

DRAFT MINUTES

These are the Draft Minutes of the meeting of the Borough Council of North Plainfield, New Jersey held on Monday, 22 June 2015.

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 Meeting of the Council of the Borough of North Plainfield held on Monday, **June 22, 2015** at 7:41 p.m. at the North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

PRESENT:

Council Members: Everett Merrill
 Keiona R. Miller
 Frank Righetti
 Wendy Schaefer
 Douglas M. Singleterry
 Frank "Skip" Stabile (absent-excused)
 Lawrence La Ronde, Council President

Also Present: David E. Hollod, Business Administrator
 Dominic DiYanni, Esq., Associate Borough Attorney
 Richard K. Phoenix, RMC, Borough Clerk

The Council President read the following Notice of Compliance:

"This is a Regular Meeting of the Council of the Borough of North Plainfield, scheduled by resolution of the Council adopted on December 8, 2014. Adequate notice of this meeting was given pursuant to *N.J.S.A. 10:4-6 et seq.* by transmitting said notice to the *Courier News*, *The Star-Ledger* and *WKMB* Radio on December 10, 2014 by publication of the announcement in the *Courier News* of December 12, 2014 and by posting a copy of this notice on the bulletin boards in the Municipal Building and Memorial Library reserved for such purpose."

PUBLIC COMMENT:

Frank D'Amore, 40 Willow Avenue, North Plainfield, recalling his June 8 suggestion to use the alert program to notify residents of the daily road closures for the ongoing PSE&G work, noted that PSE&G confirmed that they alert the town of the daily road closures.

Mary Jo Tyson, 270 Lawrence Avenue, North Plainfield, urged for restrictions on landscape companies, explaining that the chemicals used to treat lawns burn her skin. Reporting that the salt used to treat roads and walkways during the winter months had made its way into tap water, she expressed her concerns with lawn chemicals doing the same.

The Borough Clerk had submitted copies of the minutes of the Agenda Conference, Board of Health and Regular Meetings of June 8, 2015.

Agenda Conference, Board of Health and Regular Meeting of June 8, 2015: All in favor.

HEARING:

ORDINANCE NO. 15-09 AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF NORTH PLAINFIELD TO REPEAL ARTICLE 11 ENTITLED "TOBACCO SALES TO MINORS PROHIBITED" FOUND IN CHAPTER III, "POLICE REGULATIONS"

The Clerk read the Ordinance by its title and explained that it had become immaterial as the companion Health Ordinance had been defeated. The Borough Council agreed to abandon the Ordinance on second reading.

CONSENT AGENDA

Council President La Ronde stated that all matters listed on the Consent Agenda are considered to be routine in nature and will be approved by one motion. There will be no separate discussion of these items. If any discussion is desired by Council, that particular item will be removed from the Consent Agenda and will be considered separately.

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

RESOLUTION NO. 06-22-15-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

06-22-15-02a, b, c, d, e, f, g, h and i

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

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

APPROVED RESOLUTIONS:

RESOLUTION NO. 06-22-15-02a WHEREAS, applications have been filed pursuant to N.P.R.G.O. 4-10 for licenses to utilize certain lots within the Borough of North Plainfield for the display or storage for sale of motor vehicles; and

WHEREAS, the Council of the Borough of North Plainfield has received certifications from the appropriate Borough officials that the applicants have satisfactorily complied with all applicable laws, ordinances and regulations;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that the Borough Clerk is hereby authorized and directed to issue licenses in accordance with the filed applications to the applicants listed below for the utilization of certain lots within the Borough for the display or storage for sale of motor vehicles for the period July 1, 2015 through June 30, 2016.

1. Jersey Nissan LLC, d/b/a North Plainfield Nissan
545 Route 22 West
2. Killer Carz II, LLC
897 Route 22 West
3. Global Motors Corp., t/a Global Auto Mall
1099-1155 Route 22 West
4. Shirley Masi, d/b/a M&R Auto Sales
505 Somerset Street
5. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.
700 Route 22 East
6. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.
726-750 Route 22 East
7. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.
767 Route 22 West

RESOLUTION NO. 06-22-15-02b RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD TO AUTHORIZE REJECTION OF BID PROPOSALS AND RE-ISSUANCE OF BID PACKAGE FOR GROVE STREET SANITARY SEWER SYSTEM IMPROVEMENTS, CONTRACT NO. 2015-01

WHEREAS, the Borough of North Plainfield previously adopted a Resolution authorizing the issuance of a bid for the project known as Grove Street Sanitary Sewer System Improvements, Contract No. 2015-01; and,

WHEREAS, the bid was released and four (4) bid proposals were received by the Borough in response to the bid documents; and,

WHEREAS, Hatch Mott MacDonald, LLC, the Borough's engineer for this project, has recommended rejection of each bid proposal and re-issuance of a revised bid package;

WHEREAS, the Borough Attorney/Director of Law, Eric. M. Bernstein & Associates, L.L.C., concurs in the rejection of each bid proposal and re-issuance of a revised bid package;

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 rejects all bid proposals received by the Borough on June 10, 2015 in response to the bid solicitation for the project known as Grove Street Sanitary Sewer System Improvements, Contract No. 2015-01.

