

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Monday, 8 February 2021.*

*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 (virtual) Meeting of the Council of the Borough of North Plainfield held on Monday, **February 8, 2021** at 7:31 p.m. at the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

PRESENT:

Council Members: Aimee Corzo
Suzette Given
Steven McIntyre
Everett Merrill
Keiona R. Miller
Wendy Schaefer
Frank "Skip" Stabile, Council President

Also Present: Lawrence La Ronde, Mayor
David Hollod, Business Administrator
Brian Hak, Esq., Associate Borough Attorney
Richard K. Phoenix, RMC, Borough Clerk
Stephanie Sherwood, RMC, CMR, Deputy Clerk

The Pledge of Allegiance to the Flag was led by Ms. Given.

A moment of silence was observed for the men and women serving in our Armed Forces.

Mr. Phoenix read the following Notice of Compliance:

"This virtual meeting is being held in compliance with N.J.S.A. 10:4-6 et seq. Adequate notice of this meeting was provided by transmitting notice to the official newspapers of the Borough, The Courier News, WKMB Radio, WJLP-TV, the Alternative Press and also to the Star Ledger on December 28, 2020 and by posting a copy of this notice on the bulletin boards in the Municipal Building and the Memorial Library reserved for such purpose."

The Clerk had submitted several sets of meeting minutes.

The Council President called for a Roll Call on the Regular Meeting of January 11, 2021: All in favor.

The Council President called for a Roll Call on the Executive Session of January 11, 2021:

Aye: Corzo, McIntyre, Merrill, Miller, Schaefer, Stabile
Abstain: Given

The Council President called for a Roll Call on the Special Meeting of January 28, 2021:

Aye: Corzo, Given, McIntyre, Merrill, Schaefer, Stabile
Abstain: Miller

Council President Stabile recognized the following appointments:

APPOINTMENTS BY COUNCIL REQUIRING COUNCIL CONFIRMATION:

BOARD OF ADJUSTMENT:

Dr. Harry Allen	Unexpired four-year term
Daniel Battista, Alternate 1	Unexpired two-year term
Michelle Brown	Unexpired two-year term

BOARD OF HEALTH MEMBER TO THE MUNICIPAL ALLIANCE COMMITTEE:

Suzette Given	One-year term
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COUNCIL MEMBER TO THE ECONOMIC DEVELOPMENT COMMITTEE:

Steven McIntyre	Unexpired one-year term
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Mayor La Ronde recognized the following appointments:

APPOINTMENTS BY MAYOR TO BOARDS, COMMITTEES AND COMMISSIONS REQUIRING COUNCIL CONFIRMATION:

HISTORIC PRESERVATION COMMISSION:

Stephen Harlan	Unexpired four-year term
Peter G. Beckman, Alternate 1	Unexpired two-year term

LIBRARY ADVISORY COMMITTEE:

Jennifer McGovern	Unexpired three-year term
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OFFICE OF EMERGENCY MANAGEMENT/LOCAL EMERGENCY PLANNING COUNCIL:

LOCAL EMERGENCY PLANNING COUNCIL:

One-year terms:

Everett Merrill

Jody Karcher

Council Member

North Plainfield Public Schools

APPOINTMENTS BY MAYOR NOT REQUIRING COUNCIL CONFIRMATION:

ECONOMIC DEVELOPMENT COMMITTEE:

Amnet Ramos-Hernandez

Two-year term

CONSENT AGENDA

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

RESOLUTION NO. 02-08-21-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

02-08-21-01 a, b, c, d, e, f, g, h, i, j, k, l, m

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 CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 02-08-21-01a RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH YOUR WAY CONSTRUCTION, INC. FOR THE GLENSIDE PLACE SANITARY SEWER REPLACEMENT PROJECT

WHEREAS, the Borough of North Plainfield is in need of certain sanitary sewer replacement improvements as it relates to the Glenside Place Sanitary Sewer Replacement Project (hereinafter referred to as the "Project"); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and received seven (7) bids, the three (3) lowest of which are as follows:

<u>Bidding Entity</u>	<u>Base Bid</u>
Your Way Construction, Inc.	\$162,155.04
John Garcia Construction Co.	\$181,715.01
Messercola Excavating, Inc.	\$189,566.00

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC, as well as Mott MacDonald, 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, Your Way Construction, Inc., whose main offices are located at 404 Coit Street, Irvington, NJ 07111 (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:	Glenside Place Sanitary Sewer Replacement
Successful Bidder:	Your Way Construction, Inc.
Base Bid:	In the Amount Not to Exceed One Hundred and Sixty-Two Thousand and One Hundred and Fifty-Five Dollars and Four Cents (\$162,155.04)

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 paving services of Your Way Construction, 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 Your Way Construction, Inc. for the Project, known as the Glenside Place Sewer Replacement Project.

