

MINUTES of the Regular Meeting of the Council of the Borough of North Plainfield held on Monday, **January 22, 2024** at 8:02 p.m. via Zoom.

PRESENT:

Council Members: Aimee Corzo, Council Vice President
 Suzette Given
 Steven McIntyre
 Everett Merrill
 Keiona R. Miller
 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, Acting Borough Clerk

Ms. Garry 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 11, 2023 and by posting a copy of this notice on the bulletin boards in the Municipal Building and the Memorial Library reserved for such purpose.”

APPROVAL OF COUNCIL MEETING MINUTES:

The Council President called for a roll call on the Agenda Conference and Regular Meeting minutes of January 8, 2024:

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

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

RESOLUTION NO. 01-22-24-01 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 24-01 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing February 13, 2024 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. Corzo and on roll call carried unanimously.

The Acting Clerk read the ordinance by its title:

ORDINANCE NO. 24-01 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT ORDINANCE NO. 22-02, GOVERNING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF NORTH PLAINFIELD.

CONSENT AGENDA

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

RESOLUTION NO. 01-22-24-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

01-22-24-02 a, b, c, d, e, f, g, h, i, j, k, l

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 unanimously.

APPROVED CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 01-22-24-02a RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND DEPUTY BOROUGH CLERK TO EXECUTE A RECYCLING AGREEMENT WITH SOMERSET COUNTY PUBLIC WORKS FOR THE RESIDENTIAL CURBSIDE PICKUP OF RECYCLABLE MATERIALS.

WHEREAS, the Borough of North Plainfield is in need of a mode and manner by which it can collect its residential recyclable material; and,

WHEREAS, the Borough of North Plainfield, by ordinance, has enacted a recycling plan for all recyclable materials as designated by the Somerset County Solid Waste Management Plan and amendments thereto; and,

WHEREAS, the County of Somerset Department of Public Works is authorized to provide recycling collection and disposal services to municipalities within Somerset County, including the Borough of North Plainfield; and,

WHEREAS, the Borough of North Plainfield is desirous of retaining the services of the County of Somerset Department of Public Works for said recycling program and,

WHEREAS, by letter dated December 20, 2023, Melissa D. Harvey, Manager of the Somerset County Department of Public Works Solid Waste Management submitted a recycling agreement for the period commencing January 1, 2024 through and including December 31, 2024 engaging the County of Somerset Department of Public Works to be responsible for residential curbside pick-up for all recyclable materials from each residential household within the Borough; and,

WHEREAS, the award of this contract to the County, pursuant to N.J.S.A. 13:1E-99.14 is an exception to the bidding requirements as set forth in the Local Public Contracts Law, pursuant to N.J.S.A. 40A:11-5(2) and the Board of Public Utilities Somerset Waste Franchise for Somerset County.

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 authorizes the Mayor and the Deputy Borough Clerk or designee, on behalf of the Borough, to sign and/or execute the Agreement received from the County of Somerset Department of Public works via letter dated December 20, 2023, for a period commencing January 1, 2024 through and including December 31, 2024. Said Agreement is incorporated herein by reference as if same was fully set forth, without the need for any further action of this Borough Council.

RESOLUTION NO. 01-22-24-02b RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE BOROUGH TO ACCEPT A PROPOSAL FROM GROTTO ENGINEERING ASSOCIATES, L.L.C., RELATED TO PROFESSIONAL ENGINEERING WORK ON AN HOURLY BASIS FOR PAVEMENT, SIDEWALK, CURB AND DRAINAGE IMPROVMENTS TO FAIRVIEW AVENUE FROM SOMERSET STREET TO DELACY AVENUE IN AN AGGREGATE AMOUNT NOT TO EXCEED NINETY-TWO THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$92,500.00) AND FOR THE MAYOR AND ACTING BOROUGH CLERK TO EXECUTE ALL DOCUMENTS TO EFFECTUATE SAME.

