



**BOROUGH OF NORTH PLAINFIELD  
REGULAR COUNCIL MEETING AGENDA**

**MONDAY, MAY 6, 2024  
7:30 p.m.**

**ROLL CALL:**

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

Compliance Statement

**APPROVAL OF COUNCIL MEETING MINUTES:**

Agenda Conference & Regular Meeting for April 22, 2024

Roll Call

**HEARING & FINAL ADOPTION OF ORDINANCE NO. 24-10**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT ARTICLE I OF THE ADMINISTRATIVE CODE OF THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD BE AMENDED, REVISED AND SUPPLEMENTED AS TO CHAPTER 2 OF THE BOROUGH CODE ENTITLED "ADMINISTRATION," MORE SPECIFICALLY ARTICLE III ENTITLED "DEPARTMENTS, COMMISSIONS, COMMITTEES, AUTHORITIES AND AGENCIES," AND MORE PARTICULARLY CHAPTER 2-29, ENTITLED "SPECIAL EVENTS ADVISORY COMMITTEE."**

Reading of title by Acting Clerk

**MOTION: Close public hearing**

Roll Call

**RESOLUTION:**

**Mr. Merrill:**

**05-06-24-01** Adoption & Advertising Ordinance No. 24-10

Roll Call

**RESOLUTION:**

**Ms. Given**

**05-06-24-02** Introduction of Ordinance No. 24-11

Roll Call

**INTRODUCTION OF ORDINANCE NO. 24-11 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT ORDINANCE NO. 24-01, GOVERNING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF NORTH PLAINFIELD.**

Reading of title by Acting Clerk

**CONSENT AGENDA**

Statement by Council President

**Mr. McIntyre:**

**05-06-24-03** **Approving Consent Agenda**

Roll Call

- a. Resolution Authorizing the Issuance of Limo License for Ramon Cruz Nieves
- b. Resolution for Consolidated Bill List
- c. Resolution Authorizing to Cancel Taxes for 175 Clinton Avenue
- d. Resolution Authorizing to Cancel Taxes for 86 Myrtle Avenue
- e. Resolution to Establish Salaries and Wages for Calendar Year 2024 for Employees not Covered by the Terms and Conditions of a Collective Bargaining Agreement

**RESOLUTION:**

**Ms. Miller:**

**05-06-24-04 Convening Executive Session: (Attorney/Client Privilege)**

**EXECUTIVE SESSION: Affordable Housing – (L.L.)**

**RECONVENE IN OPEN SESSION: Affordable Housing Financial Agreement Ordinance**

**RESOLUTION:**

**Ms. Corzo:**

**05-06-24-05** Introduction of Ordinance No. 24-12

**INTRODUCTION OF ORDINANCE NO. 24-12 AN ORDINANCE APPROVING APPLICATION FOR A LONG-TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH CAROL GARDENS AT NORTH PLAINFIELD URBAN RENEWAL LLC.**

**COMMUNICATIONS:**

NJDEP Office of Local  
Government Service Assistance

Weekly Newsletter

Zoning Hearing

Zoning Board of Adjustment  
Hearing Notice

Somerset County Commissioners

E-News & Introduction of  
2024 Budget Information

New Jersey Department of State

Newsletter  
Online Auction

Somerset County Public  
Information

Somerset County Public  
Information

Mail in Ballots for June  
Primaries

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**REPORTS:** None

**REQUESTS FOR AGENDA ITEMS**

**PUBLIC COMMENT**

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

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

**ADJOURNMENT**

**Strikethroughs mean deletions; Underlines mean additions**

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

**ORDINANCE NO. 24-10**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT ARTICLE I OF THE ADMINISTRATIVE CODE OF THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD BE AMENDED, REVISED AND SUPPLEMENTED AS TO CHAPTER 2 OF THE BOROUGH CODE ENTITLED “ADMINISTRATION,” MORE SPECIFICALLY ARTICLE III ENTITLED “DEPARTMENTS, COMMISSIONS, COMMITTEES, AUTHORITIES AND AGENCIES,” AND MORE PARTICULARLY CHAPTER 2-29, ENTITLED “SPECIAL EVENTS ADVISORY COMMITTEE.”**

