

MINUTES of the Regular Meeting of the Council of the Borough of North Plainfield held on Monday, **December 12, 2022** at 8:33 p.m. at North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

PRESENT:

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

Also Present: Lawrence La Ronde, Mayor
David E. Hollod, Business Administrator
Phil George, Esq., Associate Borough Attorney
Richard K. Phoenix, RMC, Borough Clerk
Michele Irby-Garry, CMR, Deputy Borough Clerk

Council President Stabile read the following Notice of Compliance:

"This 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 October 20, 2022 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 Council President also announced that the governing body would convene in Executive Session at the conclusion of the Regular Meeting agenda for purposes of Attorney/Client Privilege and discussions on a memorandum of agreement.

APPROVAL OF COUNCIL MEETING MINUTES:

The Clerk had submitted copies of the minutes of the Agenda Conference and Regular Meeting of November 14, 2022.

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

Aye: Given, McIntyre, Miller, Schaefer, Stabile
Nay: None
Abstain: Corzo, Merrill

HEARING: ORDINANCE NO. 22-11 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 14 OF THE BOROUGH CODE, ENTITLED “STREETS, SIDEWALKS AND SANITATION” AND, MORE SPECIFICALLY, SECTION 14-6,

ENTITLED "ELECTRICAL LINES," BY AMENDING § 14-6.1 TO CREATE § 14-6.1(A) AND ADD NEW § 14-6.1(B), AND BY ADDING A NEW SECTION 14-6.2, ENTITLED "ABANDONED TELECOMMUNICATIONS SERVICE LINE LINES."

The Clerk read the ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Mr. McIntyre, seconded by Ms. Schaefer and on Roll Call carried unanimously.

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

RESOLUTION NO. 12-12-22-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 22-11 be adopted and advertised as required by statute.

Seconded by Mr. McIntyre and on roll call carried all seven voting aye.

HEARING: ORDINANCE NO. 22-12 AN ORDINANCE to amend, revise and supplement CHAPTER 2 OF THE BOROUGH CODE, ENTITLED "ADMINISTRATION," most notably Article I, entitled "ADMINISTRATIVE CODE," specifically § 2-2, entitled "OFFICE OF THE MAYOR," BY ADDING A NEW § 2.2.3 ENTITLED "SALARY," more specifically, § 2-3, entitled "COUNCIL," BY ADDING A NEW § 2.3.12, ENTITLED "SALARY of the Borough Council President and Council Members."

The Clerk read the ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Mr. McIntyre, seconded by Ms. Schaefer and on Roll Call carried unanimously.

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

RESOLUTION NO. 12-12-22-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 22-12 be adopted and advertised as required by statute.

Seconded by Mr. McIntyre and on roll call carried all seven voting aye.

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. The Council President interjected that both he and the Mayor concurred on the denial of extended New Year’s hours due to regulations in the Borough Code.

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

RESOLUTION NO. 12-12-22-03 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

12-12-22-03a, b, c, d, e, f, g, i, j, k, l, m, n, o & p

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

Seconded by Ms. Miller and on roll call carried all seven voting aye.

APPROVED CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 12-12-22-03a (as amended at the direction of Mr. George) BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby adopt the following as a schedule of agenda conferences and regular council meetings for the year 2023.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to post copies of said Schedule on the bulletin board in Borough Hall reserved for said purpose, to forward copies of same to the *Courier News*, *The Star Ledger*, *WKMB Radio*, *WJLP-TV*, *The Alternative Press* and the North Plainfield Memorial Library and to take such other steps as shall be required by law to comply with the Open Public Meetings Act.

COUNCIL MEETING SCHEDULE

Agenda Conferences and Regular Meetings of the Council of the Borough of North Plainfield for the year 2023 shall be held in the Council Chambers, 263 Somerset Street, North Plainfield, New Jersey or via Zoom. Agenda Conferences shall begin at 7:30 p.m., immediately followed by Regular Meetings with the exception of the January 2nd Re-Organization Meeting which will convene at 12:00 Noon in Council Chambers. Executive Sessions and meetings of the Borough Council acting as the local Board of Health may be convened as announced. Said meetings shall be held on the following dates:

January	2	9	23	February	14	27
March	13		27	April	10	24
May	8		22	June	12	26
July	10		24	August	14	
September	11		25	October	10	23
November	13		27	December	11	

RESOLUTION NO. 12-12-22-03b RESOLUTION AUTHORIZING CONTRACT APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A 40A:11-12a

