

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Monday, 15 August 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, **August 15, 2016** at 8:05 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 (absent – excused)
Douglas M. Singleterry
Frank “Skip” Stabile
Lawrence La Ronde, Council President

Also Present: David Hollod, Business Administrator
Eric M. Bernstein, Esq., 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 Regular Meeting of July 11, 2016.

Council President La Ronde called for a Roll Call on the minutes of the Regular Meeting of July 11, 2016:

Aye: Merrill, Miller, Righetti, La Ronde
Abstain: Singleterry, Stabile

Council President La Ronde recognized the following appointments:

APPOINTMENT BY MAYOR NOT REQUIRING COUNCIL CONFIRMATION:

HISTORIC PRESERVATION COMMISSION:

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| Janice Allen | Four-year unexpired term |
| Sherlock Bender, Alternate No. 2 | Two-year unexpired term |

RESOLUTIONS:

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

RESOLUTION NO. 08-15-16-01 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 16-12 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing September 12, 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 Ms. Miller and on Roll Call carried all six voting aye.

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.

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

RESOLUTION NO. 08-15-16-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

08-15-16-02a, b, c, d, e, f, g, h, i and j

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

Seconded by Mr. Singleterry and on Roll Call carried all six voting aye.

APPROVED RESOLUTIONS:

RESOLUTION NO. 08-15-16-02a RESOLUTION AUTHORIZING TREATMENT WORKS APPROVAL PERMIT APPLICATION BY THE BOROUGH OF NORTH PLAINFIELD FOR THE PETCO RETAIL STORE PROJECT.

WHEREAS, Urban Edge Properties is planning to install a new sanitary sewer service lateral to construct a Petco Retail Store (the “Project”); and,

WHEREAS, Urban Edge Properties must apply for a Treatment Works Approval Permit from the New Jersey Department of Environmental Protection for the Project; and,

WHEREAS, the New Jersey Department of Environmental Protection requires a Statement of Consent from the municipality in which the Project is located as part of the Treatment Works Approval Permit process; and,

WHEREAS, the Borough of North Plainfield must give its consent to obtain a Treatment Works Approval Permit and the Project to go forward because the Project is located in the Borough of North Plainfield.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield that the Borough of North Plainfield hereby grants its consent to submit a Treatment Works Approval Permit application to the New Jersey Department of Environmental Protection for the Project and hereby authorizes the Mayor and Borough Clerk to execute the Statement of Consent form and any and all necessary documents to complete said application.

RESOLUTION NO. 08-15-16-02b RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH SIMPSON AND BROWN INC. FOR THE PROJECT KNOWN AS THE DEPARTMENT OF PUBLIC WORKS YARD SALT STORAGE BUILDING AT 25-33 DUPONT STREET

WHEREAS, the Borough of North Plainfield is in need of the demolition and construction of a new yard salt storage building for the Department of Public Works at 25-33 Dupont Street (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited public bids for the Project and one (1) bid was received and opened on the due date of August 9, 2016. The following bid was the only responsible bid received:

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| <u>Bidding Entity:</u> | <u>Cost:</u> |
| Simpson and Brown Inc. | \$733,333.00 |

WHEREAS, the Borough has reviewed the bid submission and has recommended the award of the bid and contract for the Project to Simpson and Brown Inc., whose main offices are located at 119 North Avenue West, Cranford, 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 submission 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 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 Borough Council hereby awards the following Bid and Contract:

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| Project: | Department of Public Works Yard Salt Storage Building at 25-33 Dupont Street |
| Successful Bidder: | Simpson and Brown Inc. |
| Total Bid: | \$733,333.00 |

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 services of Simpson and Brown Inc. 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 Simpson and Brown Inc. for the Project known as the Department of Public Works Yard Salt Storage Building at 25-33 Dupont Street.

RESOLUTION NO. 08-15-16-02c WHEREAS, St. Luke's Church, 300 Clinton Avenue, North Plainfield, New Jersey, has applied for a license to conduct an on-premises 50-50 cash draw raffle on October 28, 2016 and for Bingo License Amendments BL-390A and BL-390B; and

WHEREAS, St. Luke's Church has been issued Identification No. 352-1-14479 by the New Jersey Legalized Games of Chance Control Commission; and

WHEREAS, investigation has shown that said applicant meets the requirements for the issuance of the raffle license and amendments;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be and is hereby authorized to issue a license to St. Luke's Church for an off-premises 50-50 cash draw raffle to be held on October 28, 2016 and for Bingo License Amendments at 300 Clinton Avenue, North Plainfield, New Jersey.

RESOLUTION NO. 08-15-16-02d WHEREAS, Lisa Jackson inadvertently paid Third Quarter Taxes on Block 3.04 Lot 21 and has requested refund of that payment, and;

WHEREAS, she had already paid the taxes as she should have;

BE IT RESOLVED by the Council of the Borough of North Plainfield that the Treasurer is authorized to make the following refund:

REFUND HOMEOWNER ERRONEOUS TAX PAYMENT:

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| Lisa Jackson | \$2,786.12 |
| 170 Meadowbrook Drive | |
| North Plainfield, New Jersey 07060 | |

RESOLUTION NO. 08-15-16-02e WHEREAS, Dovenmuehle Mortgage, Inc. overpaid Third Quarter Taxes on Block 189 Lot 6 and has requested refund of that overpayment; and,

BE IT RESOLVED, by the Council of the Borough of North Plainfield, that the Treasurer is authorized to make the following refunds:

REFUND REAL ESTATE OVER TAX PAYMENT:

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| Dovenmuehle Mortgage, Inc. | \$687.29 |
| 1206 St. Charles Road | |
| Elgin, IL 60120 | |

