

DRAFT MINUTES

These are the Draft Minutes of the Regular Meeting of the North Plainfield Borough Council held on Monday, 27 January 2020.

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 Council'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, **January 27, 2020** at 7:53 p.m. at the North Plainfield Borough Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

PRESENT:

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

Also Present: Michael Giordano, Jr., Mayor
David Hollod, Business Administrator
Eric M. Bernstein, Esq., Borough Attorney
Richard K. Phoenix, RMC, Borough Clerk
Stephanie Sherwood, RMC, CMR, Deputy 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 November 18, 2019. 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*, *The Alternative Press*, *WJLP-TV* and *WKMB* Radio on November 19, 2019, and by posting a copy of this notice on the bulletin boards in the Municipal Building and Memorial Library reserved for such purpose."

The Clerk had submitted copies of the minutes of the Regular Meeting of January 13, 2020.

The Council President called for a Roll Call on the minutes: All in favor.

APPOINTMENTS BY MAYOR REQUIRING COUNCIL CONFIRMATION:

LICENSED SEWER OPERATOR:

Joseph Aidukas

One-year term

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

RESOLUTION NO. 01-27-20-01 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 20-01 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing February 10, 2020 at 7:30 p.m. or as soon thereafter as the matter can be heard, as the time and the North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey as the place for hearing and final adoption.

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

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 20-01 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER XI, PROPERTY MAINTENANCE CODE, MOST NOTABLY SECTION 11-13, TITLED "VACANT PROPERTY REGISTRATION."

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.

Ms. Miller requested that item "a" be removed for separate vote.

Mr. Bernstein advised of a change to item "c" as Franklin G. Whittlesey had to decline the position of Alternate Municipal Court Prosecutor. He requested that the resolution be adopted this evening with a new name to be presented at a later date.

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

RESOLUTION NO. 01-27-20-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

01-27-20-02 b, c, d, e, f, g, h

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

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

APPROVED CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 01-27-20-02b RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD APPOINTING A LICENSED SEWER OPERATOR

WHEREAS, the Borough of North Plainfield is in need of a professional to act as the Borough's C-4 Sanitary Sewer Operator for the 2020 calendar year; and

WHEREAS, the Borough wishes to retain the services of Joseph Aidukas of Mott MacDonald to act as the Borough's C-4 Sanitary Sewer Operator and believes that Joseph Aidukas is eminently qualified to perform such engineering services.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that Joseph Aidukas of Mott MacDonald is hereby appointed as the Borough's C-4 Sanitary Sewer Operator for the 2020 calendar year.

RESOLUTION NO. 01-27-20-02c RESOLUTION APPOINTING MUNICIPAL COURT PROSECUTOR AND ALTERNATE MUNICIPAL COURT PROSECUTOR TO THE NORTH PLAINFIELD MUNICIPAL COURT FOR CALENDAR YEAR 2020

WHEREAS, the Mayor and Borough Council on January 13, 2020 appointed Eric M. Bernstein & Associates, L.L.C. as Municipal Court Prosecutor to the North Plainfield Municipal Court for calendar year 2020; and,

WHEREAS, the Director of Law/Borough Attorney and the Mayor wish to make changes in said designation, effective February 1, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that, as of February 1, 2020, the Municipal Court Prosecutor and Alternate Municipal Court Prosecutor to the North Plainfield Municipal Court, as well as Conflict Prosecutor for calendar year 2020 shall be as follows:

Municipal Court Prosecutor: Raymond J. Stine, Esq. of Shain Schaffer P.C. Mr. Stine shall be compensated at an annual salary of \$30,000.00, less all applicable deductions pro-rated from February 1, 2020.

Alternate Municipal Court Prosecutor: Franklin G. Whittlesey, Esq. of Scholl Whittlesey & Gruenberg L.L.C. Mr. Whittlesey shall be compensated at an annual salary of \$10,000.00, less all applicable deductions pro-rated from February 1, 2020.

Conflict Prosecutor: Eric M. Bernstein & Associates, L.L.C., effective February 1, 2020 with compensation to be paid at the Firm's hourly rate for other Borough work.

Messrs. Stine and Whittlesey shall remain in their respective positions until a successor for each is qualified and appointed.

RESOLUTION NO. 01-27-20-02d RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES

WHEREAS, the Church of God Prophecy of NJ also known as Block 97 Lot 12.02 was deemed exempt from property taxes per the Assessor and;

WHEREAS, taxes have been levied on the aforementioned parcel for multiple quarters to include 2019 and 2020;

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 this parcel.