WHEREAS, the Borough of North Plainfield, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any state contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of North Plainfield has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of North Plainfield intends to enter into contracts with the attached referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of North Plainfield pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of North Plainfield and the referenced State Contract Vendors shall be for the 2022 Year, and:

A/C # Name

88273 AK Equipment	69944 Highpoint Furniture
74018 Absolute Fire	83930 Home Depot
80963 Air & Gas Technologies	82693 Horizon Blue Cross & Blue Shield
65808 Air Purifiers, Inc.	63522 Innovation Doc Imaging LLC
69942 All Steel Inc.	87466 John Deere Landscapes
68766 Allied Oil Co.	74012 Kaldoz
61419 American Tire Service	69923 KML Technology, Inc.
71048 Approved Fire Protection	69531 Kova Corp.
V41144 Asia Trading	67875 Lanigan Assoc. Inc.
83331 Atlantic Salt	81322 Laser Technology, Inc.
73991 Atlantic Tactical	67872 Lawman Supply Co.
A79161 Beyer Bros	85850 Lawson Products
01785 Bodyworks by Tiffany	62423 Lifesavers
63767 Boises Bus Interiors	70142 Mayline Furniture
85017 Broadview Network	77814 Messercola Excavating
81413 BSN Sports	81520 Morpho Trak
71054 Cairns	T0213 Morton Salt Inc.

12/12/2022

WHEREAS, the Borough of North Plainfield and the Borough of Watchung propose to enter into a shared services agreement, but face certain expenses associated with implementation that present a burden to the local units; and

WHEREAS, the purpose of this shared services agreement is to jointly purchase a fire service ladder truck to further expand the existing automatic mutual aid agreements between our respective fire departments, which will benefit the residents of both participating local units; and

WHEREAS, the Borough of North Plainfield has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of North Plainfield, that the Borough of North Plainfield will apply for a LEAP Implementation Grant in the amount up to \$500,000 to support implementation of this shared service.

RESOLUTION NO. 12-12-22-03d Resolution Supporting the Drive Sober or Get Pulled Over 2022 Year End Holiday Crackdown

WHEREAS, approximately one-third of all fatal traffic crashes in the United States involve impaired drivers; and

WHEREAS, impaired driving crashes killed 11,654 people in the United States in 2020; and

WHEREAS, impaired driving crashes cost the United States almost \$44 Billion a year; and

WHEREAS, during the past five years New Jersey's roadways experienced 35,307 crashes and 618 fatalities involving impaired drivers; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the year-end holiday season is traditionally a time for social gatherings which include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2022 Year End Holiday Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 3, 2022 through January 1, 2023; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFORE, be it resolved that the Borough of North Plainfield declares its support for the *Drive Sober or Get Pulled Over 2022 Year End Holiday Crackdown* from December 3, 2022 through January 1, 2023 and pledges to increase awareness of the dangers of drinking and driving.

RESOLUTION NO. 12-12-22-03e GARDEN STATE MUNICIPAL JOINT INSURANCE FUND JOINT TRUST AGREEMENT AND RESOLUTION TO REJOIN

WHEREAS, a number of local governmental units in the State of New Jersey have joined together to form a Joint Insurance Fund as permitted by the Chapter 372 Laws of 1983 (40A:10-36); and

WHEREAS, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and

WHEREAS, the Governing Body of the Borough of North Plainfield, has determined that membership in the Garden State Municipal Joint Insurance Fund (hereinafter referred to as the "Fund") is in the best interests of itself and its citizens; and

WHEREAS, the Governing Body of the Borough of North Plainfield has previously executed a resolution to join the Garden State Municipal Joint Insurance Fund subject to the acceptance of its assessment;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of North Plainfield (hereinafter referred to as the "Municipality") does hereby resolve and agree to renew its membership in the Fund for a period not to exceed three (3) years beginning January 1, 2023 to December 31, 2025 for the purpose of establishing the following types of coverage:

- Workers' Compensation and Employer's Liability;
- General Liability including law enforcement and public officials' liability;
- Motor vehicle liability;
- Property damage (buildings, contents, equipment, and motor vehicle);
- Inland Marine Coverage;
- Non-Owned Aircraft Liability;
- Cyber Liability;
- Disaster Management Services;
- Unmanned Aerial Systems (optional)*
- Hull and P&I (optional)*
- Marina Liability (optional)*
- Site Pollution Liability (optional)*
- UST Liability (optional)*

*Optional, subject to underwriting approval and receipt, review, and acceptance of separate completed applications

BE IT FURTHER RESOLVED, that the Municipality has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two years prior to the adoption of this Resolution; and

BE IT FURTHER RESOLVED, that the Mayor and the Municipal Clerk are authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon approval by the New Jersey Department of Insurance and the Department of Community Affairs.

