

CONSENT AGENDA

June 9, 2014

RESOLUTION NOS. 06-09-14-04a through l

RESOLUTION NO. 06-09-14-04

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

BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

06-09-14-04a, b, c, d, e, f, g, h, i, j, k and l

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

Council Member

Council President

Introduced: June 9, 2014

Adopted: June 9, 2014

RESOLUTION NO. 06-09-14-04a

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

**RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD
ACCEPTING PROJECT KNOWN AS 2013 CAPITAL ROADWAY
IMPROVEMENTS, AUTHORIZING RELEASE OF PERFORMANCE
GUARANTEES, ACCEPTING MAINTENANCE BOND AND APPROVING
FINAL PAYMENT NO. 5**

WHEREAS, a project known as the Borough of North Plainfield 2013 Capital Roadway Improvements Project was approved by a Resolution of the Borough Council of North Plainfield; and,

WHEREAS, Reivax Contracting, the Contractor, has previously posted performance guarantees for the guarantee of the installation of the required public improvements under the Contract;

WHEREAS, Reivax Contracting has now completed the project in accordance with the terms and conditions of the contract and has submitted a final payment request and a maintenance bond;

WHEREAS, the Borough Engineer, Grotto Engineering Associates, LLC, by Senior Project Manager David J. Testa, P.E., C.M.E. in a letter dated May 13, 2014, has recommended acceptance of the public improvements, release of the performance guarantee, acceptance of the one (1) year maintenance bond, and approval of the final payment;

WHEREAS, the Borough Attorney/Director of Law Eric M. Bernstein, Esq. has reviewed the recommendations of David J. Testa, P.E., and concurs with his recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that with respect to the project known as "2013 Capital Roadway Improvements" located within the Borough of North Plainfield,

The project is accepted in its entirety;
The performance guarantees may be released;
The maintenance bond is accepted; and,
The payment of Final Payment Application No. 5 is approved.

Council President Douglas M. Singleterry

Council Member

Introduced: June 9, 2014
Adopted: June 9, 2014

CERTIFICATION

I, Richard K. Phoenix, 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 regular meeting of the Borough Council held on June 9, 2014.

Richard K. Phoenix, R.M.C.
Borough Clerk
Borough of North Plainfield

RESOLUTION NO. 06-09-14-04b

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

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
NORTH PLAINFIELD AWARDING A CONTRACT PURSUANT TO PUBLIC
BID AND AUTHORIZING THE MAYOR AND BOROUGH CLERK TO
TO EXECUTE A CONTRACT
WITH CAFFREY TREE & LANDSCAPE, LLC**

WHEREAS, the Borough of North Plainfield was and continues to be in need of tree maintenance and removal services; and,

WHEREAS, the Borough of North Plainfield solicited public bids for tree maintenance and removal services for the calendar years 2014 and 2015 and submissions were received on the due date of May 13, 2014; and,

WHEREAS, Director of Law Eric M. Bernstein, Esq., and the offices of Eric M. Bernstein & Associates, LLC have reviewed the bid submissions and recommend the award of the bid to Caffrey Tree & Landscape, LLC, at the hourly rate of \$120.00 per hour for both calendar year 2014 and for calendar year 2015; and,

WHEREAS, the Borough of North Plainfield finds that Caffrey Tree & Landscape, LLC is eminently qualified to perform tree maintenance and removal services and is the lowest responsible bidder;

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 awards a contract to Caffrey Tree & Landscape, LLC for tree maintenance and removal services for the year 2014 and, subject to positive review of contract performance by the Borough Administrator in December 2014, also awards said contract to Caffrey Tree & Landscape, LLC for calendar year 2015 subject to said condition; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a contract for calendar year 2014 for the provision of tree maintenance and removal services with Caffrey Tree & Landscape, LLC; and

BE IT FURTHER RESOLVED that upon the Borough Administrator's positive review of contract performance in December 2014, the Mayor and Borough Clerk are hereby authorized to execute a contract for the Year 2015 for the provision of tree maintenance and removal services with Caffrey Tree & Landscape, LLC.

BE IT FURTHER RESOLVED that the award of this Contract in 2014 and continuation in 2015 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 is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey.

Council President

Council Member

Introduced: June 9, 2014
Adopted: June 9, 2014

CERTIFICATION

I, Richard K. Phoenix, RMC, 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 held on June 9, 2014.

BOROUGH CLERK
BOROUGH OF NORTH PLAINFIELD

Richard K. Phoenix, RMC

Date signed _____

RESOLUTION NO. 06-09-14-04 c

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

BE IT RESOLVED by the Council of the Borough of North Plainfield that JOEL KENDERDINE is hereby appointed Member to the BOARD OF ADJUSTMENT of this Borough to serve for the legal term expiring at 12:00 noon on January 1, 2018 and until his successor shall have been appointed and qualified.

Council President

Council Member

Introduced: June 9, 2014

Adopted: June 9, 2014

RESOLUTION NO. 06-09-14-04d

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

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 12, 2014; 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 4, 2014; and

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

Council Member

Council President

Introduced: June 9, 2014

Adopted: June 9, 2014

RESOLUTION NO. 06-09-14-04e

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

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 12th, 2014 with a rain date of July 19, 2014 for an amount not to exceed \$9,000.00.