RESOLUTION NO. 01-27-20-02e 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 certificate(s) as follows:

Block 5 Lot 8.04 260 North Drive # 12-00020 issued 10/23/12

RESOLUTION NO. 01-27-20-02f RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES

WHEREAS, the parcel of 12 Duer Street also known as Block 92 Lot 18.02 (mother lot) was deemed 2 separate properties per the Assessor and assessed as such and;

WHEREAS, taxes had been levied on both mother and sub parcels for the same quarters and mother lot was inadvertently sold at tax sale;

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 this parcel and refund payment to lienholder:

RESOLUTION NO. 01-27-20-02g WHEREAS, the following organization has been issued identification number 352-5-31277 by the New Jersey Legalized Games of Chance Control Commission and has submitted applications to conduct raffles; and

WHEREAS, investigation has shown that this organization meets the requirements for the issuance of raffles licenses;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be and is hereby authorized to issue raffles licenses to the following:

North Plainfield Youth Sports Association
233 Henry Court, North Plainfield
On-premises 50-50 cash draw raffle:

RL -1188

RESOLUTION NO. 01-27-20-02h 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 27th day of January, 2020 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

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

RESOLUTION NO. 01-27-20-02a Resolution Requesting Approval of Items of Revenue and Appropriation

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

WHEREAS, the Borough of North Plainfield has applied for a grant titled Emergency Management Agency Assistance (FY19-EMPG-EMAA-1814) in the amount of \$10,000.00;

WHEREAS, the Borough of North Plainfield has been granted a subaward (CFDA#: 97.042) for the performance period of July 1, 2019 through June 30, 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of North Plainfield, in the County of Somerset, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020; and

BE IT FURTHER RESOLVED, that the subgrant, consisting of a total amount of up to \$20,757.46, including up to \$10,000.00 Federal Award and up to \$10,747.46 Local Matching Funds is for the purpose of enhancing the Borough of North Plainfield's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

BE IT FURTHER RESOLVED, that these funds will be used for the purposes of salary, wages and fringe benefits for the staffing of the Office of Emergency Management; and

BE IT FURTHER RESOLVED, that the Borough of North Plainfield does accept the Subaward, and authorizes Brian L Martin, the Coordinator of the Office of Emergency Management to execute all documents related to this grant program.

Seconded by Mr. Singleterry with Roll Call as follows:

Ayes: Corzo, La Ronde, Merrill, Schaefer, Singleterry, Stabile
 Abstain: Miller

Resolution carried 6-0-1.

COMMUNICATIONS:

NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
County of Somerset, Somerville	Newsletters & General Correspondence
Plainfield Area Humane Society Plainfield, NJ	Invoice and Report
Somerset County Business Partnership Somerville, NJ	Newsletters
Comcast, Union, NJ	2019 Franchise Fee
Verizon, Springfield, NJ	Report of 2019 Franchise Fee Remittance
Dennis Passe, North Plainfield	Home Movie: 1960 Parade
Tina Totten, North Plainfield	Meeting Advisory, Green Brook Flood Control Commission
FEMA, Washington, DC	Mitigation Minute
NJ Highlands Coalition, Boonton, NJ	Newsletters
Frank N. D’Amore Sr., North Plainfield	Property Maintenance Report
Green Brook Flood Control Commission	Invoicing
NJ State Treasurer, Trenton, NJ	Hotel/Motel Occupancy Tax Distribution

REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENT:

Frank D’Amore, Sr., 40 Willow Avenue, North Plainfield, urged for a revision of section 11-6.22 of the Borough Code which would require the issuance of a new rental certificate of occupancy every twelve months.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

Mayor Giordano reported on the Salute North Plainfield Hometown Heroes Banner Program which will recognize North Plainfield men and women who have served, are currently serving, or have given their lives for our country in the United States Armed Forces. The Super Hero Lunch sponsored by the Optimist Club of North Plainfield will be held on Saturday, February 1 from 11:30

a.m. to 1:00 p.m. at the Community Center. Music at the Mansion featuring violinist Lucia Nowik will be held on Sunday, February 9 at 3:00 p.m. at the Vermeule Mansion. Winterfest 2020 will be held on Saturday, February 22 from 11:00 a.m. to 2 p.m. at North Plainfield High School.

Ms. Miller reported that the Black History Month Celebration will be held on Sunday, February 16 from 4:00 p.m. to 6:00 p.m. at the North Plainfield High School Auditorium.

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

RESOLUTION NO. 01-27-20-03 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:

PROPERTY UPDATE: VILLA MARIA

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 executive session.

Seconded by Mr. La Ronde and on Roll Call carried all seven voting aye. Executive Session convened at 8:09 p.m.

EXECUTIVE SESSION

Motion to come out of Executive Session by Mr. La Ronde, seconded by Ms. Schaefer and carried unanimously.

Council President Stabile reconvened the meeting at 8:48 p.m. with all seven council members present.

Mr. Bernstein advised that all council members present at the convening of the regular meeting were still present, as well as the Mayor, Business Administrator, Director of Law, Borough Clerk and Deputy Borough Clerk. Discussion regarding the on-going litigation on the former Villa Maria property was conducted with no formal action required.

Motion to adjourn by Mr. La Ronde, seconded by Ms. Miller and on voice vote carried unanimously.

Meeting adjourned at 8:49 p.m.

Borough Clerk

Council President