RESOLUTION NO. 02-08-21-02b RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT

WITH MESSERCOLA EXCAVATING, INC. FOR 2021-2022 ON-CALL SERVICES-EMERGENCY REPAIRS

WHEREAS, the Borough of North Plainfield is in need of On-Call Services-Emergency Repairs for calendar years 2021 and 2022 (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and received three (3) bids as follows:

<u>Bidding Entity</u>	<u>Total Hourly Rate Bid</u>
Messercola Excavating, Inc.	\$ 877.00/hour
Montana Construction Corp., Inc.	\$1,514.00/hour
Underground Utilities Corp.	\$1,704.00/hour

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC, as well as David J. Testa, PE, CME, CPWM of Grotto Engineering Associates, LLC, the Borough’s Engineer, have reviewed the bid submissions and recommend the award of the bid and contract for the Project to the lowest responsive and responsible bidder, Messercola Excavating, Inc., whose main offices are located at 549 East Third Street, Plainfield, New Jersey 07060 (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:	2021-2022 On-Call Services-Emergency Repairs
Successful Bidder:	Messercola Excavating, Inc.
Total Bid:	In the Amount of Eight Hundred and Seventy-Seven Dollars and Zero Cents (\$877.00) Per Hour for each year of the Term.
Term:	For both Calendar Years 2021 and 2022

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 services of Messercola Excavating, 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 Messercola Excavating, Inc. for the Project known as the 2021-2022 On-Call Services-Emergency Repairs.

RESOLUTION NO. 02-08-21-01c BE IT RESOLVED, by the Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Treasurer with the approval of release from the Borough Engineer is hereby authorized to refund the following:

Refund of Storm Water Runoff Bond:

Lidio A. Matos \$ 1500.00
120 Duer Street
North Plainfield, NJ 07060

RESOLUTION NO. 02-08-21-01d RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LICENSE AGREEMENT WITH THE COUNTY OF UNION FOR THE USE OF GREEN BROOK PARK FOR ITS ANNUAL FOURTH OF JULY FIREWORKS DISPLAY IN THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield desires to have a fireworks display in honor of the 4th of July in Green Brook Park (hereinafter referred to as the "Fireworks") to be held on Saturday, July 10, 2021, with a proposed rain date of Sunday, July 11, 2021; and,

WHEREAS, the County of Union, a body politic of the State of New Jersey, with offices at the Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey is the owner and operator of Green Brook Park; and,

WHEREAS, the County of Union requires that the Borough of North Plainfield have a license agreement to use Green Brook Park for its Fireworks, a copy of said license agreement being maintained in the Office of the Borough Clerk and the contents of which are incorporated herein; and,

WHEREAS, the Borough of North Plainfield is desirous of using Green Brook Park for its Fireworks and entering into said license agreement with the County of Union.

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 does hereby authorize the Mayor and the Borough Clerk to sign and/or execute a license agreement with the County of Union, without the need for any further action of this Borough Council, for the purposes cited above.

BE IT FURTHER RESOLVED that the resolution is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey.

RESOLUTION NO. 02-08-21-01e RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD AUTHORIZING A CONTRACT WITH BUSINESS & GOVERNMENT INSURANCE AGENCY FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES

WHEREAS, the bylaws of the Garden State Municipal Joint Insurance Fund require professional risk management consulting services to be performed; and

WHEREAS, the Business & Government Insurance Agency has offered its professional risk management consulting services to the Borough of North Plainfield for the Fund Year January 1, 2021 to December 31, 2021; and

WHEREAS, the Business & Government Insurance Agency has proposed compensation for its services in the amount of seven percent (7%) of the Borough’s annual assessment as promulgated by the Garden State Municipal JIF.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that Business & Government Insurance Agency be and is hereby appointed to provide professional risk management consulting services as referenced herein and that the Fund Commissioner and Borough Clerk are hereby authorized to execute all documents relevant to this service.