RESOLUTION NO. 12-12-22-03f RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING "WINDOW" CONTRACTS PURSUANT TO N.J.S.A. 19:44A-20.4 ET SEQ. (NEW JERSEY LOCAL UNIT PAY-TO-PLAY LAWS), THE BOROUGH OF NORTH PLAINFIELD MUST AWARD BY RESOLUTION ALL GOODS AND SERVICES CONTRACTS WITH A DOLLAR AMOUNT BETWEEN \$17,500 AND \$43,999. THESE CONTRACTS ARE NOT BID, BUT VENDORS ARE STILL RESPONSIBLE TO PROVIDE POLITICAL CONTRIBUTION AND COMPANY DISCLOSURE INFORMATION IN ORDER TO DO BUSINESS WITH THE BOROUGH.

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq., when the cost of goods and/or services that fall between \$17,500 and the bid threshold of \$44,000 in the aggregate, an approval by resolution must be in place; and

WHEREAS, the Borough of North Plainfield retained the services of

Ace Tech Pest Control	Somerset Service Center
Edmunds & Associates, Inc.	Staples Business Advantage
North Plainfield Graphics	Superior Play Systems, Inc.
Revenue Guard Medical Claims	

WHEREAS, a request for quotes for the required work to be performed was requested from several contractors; and

WHEREAS, the above-mentioned vendors completed and submitted a Business Entity Disclosure Certification which certifies the business entity has not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, and that the contract will prohibit the above said vendors from making any reportable contributions through the term of the contract.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough authorized the Purchasing Agent on behalf of the Borough to issue and execute a Purchase Order for the foregoing to the above vendors with funds certified available by the Chief financial Officer; and

BE IT FURTHER RESOLVED that the CFO has been authorized to arrange to pay for the foregoing in accordance with the terms of the purchase order in the amount not to exceed of \$44,000.

RESOLUTION NO. 12-12-22-03g BE IT RESOLVED, by the Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Treasurer is hereby authorized to refund the following:

Refund of Road Opening Bond:

Pipe Fitters Plumbing Heating and Cooling, LLC	\$ 1,500.00
306 S. Michigan Avenue	
Kenilworth, NJ 07033	

Work done : 114 Sweetbriar Lane

RESOLUTION NO. 12-12-22-03i 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 12th day of December, 2022 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

RESOLUTION NO. 12-12-22-03j RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ACCEPT A PROPOSAL FROM GROTTO ENGINEERING ASSOCIATES, LLC TO PERFORM THE PROFESSIONAL SERVICES FOR THE 2023 STORMWATER REPORTING, OUTFALL INSPECTION & ORDINANCE UPDATES

WHEREAS, the Borough of North Plainfield is in need of a assistance in reporting their compliance with the New Jersey Pollution Discharge Elimination System (NJPDES) Municipal Stormwater Regulation Program Tier A Stormwater General Permit requirements for 2023; and,

WHEREAS, the Borough of North Plainfield has received a proposal from Grotto Engineering Associates, LLC, dated October 21, 2022, to provide professional services relative to the 2022 Annual NJDEP Stormwater reporting and certification requirements; and,

WHEREAS, the Borough of North Plainfield has an obligation to submit an annual report and certification to the New Jersey State Department of Environmental Protection (NJDEP) pertaining to the Borough's progress on their Stormwater Pollution Prevention Plan (SPPP). This report must be submitted electronically to NJDEP by May 1, 2023 for the 2022 calendar year; and,

WHEREAS, Grotto Engineering Associates, LLC has submitted a proposal, dated October 21, 2022, to assist the Borough with the collection of information and preparation of this report. As part of this task, Grotto Engineering Associates, LLC will review required paperwork and recordkeeping logs. Due to the electronic submission requirement, the Borough will provide Grotto Engineering Associates, LLC with access to the municipal account through a personal identification number. In addition, Grotto Engineering Associates, LLC will work with the Borough to identify any program changes that need to be addressed in the coming year; and,

WHEREAS, the services associated with the 2022 calendar year annual stormwater reporting for 2023 will be charged on an hourly basis, not to exceed Seven Thousand Dollars (\$7,000.00); and,

WHEREAS, in addition, the NJDEP requires that all stormwater outfalls operated by the Borough to be inspected periodically in order to ascertain the condition of each outfall and whether or not scouring is a problem at any of the outfalls. The Borough operates eighty-six (86) stormwater outfalls throughout the Borough. Data will be collected electronically as required by NJDEP. The inspections performed will be documented with a report and photos of each outfall where possible; and,

WHEREAS, the services associated with these stormwater outfall inspections on an hourly rate, not to exceed a total amount of Seven Thousand Three Hundred (\$7,300.00) Dollars. Grotto Engineering Associates, LLC will start on the west end of the Borough and perform an inspection of approximately fifteen (15) to twenty (20) outfalls (or as many as possible within the allowable budget maximum of Seven Thousand Three Hundred (\$7,300.00) Dollars).

