

***CONSENT AGENDA***

**December 12, 2016**

**RESOLUTION NOS. 12-12-16-01a through *l***

**RESOLUTION NO. 12-12-16-01**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

12-12-16-01a, b, c, d, e, f, g, h, i, j, k and l

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

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016

**RESOLUTION NO. 12-12-16-01a**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

WHEREAS, Joseph Pisaniello inadvertently paid \$2,078.12 that was not due on the tax bill for 29 Glen Court, and has requested refund of that payment.

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

Refund Real Estate Erroneous Tax Payment:

Joseph Pisaniello	\$2,078.12
29 Glen Court	
North Plainfield, NJ 07060	

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016

**RESOLUTION NO. 12-12-16-01b**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

***RESOLUTION PENDING FROM ATTORNEY'S OFFICE***

***(GENERATOR)***

WHEREAS,

BE IT RESOLVED by the Council of the Borough of North Plainfield, that the Tax Collector is authorized to

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016

**RESOLUTION NO. 12-12-16-01c**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

Resolution Supporting the  
*Drive Sober or Get Pulled Over 2016 Year End  
Holiday Crackdown*

Whereas, impaired drivers on our nation's roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and

Whereas, 29% of motor vehicle fatalities in New Jersey in 2014 were alcohol-related; and

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

Whereas, the season at the end of the year is traditionally a time of social gatherings which often 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 Year End Holiday Crackdown; and

Whereas, the project will involve increased impaired driving enforcement from December 9, 2016 through January 1, 2017; 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 North Plainfield Borough declares its support for the Drive Sober or Get Pulled Over 2016 Year End Holiday Crackdown from December 9, 2016 through January 1, 2017 and pledges to increase awareness of the dangers of drinking and driving.

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016

**RESOLUTION NO. 12-12-16-01d**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby authorize the issuance of a license to drive a taxicab for two years, pursuant to N.P.R.G.O. 4-1 et seq., to the following in accordance with the applications heretofore submitted:

Sylvia M. Zuniga-Cardenas  
128 East 7<sup>th</sup> Street, Apt. 108  
Plainfield, NJ 07060

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016

**RESOLUTION NO. 12-12-16-01e**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

**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, 2017 to December 31, 2019 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);

**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.

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Council President

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Council Member

Introduced: December 12, 2016  
Adopted: December 12, 2016

I hereby certify that the above is a true and exact copy of the Resolution adopted by the Municipal Council of the Borough of North Plainfield at their Regular Meeting held on 12 December 2016.

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Richard K. Phoenix, RMC  
Borough Clerk



RESOLUTION NO. 12-12-16-01f

BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY

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' 2016 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	\$7,000.00	
25-269-299	EMS-Miscellaneous		\$ 2,000.00
26-315-222	Vehicle Maintenance-Fire		5,000.00
23-220-299	Group Insurance	1,500.00	
25-240-299	Police-Miscellaneous		<u>1,500.00</u>
Totals		<u>\$8,500.00</u>	<u>\$8,500.00</u>

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016

**RESOLUTION NO. 12-12-16-01g**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

**RESOLUTION OF THE BOROUGH COUNCIL  
APPROVING FINAL PAYMENT #4 AND CHANGE  
WORK ORDER #1 TO TOP LINE CONSTRUCTION  
CORP. AND THE CLOSING OUT OF THE  
CONTRACT FOR THE PROJECT KNOWN 2016  
CAPITAL ROAD IMPROVEMENTS – VARIOUS  
ROADS.**

**WHEREAS**, the Borough of North Plainfield previously awarded a contract for certain road improvements with regard to a project known as “2016 Capital Road Improvements – Various Roads” (hereinafter referred to as the “Project”), with said contract having been awarded to Top Line Construction Corp., with an address of 22 Fifth Street, Somerville, New Jersey 08876 (hereinafter referred to as the “Contractor”); and,

**WHEREAS**, David J. Testa, P.E., C.M.E., C.P.W.M., of Grotto Engineering Associates, LLC (hereinafter referred to as the “Engineer”), on behalf of the Borough, has reviewed the Contractor’s submission for Final Payment #4 in the total amount of Eleven Thousand One Hundred Fifty-Eight Dollars and Sixty-One Cents (\$11,158.61) and for the total closeout of the Project, which includes the release of any of the Contractor’s retained funds held by the Borough for the Project; and,

**WHEREAS**, the Engineer, on behalf of the Borough, has reviewed the Contractor’s request for Change Work Order No. 1-Final, reducing the net amount of the completed project in the total amount of Fifteen Thousand Seven Hundred Sixty-Seven Dollars and Twenty-Eight Cents (\$15,767.28); and,

**WHEREAS**, Director of Law/Borough Attorney Eric M. Bernstein, Esq., and the offices of Eric M. Bernstein & Associates, LLC have reviewed the Engineer’s and the Contractor’s submissions and accepts same based on the recommendations of the Engineer.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the request for Final Payment #4, dated November 23, 2016, and Closeout of the Project known as 2016 Capital Road Improvements – Various Roads, is approved in the total amount of Eleven Thousand One Hundred Fifty-Eight Dollars and Sixty-One Cents (\$11,158.61), which Final Payment Request and Closeout request is incorporated herein by reference as if same was fully set forth within, and payment for same is authorized to be made to the Contractor, without the need for any further action of this Borough Council; and,

**BE IT FURTHER RESOLVED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, Change Work Order Request No. 1-Final, dated November 23, 2016, with Top Line Construction Corp., is approved reducing the net amount of the completed project in the total amount of Fifteen Thousand Seven Hundred Sixty-Seven Dollars and Twenty-Eight Cents (\$15,767.28), which Change Work Order Request is incorporated herein by reference as if same was fully set forth within, without the need for any further action of this Borough Council.