RESOLUTION NO. 02-08-21-01f AUTHORIZING AMENDMENT TO THE 2021TEMPORARY BUDGET

WHEREAS, The Revised Statutes of New Jersey 40A:4-20 provides for the adoption of temporary appropriations in addition to temporary appropriations necessary for the period between the beginning of the current fiscal year and the date of the adoption of the Local Budget for the Year 2021;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Council of the Borough of North Plainfield, that the following amendments to the temporary appropriations be made in the amounts and for the purposes herein set forth for the period between January 1st, 2021 and the adoption of the Local Budget for the Borough of North Plainfield, County of Somerset and State of New Jersey for the fiscal Year 2021:

<u>A/C #</u>	<u>CURRENT FUND</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
20-100	Department of Administration	\$ 55,500.00	\$ 3,575.00
20-110	Borough Council		1,000.00
20-120	Borough Clerk	36,250.00	5,375.00
20-130	Department of Finance	73,750.00	3,500.00
20-135	Annual Audit		10,000.00
20-145	Tax Collection		3,250.00
20-150	Division of Assessments	25,000.00	1,550.00
20-151	Tax Appeals		8,750.00

20-155	Department of Law		72,500.00
20-165	Engineering		12,500.00
20-175	Historical Commission	750.00	250.00
21-180	Planning Board	300.00	1,250.00
21-185	Board of Adjustment	300.00	1,500.00
22-195	Uniform Construction Code	37,500.00	2,375.00
23-210	Liability Insurance		400,000.00
23-220	Group Insurance		525,000.00
23-225	Unemployment Compensation		5,000.00
25-240	Police	1,486,250.00	5,000.00
25-241	Crossing Guards	43,750.00	0.00
25-252	Emergency Management	3,500.00	2,750.00
25-265	Fire Protection	972,250.00	16,000.00
25-266	Fire Hydrant		49,502.50
25-267	Uniform Fire Code	3,000.00	5,003.58
25-268	LOSAP		1,250.00
		<u>Salaries</u>	<u>Other</u>
<u>A/C #</u>	<u>CURRENT FUND</u>	<u>& Wages</u>	<u>Expenses</u>
25-269	Emergency Medical Services		10,500.00
25-275	Borough Prosecutor	6,750.00	0.00
26-290	Street & Roads	300,000.00	200,000.00
26-310	Building & Grounds		25,000.00
26-315	Vehicle Maintenance		57,750.00
27-330	Health	43,750.00	35,000.00
27-340	Dog Regulation		15,000.00
28-370	Recreation	54,875.00	8,362.50
28-375	Maintenance of Parks		1,625.00
28-380	Shade Tree Advisory Board		2,500.00
30-415	Retirement Benefits		75,000.00
30-420	Celebration of Public Events		3,750.00
31-201	Contingent		2,500.00
31-430	Electricity		100,000.00
31-440	Telephone		20,000.00
31-445	Water		6,750.00
31-446	Natural Gas		20,000.00
31-460	Gasoline		43,750.00
31-461	Technology		50,000.00
31-462	Postage		10,000.00
31-471	Employees Retirement System		363,889.25
36-472	Social Security		112,500.00
36-474	Consolidated Police/Fire Retirement		0.00
36-475	Police/Fireman Retirement		2,237,962.25
41-899	Matching Funds for Grants		1,250.00
42-300	COAH Housing		2,500.00
42-305	Somerset County Recycling		50,000.00
42-405	Parking Meters	21,000.00	0.00

42-520	NJDEP Permit Fee		1,312.50
43-490	Municipal Court	84,250.00	5,462.50
43-495	Public Defender		1,000.00
62-405	Capital Equipment		<u>17,150.00</u>
	Totals	\$3,248,725.00	\$4,617,395.08

A/C #	SEWER UTILITY FUND	Salaries & Wages	Other Expenses
55-501	Sewer Operating	\$ 51,250.00	\$ 25,000.00
55-502	Plainfield Area Regional Sewer		750,000.00
55-541	Social Security		4,250.00
55-542	Unemployment Comp Insurance		<u>250.00</u>
	Totals Sewer Utility	<u>\$ 51,250.00</u>	<u>\$ 779,500.00</u>

RESOLUTION NO. 02-08-21-01g BE IT RESOLVED by the Council of the Borough of North Plainfield that DR. HARRY ALLEN be and hereby is appointed to the BOARD OF ADJUSTMENT of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2025 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that DANIEL BATTISTA be and hereby is appointed as Alternate Member No. 1 to the BOARD OF ADJUSTMENT of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2023 and until his successor shall have been appointed and qualified.

