

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Monday, 13 September 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, **September 13, 2021** at 9:13 p.m. via Zoom.

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
Phil George, Esq., Associate Borough Attorney
Richard K. Phoenix, RMC, Borough Clerk
Stephanie Sherwood, RMC, CMR, Deputy Clerk

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 copies of the minutes of the Agenda Conference and Regular Meeting of August 16, 2021.

The Council President called for a roll call on the minutes:

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

HEARING:

ORDINANCE NO. 21-12 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 20 OF THE NORTH PLAINFIELD BOROUGH CODE, ENTITLED, "Flood prevention" by deleting same in its entirety and to amend, revise and supplement CHAPTER 22 OF THE NORTH PLAINFIELD BOROUGH CODE, ENTITLED, "LAND DEVELOPMENT", § 22-114, entitled "FLOOD PLAIN ZONE," MOST BY DELETING EXISTING § 22-114 in its entirety AND ADOPTING A NEW § 22-114 ENTITLED "FLOODPLAIN MANAGEMENT REGULATIONS."

The Clerk read the ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Ms. Miller, seconded by Mr. McIntyre and on roll call carried all seven voting aye.

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

RESOLUTION NO. 09-13-21-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 21-12 be adopted and advertised as required by statute.

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

Ms. Given presented the following resolution and moved its adoption:

RESOLUTION NO. 09-13-21-02 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 21-08 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing September 27, 2021 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. Schaefer and on roll call carried all seven voting aye.

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 21-08 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 10 OF THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, ENTITLED "BUILDING AND HOUSING," TO ADD A NEW SUBSECTION ENTITLED "SHORT-TERM RENTALS"

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.

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

RESOLUTION NO. 09-13-21-03 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

09-13-21-03 a, b, c, d, e, f, g

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

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

APPROVED RESOLUTIONS:

RESOLUTION NO. 09-13-21-03a A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND TAXES

WHEREAS, the owner of 38 Race Street also known as Block 83 Lot 11 was deemed as a 100 % Disabled Veteran and is now exempt from property taxes per the Assessor and;

WHEREAS, taxes have been paid on the aforementioned parcel for first and second quarters 2021;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of North Plainfield of Somerset County, State of New Jersey, that the Tax Collector is hereby authorized to refund the overpayment on this parcel:

Refund \$ 3129.60

Navy Federal Credit Union
PO Box 3304
Merrifield, Va. 22119-3304

RESOLUTION NO. 09-13-21-03b WHEREAS, the Commonwealth Title-Monmouth Agency and Corelogic both paid fourth quarter taxes on Block 203.03 Lot 5, Commonwealth Title has requested refund of that over payment to the homeowner, 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:

Conrada Gonzales \$ 2,046.80
426 Oakridge Avenue
North Plainfield, NJ 07060

RESOLUTION NO. 09-13-21-03c WHEREAS, the Church of the Holy Cross, 40 Mercer Avenue, North Plainfield, New Jersey, has applied for a license to conduct an off-premises 50-50 cash raffles on January 2, 2022; and

WHEREAS, the Church of the Holy Cross has been issued Identification No. 352-1-38411 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 a raffle license;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be and is hereby authorized to issue a license to Church of the Holy Cross for an off-premises 50-50 cash raffles to be held on January 2, 2022 at 40 Mercer Avenue, North Plainfield, New Jersey.

RESOLUTION NO. 09-13-21-03d REQUESTING APPROVAL OF INSERTION OF \$7,342.38 FOR THE 2021 BUDGET REVENUE AVAILABLE FROM THE MUNICIPAL ALLIANCE 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 2021 in the sum of \$7,342.38 which item is now available as a revenue from the Municipal Alliance Grant.

BE IT FURTHER RESOLVED that a like sum of \$7,342.38 be and the same is hereby appropriated under the caption of:

Municipal Alliance Grant

BE IT FURTHER RESOLVED that the matching funds in the amount of \$1,835.60 appears in the 2021 Adopted Municipal Budget under the Municipal Alliance-matching funds line item (Sheet 24)

RESOLUTION NO. 09-13-21-03e RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$800,000 TO FUND EXTRAORDINARY EXPENSES INCURRED BY DAMAGES RESULTING FROM TROPICAL STORM IDA

WHEREAS, Tropical Storm Ida caused severe weather conditions and flooding in New Jersey for which Governor Murphy declared a state of emergency pursuant to Executive Order 259; and

WHEREAS, the Borough of North Plainfield, in the County of Somerset, State of New Jersey (the “Borough”) suffered severe flooding and damages from Tropical Storm Ida; and

WHEREAS, the Borough Council of the Borough has found it necessary to make a special emergency appropriation of not to exceed \$800,000 to cover the cost of extraordinary expenses for the repair, reconstruction of streets, roads, bridges, or other public property damaged by floods and severe weather conditions caused by Tropical Storm Ida (the “Project”), which extraordinary expenses were not foreseen at the time of the adoption of the Borough’s 2021 budget; and

WHEREAS, the Borough Council of the Borough now seeks to make a special emergency appropriation in the amount of \$800,000 for extraordinary expenses in accordance with N.J.S.A. 40A:4-54 to cover the costs of the Project.

