

DRAFT MINUTES

These are the Draft Minutes of the Regular Meeting of the Borough Council of North Plainfield, New Jersey held on Monday, 25 January 2016.

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, **January 25, 2016** at 9:16 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
 Phil George, Esq., Associate Borough Attorney
 Richard K. Phoenix, RMC, Borough Clerk

Council President La Ronde 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 14, 2015. 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*, *The Alternative Press* and *WKMB* Radio on December 15, 2015 by publication of the announcement in the *Courier News* of December 17, 2015 and by posting a copy of this notice on the bulletin boards in the Municipal Building and Memorial Library reserved for such purpose."

The Clerk had submitted copies of the minutes of the Agenda Conference, Board of Health, and Regular Meeting of January 11, 2016.

Council President La Ronde called for a Roll Call on the minutes:

Agenda Conference, Board of Health, and Regular Meeting of January 11, 2016: All in favor.

HEARING:

ORDINANCE NO. 16-01 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC," SECTION 7-15 ENTITLED, "HANDICAPPED PARKING," SPECIFICALLY, SECTION 7-15.2 ENTITLED, "HANDICAPPED PARKING IN MUNICIPAL PARKING LOTS AND BOARD OF EDUCATION PROPERTY," MOST NOTABLY, SCHEDULE XXII

The Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Mr. Stabile, seconded by Ms. Schaefer and on Roll Call carried all seven voting aye.

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

RESOLUTION NO. 01-25-16-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 16-01 be adopted and advertised as required by statute.

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

HEARING:

ORDINANCE NO. 16-02 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC," SECTION 7-15 ENTITLED, "HANDICAPPED PARKING," SPECIFICALLY, SECTION 7-15.1 ENTITLED, "HANDICAPPED PARKING ON STREET," MOST NOTABLY, SCHEDULE XXI

The Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Mr. Merrill, seconded by Mr. Stabile and on Roll Call carried all seven voting aye.

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

RESOLUTION NO. 01-25-16-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 16-02 be adopted and advertised as required by statute.

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

HEARING:

ORDINANCE NO. 16-03 AN ORDINANCE TO REVISE, AMEND, AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC," SECTION 7-6 ENTITLED, "THROUGH STREETS, STOP INTERSECTIONS AND YIELD INTERSECTIONS," SPECIFICALLY, SECTION 7-6.1 ENTITLED, "THROUGH STREETS," MOST NOTABLY, SCHEDULE VIII

The Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Mr. Merrill, seconded by Mr. Righetti and on Roll Call carried all seven voting aye.

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

RESOLUTION NO. 01-25-16-03 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 16-03 be adopted and advertised as required by statute.

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

HEARING:

ORDINANCE NO. 16-04 AN ORDINANCE TO REVISE, AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC," SECTION 7-6 ENTITLED, "THROUGH STREETS, STOP INTERSECTIONS AND YIELD INTERSECTIONS," SPECIFICALLY, SECTION 7-6.3 ENTITLED, "YIELD INTERSECTIONS," MOST NOTABLY, SCHEDULE X

The Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Mr. Merrill, seconded by Mr. Righetti and on Roll Call carried all seven voting aye.

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

RESOLUTION NO. 01-25-16-04 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 16-04 be adopted and advertised as required by statute.

Seconded by Ms. Schaefer and on Roll Call carried all seven voting aye.

HEARING:

ORDINANCE NO. 16-05 AN ORDINANCE TO REVISE, AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC,"

SECTION 7-6 ENTITLED, "THROUGH STREETS, STOP INTERSECTIONS AND YIELD INTERSECTIONS," SPECIFICALLY, SECTION 7-6.2 ENTITLED, "STOP INTERSECTIONS," MOST NOTABLY, SCHEDULE IX

The Clerk read the Ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Mr. Merrill, seconded by Mr. Stabile and on Roll Call carried all seven voting aye.

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

RESOLUTION NO. 01-25-16-05 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 16-05 be adopted and advertised as required by statute.