WHEREAS, the NJDEP MS4 Stormwater Permit requires the Borough to have a system of oversight in place to ensure the adequate long-term operation and maintenance of stormwater facilities approved but not owned or operated by the Borough of North Plainfield. Grotto will review the existing stormwater ordinance and provide the recommended updated language changes required to effectuate the above requirement of the MS4 permit; and,

WHEREAS, the services performed related to stormwater ordinance updates will be billed at an hourly rate, not to exceed a total amount of Two Thousand Four Hundred (\$2,400.00) Dollars for these specific services.

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 accepts the proposal submitted by Grotto Engineering Associates, LLC to perform the professional services associated with the 2022 calendar year Annual NJDEP Stormwater Reporting for an amount not to exceed Seven Thousand Dollars (\$7,000.00); Stormwater Outfall Inspections for an amount not to exceed Seven Thousand Three Hundred Dollars (\$7,300.00); and, Stormwater Ordinance Updates for an amount not to exceed Two Thousand Four Hundred Dollars (\$2,400.00) for an aggregate total amount for all of these projects, not to exceed Sixteen Thousand Seven Hundred Dollars (\$16,700.00); and,

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute the proposals submitted by Grotto Engineering Associates LLC, dated October 21, 2022, pertaining to all of these services; and,

BE IT FURTHER RESOLVED that the award of this proposal 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 proposal and its performance shall be consistent with all applicable laws, the Borough's bid documents and the bid proposals of Grotto Engineering Associates, LLC, dated October 21, 2022, for the Services set forth herein.

RESOLUTION NO. 12-12-22-03k RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GROTTO ENGINEERING ASSOCIATES, LLC FOR MUNICIPAL ENGINEERING SERVICES FOR CALENDAR YEAR 2023 FOR THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield is in need of a professional engineer to provide certain general engineering services for the period between January 1, 2023 and December 31, 2023 inclusive; and,

WHEREAS, Grotto Engineering Associates, LLC, with a principal place of business located at 340 North Avenue, Cranford, New Jersey 07016, is in the business of providing engineering services and has submitted a proposal for the 2023 Municipal Engineering Services for the Borough of North Plainfield, Somerset County, State of New Jersey, dated October 21, 2022, in the amount of One Thousand Eight Hundred Fifty-Five Dollars (\$1,855.00) per month (hereinafter referred to as the "Retainer") for certain services and on an hourly basis for certain other non-retained services, all of which are contemplated and set forth in the afore-referenced proposal, a copy of said proposal 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 obtaining the engineering services of Grotto Engineering Associates, LLC to perform all of those services contemplated in the afore-referenced proposal.

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 Professional Services Agreement with Grotto Engineering Associates, LLC, 340 North Avenue, Cranford, New Jersey 07016 for the period January 1, 2023 to December 31, 2023, as contemplated in the afore-referenced proposal, without the need for any further action of this Borough Council.

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.

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. 12-12-22-03l RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GROTTO ENGINEERING ASSOCIATES, LLC FOR THE 2023 CALENDAR YEAR DEPARTMENT OF PUBLIC WORKS MANAGEMENT AND TO ACT AS ZONING OFFICER FOR THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield is in need of certain professional services to provide management to the North Plainfield Department of Public Works, as well as act as the Zoning Officer for the Borough of North Plainfield for calendar year 2023; and,

WHEREAS, the Borough of North Plainfield has received a proposal from Grotto Engineering Associates, LLC, dated October 21, 2022, to provide professional services relative to the position of Manager of the Borough of North Plainfield Department of Public Works, as well as Zoning Officer for the Borough of North Plainfield for the calendar year 2023; and,

WHEREAS, the proposal submitted by Grotto Engineering Associates, LLC proposes that they perform the services associated with these positions on an hourly fee basis. Grotto will bill the Borough on a monthly basis for the number of hours expended, with a reduction of five percent (5%) of their currently hourly rates as set forth herein; and,