RESOLUTION NO. 06-22-15-02c BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby grant permission for the public display of fireworks on July 11, 2015; and

BE IT FURTHER RESOLVED that all appropriate permissions, clearances and conventions appertaining to the traditional North Plainfield Independence Day Parade be granted and appropriately applied to the scheduled municipal festivities of Monday, July 4, 2015; and

BE IT FINALLY RESOLVED that any fees regarding these municipally sponsored activities are hereby waived.

RESOLUTION NO. 06-22-15-02d WHEREAS, the North Plainfield Economic Development Committee has requested that it be permitted to conduct a Farmers' Market on the municipal parking lot on Somerset Street on Saturdays between the hours of 9:00 a.m. and 2:00 p.m. beginning on or about June 27, 2015 and ending on or about October 3, 2015 including the one-day Farmers' Market Festival on Saturday, July 11, 2015 scheduled from 10:00 a.m. until 3:00 p.m. local time, also in the Somerset Street municipal parking lot across from Borough Hall; and

WHEREAS, pursuant to N.P.R.G.O. 4-7.11, the Borough Council may by resolution, permit any nonprofit or civic organization to conduct a "Special Event" on Borough property upon certain conditions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that the North Plainfield Economic Development Committee be permitted to conduct a Farmers' Market on the municipal parking lot on Somerset Street on Saturdays between the hours of 9:00 a.m. and 2:00 p.m. beginning on or about June 27, 2015 and ending on or about October 3, 2015 including the one-day Farmers' Market Festival on Saturday, July 11, 2015 scheduled from 10:00 a.m. until 3:00 p.m. local time.

BE IT FURTHER RESOLVED that the Borough Council waives the fifty dollar (\$50.00) license fee otherwise required by N.P.R.G.O. 4-7.11c for this "Special Event."

RESOLUTION NO. 06-22-15-02e RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH PHILLIPS PREISS GRYGIEL L.L.C. FOR AFFORDABLE HOUSING PLANNING ADVISORY SERVICES TO THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield is in need of affordable housing planning advisory services due to the recent New Jersey Supreme Court's decision; and,

WHEREAS, Phillips Preiss Grygiel, L.L.C., with a principal place of business located at 33-41 Newark Street, Third Floor, Suite D, Hoboken, New Jersey 07030 is in the business of providing Professional Planning Services and previously submitted a proposal for the following scope of work:

Proposal dated June 4, 2015 – Proposal for Professional Planning Services
Affordable Housing Compliance

WHEREAS, the Borough of North Plainfield is desirous of obtaining the services of Phillips Preiss Grygiel L.L.C. 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 award said contract to Phillips Preiss Grygiel L.L.C., 33-41 Newark Street, Third Floor, Suite D, Hoboken, New Jersey. 07030 and authorizes the Mayor and the Borough Clerk to sign and/or execute a Professional Services Agreement with Phillips Preiss Grygiel, L.L.C. 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. 06-22-15-02f RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT TO RETAIN SERVICES OFFERED BY THE STATE UNIVERSITY OF NEW JERSEY/RUTGERS REGARDING THE DEVELOPMENT OF HOUSING OBLIGATIONS

WHEREAS, the Borough of North Plainfield is in need of joining with other municipalities throughout the state to develop a reasonable fair share obligation number for the Borough as a result of the recent Supreme Court decision regarding COAH's inaction and the actions of the Fair Share Housing Center to promulgate numbers developed by its expert, David N. Kinsey; and,

WHEREAS, the State University of New Jersey, a.k.a. Rutgers has offered to provide the services of Dr. Robert Burchell and various other Rutgers experts to conduct an analysis and prepare a report of the housing need for each region within the State of New Jersey and the allocation of that need to the individual municipalities in the region; and

WHEREAS, these services are described and contained in

Municipal Shared Services Defense Agreement distributed by Jeffrey R. Surenian
and Associates, L.L.C. (a copy of which is attached)

WHEREAS, the Borough of North Plainfield is desirous of obtaining the services as described in the Municipal Shared Services Defense Agreement which will permit Rutgers to conduct an analysis of Housing Obligations.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute a Municipal Shared Services Defense Agreement distributed by Jeffrey R. Surenian and Associates, L.L.C. 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. 06-22-15-02g BE IT RESOLVED by the Council of the Borough of North Plainfield that it does hereby authorize the Mayor and Borough Clerk to execute an Agreement with Garden State Fireworks, Inc., P.O. Box 403, 383 Carlton Road, Millington, NJ 07946-2002 for the public display of fireworks on July 11th, 2015 with a rain date of July 18, 2015 for an amount not to exceed \$9,000.00.