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

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

RESOLUTION NO. 01-25-16-06 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 16-06 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing February 8, 2016 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 as the place for hearing and final adoption.

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

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 16-06 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT ORDINANCE NO. 11-05 OF THE BOROUGH OF NORTH PLAINFIELD, COUNTY OF SOMERSET, STATE OF NEW JERSEY, ENTITLED "AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NORTH PLAINFIELD," MOST NOTABLY CHAPTER VI, ENTITLED "ALCOHOLIC BEVERAGE CONTROL"

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. Singleterry presented the following Resolution and moved its adoption:

RESOLUTION NO. 01-25-16-07 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

01-25-16-07a, b, c, d, e, f, g, h and i

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. 01-25-16-07a RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE RENEWAL OF THE BOROUGH'S SHARED SERVICES AGREEMENT WITH THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY FOR THE DISPOSAL OF TYPE 10 SOLID WASTE FROM THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield and the Plainfield Municipal Utilities Authority are currently parties to a Shared Services Agreement, authorized under the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq., for the removal and disposal of Type 10 Waste from the Borough of North Plainfield; and,

WHEREAS, the current Shared Services Agreement is set to expire on March 25, 2016; and,

WHEREAS, the Plainfield Municipal Utilities Authority has expressed an interest in renewing the current Shared Services Agreement for an additional one (1) year term, with the current pricing not to change during said additional one (1) year term and subject to the same terms and conditions as set forth in the current Shared Services Agreement between the parties; and,

WHEREAS, the Borough of North Plainfield is desirous of renewing the Shared Services Agreement with the Plainfield Municipal Utilities Authority for the removal and disposal of its Type 10 Waste from the Borough of North Plainfield for an additional one (1) year term, based upon the terms and conditions as set forth above.

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 Borough Clerk on behalf of the Borough, to sign and/or execute the documents necessary to effectuate the one (1) year renewal of its current Shared Services Agreement with the Plainfield Municipal Utilities Authority for removal and disposal of Type 10 Waste from within the Borough of North Plainfield, which Shared Services 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. 01-25-16-07b RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF GREEN BROOK TO PROVIDE EMS COVERAGE AND SERVICE WITHIN THE TOWNSHIP OF GREEN BROOK

WHEREAS, the Township of Green Brook is in immediate need for 24/7 EMS coverage and service; and,

WHEREAS, the Borough of North Plainfield has previously entered into an interim shared services agreement with the Township of Green Brook to assist the Township with its need for 24/7 EMS coverage and service; and,

WHEREAS, Fire Chief/Fire Director William F. Eaton has reviewed the ability of the Borough of North Plainfield to assist the Township of Green Brook with its need for 24/7 EMS coverage and service and finds that the Borough of North Plainfield has the capacity to enter into a shared services agreement with the Township of Green Brook to provide EMS coverage and service within the Township of Green Brook.

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 Borough Clerk to sign and/or execute the attached Shared Services Agreement with the Township of Green Brook to immediately provide EMS coverage and service within the Township of Green Brook, which shall remain in effect until December 31, 2016, with an automatic renewal period of one (1) year unless otherwise cancelled pursuant to the terms of said Shared Services Agreement; 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.

RESOLUTION NO. 01-25-16-07c RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE BOROUGH TO ENTER AN AMBULANCE SERVICES BILLING COORDINATION, TRAINING AND QUALITY REVIEW AGREEMENT WITH JFK MEDICAL CENTER AND THE BOROUGH OF NORTH PLAINFIELD FIRE DEPARTMENT

WHEREAS, The Community Hospital Group, Inc., t/a JFK Medical Center (“JFK”) is in the business of providing mobile intensive care unit/advanced life support (“MICU”) emergency services as necessary; and,

WHEREAS, Borough of North Plainfield Fire Department (“NPF”) is in the business of providing various patient transportation services, including basic life support (“BLS”); and,

WHEREAS, the applicable law requires MICU providers to enter into agreements with BLS provider to coordinate the billing of certain federal health care programs for such services; and,

