McIntyre and on roll call carried unanimously.

RESOLUTION:

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

RESOLUTION NO. 02-27-23-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 23-03 be adopted and advertised as required by statute.

Seconded by Mr. McIntyre and on roll call carried all six voting aye.

HEARING:

ORDINANCE NO. 23-04 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 7 OF THE BOROUGH CODE, ENTITLED "TRAFFIC", MOST NOTABLY BY ADDING A NEW § 7-21, ENTITLED "PERMIT PARKING" AND MORE SPECIFICALLY BY AMENDING, SUPPLEMENTING AND REVISNG § 7A, ENTITLED "TRAFFIC SCHEDULES," BY ADDING A NEW § 7A-29, ENTITLED "PERMIT PARKING."

The Acting Clerk read the ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Ms. Schaefer, seconded by Ms. Given and on roll call carried unanimously.

RESOLUTION:

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

RESOLUTION NO. 02-27-23-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 23-04 be adopted and advertised as required by statute.

Seconded by Ms. Schaefer and on roll call carried all six voting aye.

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

RESOLUTION NO. 02-27-23-03 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 23-05 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing March 13, 2023 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 or Zoom as the place for hearing and final adoption.

Seconded by Ms. Schaefer and on roll call carried all six voting aye.

The Acting Clerk read the ordinance by its title:

ORDINANCE NO. 23-05 CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S. 40A:45-14)

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

RESOLUTION NO. 02-27-23-04 MUNICIPAL BUDGET OF THE BOROUGH OF NORTH PLAINFIELD COUNTY OF SOMERSET FOR THE FISCAL YEAR 2023

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2023;

BE IT FURTHER RESOLVED, that said Budget be published in The Courier News in the issue of March 13, 2023;

The Governing Body of the Borough of North Plainfield does hereby approve the following as the Budget for the year 2023:

\$30,742,973.85

2/27/23

Notice is hereby being given that the Budget and Tax Resolution were approved by the Council of the Borough of North Plainfield, County of Somerset, on February 27, 2023.

A Hearing on the Budget and Tax Resolution will be held at the North Plainfield Council Chambers, Borough Hall, 263 Somerset Street, North Plainfield, on March 27 at 7:30 O'clock (p.m.) at which time and place objections to said budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

Seconded by Mr. McIntyre and on roll call carried all six voting aye.

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

RESOLUTION NO. 02-27-23-05 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 23-06 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing March 13, 2023 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 or Zoom as the place for hearing and final adoption.

Seconded by Ms. Schaefer and on roll call carried all six voting aye.

The Acting Clerk read the ordinance by its title:

ORDINANCE NO. 23-06 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 22 OF THE BOROUGH CODE ENTITLED "LAND DEVELOPMENT", MOST NOTABLY ARTICLE VIII ENTITLED "ZONING BOARD OF ADJUSTMENT," AND MORE SPECIFICALLY BY AMENDING, REVISING AND SUPPLEMENTING § 22-122-4, ENTITLED "DESIGNATION OF HISTORIC LANDMARKS AND HISTORIC DISTRICTS," BY AMENDING, SUPPLEMENTING AND REVISING § 22-122.4.7 ENTITLED "NOTIFICATION TO NEW PROPERTY OWNERS."

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. McIntyre presented the following Resolution and moved its adoption:

RESOLUTION NO. 02-27-23-06 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

02-27-23-06 a, b, c, d, e

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

Seconded by Ms. Corzo and on roll call carried all six voting aye.

APPROVED CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 02-27-23-06a SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of North Plainfield has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2023 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of North Plainfield that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,

- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

RESOLUTION NO. 02-27-23-06b 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:

Galo W. Saltos \$ 200.00
70 Pearl Street
North Plainfield, New Jersey 07060

Re: 86 Brook Avenue (2 permits required)

RESOLUTION NO. 02-27-23-06c RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LICENSE AGREEMENT WITH THE COUNTY OF UNION FOR THE USE OF GREEN BROOK PARK FOR ITS ANNUAL FOURTH OF JULY FIREWORKS DISPLAY IN THE BOROUGH OF NORTH PLAINFIELD FOR CALENDAR YEAR 2023