**WHEREAS**, § 2-29.2 of the Borough Code of the Borough of North Plainfield authorizes the Mayor to appoint a Mayor’s Special Events Advisory Committee; and,

**WHEREAS**, after proper investigation, the Mayor’s Office has determined that the Mayor’s Special Events Advisory Committee has performed outstanding work for the benefit of residents of the Borough of North Plainfield; and,

**WHEREAS**, the Mayor’s Office has determined that the Mayor’s Special Events Advisory Committee should be restructured to be able to continue its work in a more streamlined and timely fashion; and,

**WHEREAS**, the Borough Council finds it necessary and appropriate to amend, revise and supplement § 2-29, most notable § 2-29.2, § 2-29.3 and § 2-29.4 of the Borough Code regarding the Mayor’s Special Events Advisory Committee to restructure the Mayor’s Special Events Advisory Committee to be able to continue its work in a more streamlined and timely fashion.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough of North Plainfield be amended, revised and supplemented as to Chapter 2 of the Borough Code

**Strikethroughs mean deletions; Underlines mean additions**

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entitled “Administration,” more specifically Article III entitled “Departments, Commissions, Committees, Authorities and Agencies,” and more particularly Chapter 2-29, entitled “Special Events Advisory Committee,” as follows:

**§ 2-29 SPECIAL EVENTS ADVISORY COMMITTEE.**

**§ 2-29.2 Advisory Board Personnel; Appointment.**

- a. The regulation, planning, organizing and execution of special events in the Borough shall be exercised by and under the authority of the North Plainfield Borough Mayor’s Special Events Advisory Committee, which is hereby created.
- b. The Board shall consist of ~~nine~~ five (5) members appointed by the Mayor, who shall be residents of the Borough and shall serve without compensation. ~~except as hereinafter provided.~~

**§ 2-29.3 Term of Office; Vacancies.**

~~There shall be three types of members of the Committee.~~

- a. ~~Type 1. Three members of the Committee shall have a term of three years.~~ Two (2) members of the Mayor’s Special Events Advisory Committee shall be appointed for an initial term of three (3) years; two (2) members of the Mayor’s Special Events Advisory Committee shall be appointed for an initial term of two (2) years; and, one (1) member of the Mayor’s Special Events Advisory Committee shall be appointed for an initial term of one (1) year.
- b. ~~Type 2. Three members of the Committee shall have a term of office of two years.~~
- c. ~~Type 3. Three members of the Committee shall have a term of office of one year.~~
- ~~b. d.~~ All terms of office shall take effect on January 1st of the year of appointment, except during the first year. Thereafter, all terms of office shall be for three (3) years. Any vacancy on the Board occurring by reason of death, resignation or removal of any member shall be for the unexpired term only.
- ~~c. e.~~ One (1) member of the Borough Council shall be appointed by the Council to serve as the Council's liaison to the Committee for a period of one (1) year.

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§ 2-29.4 **Organization; ~~Compensation of Secretary.~~**

The Mayor's Special Events Advisory Committee shall organize within thirty (30) calendar days after the appointment of a quorum of its total membership for the remainder of the then calendar year; and, thereafter annually by the election of one of its members as Chairperson and the appointment of a Secretary, who need not be a member of the Board.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that this Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED:

PASSED:

PUBLISHED:

ADOPTED:

ROLL CALL:           AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED BY THE MAYOR:   Yes \_\_\_\_\_ No \_\_\_\_\_

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on \_\_\_\_\_, 2024.

ATTEST:

BOROUGH OF NORTH PLAINFIELD

\_\_\_\_\_

\_\_\_\_\_

**Strikethroughs mean deletions; Underlines mean additions**

**~~Strikethroughs~~ mean deletions; Underlines mean additions**

Michele Irby-Garry  
Acting Borough Clerk  
Borough of North Plainfield

Frank A. "Skip" Stabile, Jr., Council President

Date signed: \_\_\_\_\_, 2024

Date signed: \_\_\_\_\_, 2024.

\_\_\_\_\_  
Lawrence LaRonde, Mayor

Date signed: \_\_\_\_\_, 2024.