WHEREAS, David J. Testa, P.E., C.M.E., C.P.W.M., of Grotto Engineering Associates, LLC will continue to perform and coordinate the services associated with the position of Manager of the Borough of North Plainfield's Public Works Department and Zoning Officer for the Borough of North Plainfield for calendar year 2023; and,

WHEREAS, the services will include, but not be limited to, routine Public Works Management and Zoning Officer services as follows:

- A licensed Professional Engineer working up to two (2) days per week (up to sixteen (16) hours more or less as needed or requested). Services will be performed at Borough Hall and/or the Public Works Garage conducting Borough business and will also be available for meetings with administrative personnel and residents. The Parties will agree upon which exact days that they will perform these services.
- Direct and oversee street, sidewalk and sewer maintenance and construction programs.
- Handle complaints from the public received by telephone or in person or by electronic means.
- Advise the Mayor, Business Administrator and the Borough Director of Law of all Public Works activities and problems.
- Give general supervision to the repair and maintenance of all motorized equipment, including light and heavy-duty trucks and all special equipment.
- Work with contracted professional engineers in designing and implementing projects, as assigned or requested by the Mayor and/or the Business Administrator.
- Perform all services as required related to zoning applications, review, denials, approvals, recommendations and general oversight pertaining to all zoning matters. Attend meeting where required.
- Telephone and E-mail consultation with municipal employees or representatives regarding various public works matters and issues that arise.

WHEREAS, reimbursable expenses including, but not limited to, mileage, Mylar copies, certified mailings, photographs, blueprints, and special deliveries are considered additional and will

be invoiced at cost. Travel inside the Borough will be billed at fifty cents (\$0.50)/mile. Invoices will be submitted periodically but no more than monthly for services rendered; and,

WHEREAS, Grotto Engineering Associates, LLC has submitted a schedule of hourly rates reflecting a five percent (5%) reduction of their fees for such services in 2023, as follows:

Principal: \$175.00/hr. less 5% = \$166.25/hr.

Project Manager: \$165.00/hr. less 5% = \$156.75/hr.

Licensed Professional Engineer/Planner/Surveyor: \$155.00/hr. less 5% = \$147.25/hr.

Licensed Professional Engineer/Planner/Surveyor (retired): \$150.00/hr. less 5% = \$142.50/hr.

Senior Staff Engineer: \$110.00/hr. less 5% = \$104.50/hr.

Staff Engineer: \$105.00/hr. less 5% = \$99.75/hr.

Senior Engineering Technician: \$100.00/hr. less 5% = \$95.00/hr.

Engineering /Survey Technician: \$90.00/hr. less 5% = \$85.50/hr.

Field Inspector: \$85.00/hr. less 5% = \$80.75/hr.

Junior Engineer Technician: \$75.00/hr. less 5% = \$71.25/hr.

Clerical: \$70.00/hr. less 5% = \$66.50/hr.

Reimbursable items: at cost

Inside the Borough travel: \$0.50/mile

Note: Schedule of Hourly Rates is subject to an annual adjustment in January of each year of this Agreement upon mutual written consent of the Parties.

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 accepts the proposal submitted by Grotto Engineering Associates LLC to perform the professional services associated with the positions of Manager of the North Plainfield Borough Department of Public Works and Zoning Officer for the Borough of North Plainfield for the calendar year 2023; and,

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute any and all contracts to memorialize the proposal submitted by Grotto Engineering Associates, LLC, for the position of Manager of the North Plainfield Borough Department of Public Works and Zoning Officer for the Borough of North Plainfield for the calendar year 2023; and,

BE IT FURTHER RESOLVED that the award of this proposal 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, the proposal, and its performance shall be consistent with all applicable laws, and the bid proposal of Grotto Engineering Associates, LLC, dated October 21, 2022, for the duties associated with the Manager of the North Plainfield Borough Department of Public Works and Zoning Officer for the Borough of North Plainfield for the calendar year 2023.

RESOLUTION NO. 12-12-22-03m RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ACCEPT A PROPOSAL FROM GROTTO ENGINEERING ASSOCIATES, L.L.C., RELATED TO PROFESSIONAL ENGINEERING WORK FOR PROPOSED PAVING, CURBING, SIDEWALK AND DRAINAGE IMPROVEMENTS TO DELACY AVENUE FROM MOUNTAIN AVENUE TO JACKSON AVENUE IN AN AGGREGATE AMOUNT NOT TO EXCEED EIGHTY-TWO THOUSAND DOLLARS AND NO CENTS (\$82,000.00) AND EXECUTE ALL DOCUMENTS TO EFFECTUATE SAME.