WHEREAS, JFK is qualified to provide certain training and quality review services to the NPF; and,

WHEREAS, the Parties desire that JFK provide certain training and quality review services to NPF; and,

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 Borough Clerk on behalf of the Borough, to sign and/or execute the documents necessary to effectuate the three (3) year Agreement with JFK to: (i) facilitate compliance with the requirements for billing fee service for Medicare and Medicaid for ambulance services; and (ii) set forth the training and quality review services to be provided by JFK to NPDF, which 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. 01-25-16-07d RESOLUTION OF THE BOROUGH COUNCIL ENDORSING THE PLANNING BOARD’S RESOLUTION DESIGNATING AN AREA IN NEED OF REDEVELOPMENT ZONE

WHEREAS, the Planning Board of the Borough of North Plainfield was directed by the Borough Council of North Plainfield to conduct a preliminary investigation in order to determine whether certain properties qualify as an Area in Need of Redevelopment, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and,

WHEREAS, Paul Grygiel, AICP, PP prepared a report, entitled “Area in Need of Redevelopment Study – Villa Maria Site,” dated November 2015, at the request of the Borough of North Plainfield Planning Board; and,

WHEREAS, on December 9, 2015, the Planning Board held a public meeting to discuss and consider whether the properties identified in the November 2015 report should be considered an Area in Need of Redevelopment; and,

WHEREAS, on December 9, 2015, after reviewing the November 2015 report and hearing testimony from Paul Grygiel, AICP, PP, as well as considering the testimony of members of the public, if any, the Planning Board determined that the following properties within the Borough of North Plainfield do constitute an Area in Need of Redevelopment:

<u>Address</u>	<u>Block</u>	<u>Lot</u>
Grove Street	110	2.02
Grove Street	110	2.03
Grove Street	110	2.04
Grove Street	110	2.05
Grove Street	110	2.06
Grove Street	110	2.07
Grove Street	110	2.08
Grove Street	110	2.09
Grove Street	110	2.10
Grove Street	110	2.11
Grove Street	110	2.12
Grove Street	110	2.13
641 Somerset Street	110	2.14

WHEREAS, on December 9, 2015, the Planning Board adopted a Resolution recommending to the Mayor and Council of the Borough of North Plainfield that they adopt a Resolution determining that the

above referenced properties constitute an Area in Need of Redevelopment under the Local Redevelopment and Housing Law.

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, in accordance with the authority provided by the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and as recommended by the December 9, 2015 Resolution of the Planning Board of the Borough of North Plainfield, hereby designates as an Area in Need of Redevelopment the properties described herein and as described within the Area in Need of Redevelopment Study – Villa Maria Site, prepared by Paul Grygiel, AICP, PP, dated November 2015.

BE IT FURTHER RESOLVED that this designation is made consistent with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

RESOLUTION NO. 01-25-16-07e RESOLUTION OF THE BOROUGH COUNCIL ENDORSING THE DESIGNATION OF A REHABILITATION ZONE AS DESCRIBED IN THE MASTER PLAN ADOPTED ON APRIL 9, 2014

WHEREAS, on April 9, 2014, the Planning Board of the Borough of North Plainfield adopted a Master Plan in accordance with the provisions of the Municipal Land Use Law, specifically N.J.S.A. 40:55D-28; and,

WHEREAS, the Master Plan, adopted on April 9, 2014, recommends the revitalization of the downtown area, including adjacent residential neighborhoods, by designating this portion of the Borough to be an “area in need of rehabilitation,” as described and permitted by the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and,

WHEREAS, pursuant to the authority created by N.J.S.A. 40A:12A-1, et seq., at the request of the Borough, Paul Grygiel, AICP, PP, has prepared an Area in Need of Rehabilitation Study of the Downtown Area, dated October 2015; and,