**~~Strikethroughs~~ mean deletions; Underlines mean additions**



**RESOLUTION NO. 05-06-24-01**

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

BE IT RESOLVED by the Council of the Borough of North Plainfield that Ordinance numbered 24-10 be adopted and advertised as required by statute.

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Council President

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Council Member

Introduced: May 6, 2024

Adopted: May 6, 2024

**RESOLUTION NO. 05-06-24-02**

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

BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 24-11 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing May 20, 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.

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Council President

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Council Member

Introduced: May 6, 2024

Adopted: May 6, 2024

Deletions shown by ~~deletion~~; additions shown by underline.

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

**ORDINANCE NO. 24-11**

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

**WHEREAS**, the Borough Council of the Borough of North Plainfield finds it necessary and appropriate to amend, revise and supplement Ordinance No. 24-01 to revise the hours of certain part-time positions within the office of Borough Clerk.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the following title will work the hours set forth herein at the compensation as follows:

<u>TITLE</u>	<u>RANGE</u>
Administrative Assistant (Clerk's Office) (P/T – no more than <del>20</del> <u>Twenty-Five (25)</u> hours per week)	\$17,000 - \$30,000

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that this Ordinance shall take effect, after final passage, twenty (20) calendar days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED:

PASSED:

PUBLISHED:

ADOPTED:

ROLL CALL:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED BY THE MAYOR: Yes \_\_\_\_\_ No \_\_\_\_\_

**Deletions shown by ~~deletion~~; additions shown by underline.**

The above is a true copy of the Ordinance adopted by the Borough Council of the Borough of North Plainfield on \_\_\_\_\_, 2024

ATTEST:

BOROUGH OF NORTH PLAINFIELD

\_\_\_\_\_  
Michele Irby Garry  
Acting Borough Clerk  
Borough of North Plainfield

\_\_\_\_\_  
Frank A. "Skip" Stabile, Jr., Council President

Date signed: \_\_\_\_\_, 2024

Date signed: \_\_\_\_\_, 2024

\_\_\_\_\_  
Lawrence LaRonde, Mayor

Date signed: \_\_\_\_\_, 2024

**RESOLUTION NO. 05-06-24-03**

**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

05-06-24-03 a thru e

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

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Council President

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Council Member

Introduced: May 6, 2024  
Adopted: May 6, 2024

**RESOLUTION NO. 05-06-24-03a**

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

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 license for the owner/operation of a limousine to the following for one year in accordance with the applications heretofore submitted:

Ramon Cruz Nieves  
2 Kennedy Court  
North Plainfield, NJ 07060

\_\_\_\_\_  
Council President

\_\_\_\_\_  
Council Member

Introduced: May 6, 2024  
Adopted: May 6, 2024

**CERTIFICATION**

I, Michele Irby Garry, Acting 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 May 6, 2024.

\_\_\_\_\_  
Michele Irby Garry  
Acting Borough Clerk  
Borough of North Plainfield

Date signed: May 6, 2024

**RESOLUTION NO. 05-06-24-03b**

**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 6<sup>th</sup> day of May 2024 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: May 6, 2024

Adopted: May 6, 2024

**CERTIFICATION**

I, Michele Irby Garry, Acting 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 May 6, 2024.

\_\_\_\_\_  
Michele Irby Garry  
Acting Borough Clerk  
Borough of North Plainfield

Date signed: May 6, 2024

**RESOLUTION NO. 05-06-24-03c**

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

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

**WHEREAS**, the owner of 175 Clinton Avenue, also known as Block 182 Lot 15 was deemed a 100% Disabled Veteran effective April 11, 2024 per the Assessor and;

**WHEREAS**, the property taxes were billed on the aforementioned parcel for 2024 2<sup>nd</sup> quarter.

**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 as on this parcel:

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Council President

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Council Member

Introduced: May 6, 2024

Adopted: May 6, 2024

**CERTIFICATION**

I, Michele Irby Garry, Acting 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 May 6, 2024.