WHEREAS, the Borough of North Plainfield is in need of certain improvements to the pavement, curbing, sidewalks and drainage for Delacy Avenue from Mountain Avenue to Jackson Avenue in the Borough (the "Project"), as part of the Borough's maintenance of its streets and sidewalks; and,

WHEREAS, the Borough of North Plainfield has received a proposal from Grotto Engineering Associates, L.L.C. to provide professional services for the Project, including bid design documents for a fixed fee and bid support, construction observation and contract administration for a fee not to exceed a certain amount; and,

WHEREAS, upon completing the field observations, Grotto Engineering Associates, L.L.C. will develop mapping, detailed design drawings, technical specifications, and bid documents to provide sidewalk repairs and street tree removal at the identified Borough locations through the field observations. The specifications and construction plans will be compiled in the public bid format and follow the *NJDOT Standards for Road and Bridge Construction*, latest edition. Design drawings will be presented to the Borough for review and comments prior to bidding. Bid Packages will be sold by Grotto Engineering Associates, L.L.C. from their Cranford office; they will then review all bids and provide recommendation of award to the Borough; and,

WHEREAS, Grotto Engineering Associates, L.L.C. has submitted a proposal in the amount of Thirty-Nine Thousand Five Hundred Dollars and No Cents (\$39,500.00) as a fixed fee for bid design documents and a fee not to exceed Forty-Two Thousand Five Hundred Dollars and No Cents (\$42,500.00) for the aforementioned bid support, contract administration, construction observation services and testing, for an aggregate price not to exceed Eighty-Two Thousand Dollars and No Cents (\$82,000.00); and,

WHEREAS, upon an award of contract(s) by the Borough, Grotto Engineering Associates, L.L.C. will prepare the contract documents and conduct a pre-construction meeting with the contractor, all appropriate Borough personnel and any affected utility companies. During the course of construction, Grotto Engineering Associates, L.L.C. will provide construction observation and administration services to insure that the contractor is performing all construction in full accordance with the project plans and specifications; and,

WHEREAS, Grotto Engineering Associates, L.L.C. will review and approve all payment vouchers submitted by the contractor before they are presented for the Borough for payment. Prior to completion, Grotto Engineering Associates, L.L.C. will also provide the contractor with a detailed punch list of the items requiring repair and/or corrections:

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 accepts the proposal submitted by Grotto Engineering Associates, L.L.C. on November 28, 2022 as to pavement, curbing, sidewalks and drainage improvements to Delacy Avenue from Mountain Avenue to Jackson Avenue in the amount of Thirty Nine Thousand Five Hundred Dollars and No Cents (\$39,500.00) as a fixed fee for bid design documents and a fee not to exceed Forty Two Thousand Five Hundred Dollars and No Cents (\$42,500.00) for the aforementioned bid support, contract administration, construction observation services and testing, for an aggregate price not to exceed Eighty Two Thousand Dollars and No Cents (\$82,000.00); and,

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 Grotto Engineering Associates, L.L.C., this 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 (where applicable) and the bid proposal of Grotto Engineering Associates, L.L.C., dated November 28, 2022.

RESOLUTION NO. 12-12-22-03n RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MOTT MACDONALD, LLC FOR ENGINEERING SERVICES RELATED TO THE SOMERSET COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG), GREENBROOK SANITARY SEWER INTERCEPTOR IMPROVEMENTS AND GENERAL ENGINEERING SERVICES.

WHEREAS, the Borough of North Plainfield is in need of professional engineering services to provide the design documents and services relative to bid support and construction observation and administration for projects known as the Somerset County Community Development Block Grant ("CDBG") Program, the Greenbrook Sanitary Sewer Interceptor Improvements Project and General Additional Engineering Services (hereinafter referred to as the "Projects"); and,

WHEREAS, Mott MacDonald, with a principal place of business located at 3 Paragon Way, Freehold, New Jersey 07728, is in the business of providing Engineering Services for general engineering and sanitary sewer improvements and submitted a proposal, dated December 1, 2022, for engineering services known as the Somerset County Community Development Block Grant (“CDBG”) Program, the Greenbrook Sanitary Sewer Interceptor Improvements Project and General Additional Engineering Services for the Borough of North Plainfield, Somerset County, New Jersey, a copy of said proposal being maintained in the Office of the Borough Clerk and the contents of which are incorporated herein, as follows:

