

CONSENT AGENDA

October 13, 2015

RESOLUTION NOS. 10-13-15-03a through h

RESOLUTION NO. 10-13-15-03

**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

10-13-15-03a, b, c, d, e, f, g and h

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

Council President

Council Member

Introduced: October 13, 2015

Adopted: October 13, 2015

RESOLUTION NO. 10-13-15-03a

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

**RESOLUTION OF THE BOROUGH COUNCIL AWARDING BID AND
AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN
AGREEMENT WITH BURLEW MECHANICAL, LLC FOR PROJECT KNOWN
AS "DPW FACILITY MASTER PLAN – GARAGE BAY HEATING
IMPROVEMENTS"**

WHEREAS, the Borough of North Plainfield is in need of certain construction services with regard to a project known as "DPW Facility Master Plan-Garage Bay Heating Improvements" (hereinafter referred to as the "Project"); and,

WHEREAS, the Borough of North Plainfield solicited public bids for the Project and submissions were received and opened on the due date of September 23, 2015; and,

WHEREAS, Suburban Consulting Engineers, Inc., the Borough's consulting engineer supervising this Project, has reviewed the bid submissions and has recommended the award of the bid and contract for the Project to Burlew Mechanical, LLC of South Amboy, New Jersey (hereinafter referred to as the "Contractor"); and,

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq., and the offices of Eric M. Bernstein & Associates, LLC have reviewed the bid submissions and find no material defect with the bid proposal for the Contractor; 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 responsible bidder for the project.

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:	DPW Facility Master Plan - Garage Bay Heating Improvements
Successful Bidder:	Burlew Mechanical, LLC
Base Bid:	In the amount of Sixty Nine Thousand Dollars and No Cents (\$69,000.00) (heating)

Supplemental Bid: In the amount of Twenty One Thousand Dollars and No Cents
(\$21,000.00) (ceiling)
Total Bid: In the amount of Ninety Thousand Dollars and No Cents
(\$90,000.00).

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute the contract and all necessary documents to engage the construction services of Burlew Mechanical, LLC 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 is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey and that the contract and its performance shall be consistent with all applicable laws, the Borough's bid documents and the bid proposal of Burlew Mechanical, LLC for the Project known as the DPW Facility Master Plan-Garage Bay Heating Improvement.

Lawrence La Ronde, Council President

Council Member

Introduced: October 13, 2015
Adopted: October 13, 2015

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 October 13, 2015.

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

Date signed: October _____, 2015

RESOLUTION NO. 10-13-15-03b

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

**RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING AN
AMENDMENT TO THE MUNICIPAL SHARED SERVICES DEFENSE
AGREEMENT REGARDING THE DEVELOPMENT OF AFFORDABLE HOUSING
OBLIGATIONS**

WHEREAS, the Borough of North Plainfield has joined with other municipalities throughout the state to develop a reasonable fair share obligation number for the Borough as a result of the recent Supreme Court decision regarding COAH's inaction and the actions of the Fair Share Housing Center to promulgate numbers developed by its expert, David N. Kinsey; and,

WHEREAS, the Mayor and Council of the Borough of North Plainfield entered into the Municipal Shared Services Defense Agreement (hereinafter "MSSDA") for the purpose of developing a reasonable fair share obligation number, and which included retaining a common expert with other municipalities for the development of such number; and,

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and,

WHEREAS, the Borough was advised that due to health issues, Dr. Burchell was unable to complete the obligations under the Research Agreement set forth in the MSSDA originally executed by the Borough and the other municipalities; and,

WHEREAS, Rutgers University has exercised its right to terminate the Research Agreement, as permitted under its terms; and,

WHEREAS, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and,

WHEREAS, and Amendment to the MSSDA (hereinafter "Amendment") has been prepared to effectuate the modification; and,

WHEREAS, the Mayor and Council of the Borough of North Plainfield have determined that it is in the best interests of the citizens of the Borough of North Plainfield to permit a change in the expert designated by the MSSDA and to authorize their designated counsel to take actions on behalf of the municipality with regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA and pursuit of the

Borough's declaratory judgment action regarding its compliance with affordable housing requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of North Plainfield as follows:

1. The Mayor and Council of the Borough of North Plainfield authorize Eric Bernstein, Esquire, or his designee, to approve such changes to the MSSDA as may be necessary to effectuate its purposes, including executing documents which serve as Amendments to the MSSDA, and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA.
2. In the event any changes to the MSSDA require the municipality to appropriate and commit any additional funding for the MSSDA, the Mayor and Council of the Borough of North Plainfield shall only be responsible for such funding if it authorizes same.
3. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Mayor and Council of the Borough of North Plainfield.
4. This Resolution shall take effect immediately.

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.

Lawrence La Ronde,
Council President

Council Member

Introduced: October 13, 2015

Adopted: October 13, 2015

RESOLUTION NO. 10-13-15-03c

BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A
GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE NORWOOD AVENUE ROAD
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-2016-Norwood Avenue-00374 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

Council President

Council Member

Introduced: October 13, 2015

Adopted: October 13, 2015

RESOLUTION NO. 10-13-15-03d

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

**RESOLUTION AUTHORIZING MUNICIPAL ALLIANCE
CONTRACT FOR 2015-2016 WITH SOMERSET COUNTY
BOARD OF CHOSEN FREEHOLDERS**

WHEREAS, the County of Somerset has prepared a contract which would provide \$14,976.00 to the Borough of North Plainfield for the provision of municipal alliance activities for prevention of alcoholism and drug abuse, and the Borough would provide a 75% match of \$11,232.00 in in-kind services, a 25% cash match will be raised by the Municipal Alliance Committee or provided by the municipality of \$3,744.00, and a copy of the proposed agreement is on file in the office of the Borough Clerk,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council that it hereby authorizes the Mayor and Clerk to sign the original of this agreement.

Council President

Council Member

Introduced: October 13, 2015

Adopted: October 13, 2015

RESOLUTION NO. 10-13-15-03e

**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 Tax Collector is hereby authorized and directed to create duplicate tax sale certificates as follows:

Block 41, Lot 1 86 Westervelt Avenue Certificate # 06-00029

Council President

Council Member

Introduced: October 13, 2015

Adopted: October 13, 2015

RESOLUTION NO. 10-13-15-03f

**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 Tax Collector is hereby authorized and directed to create duplicate tax sale certificates as follows:

Block 160.01, Lot 31	210 Stahls Way	Certificate #03-57
		#12-00152
		#13-00244

Council President

Council Member

Introduced: October 13, 2015

Adopted: October 13, 2015

RESOLUTION NO. 10-13-15-03g

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

WHEREAS, on a property known as block 128, lot 10, also known as 23 Wilson Ave., an adjustment totaling \$250.00 was made on 10/30/14; and

WHEREAS, said adjustment was made in error.

BE IT RESOLVED, by the Council of the Borough of North Plainfield, that the Tax Collector is authorized to reverse said erroneous adjustment.

Council President

Council Member

Introduced: October 13, 2015

Adopted: October 13, 2015

RESOLUTION NO. 10-13-15-03h

**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 13th day of October, 2015 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: October 13, 2015

Adopted: October 13, 2015