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Michele Irby Garry  
Acting Borough Clerk  
Borough of North Plainfield

Date signed: May 6, 2024



**RESOLUTION NO. 05-06-24-03d**

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

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

**WHEREAS**, the owner of 86 Myrtle Avenue, also known as Block 148 Lot 40 was deemed a 100% Disabled Veteran and is now exempt from property taxes per the Assessor and;

**WHEREAS**, the property taxes were billed on the aforementioned parcel for 2024 1<sup>st</sup>, and 2<sup>nd</sup> quarters:

**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 on this parcel:

Refund Overpayments to:

De Jesus-Otero, Jonathan	\$ 3,260.05
86 Myrtle Avenue	
North Plainfield, NJ 07060	

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Council President

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Council Member

Introduced: May 6, 2024

Adopted: May 6, 2024

**CERTIFICATION**

I, Michele Irby Garry, Acting 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 May 6, 2024.

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Michele Irby Garry  
Acting Borough Clerk  
Borough of North Plainfield

Date signed: May 6, 2024

**RESOLUTION NO. 05-06-24-03e**

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

**RESOLUTION TO ESTABLISH SALARIES AND WAGES FOR  
CALENDAR YEAR 2024 FOR EMPLOYEES NOT COVERED  
BY THE TERMS AND CONDITIONS OF A COLLECTIVE  
BARGAINING AGREEMENT.**

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**WHEREAS**, certain employees of the Borough of North Plainfield are not covered by the terms and conditions of a collective bargaining agreement and thus need to have their compensation established for calendar year 2024, retroactive to January 1, 2024.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the following titles will receive the following compensation for calendar year 2024, retroactive to January 1, 2024, as follows:

<u>TITLE</u>	<u>2024</u>
Deputy Borough Clerk	\$61,200.00
Deputy Registrar	\$1,254.00
Acting Borough Clerk (stipend)	\$10,200.00

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Frank A. "Skip" Stabile  
Council President

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Council Member

Introduced: May 6, 2024

Adopted: May 6, 2024

**CERTIFICATION**

By my signature below, I hereby certify that this Resolution is a true and complete copy of the Resolution adopted by the Borough Council of the Borough of North Plainfield at its regular meeting on the 6<sup>th</sup> day of May 2024.

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Michele Irby-Garry  
Acting Borough Clerk  
Borough of North Plainfield

**RESOLUTION NO. 05-06-24-04**

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

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 – Affordable Housing

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.

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Council President

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Council Member

Introduced: May 6, 2024  
Adopted: May 6, 2024

**RESOLUTION NO. 05-06-24-05**

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

BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 24-12 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing May 20, 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.

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Council President

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Council Member

Introduced: May 6, 2024

Adopted: May 6, 2024

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

**ORDINANCE NO. 24-12**

**ORDINANCE APPROVING APPLICATION FOR A LONG-TERM TAX  
EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL  
AGREEMENT WITH CAROL GARDENS AT NORTH PLAINFIELD  
URBAN RENEWAL LLC**

**WHEREAS**, the Borough of North Plainfield (“Borough”) previously determined that property designated as Block 110, Lots 2.02 through 2.14 on the Official Tax Map of the Borough (the “Property”), also known as the “Villa Maria” site, is an area in need of redevelopment in accordance with the criteria set forth in the Local Redevelopment and Housing Law (“LRHL” or “Redevelopment Law”), N.J.S.A. 40A:12A-1 *et seq.*; and,

**WHEREAS**, pursuant to the provisions of the LRHL, specifically including N.J.S.A. 40A:12A-6(a), the Borough Council adopted Ordinance No. 20-05, approving a redevelopment plan known as the “Villa Maria Site Redevelopment Plan” (the “Redevelopment Plan”), establishing zoning standards and development regulations within the Redevelopment Area; and,

**WHEREAS**, on September 11, 2023, the Governing Body adopted Ordinance No. 23-12, approving an amendment to the Redevelopment Plan (the “Amended Redevelopment Plan”); and,

