

# BOROUGH OF NORTH PLAINFIELD

## AGENDA

**REGULAR COUNCIL MEETING**

**MONDAY, SEPTEMBER 9, 2019**

Borough Council Chambers  
263 Somerset Street, North Plainfield

7:30 p.m.

### **ROLL CALL:**

Council Members:           Aimee Corzo  
                                      Lawrence La Ronde  
                                      Everett Merrill  
                                      Keiona R. Miller  
                                      Wendy Schaefer  
                                      Douglas M. Singleterry  
                                      Frank "Skip" Stabile, Council President

Statement of Compliance as to Notice of Meeting

### **APPROVAL OF COUNCIL MEETING MINUTES:**

Agenda Conference and Regular Meeting of August 12, 2019

Roll Call

### **RESOLUTION:**

Mr. Singleterry:

**09-09-19-01 ORDINANCE NO. 19-08** AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH PLAINFIELD, MOST NOTABLY CHAPTER XVI, ENTITLED "ELECTION DISTRICTS"

Be read by its title by the Borough Clerk

Roll Call

### **CONSENT AGENDA**

Statement by Council President

Ms. Schaefer:

**09-09-19-02** Approving Consent Agenda

Roll Call

### **CONSENT AGENDA RESOLUTIONS:**

- a. Authorizing Issuance of Limousine Licenses
- b. Authorizing Tax Sale Fees

- c. Authorizing Electronic Tax Sale
- d. Authorizing Treasurer to Refund Dumpster Bond
- e. Authorizing Treasurer to Refund Road Opening Bond
- f. Authorizing Tax Collector to Cancel Taxes – Block 110 Lots 2.02 – 2.14
- g. Authorizing Tax Collector to Refund Overpaid Taxes
- h. Authorizing Renewal – Garden State Municipal Joint Insurance Fund Membership
- i. Awarding NJDOT Municipal Aid Program – Clinton Ave. Improvements
- j. Approving Consolidated Bill List of September 9, 2019

**COMMUNICATIONS:**

NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
Plainfield Area Humane Society Plainfield, NJ	Invoice and Report
Somerset County Business Partnership Somerville, NJ	Newsletters
NJ Dept. of Transportation, Trenton, NJ	Commitment to Communities
Public Service Electric & Gas, Newark, NJ	Gas Safety Awareness, Filing and Public Hearing Notice
Plainfield Area Regional Sewerage Authority Middlesex, NJ	Agenda and Minutes
Dept. of Environmental Protection Trenton, NJ	Weekly Update
NJ Alcoholic Beverage Control Trenton, NJ	Extension of Premises Application
NJ American Water, Voorhees, NJ	News Drop

**PUBLIC COMMENT**

General public comments shall be limited to five minutes for each individual.  
*(Rule 29 of the Borough Council's Rules of Order)*

**REQUESTS FOR AGENDA ITEMS**

**COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL**

**ADJOURNMENT**

***CONSENT AGENDA***

**September 9, 2019**

**RESOLUTION NOS. 09-09-19-02 a through j**

**RESOLUTION NO. 09-09-19-02**

**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

09-09-19-02 a, b, c, d, e, f, g, h, i, j

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: September 9, 2019

Adopted: September 9, 2019

**RESOLUTION NO. 09-09-19-02a**

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

BE IT RESOLVED by the Council of the Borough of North Plainfield that, pursuant to N.P.R.G.O. 4-1 et seq., it does hereby authorize the issuance of licenses for the owner/operation of limousines to the following for one year in accordance with the applications heretofore submitted:

Rafia E. Malik, t/a  
Atlantic Express Limousine Service LLC  
150 Ridge Avenue  
North Plainfield, NJ 07060

Ramon D. Cruz-Nieves, t/a  
Ramon D. Cruz-Nieves LLC  
2 Kennedy Court  
North Plainfield, NJ 07060

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Council President

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Council Member

Introduced: September 9, 2019

Adopted: September 9, 2019

**RESOLUTION NO. 09-09-19-02b**

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

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Borough of North Plainfield wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

BE IT RESOLVED by the Council of the Borough of North Plainfield that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2019 electronic tax sale.

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Council President

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Council Member

Introduced: September 9, 2019

Adopted: September 9, 2019

**RESOLUTION NO. 09-09-19-02c**

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

**AUTHORIZING AN ELECTRONIC TAX SALE**

**WHEREAS**, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services,

**WHEREAS**, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/Real Auction.com to conduct pilot programs, and

**WHEREAS**, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

**WHEREAS**, the Borough of North Plainfield wishes to participate in an electronic tax sale.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of North Plainfield, New Jersey, that the Tax Collector is hereby authorized to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services if necessary.