BE IT FURTHER RESOLVED that MICHELLE BROWN be and hereby is appointed as Alternate Member No. 2 to the BOARD OF ADJUSTMENT of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2023 and until her successor shall have been appointed and qualified.

RESOLUTION NO. 02-08-21-01h BE IT RESOLVED by the Council of the Borough of North Plainfield, that SUEZETTE GIVEN be and hereby is appointed as Board of Health Member to the MUNICIPAL ALLIANCE COMMITTEE of this Borough to serve for the legal term expiring at 12:00 noon on January 1, 2022, and until her successor shall have been appointed and qualified.

RESOLUTION NO. 02-08-21-01i BE IT RESOLVED by the Council of the Borough of North Plainfield that STEVEN MCINTYRE be and hereby is appointed to the ECONOMIC DEVELOPMENT COMMITTEE of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2022 and until his successor shall have been appointed and qualified.

RESOLUTION NO. 02-08-21-01j BE IT RESOLVED by the Council of the Borough of North Plainfield, that upon nomination of the Mayor and with the advice and consent of this Council, STEPHEN HARLAN be and hereby is appointed to the HISTORIC PRESERVATION COMMISSION of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2024 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED, than upon nomination of the Mayor and with the advice and consent of this Council, PETER G. BECKMAN be and hereby is appointed to the HISTORIC PRESERVATION COMMISSION of this Borough as an alternate member to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2023 and until his successor shall have been appointed and qualified.

RESOLUTION NO. 02-08-21-01k BE IT RESOLVED by the Council of the Borough of North Plainfield, that upon nomination of the Mayor and with the advice of consent of this Council, JENNIFER MCGOVERN be and hereby is appointed to the LIBRARY ADVISORY COMMITTEE of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2024 and until her successor shall have been appointed and qualified.

RESOLUTION NO. 02-08-21-01l BE IT RESOLVED by the Council of the Borough of North Plainfield, that upon nomination of the Mayor and with the advice and consent of this Council, EVERETT MERRILL be and hereby is appointed as Council Member representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term expiring on January 1, 2022 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that JODY KARCHER be and hereby is appointed as Public Schools representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term expiring on January 1, 2022 and until her successor shall have been appointed and qualified.

RESOLUTION NO. 02-08-21-01m 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 8th day of February, 2021 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

COMMUNICATIONS:

NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
County of Somerset, Somerville, NJ	Newsletters & Communications
Plainfield Area Humane Society Plainfield, NJ	Report and Invoicing
Plainfield Area Regional Sewerage Authority Middlesex, NJ	Minutes and Agenda
Public Service Electric & Gas, Newark, NJ	Newsletters
Somerset County Governing Officials Somerville, NJ	Virtual Meetings
Tina Totten, North Plainfield	Green Brook Flood Control Commission meeting calendar – 2021
Verizon/FIOS, Newark, NJ	Franchise Fee
Comcast Business, Union, NJ	Franchise Fee

REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENT:

Frank D'Amore, 40 Willow Avenue, North Plainfield, thanked the Department of Public Works for their efforts with the snow removal. He then voiced his concerns with those residents that shovel snow into the roadway. The speaker called for stricter enforcement as several houses never obtained rental certificates of occupancy or municipal code compliance certificates.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

Mayor La Ronde congratulated the newly appointed members of the various boards, committees, and commissions. He thanked the Department of Public Works for working throughout the Nor'easter and for their efforts with snow removal in the days after.

The Council members all thanked the Department of Public Works for their efforts with plowing and removing the snow.

Motion to adjourn by Ms. Miller seconded by Ms. Corzo and on voice vote carried unanimously.

Meeting adjourned at 8:09 p.m.

Borough Clerk

Council President