NOW THEREFORE, BE IT RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY that in accordance with the provisions of N.J.S.A. 40A:4-54 as follows:

SECTION 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION 2. Pursuant to N.J.S.A. 40A:4-54, the Borough does hereby authorize a special emergency appropriation for extraordinary expenses in the amount of \$800,000, to fund the following:

<u>Description</u>	<u>Amount of Special Emergency Appropriation</u>
(i) Acquisition of vehicles and equipment for the Department of Public Works;	\$700,000

<u>Description</u>	<u>Amount of Special Emergency Appropriation</u>
(ii) Acquisition of vehicles and equipment, message signs and	\$ 50,000

speed signs for the Police Department;
and

(iii) Acquisition of vehicles and equipment for the Fire Department. \$ 50,000

Total: \$800,000

SECTION 3. The Chief Financial Officer of the Borough has certified that the special emergency appropriations to be financed through this resolution are related to the aforementioned emergency caused by Tropical Storm Ida.

SECTION 4. The special emergency appropriation shall be provided for by the inclusion of not less than \$160,000 (at least 1/5 of the total amount) in each of the next succeeding annual budgets.

SECTION 5. One (1) certified copy of this resolution shall be filed with the Director.

SECTION 6. This resolution will take effect immediately.

RESOLUTION NO. 09-13-21-03f RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, AUTHORIZING THE ISSUANCE OF \$800,000 SPECIAL EMERGENCY NOTES PURSUANT TO N.J.S.A. 40A:4-55 TO FINANCE SPECIAL EMERGENCY APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-54 TO FUND EXTRAORDINARY EXPENSES INCURRED BY DAMAGES RESULTING FROM TROPICAL STORM IDA

WHEREAS, Tropical Storm Ida caused severe weather conditions and flooding in New Jersey for which Governor Murphy declared a state of emergency pursuant to Executive Order 259; and

WHEREAS, the Borough of North Plainfield, in the County of Somerset, State of New Jersey (the "Borough") suffered severe flooding and damages from Tropical Storm Ida; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:4-54, on September 13, 2021, the Borough Council of the Borough adopted a resolution authorizing a special emergency appropriation in the amount of \$800,000 to cover the cost of extraordinary expenses for the repair, reconstruction of streets, roads, bridges, or other public property damaged by floods and severe weather conditions caused by Tropical Storm Ida (the "Project"), which extraordinary expenses were not foreseen at the time of the adoption of the Borough's 2021 budget; and

WHEREAS, N.J.S.A. 40A:4-55 allows "special emergency notes" (the "Notes") to be issued to finance the costs of such Project, which payment for such Notes shall be provided for in the succeeding annual budgets of the Borough by the inclusion of an appropriation of at least one-fifth (1/5) of the amount of such Notes; and

WHEREAS, the Borough now seeks to authorize the issuance of Notes in an amount not to exceed \$800,000.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-55, as follows:

SECTION 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION 2. The Borough authorized a special emergency appropriation in an amount equal to \$800,000 in accordance with N.J.S.A. 40A:4-54.

SECTION 3. Special emergency notes (the "Notes") in an amount not to exceed \$800,000 are hereby authorized, pursuant to N.J.S.A. 40A:4-55, to finance such special emergency appropriation.

SECTION 4. Such Notes may be renewed from time to time in accordance with N.J.S.A. 40A:4-55, but shall not be issued for a period to exceed one year. At least 1/5 of all such Notes, and the renewals thereof, shall mature and be paid in each year beginning in 2022 so that all Notes and renewals shall have matured and be paid no later than the last day of the fifth year following the date of this resolution.

SECTION 5. Such Notes shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer of the Borough and the official seal shall be thereunto affixed, imprinted or reproduced thereon and attested by the Clerk of the Borough.

SECTION 6. All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. It is hereby delegated to the Chief Financial Officer of the Borough the authority to determine all matters in connection with the Notes issued, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Notes so sold, the price obtained and the name of the purchaser.

SECTION 7. One (1) certified copy of this resolution shall be filed with the Director.

SECTION 8. This resolution shall take effect immediately.

RESOLUTION NO. 09-13-21-03g 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 13th day of September, 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
Sustainable Jersey, New Brunswick	Newsletter
Somerset County Business Partnership Somerville	Newsletters – Relief from Ida
Somerset County Election Board Somerville	Primary Election Invoicing
Hon. Edith Gil, RMC, Borough Clerk Watchung	Vote By Mail/Early Voting
General Code, Rochester, NY	Amending Borough
NJ Dept. of Environmental Protection Trenton	Land Development Code
Public Service Electric & Gas, Newark	Status of Electronic Code
Capehart Scatchard, P.A. Mount Laurel	Newsletters –
Frank N. D’Amore Sr., North Plainfield	Ida Debris Cleanup
	Rate Hearings
	NJ Public Entity Law Monthly
	Property Maintenance Inquiry

REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENT: None.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

Mayor La Ronde reported that Fall Clean Community Day has been rescheduled for October, please check the website for the date. The Fall Festival will be held on September 25 from 11:00 a.m. to 4:00 p.m. at the high school.

Ms. Given commented on the respectful September 11 ceremony.

Ms. Corzo offered her thanks and gratitude to the administration and all of the first responders for their efforts with Tropical Storm Ida.

Mr. Merrill congratulated Ms. Given as one of her former students, Jenny Xie, received the prestigious American writers award and invited the Councilwoman to the gala dinner.

Ms. Schaefer reported on the devastating flooding at the Plainfield Area Humane Society and the outpouring of donations made to them in the days after.

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

Meeting adjourned at 9:22 p.m.

Borough Clerk

Council President