**WHEREAS**, the Borough Council has adopted a Resolution designating Villani Realty Group, a New Jersey corporation, as the Redeveloper of Block 110, Lots 2.02 through 2.13 of the Property, consisting of approximately two and seven hundredths (2.07) acres for its proposed development of a housing project consisting of a total of thirty-two (32) rental dwelling units, thirteen (13) units of which will be affordable housing rental dwelling units for low- and moderate-income families and nineteen (19) units of which will be market-rate rental dwelling units (the “Project”) to help fulfill the Borough’s Third (3<sup>rd</sup>) Round affordable housing obligations and implement the Borough’s adopted Housing Element and Fair Share Plan, as well as a head start on the Borough’s Fourth (4<sup>th</sup>) Round affordable housing obligations; and,

**WHEREAS**, pursuant to the Redevelopment Law, improvements to property located within an area in need of rehabilitation or redevelopment may qualify for long term tax exemptions under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 *et seq.* (the “LTTEL”); and,

**WHEREAS**, Carol Gardens at North Plainfield Urban Renewal LLC, a New Jersey non-profit corporation, is an urban renewal entity created by the Redeveloper in accordance with the LTTEL; and,

**WHEREAS**, in order to enhance the economic viability of and opportunity for a successful project, the Borough wishes to enter into a Financial Agreement with Carol Gardens at North Plainfield Urban Renewal LLC (the “Financial Agreement”), as the entity created by the

Redeveloper for such purpose, governing payments made to the Borough in lieu of real estate taxes on the Project pursuant to the LTTEL; and,

**WHEREAS**, the provisions of the LTTEL authorize the Borough to accept, in lieu of real property taxes, an annual service charge paid to the Borough based on the enumerated formulas set forth in the LTTEL; and,

**WHEREAS**, in accordance with the LTTEL, in order to enhance the economic viability of and opportunity for a successful project, the Redeveloper has submitted to the Mayor an application (the "Application"), which is on file with the Borough Clerk and a copy of which is annexed hereto, seeking a tax exemption in connection with the Project, pursuant to the LTTEL, in exchange for which Carol Gardens at North Plainfield Urban Renewal LLC, the urban renewal entity created by the Redeveloper, proposes to make payments to the Borough of Annual Service Charges (a/k/a as "Payments in Lieu of Taxes" or "PILOT") in lieu of taxes; and,

**WHEREAS**, the Mayor has been presented with a form of Financial Agreement, establishing the rights, responsibilities and obligations of Carol Gardens at North Plainfield Urban Renewal LLC; and,

**WHEREAS**, the Mayor has submitted the Application and the Financial Agreement to the Borough Council with his recommendation for approval; and,

**WHEREAS**, upon review of the Application and the Mayor's recommendation, the Borough Council has made the following findings with respect to the Project, pursuant to N.J.S.A. 40A:20-11:

A. Relative Benefits of the Project:

The Property consists of approximately two and seven hundredths (2.07) acres and is currently underutilized. The Redeveloper has proposed a development of a mixed affordable housing project consisting of a total of thirty-two (32) rental dwelling units, thirteen (13) units of which will be affordable housing rental dwelling units for low- and moderate-income families and nineteen (19) units of which will be market-rate rental dwelling units (the "Project"). The Borough finds and determines that the Project is to the direct benefit of the health, welfare and financial well-being of the Borough because it allows for redevelopment of the Property into productive, useful and job-creating partially affordable housing property. The Project will generate significant amounts of new municipal revenues through the Annual Service Charge and will help fulfill the Borough's Third (3rd) Round affordable housing obligations and implement the Borough's adopted Housing Element and Fair Share Plan and make a head start on the Borough's Fourth (4<sup>th</sup>) Round affordable housing obligations. In light of market conditions and other economic factors impacting this Project, it is not financially feasible to undertake the development of this Project in the absence of the tax exemption. Accordingly, without the incentive that the tax exemption provides, it is unlikely that the Project would be undertaken. Without the Project, the benefits described above would not be realized.



