

## ***DRAFT MINUTES***

*These are the Draft Minutes of the Regular Meeting of the Borough Council of North Plainfield, New Jersey held on Monday, 9 November 2015.*

*Every attempt has been made to make these as comprehensive and conclusive as possible. However, as it is a draft document, it is not to be construed as a formal depiction of the official conduct of business and is subject to revision up to and following the Governing Body's actual approval of same. If changes are necessary, revised minutes will be posted to the website.*

**MINUTES** of the Regular Meeting of the Council of the Borough of North Plainfield held on Monday, **November 9, 2015** at 7:45 p.m. at the North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

**PRESENT:**

Council Members:   Everett Merrill  
                               Keiona R. Miller  
                               Frank Righetti  
                               Wendy Schaefer  
                               Douglas M. Singleterry  
                               Frank "Skip" Stabile  
                               Lawrence La Ronde, Council President

Also Present:         Michael Giordano, Jr., Mayor  
                               David E. Hollod, Business Administrator  
                               Eric Bernstein, Esq., Borough Attorney  
                               Richard K. Phoenix, RMC, Borough Clerk

The Council President read the following Notice of Compliance:

"This is a Regular Meeting of the Council of the Borough of North Plainfield, scheduled by resolution of the Council adopted on December 8, 2014. Adequate notice of this meeting was given pursuant to *N.J.S.A. 10:4-6 et seq.* by transmitting said notice to the *Courier News*, *The Star-Ledger* and *WKMB* Radio on December 10, 2014 by publication of the announcement in the *Courier News* of December 12, 2014 and by posting a copy of this notice on the bulletin boards in the Municipal Building and Memorial Library reserved for such purpose."

The Borough Clerk had submitted copies of the minutes of the Regular Meeting of October 26, 2015.

Regular Meeting of October 26, 2015:

Ayes: Merrill, Miller, Schaefer, Singleterry, La Ronde

Abstain: Righetti, Stabile

**CONSENT AGENDA**

Council President La Ronde 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. Stabile presented the following Resolution and moved its adoption:

**RESOLUTION NO. 11-09-15-01** BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

11-09-15-01a, 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.

Seconded by Mr. Merrill and on Roll Call carried all seven voting aye.

**APPROVED RESOLUTIONS:**

**RESOLUTION NO. 11-09-15-01a** RESOLUTION OF THE BOROUGH COUNCIL CONCURRING WITH THE BOROUGH PLANNING BOARD ON THE 2015 HOUSING ELEMENT AND FAIR SHARE PLAN AMENDMENT TO THE MASTER PLAN.

WHEREAS, the Borough of North Plainfield is in need of adopting a 2015 Housing Element and Fair Share Plan Amendment to the Borough’s Master Plan; and,

WHEREAS, the Borough of North Plainfield referred the proposed 2015 Housing Element and Fair Share Plan prepared by Paul Grygiel, P.P. on behalf of Phillips Preiss Grygiel LLC (the “Plan”) to the Planning Board as required by *N.J.S.A. 40:55D-10a*; and,

WHEREAS, the Planning Board for the Borough of North Plainfield reviewed, in detail, the proposed Plan, considered the Plan and heard testimony with regard to the Plan at a public hearing held on October 28, 2015; and,

WHEREAS, the Planning Board for the Borough of North Plainfield found that the Plan complies with *N.J.S.A. 40:55D-28b(3)* and *N.J.S.A. 52:27D-310*, in that it is designed to achieve the goal of providing realistic development of affordable housing to meet present and prospective housing needs, with particular attention to low and moderate income housing.

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

Borough to amend the Borough's Master Plan by adopting the 2015 Housing Element and Fair Share Plan Amendment.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and that the Borough Council is hereby authorized to execute this resolution and take any such other action to effectuate the purposes as herein stated.

**RESOLUTION NO. 11-09-15-01b** RESOLUTION AUTHORIZING AWARD OF BID FOR NEW 2016 GARBAGE TRUCK AND REAR LOADING BODY TO CAMBRIA AUTOMOTIVE CO., INC.