WHEREAS, the Borough of North Plainfield is in need of certain improvements to Fairview Avenue from Somerset Street to Delacy Avenue in the Borough, including paving, sidewalk, curb and drainage improvements (the "Project"), as part of the Borough's maintenance and improvement of its streets through NJDOT 2024 grants; and,

WHEREAS, the Borough of North Plainfield has received a proposal from Grotto Engineering Associates, L.L.C., dated January 8, 2024, to provide professional engineering services for the Project, including gathering field data for layout and dimensions, bid design documents and bid support, construction observation and contract administration for an hourly fee not to exceed a certain amount; and,

WHEREAS, upon completing the field observations, Grotto Engineering Associates, L.L.C. will develop mapping, detailed design drawings, technical specifications and bid documents to provide for the milling, repaving and miscellaneous repairs for the Project at the identified Borough locations, as well as through the field observations. The specifications and construction plans will be compiled in the public bid format following the *NJDOT Standards for Road and Bridge Construction, latest edition*, and developed using AutoCAD. Design drawings will be presented to the Borough for review and comments prior to bidding. Bid Packages will be sold by Grotto

Engineering Associates, L.L.C. from their Clark office; they will then review all bids and provide recommendation of an award to the Borough; and,

WHEREAS, Grotto Engineering Associates, L.L.C. has submitted a proposal in the amount of an hourly fee not to exceed Forty Seven Thousand Five Hundred Dollars and No Cents (\$47,500.00) for the aforementioned bid design documents and an amount as an hourly fee not to exceed Forty Five Thousand Dollars and No Cents (\$45,000.00) for the aforementioned bid support, contract administration, construction observation services and testing, for an aggregate total price for all services not to exceed Ninety Two Thousand Five Hundred Dollars and No Cents (\$92,500.00); and,

WHEREAS, upon an award of contract(s) by the Borough, Grotto Engineering Associates, L.L.C. will prepare the contract documents and conduct a pre-construction meeting with the contractor, all appropriate Borough personnel and any affected utility companies. During the course of construction, Grotto Engineering Associates, L.L.C. will provide construction observation and administration services to insure that the selected contractor is performing all construction in full accordance with the project plans and specifications; and,

WHEREAS, Grotto Engineering Associates, L.L.C. will review and approve all payment vouchers submitted by the contractor before they are presented for the Borough for payment. Prior to completion, Grotto Engineering Associates, L.L.C. will also provide the contractor with a detailed punch list of the items requiring repair and/or corrections.

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, L.L.C., dated January 8, 2024, as to certain improvements to Fairview Avenue from Somerset Street to Delacy Avenue in the Borough for an hourly fee not to exceed the amount of Forty Seven Thousand Five Hundred Dollars and No Cents (\$47,500.00) for the aforementioned bid design documents and for an hourly fee for bid support as per the aforementioned proposal in a total amount not to exceed Forty Five Thousand Dollars and No Cents (\$45,000.00) for the aforementioned bid support, contract administration, construction observation services and testing, with a total aggregate price for all services not to exceed Ninety Two Thousand Five Hundred Dollars and No Cents (\$92,500.00); and,

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Acting Borough Clerk to sign and/or execute a contract and all other necessary documents to engage the services of Grotto Engineering Associates, L.L.C., for this 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 (where applicable) and the bid proposal of Grotto Engineering Associates, L.L.C., dated January 8, 2024.

RESOLUTION NO. 01-22-24-02c BE IT RESOLVED by the Council of the Borough of North Plainfield, that upon nomination of the Mayor and with the advice of consent of this Council, ELIZABETH HAVRILLA be and hereby is appointed to the LIBRARY ADVISORY COMMITTEE of this Borough to serve for the legal terms commencing January 22, 2024 and expiring on January 1, 2027 and until her successors shall have been appointed and qualified.

RESOLUTION NO. 01-22-24-02d BE IT RESOLVED by the Council of the Borough of North Plainfield that the appointment of FRANK “SKIP” STABILE on January 8, 2024 is hereby rescinded and that KATHERINE MILLER be and hereby is appointed to the SOMERSET COUNTY COMMUNITY DEVELOPMENT COMMITTEE of this Borough to serve for the legal term commencing January 22, 2024 and expiring on January 1, 2025 and until his successor shall have been appointed and qualified.