**BE IT FURTHER RESOLVED** that this Resolution 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 Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute all necessary documents to close out the Project, issue Final Payment #4 and approve Change Work Order #1.

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016

#### **CERTIFICATION**

I, Richard K. Phoenix, Municipal Clerk of the Borough of North Plainfield, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the North Plainfield Borough Council at a regular meeting of the Borough Council held on December 12, 2016.

**BOROUGH OF NORTH PLAINFIELD**

By:

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Richard K. Phoenix, R.M.C.  
Borough Clerk

Date signed: December 12, 2016

RESOLUTION NO. 12-12-16-01h

BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY

**RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE  
ACCEPTANCE OF A DONATION OF A MOTOR VEHICLE FOR USE BY THE  
BOROUGH OF NORTH PLAINFIELD POLICE DEPARTMENT FOR THE  
BENEFIT OF THE BOROUGH OF NORTH PLAINFIELD**

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**WHEREAS**, VIP Honda, located in the Borough of North Plainfield, has offered to donate a motor vehicle to the Borough of North Plainfield, County of Somerset, State of New Jersey Police Department; and,

**WHEREAS**, the Borough of North Plainfield wishes to accept the above referenced donation of a motor vehicle to be used by the North Plainfield Police Department for transportation and other services, and,

**WHEREAS**, Director of Law/Borough Attorney Eric M. Bernstein, Esq., and the offices of Eric M. Bernstein & Associates, LLC have reviewed VIP Honda's proposal and approve of same.

**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 donation of the motor vehicle from VIP Honda to the Borough of North Plainfield for use by the North Plainfield Police Department.

**BE IT FURTHER RESOLVED** that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute all necessary documents to transfer title to the motor vehicle to that of the Borough of North Plainfield.

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016

**CERTIFICATION**

I, Richard K. Phoenix, Municipal Clerk of the Borough of North Plainfield, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the North Plainfield Borough Council at a regular meeting of the Borough Council held on December 12, 2016.

BOROUGH OF NORTH PLAINFIELD

By:

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Richard K. Phoenix, R.M.C.  
Borough Clerk

Date signed: December 12, 2016

**RESOLUTION NO. 12-12-16-01i**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

WHEREAS, David E. Hollod, Administrator of the Borough of North Plainfield declared an emergency condition for a repair at NJSH 22 and North Drive; and

WHEREAS, Kathleen Intravartolo, QPA has submitted Certification of Request for Emergency Purchase; and

WHEREAS, Kyle Smith, Project Engineer has issued said request (attached hereto) indicating the reasons said emergency exists; and

WHEREAS, Kyle Smith, Project Engineer, has obtained a quote from Fred Devens Construction to repair said emergency dated November 30, 2016; and

WHEREAS, the governing body is in agreement that said emergency contract must be awarded without public bidding pursuant to N.J.S.A. 40A:11-6.

BE IT RESOLVED that the Council of the Borough of North Plainfield does hereby authorize the contract with Fred Devens Construction for the repair of said emergency in the amount of \$23,250.00.

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016

**RESOLUTION NO. 12-12-16-01j**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

**AUTHORIZATION TO SUBMIT AN APPLICATION  
FOR AN HISTORIC PRESERVATION GRANT UNDER THE  
CERTIFIED LOCAL GOVERNMENT PROGRAM**

**WHEREAS** the governing body of the Borough of North Plainfield desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of \$24,999 to fund the following project: preparation of an historic district survey.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of North Plainfield Borough that David E. Hollod, Borough Administrator, or the successor to the title of Borough Administrator, is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State in an amount not more than \$24,999, and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

**BE IT FURTHER RESOLVED** that the Borough of North Plainfield agrees to comply with all applicable federal, State and municipal laws, rules and regulations in its performance pursuant to the agreement.

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016

**RESOLUTION NO. 12-12-16-01k**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

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 12<sup>th</sup> day of December, 2016 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016



**RESOLUTION NO. 12-12-16-01/**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield that the Tax Collector is hereby authorized and directed to create duplicate tax sale certificates as follows:

Block 41 Lot 1	86 Westervelt Avenue	Cert. #06-00029	Issued 06/29/06
		#12-00070	Issued 10/23/12

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Council President

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Council Member

Introduced: December 12, 2016

Adopted: December 12, 2016