WHEREAS, the Borough of North Plainfield desires to purchase a garbage truck and issued and publically advertised a request for bids, more particularly described as "Part One - New 2016 Garbage Truck Engine, Cab and Chassis and Part Two – New Body of Garbage Truck" (hereinafter collectively referred to as the "Garbage Truck"); and,

WHEREAS, the Borough previously issued a request for bids for the Garbage Truck with proposals to be received as of September 23, 2015; and,

WHEREAS, by Resolution No. 09-28-15c, the Borough rejected the singular proposal received on September 23, 2015 for the Garbage Truck and further authorized the second issuance of the request for bids for the Garbage Truck; and,

WHEREAS, the Borough advertised for bids for the Garbage Truck for response on or before October 21, 2015, and one (1) bid proposal was received from Cambria Automotive Co., Inc., located at 116 Talmadge Road, Edison, New Jersey 08817 (hereinafter, referred to as "Vendor"); and,

WHEREAS, Eric M. Bernstein, Esq., and Eric M. Bernstein & Associates, LLC, Borough Attorney, has reviewed the bid proposal of the Vendor and has recommended acceptance of the bid proposal and award of the contract to the Vendor as the lowest responsible bidder; and,

WHEREAS, the Borough Council is satisfied with the proposal submitted by the Vendor, as the lowest responsible bidder, as being the proposal which satisfies the best interest of the Borough and being in conformance with the requirements promulgated pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the contract for the manufacture and purchase of the 2016 Garbage Truck be and is hereby awarded to Cambria Automotive Co., Inc., located at 116 Talmadge Road, Edison, New Jersey 08817, in the amount of Two Hundred Eighteen Thousand Three Hundred Dollars and No Cents (\$218,300.00) and authorizes the Mayor and the Borough Clerk to execute a contract with the Vendor, on behalf of the Borough, with respect to the Garbage Truck.

BE IT FURTHER RESOLVED that the award of this contract is subject to concurrence with all funding requirements.

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.

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 request for the Garbage Truck and the bid proposal of the Vendor.

**RESOLUTION NO. 11-09-15-01c RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR GERAUD AVENUE PUMP STATION IMPROVEMENTS TO FRED DEVENS CONSTRUCTION**

WHEREAS, bids were opened as advertised, on October 30, 2015, for Contract No. 2015-02, Geraud Avenue Pump Station Improvements; and

WHEREAS, four (4) sealed bids were received with the lowest three (3) bids being submitted from the following vendors:

- 1) Fred Devens Construction - \$190,875.00 for all bid items;
- 2) CFM Construction, Inc. - \$223,300.00 for all bid items; and,
- 3) Rapid Pump & Meter Services Co., Inc. - \$249,780.00 for all bid items; and,

WHEREAS, the Borough's Engineer and Attorney have reviewed the bid proposal submissions and have deemed the lowest bidder, Fred Devens Construction to be reasonable and responsible; and,

WHEREAS, the Borough Council is satisfied with the proposal submitted by Fred Devens Construction, as being the lowest responsible bidder, having submitted a proposal that satisfies the best interest of the Borough and being in conformance with the requirements promulgated pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and,

WHEREAS, the Chief Financial Officer of the Borough of North Plainfield has certified that sufficient funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that in regard to the bid proposal submissions received for the above referenced contract, based upon the recommendations of the Borough's Engineer and Attorney, that the Borough shall take the following action:

1. The contract for the Geraud Avenue Pump Station Improvements is hereby awarded to Fred Devens Construction and the Mayor and Borough Clerk are hereby authorized and directed to execute any and all documents with Fred Devens Construction in accordance with its bid proposal, for a total contract on all bid items in an amount not to exceed \$190,875.00, on behalf of the Borough.

2. This Resolution shall take effect immediately.

**RESOLUTION NO. 11-09-15-01d** REQUESTING APPROVAL OF INSERTION OF \$34,949.31 FOR THE 2015 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 2015 in the sum of \$34,949.31 which item is now available as a revenue from the Clean Communities Program Grant.

BE IT FURTHER RESOLVED that a like sum of \$34,949.31 be and the same is hereby appropriated under the caption of:

Clean Communities Program Grant

**RESOLUTION NO. 11-09-15-01e** PROVIDING FOR THE TRANSFER OF SURPLUS FUNDS

WHEREAS, N.J.S. 40A:4-58 provides for the transfer of surplus funds from one account to the other during the last two months of the calendar year:

NOW, THEREFORE, BE IT RESOLVED By the Council of the Borough of North Plainfield that transfers be made in the Boroughs' 2015 budget appropriations in accordance with the following schedule:

BE IT FURTHER RESOLVED that this Resolution shall take effect upon adoption.