WHEREAS, the Borough of North Plainfield desires to have fireworks display in honor of the 4th of July in Green Brook Park (hereinafter referred to as the "Fireworks") to be held on Saturday, July 1, 2023, with a proposed rain date of Sunday, July 2, 2022; and,

WHEREAS, the County of Union, a body politic of the State of New Jersey, with offices at the Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey is the current lessee of Green Brook Park; and,

WHEREAS, the County of Union requires that the Borough of North Plainfield have a license agreement to use a portion of Green Brook Park for its Fireworks, a copy of said license agreement 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 using Green Brook Park for its Fireworks and entering into said license agreement with the County of Union for calendar year 2023.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that the Borough Council does hereby authorize the Mayor and the Borough Clerk to sign and/or execute a license agreement with the County of Union, without the need for any further action of this Borough Council, for the purposes cited above for calendar year 2023.

BE IT FURTHER RESOLVED that the Resolution is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey.

RESOLUTION NO. 02-27-23-06d RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON THE ONLINE PUBLIC AUCTION SITE KNOWN AS MUNICIBID.

WHEREAS, N.J.S.A. 40A:11-36 of the Local Public Contracts Law provides that any public contracting unit by resolution of the governing body may authorize by sealed bid or public auction the sale of its personal property not needed for public use; and,

WHEREAS, N.J.S.A. 40A:11-4.11(b) of the Local Unit Electronic Procurement Act further provides that a local unit is authorized to use electronic procurement practices including an online auction for the sale of surplus personal property that shall otherwise comply with the provisions of N.J.S.A. 40A:11-36; and,

WHEREAS, the Borough of North Plainfield has determined that the personal property described in Schedule "A" attached hereto and incorporated as if more fully set forth herein is no longer needed for public use; and,

WHEREAS, the Borough of North Plainfield intends to utilize the online auction platform of Municibid, with its offices and principal place of business at its offices and principal place of business at 1635 Market Street, Suite 1600, Philadelphia, PA 19103, and located online at <https://municibid.com/> ; and,

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidelines set forth in the Department of Community Affairs, Division of Local Government Services Local Finance Notice 2019-15:

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 is hereby authorized to sell the surplus personal property as indicated on the attached schedule "A" on the public surplus online auction website at <https://municibid.com/>; and,

BE IT FURTHER RESOLVED that any reserve price, if applicable, shall be set forth as indicated on Schedule "A"; and,

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:11-36(5), the Borough of North Plainfield reserves the right to reject all bids, including when the minimum price has not been met for a particular item; and,

BE IT FURTHER RESOLVED that the terms and conditions of the agreement entered into between Municibid and the Borough of North Plainfield are available for inspection during regular business hours in the Office of the Borough Clerk and at <https://municibid.com/> ; and,

BE IT FURTHER RESOLVED that the online sale shall be advertised in accordance with N.J.S.A. 40A:11-36 of the Local Public Contracts Law in conjunction with this Resolution.

RESOLUTION NO. 02-27-23-06e 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 27th day of February, 2023 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENTS:

Frank D'Amore, 40 Willow Avenue, North Plainfield, commented on Ordinance No. 23-06, requesting clarification. The speaker recalled that a number of residents had appeared at Historic Preservation Commission meetings claiming to not know their house was in the district and that they had to adhere to the guidelines of the ordinance. Mr. McIntyre explained that the buyer and their attorney would still be required to receive certified mailing of the ordinance, while the seller and their realtor would not. Thanking the councilman for the explanation, Mr. D'Amore agreed the amendment would be cost effective and practical.

Francine Gargano, 57 Willow Avenue, North Plainfield, voiced her concerns with Ordinance No. 23-06. Eliminating the certified mailing of the ordinance to the seller and their realtor may allow for potential buyers to be told the house is not within the district. The speaker then called for stricter enforcement of traffic laws.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Mayor La Ronde reported that the Fire Department would host their annual St. Baldrick's Day on Saturday, March 18 at 1 p.m.

Mr. McIntyre thanked Councilwoman Miller for the Black History Month celebration which was both educational and inspirational.

Mr. Merrill reported that recreation baseball and softball sign-ups had begun.

Motion to adjourn by Ms. Corzo, seconded by Mr. McIntyre and on voice vote carried unanimously.

Meeting adjourned at 8:17 p.m.

Acting Borough Clerk

Council President