Item 1: Engineering Services for Projects funded through the Somerset County CDBG Program in an amount not to exceed One Hundred Six Thousand Seven Hundred and Thirty Dollars (\$106,730.00) and No Cents; and,

Item 2: Engineering Services for the Greenbrook Sanitary Sewer Interceptor Improvements in an amount not to exceed of Sixty Six Thousand One Hundred Dollars (\$66,100.00) and No Cents; and,

Item 3: Additional General Engineering Services in an amount not to exceed One Hundred Twenty Four Thousand Four Hundred and Seventy Dollars (\$124,470.00) and No Cents; and,

For a Total Amount Not to Exceed Amount of: Two Hundred Ninety Seven Thousand Three Hundred Dollars (\$297,300.00) and No Cents; and,

WHEREAS, the Borough of North Plainfield is desirous of obtaining the services of Mott MacDonald to perform all of those services contemplated in the afore-referenced proposal for the Somerset County Community Development Block Grant (“CDBG”) Program, the Greenbrook Sanitary Sewer Interceptor Improvements Project, General Additional Engineering Services and related services.

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 award said contract to Mott MacDonald, 3 Paragon Way, Freehold, New Jersey and authorizes the Mayor and the Borough Clerk to sign and/or execute a Professional Services Agreement with Mott MacDonald for engineering services related to the Somerset County Community Development Block Grant (“CDBG”) Program, the Greenbrook Sanitary Sewer Interceptor Improvements Project, General Additional Engineering Services and related services in an amount for all of the aforementioned services not to exceed Two Hundred Ninety Seven Thousand Three Hundred Dollars (\$297,300.00) and No Cents without the need for any further action of this Borough Council.

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.

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. 12-12-22-03o RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH MESSERCOLA EXCAVATING CO., INC. FOR 2023-2024 ON-CALL SERVICES-EMERGENCY REPAIRS

WHEREAS, the Borough of North Plainfield is in need of On-Call Services-Emergency Repairs for calendar years 2023 and 2024 (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and received four (4) bids as follows:

<u>Bidding Entity</u>	<u>Total Hourly Rate Bid</u>
Messercola Excavating Co., Inc.	\$231.00/hour
Montana Construction Corp., Inc.	\$1,307.00/hour
Your Way Construction, Inc.	\$1,510.00/hour
Vollers Excavating & Construction, Inc.	\$4,839.00/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 Co., 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:	2023-2024 On-Call Services-Emergency Repairs
Successful Bidder:	Messercola Excavating Co., Inc.
Total Bid:	In the Amount of Two Hundred and Thirty-One Dollars and Zero Cents (\$231.00) Per Hour for each year of the Term.
Term:	For both Calendar Years 2023 and 2024

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 Co., 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 2023-2024 On-Call Services-Emergency Repairs.

RESOLUTION NO. 12-12-22-03p PROVIDING FOR THE TRANSFER OF SURPLUS FUNDS

WHEREAS, N.J.S. 40A:4-58 provides for the transfer of surplus funds from one account to the other during the last two months of the calendar year:

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that transfers be made in the Boroughs' 2022 budget appropriations in accordance with the following schedule:

BE IT FURTHER RESOLVED that this Resolution shall take effect upon adoption.

<u>A/C #</u>	<u>NAME</u>	<u>FROM</u>	<u>TO</u>
	<u>CURRENT FUND</u>		
25-265-101	Fire-S&W	22,000.00	
25-265-105	Fire-S&W	10,000.00	
26-315-222	Vehicle Repair		32,000.00
	Totals	<u>\$32,000.00</u>	<u>\$32,000.00</u>

Councilman Merrill announced that he would recuse himself from the evening’s executive session, but would remain present in the building to be re-admitted following the session.

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

RESOLUTION NO. 12-12-22-04 BE IT RESOLVED by the Council of the Borough of North Plainfield that prior to the adjournment of this meeting it shall convene in executive session from which the public will be excluded for the purpose of discussion on:

Attorney/Client Privilege (Labor Negotiations)

Exclusion of the public for this purpose is specifically permitted by N.J.S.A. 10:4-6 *et. seq.* The contents of this discussion will not be disclosed until such time as the disclosure of same will not adversely affect the public interest and upon resolution of the Council. Formal action may be taken following end of the executive session.

Seconded by Ms. Schaefer and on roll call carried (6-0-1):

Ayes: Corzo, Given, McIntyre, Miller, Schaefer, Stabile
 Nays: None
 Recused: Merrill

Council recessed to executive session at 9:07 p.m.