Council President

Council Member

Introduced: June 9, 2014

Adopted: June 9, 2014

RESOLUTION NO. 06-09-14-04f

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

Whereas, Joint Base McGuire-Dix-Lakehurst, Picatinny Arsenal, Naval Weapons Station Earle, the 177th Air National Guard Wing in Atlantic City, the Cape May Coast Guard Training Center are major federal assets in the state of New Jersey; and

Whereas, the Rutgers Economic Advisory Service, R/ECON™ recently conducted a study which measured and modeled the economic contribution to the state's economy of our military installations; and

Whereas, the Rutgers Economic Advisory Service determined that, in net, the federal government spent nearly \$4.8 billion within the state, which generates over 45,600 jobs that pay about \$2.6 billion and add about \$3.8 billion of wealth to state residents; and

Whereas, the \$4.8 billion in annual federal spending results in \$9.6 billion in net business revenues; and

Whereas, of this total, \$6.5 billion in net wealth was added in the form of Gross Domestic Product by the State; and

Whereas, of this GDP total, over \$4.0 billion is in the form of labor income that supports an estimated 73,234 jobs, a number greater than the combined employment of the State's communications and chemical industries; and

Whereas, all New Jersey military installations make significant individual and collective contributions to the capabilities of our Armed Forces and our national security; and

Whereas, maintaining and expanding this military core is nearly as critical for its continued economic welfare as it is to the State's homeland security missions; and

Whereas, in an era of Federal fiscal austerity, policy-makers in our Nation's Capital will be asked to consider proposals to reduce defense spending and the size of our uniformed services;

Now, therefore, be it resolved that the Governor and the State Senate and Assembly should take immediate steps to protect these valuable military assets, in recognition of their vital importance to our Nation's and our State's security; and

Be it further resolved that the Council of the Borough of North Plainfield joins with the New Jersey League of Municipalities in calling on our State leaders to work in concert to promote the preservation, growth and development of our New Jersey military facilities.

Council President

Council Member

Introduced: June 9, 2014
Adopted: June 9, 2014

RESOLUTION NO. 06-09-14-04g

BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY

Supporting the *Click It or Ticket* Mobilization of
May 19 – June 1, 2014

Whereas, there were 591 motor vehicle fatalities in New Jersey in 2012; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 19 – June 1, 2014 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 92%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

Therefore, be it resolved that the Borough Council of North Plainfield declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 19 – June 1, 2014 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Council President

Council Member

Introduced: June 9, 2014
Adopted: June 9, 2014

RESOLUTION NO. 06-09-14-04h

BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY

WHEREAS, *N.J.S.A.* 40A:5-17 allows for the cancellation of property tax overpayments or delinquent amounts of less than \$10.00;

BE IT RESOLVED by the Council of the Borough of North Plainfield that the Tax Collector is hereby authorized and directed to cancel all property tax overpayments and/or delinquencies in the amounts of less than \$10.00, in accordance with *N.J.S.A.* 40A:5-17.

Council President

Council Member

Introduced: June 9, 2014
Adopted: June 9, 2014

RESOLUTION NO. 06-09-14-04i

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

WHEREAS, the following applicant has filed applications for Outdoor Sidewalk Café licenses for the period ending October 31, 2014: Peter Eddy, t/a Eddy's Kitchen LLC, 525 Somerset Street, North Plainfield

WHEREAS, review of the application and investigation of the site by appropriate Borough Officials discloses that the granting of said applications would be in order;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that an Outdoor Sidewalk Café license be issued to the applicant in accordance with the filed application, subject to all requirements set forth in N.P.R.G.O. 14-10 and the following conditions:

1. Restaurant management shall keep the outdoor dining area clear of litter, food scraps and soiled dishes and utensils at all times.
2. Trash receptacles shall be provided in outdoor dining areas used for consuming take-out items unless public trash receptacles are located nearby.
3. At the end of each business day, the establishment is to clean and sweep the entire sidewalk in and around the outdoor dining area.
4. No debris shall be swept, washed, or blown into the sidewalk, gutter or street.
5. Trash receptacles shall be emptied daily.
6. If awnings or umbrellas are used, they shall be washed whenever they become dirty.
7. Applicant must not block adjacent doorway with any tables, chairs or planters, and must maintain six (6) feet of clear space between tables/planters and curb and/or structures to ensure A.D.A. compliance.

Council Member

Council President

Introduced: June 9, 2014
Adopted: June 9, 2014

RESOLUTION NO. 06-09-14-04j

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

BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby authorize the issuance of a license to drive a taxicab for two years, pursuant to N.P.R.G.O. 4-1 et seq., to the following in accordance with the application heretofore submitted:

Marco A. Vasconez
144 Somerset Street, 2B
North Plainfield, NJ 07060

Pablo C. Montero-Montalvo
1620 West 3rd Street
Plainfield, NJ 07063

Esmelin D. Mercado
311 West End Avenue
North Plainfield, NJ 07060

Miguel A. Carrillo
426 David Street
South Amboy, NJ 08879

Fausto J. Morales-Rodriguez
14 Linden Avenue
North Plainfield, NJ 07060

Council Member

Council President

Introduced: June 9, 2014

Adopted: June 9, 2014

RESOLUTION NO. 06-09-14-04k

**REQUESTING APPROVAL OF INSERTION OF \$28,749.12
FOR THE 2014 BUDGET REVENUE AVAILABLE FROM THE
CLEAN COMMUNITIES PROGRAM GRANT**

WHEREAS, N.J.S. 40:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough of North Plainfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$28,749.12 which item is now available as a revenue from the Clean Communities Program Grant.

BE IT FURTHER RESOLVED that a like sum of \$28,749.12 be and the same is hereby appropriated under the caption of:

Clean Communities Program Grant

Council President

Council Member

Introduced: June 9, 2014

Adopted: June 9, 2014

RESOLUTION NO. 06-09-14-04/

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

BE IT RESOLVED by the Council of the Borough of North Plainfield that the attached bills of the accounts named and for the amounts stated, having been duly audited and found to be correct as of this 9th day of June, 2014 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: June 9, 2014

Adopted: June 9, 2014