RESOLUTION NO. 01-22-24-02e RESOLUTION AMENDING THE APPOINTMENT OF MUNICIPAL COURT PROSECUTOR AND ALTERNATE MUNICIPAL COURT PROSECUTOR TO THE NORTH PLAINFIELD MUNICIPAL COURT FOR CALENDAR YEAR 2024

WHEREAS, the Mayor requested the appointment of a Municipal Court Prosecutor, an Alternate Municipal Court Prosecutor and a Conflict Prosecutor to the North Plainfield Municipal Court for calendar year 2024; and,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that, as of January 8, 2024, the appointment of the Municipal Court Prosecutor and Alternate Municipal Court Prosecutor to the North Plainfield Municipal Court, as well as Conflict Prosecutor for calendar year 2024 shall be amended as follows:

Municipal Court Prosecutor: Raymond J. Stine, Esq. and the Law Firm of Shain Schaffer P.C. Mr. Stine shall be compensated at an increased annual salary of \$31,836.00, less all applicable deductions.

Alternate Municipal Court Prosecutor: To be appointed by a separate Resolution.

Conflict Prosecutor: Eric M. Bernstein & Associates, L.L.C., effective January 8, 2024 with compensation to be paid at the Firm’s hourly rate for other Borough work.

Mr. Stine shall remain in his respective position until a successor is qualified and appointed.

RESOLUTION NO. 01-22-24-02f BE IT RESOLVED by the Council of the Borough of North Plainfield that ALBERT DOMIZI be named as Fund Commissioner to replace resigning Fund Commissioner WILLIAM SPECK to the Garden State Municipal Joint Insurance Fund for calendar year 2024.

RESOLUTION NO. 01-22-24-02g BE IT RESOLVED by the Council of the Borough of North Plainfield, that upon nomination of the Mayor and with the advice and consent of this Council, the nomination of DR. HARRY ALLEN as alternate Commissioner on January 8, 2024 is rescinded

and that DR. HARRY ALLEN be and hereby is appointed to the GREEN BROOK FLOOD CONTROL COMMISSION as the COMMISSIONER of this Borough to serve for the legal term commencing January 8, 2024 and expiring on January 1, 2025, and until his successor shall have been appointed and qualified.

RESOLUTION NO. 01-22-24-02h BE IT RESOLVED by the Council of the Borough of North Plainfield that Resolution No. 01- 08-24-02u adopted on January 8, 2024 is amended to read MADALEINE OLIVO to be and hereby are appointed to the MUNICIPAL ALLIANCE COMMITTEE of this Borough to serve for the legal terms commencing January 8, 2024 and expiring on January 1, 2027 and until their successors shall have been appointed and qualified.

RESOLUTION NO. 01-22-24-02i BE IT RESOLVED by the Council of the Borough of North Plainfield, that upon nomination of the Mayor and with the advice and consent of this Council, JOSEPH ASPROCOLAS, JENNIFER BARTHOLOMEW, and MICHAEL J. CECCATO be and hereby are appointed as Deputy Coordinators to the OFFICE OF EMERGENCY MANAGEMENT of this Borough to serve for the legal terms commencing January 8, 2024 and expiring on January 1, 2025 and until their successors shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that WILLIAM G. PARENTI be and hereby is appointed as Police Department representative to the OFFICE OF EMERGENCY MANAGEMENT to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that WILLIAM F. EATON be and hereby is appointed as Fire Department representative to the OFFICE OF EMERGENCY MANAGEMENT to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that WILLIAM F. EATON be and hereby is appointed as Emergency Medical Services representative to the OFFICE OF EMERGENCY MANAGEMENT to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that DAVID E. HOLLOD be and hereby is appointed as the Mayor's representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that EVERETT MERRILL be and hereby is appointed as Council Member representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that JODY KARCHER be and hereby is appointed as Public Schools representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal

term commencing on January 8, 2024 and expiring on January 1, 2025 and until her successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that MICHAEL GIORDANO, JR. be and hereby is appointed as Citizen-at-large representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until her successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that SUMERA KHURRAM be and hereby is appointed as Health representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until her successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that MICHELE IRBY-GARRY be and hereby is appointed as Media representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that ANGELO COSTELLO be and hereby is appointed as Public Works representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that DR. HARRY L. ALLEN be and hereby is appointed as Hazardous Materials representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that the appointment of ELIZABETH DENTE as Emergency Animal Shelter Manager representative on January 8, 2024 is hereby rescinded and that JOSH REYES be and hereby is appointed as Emergency Animal Shelter Manager representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term commencing on January 8, 2024 and expiring on January 1, 2025 and until his successor shall have been appointed and qualified.

RESOLUTION NO. 01-22-24-02j BE IT RESOLVED by the Council of the Borough of North Plainfield that BASIL D'ARMIENTO be and hereby is appointed as Commissioner to represent the Borough of North Plainfield at all meetings of the Plainfield Area Regional Sewerage Authority (PARSA) and to serve for the term commencing on January 22, 2024 and expiring on January 1, 2029 and until his successor is appointed and qualified.

RESOLUTION NO. 01-22-24-02k 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 22nd day of January 2024 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

RESOLUTION NO. 01-22-24-02/ BE IT RESOLVED by the Council of the Borough of North Plainfield that BASIL D'ARMIENTO be and hereby is appointed to the BOARD OF ADJUSTMENT of this Borough to serve for the legal term commencing January 8, 2024 and expiring on January 1, 2028 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that HERMINIO ESTRELLA be and hereby is appointed to the BOARD OF ADJUSTMENT of this Borough to serve for the legal term commencing January 8, 2024 and expiring on January 1, 2028 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that MICHELLE BROWN be and hereby is appointed to the BOARD OF ADJUSTMENT of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2027 and until her successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that BRYAN F. CARLEY be and hereby is appointed as Alternate Member No. 1 to the BOARD OF ADJUSTMENT of this Borough to serve for the balance of an unexpired term expiring on January 1, 2025 and until his successor shall have been appointed and qualified.

PUBLIC COMMENT: None.

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

RESOLUTION NO. 01-22-24-03 BE IT RESOLVED by the Council of the Borough of North Plainfield that prior to the adjournment of this meeting it shall convene in executive session from which the public will be excluded for the purpose of discussion on:

Attorney/Client Privilege (Pending/anticipated litigation)

Exclusion of the public for this purpose is specifically permitted by N.J.S.A. 10:4-6 et seq. The contents of this discussion will not be disclosed until such time as the disclosure of same will not adversely affect the public interest and upon resolution of the Council. Formal action may be taken following end of executive session.

Seconded by Ms. Given and on roll call carried unanimously. Executive Session convened at 8:15 p.m.

EXECUTIVE SESSION

Motion to come out of Executive Session by Mr. McIntyre, seconded by Ms. Corzo and carried unanimously.

Council President Stabile reconvened the meeting at 9:02 p.m. with all seven council members present.

Mr. George indicated that all seven council members were present as well as the Mayor, Administrator, Acting Borough Clerk, and Assistant Borough Attorney. Discussion was held relative to pending litigation with no formal action needed.

REPORTS:

POLICE DEPARTMENT MONTHLY REPORT – OCTOBER 2023
BOARD OF HEALTH MONTHLY REPORT – NOVEMBER 2023

COMMUNICATIONS:

Somerset County Board of Commissioners	Newsletter
NJDEP Office of Local Government Assistance	Newsletter
Somerset County of Aging & Disabilities	Resource Information

REQUESTS FOR AGENDA ITEMS:

Ms. Miller requested a proclamation acknowledging February as Black History Month.

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

Meeting adjourned at 9:05 p.m.

Borough Clerk

Council President