EXECUTIVE SESSION

RECONVENE:

At 9:16 p.m., Council President Stabile reconvened the Regular Meeting with all council members present as previously (Mr. Merrill was re-admitted to the chambers).

Mr. George explained that the session had discussed ratification of the agreement with IAFF Local No. 2958.

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

RESOLUTION NO. 12-12-22-05 A RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOROUGH OF NORTH PLAINFIELD AND THE NORTH PLAINFIELD PROFESSIONAL FIREFIGHTERS ASSOCIATION, IAFF LOCAL NO. 2958

WHEREAS, the collective bargaining agreement between the Borough of North Plainfield, a municipal corporation of the State of New Jersey, having an address at 263 Somerset Street, North Plainfield, New Jersey 07060 (hereinafter referred to as the “Borough”) and the North Plainfield Professional Firefighters Association, IAFF Local No. 2958 (hereinafter referred to as the “Union”) expired on December 31, 2021; and,

WHEREAS, the Borough and the Union have engaged in ongoing negotiations to discuss and agree upon the terms and conditions of a successor collective bargaining agreement; and,

WHEREAS, the Borough and the Union have agreed upon the terms of a successor collective bargaining agreement for the term January 1, 2022 through December 31, 2024, the terms of which are set forth in the collective bargaining agreement, a copy of which is on file in the Office of the Borough Clerk, the terms of which are incorporated herein and made apart hereof; and,

WHEREAS, the Borough wishes to memorialize its approval of the collective bargaining agreement; and,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield that the collective bargaining agreement between the Borough and the Union for the term of January 1, 2022 through December 31, 2024 be and hereby is approved.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are authorized to execute the collective bargaining agreement and take all appropriate actions so as to implement this Resolution, with no further actions to be taken by the Borough Council.

Seconded by Mr. McIntyre and on roll call carried (6-0-1)

Ayes: Corzo, Given, McIntyre, Miller, Schaefer, Stabile
 Nays: None
 Abstain: Merrill

COMMUNICATIONS:

NJ State League of Municipalities
 Trenton, NJ
 County of Somerset, Somerville, NJ
 Plainfield Area Humane Society
 Plainfield, NJ
 Plainfield Area Regional Sewerage Authority
 Middlesex, NJ
 Anna Perna, Office of the Attorney General
 Trenton
 Department of Human Services, Somerville
 Luis Penalosa
 The Bridge Tavern, North Plainfield

Newsletters & Advisories;
 League Convention Details
 Newsletters & Communications
 Report and
 Invoicing
 Minutes and
 Agenda

Pocket License, Arooga's
 PRC No. 1814-33-004-005
 Municipal Alliance Comm. Agreement
 Extended New Year's Eve Opening
 Hours

REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENTS: None.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Commenting on the well-received dinner for volunteers, Mayor La Ronde suggested making it an annual event. The recent Santa event at the Exempt Firemen's Hall enjoyed a good turnout with over seventy in attendance. It is worth noting as a good motivation for the full renovation of the historic building as a gathering place and a showplace for the antique firefighting apparatus display. The Borough has been approved for a new domain name, and there will be a three-month transition period to the new name.

Mr. Hollod remarked on the recent departmental budget hearings, saying that he was now crunching the numbers. He then wished all present happy holidays.

Ms. Given commented on the tree lighting/Santa arrival, saying that the children's choir was particularly enjoyable. She wished happy holidays to all. Mr. McIntyre agreed that the tree lighting had been fantastic and that the volunteer dinner had been a great success. Ms. Schaefer agreed that both the volunteer dinner and Santa arrival had been real standouts, and wished everyone a merry Christmas and happy new year. Ms. Miller offered her thanks to Mayor La Ronde and Councilwoman Corzo for the successful volunteer dinner. She wished all a blessed, happy holiday. Vice President Merrill remarked that this would be his last meeting holding that office, and it had been a real honor.

Councilwoman Corzo said that it was so very nice to have the Boy Scouts participating at this evening's meeting, adding that they were very engaged, and their recycling campaign was most worthy. She suggested that a group of Girl Scouts also attend a Council meeting.

The Council President concluded that great events like the volunteer dinner provide plenty of positive feedback. Such occasions help to shed cabin fever, he said, the food and recognition were appreciated, and Santa did a great job, too. Season's Greetings and a Happy New Year were shared by one and all, and Mr. McIntyre agreed that the collegial experience of sitting on Council is very positive and can be fun.

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

Meeting adjourned at 9:23 p.m.

Borough Clerk

Council President