B. Assessment of the importance of the tax exemption in obtaining development of the Project and influencing the locational decisions of probable occupants:

The tax exemption permits the private residential development of underutilized property and provides a stream of revenue in the form of the Annual Service Charges to the Borough. The relative stability and predictability of the Annual Service Charges will allow the owners and, by extension, the occupants, of the Project to stabilize their expenses, which will ensure the likelihood of the success of the Project and ensure that it will have a positive impact on the surrounding area. The tax exemption permits the development of the Project in an area that would otherwise not be developed by reducing the expenses associated with the operation of the Project. The Project will help fulfill the Borough's Third (3rd) Round affordable housing obligations and implement the Borough's adopted Housing Element and Fair Share Plan (HEFSP) and make a head start on the Borough's Fourth (4th) Round affordable housing obligations.

**WHEREAS**, in accordance with the provisions of the LTTEL, the Borough Council desires to approve the Application and the Financial Agreement; and,

**WHEREAS**, pursuant to Section 2.05 of the Redevelopment Agreement between the Borough and the Redeveloper, dated September 20, 2023 (the "Redevelopment Agreement") the Borough is obligated to convey fee simple title to Lots 2.02 through 2.13 of the Property to the Redeveloper for the sum of one dollar (\$1.00) for the development of the Project; and,

**WHEREAS**, pursuant to Section 7.7 of the First Amendment to the Lease Purchase Agreement between the Borough and the Somerset County Improvement Authority (the "SCIA"), dated February 1, 2022 (the "Amended Lease Purchase Agreement"), the Borough is authorized to direct the SCIA to convey Lots 2.02 through 2.13 of the Property to the Borough's designee for the purpose of the development of the proposed Project; and,

**WHEREAS**, the Borough Council desires to direct the SCIA to convey Lots 2.02 through 2.13 of the Property to the Redeveloper, as the Borough's designee, for the development of the proposed Project.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Application submitted by the Redeveloper is hereby approved in accordance with the LTTEL.
3. The Mayor and Borough Clerk are hereby authorized and directed to execute the Financial Agreement substantially in the form as that which is on file with the Borough Clerk and annexed hereto together with such additions, deletions and other modifications deemed necessary upon consultation with counsel to the Redeveloper/Carol Gardens at North Plainfield Urban Renewal

LLC, and prepare, amend or execute any other agreements necessary to effectuate this Ordinance, subject to modification or revisions, as deemed necessary and appropriate.

4. The Borough Clerk shall file certified copies of this Ordinance and the Financial Agreement with the Tax Assessor of the Borough, in accordance with the LTTEL.

5. In accordance with the LTTEL, within ten (10) calendar days following the later of the effective date of this Ordinance or the execution of the Financial Agreement by Carol Gardens at North Plainfield Urban Renewal LLC, the Borough Clerk also shall transmit a certified copy of this Ordinance and the Financial Agreement to the Chief Financial Officer of the County of Somerset and to the Somerset County Counsel for informational purposes only.

6. In accordance with Section 2.05 of the Redevelopment Agreement and Section 7.7 of the Amended Lease Purchase Agreement the Borough hereby directs the SCIA to convey Lots 2.02 through 2.13 of the Property, consisting of approximately two and seven hundredths (2.07) acres, to the Redeveloper for the proposed Project.

7. The Mayor and Borough Clerk are hereby authorized to take such additional action and to execute such other documents, on behalf of the Borough, in consultation with the Borough Attorney/ Director of Law, as is necessary to effectuate the terms of the Financial Agreement and related documents.

8. If any part(s) of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

9. This Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor, as provided by law or an override of a mayoral veto by the Council, whichever is applicable, and publication in accordance with law, unless a resolution is adopted, pursuant to N.J.S.A. 40:69A-181(b), by the Borough Council declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED:

PASSED:

PUBLISHED:

ADOPTED:

ROLL CALL:           AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED BY THE MAYOR:    Yes \_\_\_\_\_ No \_\_\_\_\_

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on \_\_\_\_\_, 2024

ATTEST:

BOROUGH OF NORTH PLAINFIELD

\_\_\_\_\_  
Michele Irby-Garry, CMR  
Acting Borough Clerk  
Borough of North Plainfield

\_\_\_\_\_  
Frank A. "Skip" Stabile, Council President

Date signed: \_\_\_\_\_, 2024

Date signed: \_\_\_\_\_, 2024

\_\_\_\_\_  
Mayor

Date signed: \_\_\_\_\_, 2024