

MINUTES of the Regular Meeting of the Council of the Borough of North Plainfield held on Monday, **September 10, 2018** at 8:11 p.m. at the North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

PRESENT:

Council Members: Aimee Corzo
Everett Merrill
Keiona R. Miller
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

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 November 27, 2017. 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 November 28, 2017 by publication of the announcement in the *Courier News* of December 1, 2017 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 Executive Session of July 30, 2018, the Regular Meeting and Executive Session of August 13, 2018 and the Special Meeting and Executive Session of August 28, 2018.

The Council President called for a Roll Call on the minutes of the Executive Session of July 30, 2018:

Aye: Merrill, Miller, Schaefer, Singleterry, Stabile, La Ronde
Abstain: Corzo

The Council President called for a Roll Call on the minutes of the Regular Meeting and Executive Session of August 13, 2018:

Aye: Merrill, Miller, Schaefer, Singleterry, Stabile, La Ronde
Abstain: Corzo

The Council President called for a Roll Call on the minutes of the Special Meeting and Executive Session of August 28, 2018:

Aye: Merrill, Schaefer, Singleterry, Stabile

Abstain: Corzo, Miller, La Ronde

Council President La Ronde announced the following appointment:

APPOINTMENTS BY MAYOR NOT REQUIRING COUNCIL CONFIRMATION:

PLANNING BOARD:

Frank Righetti , Alternate No. 2

Two-year unexpired term

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

RESOLUTION NO. 09-10-18-01 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 18-14 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing September 24, 2018 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. 18-14 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC," SECTION 7-4 ENTITLED, "LIMITING THE USE OF STREETS TO CERTAIN CLASS OF VEHICLES," MOST NOTABLY, SCHEDULE VI, ENTITLED "TRUCKS OVER FOUR TONS."

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. Merrill presented the following Resolution and moved its adoption:

RESOLUTION NO. 09-10-18-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

09-10-18-02 a, b, c, d, e, f

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

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

APPROVED RESOLUTIONS:

RESOLUTION NO. 09-10-18-02a RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH S. BROTHERS, INC. FOR FY 2017 MUNICIPAL AID PROGRAM - SANDFORD AVENUE ROAD IMPROVEMENTS IN THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield is in need of certain road improvements on Sandford Avenue in the Borough of North Plainfield (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and the following five (5) bids were received:

<u>Bidding Entity</u>	<u>Total Amount</u>
S. Brothers Inc.	\$491,812.82
Black Rock Enterprises, LLC	\$515,000.00
Seacoast Construction, Inc.	\$517,808.03
Cifelli & Son General Contracting, Inc.	\$532,792.50
Your Way Construction, Inc.	\$560,343.13

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC, as well as Grotto Engineering Associates, LLC, the Borough’s Engineer on the Project, have reviewed the bid submissions and recommend the award of the bid and contract for the Project to the lowest responsive and responsible bidder, S. Brothers, Inc., whose main offices are located at 16 Sobechko Road, Manalapan, New Jersey 07726 (hereinafter referred to as the “Contractor”) as there are no material defects with the bid proposal; 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 responsive and 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:

Project: FY2017 Municipal Aid Program – Sandford Avenue Improvements
 Successful Bidder: S. Brothers, Inc.

Total Bid: In the Amount of Four Hundred Ninety-One Thousand Eight Hundred Twelve Dollars and Eighty-two Cents (\$491,812.82)

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute a contract and all other necessary documents to engage the construction services of S. Brothers, 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 and the contract and its performance shall be consistent with all applicable laws, the Borough's bid documents and the bid proposal of S. Brothers, Inc. for the Project known as the FY2017 Municipal Aid Program – Sandford Avenue Improvements.