<u>A/C #</u>	<u>NAME</u>	<u>FROM</u>	<u>TO</u>
	<u>CURRENT FUND</u>		
23-220-200	Group Insurance	\$100,000.00	
20-155-200	Department of Law-OE		25,000.00
20-165-200	Engineering-OE		20,000.00
26-290-100	Streets & Roads-S&W		20,000.00
26-290-200	Streets & Roads-OE		10,000.00
26-310-200	Building & Grounds-OE		15,000.00
26-315-220	Vehicle Maintenance		5,000.00

31-201-200 Contingent		3,000.00
31-461-200 Technology	_____	<u>2,000.00</u>
Totals	<u>\$100,000.00</u>	<u>\$100,000.00</u>
 <u>SEWER UTILITY</u>		
55-501-200 Sewer-OE	\$ 15,000.00	
55-502-200 PARSA	_____	<u>\$ 15,000.00</u>
Totals	<u>\$ 15,000.00</u>	<u>\$ 15,000.00</u>

**RESOLUTION NO. 11-09-15-01f** 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 13, Lot 6            293 Mobus Ave.        Certificate #12-00029

**RESOLUTION NO. 11-09-15-01g** 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 licenses for the owner/operation of limousines/taxicabs to the following for two years in accordance with the applications heretofore submitted:

Abdul W. Mian  
202 Albert Street  
North Plainfield, NJ 07060

**RESOLUTION NO. 11-09-15-01h** 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 9<sup>th</sup> day of November, 2015 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

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

**RESOLUTION NO. 11-09-15-02** WHEREAS, the following organization has been issued identification number by the New Jersey Legalized Games of Chance Control Commission and has submitted applications to conduct raffles; and

WHEREAS, investigation has shown that this organization meets the requirements for the issuance of raffles licenses;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be and is hereby authorized to issue Raffles License Nos. RL-1130, Off-Premises Merchandise Raffle and RL-1131, 50-50 cash draw raffle to the following:

North Plainfield Junior Canucks Football & Cheer  
425 Tappan Ave., Fl. 2

North Plainfield, NJ 07063  
December 5, 2015

Seconded by Mr. Righetti and on Roll Call carried all seven voting aye.

**COMMUNICATIONS:**

Somerset County Office of Public Information Somerville, NJ	Various Communications, Advisories and News Releases
Richard K. Phoenix, RMC – Borough Clerk & Chief Operator, WPQJ970 – 1630-AM Radio	Calendar Updates and Advisories; Time-Sensitive Radio Scripts
Tri-County Chamber of Commerce South Plainfield, NJ	Newsletters & Advisories
NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
PSE&G Newark, NJ	Newsletters and Hearing Notices
NJ Highlands Coalition Boonton, NJ	Newsletters
Frank D’Amore Sr. North Plainfield	Property Maintenance report
NJ State D.E.P. Trenton, NJ	Various Communications
Rutgers Center for Advanced Infrastructure and Transportation New Brunswick, NJ	Local Technical Assistance Program Newsletter
FEMA Washington, DC	Three Years After Sandy Recovery by the Numbers
Betsy Ramos, Esq. Capehart & Scatchard, P.A. Mount Laurel, NJ	NJ Public Entity Law Monthly Newsletter
Hon. Dominick Cantatore, A/City Clerk Union City, NJ	Resolution Opposing Human Trafficking
Somerset County Planning Board Somerville, NJ	Acknowledging Timely Receipt of 2015 Housing Element & Fair Share Plan Amendment

**REQUESTS FOR AGENDA ITEMS:**

Mr. La Ronde requested a 2016 Council meeting calendar for the next meeting.

**PUBLIC COMMENT:**

Frank D’Amore, 40 Willow Avenue, North Plainfield, commented on a recent Courier News article which revealed New Jersey property taxes to be amongst the highest in the nation. Reporting that

one Borough employee receives a base salary of \$174,000, the speaker shared his concerns with the Borough maintaining its tax structure.

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

Encouraging all residents to use green lights in support of veterans, Mayor Giordano reminded of the November 11 Veterans Day service at Memorial Park. He announced the rabies clinic will be held on November 21 and the Santa Comes to Town and tree lighting will be held November 29.

Mr. Hollod reported that all department heads had begun to review their portions of the Borough website and to offer suggestions to update and improve same. Mr. La Ronde requested a look at the website's compatibility with I-pads and I-phones. Mr. Hollod announced a possible December discussion of the traffic study on stop and yield intersections. The Administrator offered clarification regarding the subdivision of 40-42 Washington Avenue, specifically that the Historic Preservation Commission had referred the owners to the Planning Board. He further noted that as per chapter 22-122.27b of the Borough Code, all matters referred to the Historic Preservation Commission which require approval or action by the Planning Board or Board of Adjustment, that the decision of the Historic Preservation Commission shall be a recommendation only, which recommendation may be approved, disapproved or amended by the Planning Board or Board of Adjustment.

Mr. Merrill encouraged the various community Facebook members to attend the Council meetings and/or to meet with the Mayor when they have questions or concerns as all elected officials are residents and remain available via phone or email.

Motion to adjourn by Ms. Miller, seconded by Mr. Stabile and carried unanimously.

Meeting adjourned at 8:05 p.m.

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Borough Clerk

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Council President