RESOLUTION NO. 08-15-16-02f 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:

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|-----------------|--------------------|-----------------|-----------------|
| Block 43 Lot 11 | 58-60 Pearl Street | Cert. #10-00037 | Issued 08-25-10 |
| Block 77 Lot 3 | 12 Mountain Ave. | Cert. #09-00260 | Issued 10-01-09 |
| | | Cert. #12-00100 | Issued 10-23-12 |

RESOLUTION NO. 08-15-16-02g A RESOLUTION ESTABLISHING AND ADOPTING A COMPLETE STREETS POLICY

WHEREAS, A complete Street is defined as a means to provide safe access for all uses by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options; and

WHEREAS, the Borough Council of the Borough of North Plainfield, County of Somerset, desires to implement a Complete Streets policy through the planning, design, construction, maintenance and operation of new retrofit transportation facilities within public rights-of-way, enabling safe access and mobility of pedestrians, bicyclists, and transit users of all ages and abilities; and

WHEREAS, the Borough of North Plainfield has prepared a Complete Streets Policy document to guide the implementation of the Complete Streets policy;

BE IT RESOLVED that new construction and reconstruction (excluding maintenance) of all public roads or bridges, or other portions of the transportation network, undertaken by the Borough of North Plainfield; or new construction and reconstruction of transportation facilities that are intended to be dedicated to the Borough of North Plainfield, shall be designed and constructed as Complete Streets whenever feasible to do so in order to safely accommodate travel by pedestrians, bicyclists, public transit, and motorized vehicles and their passengers, with special priority given to pedestrian safety; and

BE IT FURTHER RESOLVED that requests for exemptions from the Complete Streets policy shall be presented in writing to the Borough Council, after view by the Borough Engineer, and shall be documented with supporting data that indicates the reasons for the exemption, which are limited to the following:

1. Pedestrian and bicycles are prohibited on the road way by law.
2. There is a scarcity of population, travel and attractors, both existing and future that would warrant these accommodations.
3. Detrimental environmental impacts would outweigh the need for these accommodations
4. The cost of accommodations is excessively disproportionate to the cost of project, more than twenty percent (20%) of total cost.
5. The safety or timing of a project is comprised by the inclusion of Complete Streets Policy.

RESOLUTION NO. 08-15-16-02h 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:

Anita P. Perez
817 West Third Street
Plainfield, NJ 07060

Mario A. Reategui
203 Sandford Avenue
North Plainfield, NJ 07060

Luis R. Abril
807 West Fourth Street
Plainfield, NJ 07060

Andrea Toscano-Condo
9 Steiner Place
Plainfield, NJ 07060

Diana E. Yanez
450 West End Ave, Apt. 30
North Plainfield, NJ 07060

Juan H. Yanez-Ramos
450 West End Ave, Apt. 30
North Plainfield, NJ 07060

RESOLUTION NO. 08-15-16-02i 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:

Imtiaz Ahmed, t/a

Golden Car Service LLC
 182 Westervelt Avenue
 North Plainfield, NJ 07060

RESOLUTION NO. 08-15-16-02j 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 15th day of August, 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:

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| <p>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 NJ Dept. of Environmental Protection Trenton, NJ Capehart Scatchard, P.A. Mt. Laurel, NJ NJ State Treasurer, Trenton, NJ NJ Dept. of Transportation, Trenton, NJ Morris County Cooperative Pricing Council Randolph, NJ FEMA, Washington, DC Plainfield Area Humane Society Plainfield, NJ NJ State Treasurer, Trenton, NJ Sustainable Raritan River Coalition New Brunswick, NJ NJ Dept. of Environmental Protection, Trenton, NJ Public Service Electric & Gas Newark, NJ NJ Highlands Coalition Boonton, NJ FEMA, Washington, DC Hon. Leonard Lance, Westfield, NJ Envirotrac Environmental Services Burlington, NJ Atlantic Environmental Solutions, Inc. Hoboken, NJ Green Brook Flood Control Commission Green Brook, NJ</p> | <p>Various Communications, Advisories and News Releases Calendar Updates and Advisories; Time-Sensitive Radio Scripts Newsletters and Advisories Newsletters and Advisories Various Newsletters and Advisories NJ Public Entity Law Monthly Notification of Cooperative Contracts Notification of Rte. 22 Sidewalk Construction Contract Details Zika readiness Report and Invoicing Municipal Hotel/Motel Occupancy Report Newsletter Podcast Advisory Announcing Tariff Hearings Newsletters Hurricane Tips Newsletters, Town Hall Meeting Groundwater Certificate-Sunoco Station Report on Environmental Conditions – Kiddie Academy Site Memorial Services</p> |
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| NJ Dept. of Transportation Trenton, NJ Langan Engineering Parsippany, NJ | Postponing new sidewalk project Green Brook Multi-Use Trail | |
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REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENT:

Frank D'Amore, Sr., 40 Willow Avenue, North Plainfield, suggested the Borough publish an article in the Pride in support of the zip code bill.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Commenting on behalf of the Mayor, Mr. Hollod thanked those that attended National Night Out. A ceremony will be held on Sunday, September 11 at 3:00 p.m. at Vermeule to honor the victims of the terrorist attacks.

Mr. Singleterry thanked Mr. Hollod for the energy aggregation update.

Ms. Miller thanked those in attendance and offered her best to Mr. Romeo.

Mr. Merrill thanked the Police Department for National Night Out.

Announcing that the town-wide garage sale is scheduled for September 24 and 25, Council President La Ronde noted that maps would be made available at the library and ads placed in the Courier News and the Star Ledger.

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

Meeting adjourned at 8:17 p.m.

Borough Clerk

Council President