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Council President

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Council Member

Introduced: September 9, 2019

Adopted: September 9, 2019

**RESOLUTION NO. 09-09-19-02d**

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

**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 Dumpster Bond:**

Maureen Coxwell                      \$ 200.00  
184 Sandford Avenue  
North Plainfield, New Jersey 07060

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Council President

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Council Member

Introduced:    September 9, 2019

Adopted:        September 9, 2019



**RESOLUTION NO. 09-09-19-02e**

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

**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:**

Samuel Goergi                      \$ 1500.00  
38 Duer Street  
North Plainfield, New Jersey 07060

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Council President

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Council Member

Introduced:    September 9, 2019

Adopted:        September 9, 2019

**RESOLUTION NO. 09-09-19-02f**

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

**A RESOLUTION AUTHORIZING THE TAX COLLECTOR  
TO CANCEL TAXES**

**WHEREAS**, the Villa Maria Properties know as Block 110 Lots 2.02-2.14 in North Plainfield have been purchased by the Somerset County Improvement Authority and;

**WHEREAS**, the negotiations of said properties included tax balances to be canceled; and

**WHEREAS**, taxes have been levied on the aforementioned parcels for multiple quarters to include 2019;

**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 cancel taxes on these parcels totaling \$ 77,783.76:

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Council President

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Council Member

Introduced: September 9, 2019

Adopted: September 9, 2019

**RESOLUTION NO. 09-09-19-02g**

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

**WHEREAS**, Corelogic and Danielee Frallicciardi, both paid third Quarter Taxes on Block 97 Lot 13, Ms. Frallicciardi, the homeowner has requested refund of that over payment, 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:**

Danielle Frallicciardi.	\$ 1731.48
22 Park Place	
North Plainfield, NJ 07060	

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Council President

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Council Member

Introduced: September 9, 2019

Adopted: September 9, 2019

**RESOLUTION NO. 09-09-19-02h**

**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, 2020 to December 31, 2022 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: September 9, 2019

Adopted: September 9, 2019

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 September 9, 2019.

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Richard K. Phoenix, RMC  
Borough Clerk

**RESOLUTION NO. 09-09-19-02i**

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

**RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE  
MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT  
WITH S. BROTHERS, INC. FOR THE FY 2018 MUNICIPAL AID  
PROGRAM – CLINTON AVENUE IMPROVEMENTS (GREEN BROOK  
ROAD TO THE GREEN BROOK BRIDGE) IN THE BOROUGH OF  
NORTH PLAINFIELD**

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**WHEREAS**, the Borough of North Plainfield is in need of certain road improvements on Clinton Avenue in the Borough of North Plainfield (hereinafter referred to as the “Project”); and,

**WHEREAS**, the Borough of North Plainfield solicited bids for the Project and the following three (3) bids were received:

<b><u>Bidding Entity</u></b>	<b><u>Base Bid</u></b>
S. Brothers Inc.	\$351,878.56
Top Line Construction Corp.	\$355,162.36
Black Rock Enterprises, LLC	\$447,096.00

**WHEREAS**, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC, as well as Grotto Engineering Associates, LLC, the Borough’s Engineer on the Project, have reviewed the bid submissions and recommend the award of the bid and contract for the Project to the lowest responsive and responsible bidder, S. Brothers, Inc., whose main offices are located at 16 Sobechko Road, Manalapan, New Jersey 07726 (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: FY 2018 Municipal Aid Program – Clinton Avenue Improvements  
(Green Brook Road to the Green Brook Bridge)  
Successful Bidder: S. Brothers, Inc.  
Base Bid: In the Amount of Three Hundred Fifty-One Thousand Eight  
Hundred Seventy-Eight Dollars and Fifty-Six Cents (\$351,878.56)

**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 construction services of S. Brothers, 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 S. Brothers, Inc. for the Project known as the FY 2018 Municipal Aid Program – Clinton Avenue Improvements (Green Brook Road to the Green Brook Bridge).

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Council President

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Council Member

Introduced: September 9, 2019  
Adopted: September 9, 2019

### CERTIFICATION

I, Richard K. Phoenix, Borough Clerk for 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 Borough Council at a regular meeting of the Borough Council held on September 9, 2019.

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Richard K. Phoenix, R.M.C.  
Borough Clerk  
Borough of North Plainfield

Date signed:

**RESOLUTION NO. 09-09-19-02j**

**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 9<sup>th</sup> day of September, 2019 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: September 9, 2019

Adopted: September 9, 2019