RESOLUTION NO. 09-10-18-02b RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE CONTRACT CHANGE ORDER REQUEST NO. 4 AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH SUBURBAN CONSULTING ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PROPOSED FUELING FACILITY AT THE DEPARTMENT OF PUBLIC WORKS PROPERTY FOR THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, awarded a contract for Professional Engineering Services to Suburban Consulting Engineers, Inc., with a principal place of business located at 96 U.S. Highway 206, Suite 101, Flanders, New Jersey 07836 (hereinafter referred to as "SCE"), and authorized the Mayor and the Borough Clerk to execute a contract with SCE on behalf of the Borough, with respect to the proposed fueling facility at the Department of Public Works Property; and,

WHEREAS, SCE, by letter dated August 28, 2018, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, has requested Contract Amendment No. 4, Revision B, to amend the professional services contract to include the following construction administration and observation services at an hourly rate, with the total services not to exceed Twenty-Five Thousand Dollars (\$25,000.00):

- Provide one (1) part/full-time Inspector to be present during construction to observe the work;
- As deemed necessary, a licensed Professional Engineer will be on-site part-time to observe the structural and mechanical portions of the project;
- Review submittals and shop drawings;
- Respond to contractor's inquiries and request for information;
- Review any design changes and/or requests for material substitutions;
- Review contractor's payment requests;
- Respond to the Borough of North Plainfield's concerns;
- Facilitate coordination with Borough Environmentalist and Engineer;
- Review of required test procedures, witness the tests, and review test results; and,
- Close-out project:

- Prepare a punch list and follow-up for substantial and final completion;
- Review and recommend contractor’s bond reductions and releases;
- Provide certification of completion and release of final payment;
- Provide a Fueling Station Equipment Reference Manual, which will include cut sheets and manufacturer manuals for fueling equipment including the new pumps and underground storage tanks; and,
- Comply with regulatory agencies requirements regarding approvals.

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 Contract Amendment No. 4, Revision B, dated August 28, 2018, with Suburban Consulting Engineers, Inc., which Contract Amendment is incorporated herein by reference as if same was fully set forth, without the need for any further action of this Borough Council.

BE IT FURTHER RESOLVED that the award of this Contract Amendment No. 4, Revision B, 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.

RESOLUTION NO. 09-10-18-02c 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 certificate(s) as follows:

Block 164 Lot 3	357 Crosson Pl.	Cert. #03-59	issued 06-17-03
		#02-60	issued 06-19-02
Block 47 Lot 13	63 Manning Ave.	Cert.#11-00051	issued 09-20-11
Block 203.06 Lot 14	311 West End Ave.	Cert.#11-00212	issued 09-20-11

RESOLUTION NO. 09-10-18-02d WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Borough of North Plainfield wishes to charge \$25.00 per notice mailed which will be assessed

specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

BE IT RESOLVED by the Council of the Borough of North Plainfield that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2018 electronic tax sale.

RESOLUTION NO. 09-10-18-02e AUTHORIZING AN ELECTRONIC TAX SALE

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services,

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/Real Auction.com to conduct pilot programs, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Borough of North Plainfield wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of North Plainfield, New Jersey, that the Tax Collector is hereby authorized to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services if necessary.

RESOLUTION NO. 09-10-18-02f 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 10th day of September, 2018 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

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
NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
Plainfield Area Humane Society Plainfield, NJ	Invoice and Report
Plainfield Area Regional Sewerage Authority, Middlesex, NJ	Agenda and Minutes

Frank N. D'Amore Sr. North Plainfield Tri-County Chamber of Commerce South Plainfield, NJ NJ Dept. of Environmental Protection Trenton, NJ FEMA Washington, DC Highlands Coalition Boonton, NJ Phoenix Tower International Boca Raton, FL William Baker, The Radio Source Zeeland, Michigan Capehart Scatchard, Esqs. Mount Laurel, NJ Alcoholic Beverage Control Trenton, NJ Grotto Engineering Cranford, NJ Paul Alirangues North Plainfield	Property Maintenance Reports Networking Event Weekly Update Newsletters Newsletters T-Mobile Modifications The Source Newsletter NJ Public Entity Law Monthly Social Affair Permit Grotto Links Challenge Farmer's Market Concerts
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REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENT: None.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Mayor Giordano announced several upcoming events including a breast cancer awareness program to be held at the library. The 9-11 remembrance ceremony would begin at 8:30 a.m. and will include Somerset School students. The Borough-wide yard sale will take place September 15 and 16. Somerset County has begun mosquito spraying. The Farmer's Market will end September 22 and an autumn clean the town day will be held September 29. The Mayor then welcomed Ms. Corzo to the Borough Council.

Mr. Hollod and all of the Council members welcomed Ms. Corzo and offered their best wishes to her. Ms. Corzo thanked everyone for their warm welcome.

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

Meeting adjourned at 8:22 p.m.

Borough Clerk

Council President