RESOLUTION NO. 06-22-15-02h BE IT RESOLVED, by the Borough Council of the Borough of North Plainfield, that the Treasurer is authorized to cancel the following outstanding checks:

	<u>Ck#</u>	<u>Date</u>	<u>Amount</u>	
Unity # 770002392	17545	05/14	\$ 15.28	Current
	17607	05/14	40.70	
	17792	06/14	50.00	
	18037	08/14	50.40	
	18192	09/14	300.00	
	18512	11/14	18.00	
	18737	12/14	69.52	
Unity # 7700022830	112988	07/14	258.68	Payroll
	113120	08/14	1646.90	
	113203	08/14	128.98	
	113480	09/14	1576.40	
	113593	10/14	391.81	
	113660	11/14	226.26	
Unity # 770002848	5111	12/14	400.00	AGENCY

RESOLUTION NO. 06-22-15-02i 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 22nd day of June, 2015 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

COMMUNICATIONS:

Somerset County Office of Public Information Somerville, NJ	Various Communications, Advisories and News Releases
Richard K. Phoenix, RMC – Borough Clerk & Chief Operator, WPQJ970 – 1630-AM Radio	Calendar Updates and Advisories; Time-Sensitive Radio Scripts
Tri-County Chamber of Commerce South Plainfield, NJ	Newsletters & Advisories
NJ State League of Municipalities Trenton, NJ Frank D’Amore Sr. North Plainfield Plainfield Area Humane Society Plainfield, NJ NJ Highlands Commission Boonton, NJ Raritan River Initiative New Brunswick, NJ NJ DEP, Trenton, NJ NJ Alcoholic Beverage Control Trenton, NJ Public Service Electric & Gas Newark, NJ Michele Seigfried, Clerk Robbinsville Twp., NJ Diane Mamuric North Plainfield, NJ Envirotrack Environmental Services South Plainfield, NJ Tyree Environmental Moorestown, NJ	Various advisories and reports Property Maintenance communications Report and Invoicing Newsletters Newsletters Newsletter “POSSE” Information Notice of Hearings Drone Ordinance Inquiry Town Hall Meeting Inquiry Action Outcome: BP Service Station Route 22 Westbound Public Notification former Greenbrook Road Getty Station

REQUESTS FOR AGENDA ITEMS:

Council Vice President Singleterry requested a Resolution urging the State to raise the smoking age to 21.

PUBLIC COMMENT:

Frank N. D'Amore Sr., 40 Willow Avenue, North Plainfield, sharing his concerns with the lack of maintenance at the Villa Maria property, urged for the Borough to consider cutting the lawn and placing a lien against the property.

Mary Jo Tyson, 270 Lawrence Avenue, North Plainfield, inquired after the guidelines for brush pickup, specifically if the brush may be placed in barrels rather than bundles. Mr. Hollod offered to check with the Public Works Director. Ms. Tyson voiced her displeasure with a neighborhood dog's continual barking.

Diane Mamuric, 264 Lawrence Avenue, North Plainfield, commented as a fourteen year resident of the town. Stressing the importance of property maintenance, she voiced her displeasure with the high property taxes in town.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Speaking on behalf of Mayor Giordano, Mr. Hollod thanked Council President LaRonde and all of the volunteers for their hard work and dedication in putting together the annual Street Fair and Concert on June 13. The Recreation Baseball/Softball Picnic was held on June 17 at the Community Center. On behalf of Pack 135, he extended an invitation for all to attend the annual Rocket Derby which will be held on Tuesday, June 23 at West End School Field at 6:30 p.m. The Farmers Market will open on June 27 from 9:00 a.m. till 2:00 p.m. in the lot across from Borough Hall. The Annual 4th of July Parade will be held on Saturday, July 4 at 10:00 a.m. with annual Concert & Fireworks to be held at West End School Field on Saturday, July 11 at 7:00 p.m. The 5th Annual Somerset Street Summer Car Cruise will be held Monday, July 20 at 6:00 p.m. Explaining that the PSE&G work has progressed more quickly than anticipated, Mr. Hollod noted that this was the reason for no public notice of same.

Mr. Merrill announced that a new Middle School Principal had been hired, as well as a Human Resources Director and an Executive Secretary to the Superintendent of Schools. He thanked Mr. LaRonde for his efforts with the Street Fair.

Ms. Schaefer complimented the addition of the NJ Hall Of Fame Museum at the Street Fair.

Mr. Righetti thanked Mr. LaRonde for his efforts with the Street Fair.

Mr. Singleterry announced that Hawaii had become the first state to increase the smoking age to 21. After the same was enacted in Needham, Massachusetts, the Councilman reported an approximate fifty percent decrease in underage smoking.

Council President LaRonde commented on the Street Fair, advising of their good fortune with the weather. He thanked Mr. Hollod for his efforts in obtaining the State's museum and thanked the Special Events Committee members for their hard work on the Street Fair.

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

Meeting adjourned at 8:16 p.m.

Borough Clerk

Council President