WHEREAS, as a result of the study conducted by Paul Grygiel, AICP, PP, at the request of the Borough, Mr. Grygiel concluded that lands located generally between Westervelt Avenue and Grove Street between Route 22 and the City of Plainfield qualify as “an area in need of rehabilitation” in accordance with the statutory criteria contained in the Local Redevelopment and Housing Law, N.J.S.A. 40:12A-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 Borough Council, in accordance with the authority provided by the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and as recommended by the Master Plan adopted on April 9, 2014, hereby designates as an area in need of rehabilitation property generally located within the Downtown Area of the municipality and as more specifically described within the Area in Need of Rehabilitation Study prepared by Paul Grygiel, AICP, PP, dated October 2015,

BE IT FURTHER RESOLVED that this designation is made consistent with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

RESOLUTION NO. 01-25-16-07f WHEREAS, on a property known as block 92, lot 20, a.k.a. 36 Craig Pl. a tax sale certificate #15-00110 was sold to FIG CAPITAL INVESTMENT NJ13, LLC on 10/29/15; and

WHEREAS, said certificate contains charges from water meter accounts #520033952 & #520033953; and

WHEREAS, as verified by NJAW, the only active meter on this property is associated with account #520033952; and

WHEREAS, the lien holder is entitled to a refund of the funds remitted towards account #520033953.

BE IT RESOLVED by the Council of the Borough of North Plainfield that the Finance Director is hereby authorized and directed to refund \$348.44 principle and accrued interest of \$1.94, a total of \$350.38 as follows:

FIG Capital Investment NJ13, LLC	\$350.38
MTAG as Custodian, 8323 Ramona Blvd W-Ste 2, Jacksonville, FL 32221	

RESOLUTION NO. 01-25-16-07g 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 applications heretofore submitted:

Blanca C. Shulca
14 Linden Avenue
North Plainfield, NJ 07060

RESOLUTION NO. 01-25-16-07h 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 164 Lot 3 357 Crosson Place Certificate #11-00178 issued 09-20-11

Block 101 Lot 45 208 Grove Street Certificate# 12-00139 issued 10-23-12

RESOLUTION NO. 01-25-16-07i 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 25th day of January, 2016 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

COMMUNICATIONS:

Office of the Governor Trenton, NJ NJ American Water Co. Voorhees, NJ NJ Dept. of Agriculture, Division of Food & Nutrition, Trenton, NJ Somerset County Office of Public Information Somerville, NJ Richard K. Phoenix, RMC – Borough Clerk & Chief Operator, WPQJ970 – 1630-AM Radio Tri-County Chamber of Commerce South Plainfield, NJ NJ State League of Municipalities Trenton, NJ PSE&G Newark, NJ NJ Highlands Coalition Boonton, NJ	Flag Lowering: 21 January 2016 Petition to Change Levels of Purchased Water Adjustment Clauses and planned Hearings Seeking Sponsors for Summer Food Service Program Various Communications, Advisories and News Releases Calendar Updates and Advisories; Time-Sensitive Radio Scripts Newsletters and Advisories Newsletters and Advisories Newsletters and Hearing Notices Newsletters
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REQUESTS FOR AGENDA ITEMS:

Mr. Merrill requested a spring joint meeting with the Board of Education.

PUBLIC COMMENT:

Frank D’Amore, 40 Willow Avenue, North Plainfield, voiced his displeasure with the Board of Education employees that cleared snow from the Somerset School sidewalks and dumped it on the street. He stressed the need for people to be more considerate and not dump snow into the roadways as it only hampers the efforts of the Department of Public Works efforts to clear the roadways.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Mayor Giordano thanked the Department of Public Works for their efforts with the snow removal. Echoing Mr. D’Amore’s sentiments, he urged residents to not dump snow into the roadways.

Thanking the Department of Public Works, Mr. Merrill commended their efforts in an overwhelming storm that saw two to three inches per hour of snow fall.

Ms. Schaefer thanked the Department of Public Works.

Mr. Singleterry thanked the Department of Public Works and then noted that the storm gave Governor Christie a reason to visit New Jersey and exercise his extraordinary leadership.

Mr. Stabile offered accolades to the Department of Public Works and all Borough departments.

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

Meeting adjourned at 9:26 p.m.

Borough Clerk

Council President