

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Tuesday, June 9, 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 (virtual) Meeting of the Council of the Borough of North Plainfield held on Tuesday, **June 9, 2020** at 4:07 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 (4:09 p.m.)
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 Pledge of Allegiance to the Flag was led by Mr. Phoenix.

Council President Stabile requested a moment of silence for the men and women serving in our Armed Forces.

The Council President read the following Notice of Compliance:

"This virtual 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 June 5, 2020 and by posting a copy of this notice on the bulletin boards in the Municipal Building and the Memorial Library reserved for such purpose."

Mayor Giordano read the Mayor's Call of Meeting:

I, Michael Giordano, Jr., Mayor of the Borough of North Plainfield, do hereby call a Special Meeting of the North Plainfield Borough Council for Tuesday, June 9, 2020 at 4:00 PM. Such Meeting is expected to be conducted by telephone/videoconference due to the current COVID-19 Virus Public Health Emergency declared by Governor Philip Murphy which requires social distancing measures that would not be achievable in the customary location in the Council Chambers at North Plainfield Borough Hall in addition to P.L. 2020, c.11.

The Borough Clerk is charged with providing proper notice of the Meeting to all applicable parties, setting up the technical parameters of the meeting, training the participants in the proper use/procedures of the telephone/videoconferencing methodology and conducting the Meeting in accordance with all governing statutes, including the allowance for public participation. The purpose of this Special Council Meeting is to consider and vote to introduce an amended Fair Share Housing Ordinance, consider and vote on an Ordinance to prohibit parking on a portion of Jennings Lane designated as a turnaround area, consider and vote on the introduction and approval of a Redevelopment Plan for the former Villa Maria Site, consider and vote on the designation of a developer to construct affordable housing on a portion of the former Villa Maria Site, consider and vote on a Resolution to authorize issuance of Estimated Tax Bills, vote on a Resolution to Authorize Use of Storm Recovery Reserves to protect our citizens during the current Covid-19 Health Emergency, make appointments to the Green Brook Flood Control Commission, approve payments of bills, and conduct any other such matters of business as may be necessary and required to be approved at an otherwise regularly scheduled Council Meeting. An Executive Session is called for the beginning portion of the Meeting immediately after Roll Call to discuss matters of pending/anticipated litigation with regard to the Borough's Affordable Housing Obligation, under the prerogative of Attorney/Client Privilege.

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

RESOLUTION NO. 06-09-20-01 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:
COAH OBLIGATION

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 4:12 p.m.

EXECUTIVE SESSION

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

Council President Stabile reconvened the meeting at 4:57 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 included an update relative to the Borough's on-going desire to seek compliance with their Affordable Housing obligation.

The Clerk had submitted copies of the minutes of the Regular Meeting of April 27, 2020.

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

APPOINTMENTS BY MAYOR TO BOARDS, COMMITTEES AND COMMISSIONS REQUIRING COUNCIL CONFIRMATION:

GREEN BROOK FLOOD CONTROL COMMISSION:

William F. Crosby III

Five-year unexpired term

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

RESOLUTION NO. 06-09-20-02 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 20-03 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing July 21, 2020 at 4:00 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 Mr. Merrill and on Roll Call carried all seven voting aye.

The Clerk read the ordinance by its title as follows:

ORDINANCE NO. 20-03 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, CHAPTER VII ENTITLED, "TRAFFIC," SECTION 7-3 ENTITLED, "PROHIBITED PARKING," MOST NOTABLY SECTION 7-3.4, ENTITLED, "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS," SECTION 7A-2, SCHEDULE II, "NO PARKING."

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

RESOLUTION NO. 06-09-20-03 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 20-04 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing July 21, 2020 at 4:00 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. 20-04 AN ORDINANCE REPEALING AND REPLACING IN ITS ENTIRETY ARTICLE IX OF CHAPTER XXII OF THE “CODE OF THE BOROUGH OF NORTH PLAINFIELD” REGARDING AFFORDABLE HOUSING, TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) AND TO COMPLY WITH THE BOROUGH’S THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

Mr. La Ronde presented the following Resolution and moved its adoption:

RESOLUTION NO. 06-09-20-04 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 20-05 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing July 21, 2020 at 4:00 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. 20-05 AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR AN AREA IN NEED OF REDEVELOPMENT CONSISTING OF BLOCK 110, LOTS 2.02 TO 2.14 IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, et. seq.

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.

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

RESOLUTION NO. 06-09-20-05 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

06-09-20-05 a, b, c, d, e, f, g, h, i, j, k, l, m

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

RESOLUTION NO. 06-09-20-05g A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES

WHEREAS, the parcel of 75-77 Jackson Avenue also known as Block 48 Lot 24.02 (mother lot) was deemed 2 separate properties per the Assessor and assessed as such and;

WHEREAS, taxes were being levied on both mother and sub parcels for the same quarters and creating duplicate tax amounts;

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. 06-09-20-05h BE IT RESOLVED by the Council of the Borough of North Plainfield that upon nomination by the Mayor and with the advice and consent of this Council, WILLIAM F. CROSBY III be and hereby is appointed to the GREEN BROOK FLOOD CONTROL COMMISSION of the Borough of North Plainfield to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2023, and until his successor shall have been appointed and qualified.

RESOLUTION NO. 06-09-20-05i RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD AUTHORIZING A CONTRACT WITH BUSINESS & GOVERNMENT INSURANCE AGENCY FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES

WHEREAS, the bylaws of the Garden State Municipal Joint Insurance Fund require professional risk management consulting services to be performed; and

WHEREAS, the Business & Government Insurance Agency has offered its professional risk management consulting services to the Borough of North Plainfield for the Fund Year January 1, 2020 to December 31, 2020; and

WHEREAS, the Business & Government Insurance Agency has proposed compensation for its services in the amount of seven percent (7%) of the Borough's annual assessment as promulgated by the Garden State Municipal JIF.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that Business & Government Insurance Agency be and is hereby appointed to provide professional risk management consulting services as referenced herein and that the Fund Commissioner and Borough Clerk are hereby authorized to execute all documents relevant to this service.

RESOLUTION NO. 06-09-20-05j RESOLUTION AUTHORIZING AN EXTENSION FOR THE RENEWAL OF LICENSES FOR THE DISPLAY OR STORAGE FOR SALE OF MOTOR VEHICLES.

WHEREAS, pursuant to §4-10 of the Revised General Ordinances of the Borough of North Plainfield all licenses for the display or storage for sale of motor vehicles are issued for a term of one (1) year from July 1st to June 30th of each year; and,

WHEREAS, due to the impact that the COVID-19 pandemic has had on businesses that are required to maintain such licenses, the Borough finds that it is appropriate and necessary in these extraordinary times to extend the current license period for thirty (30) days until July 30, 2020, to allow licensees additional time to submit their applications for the renewal and approval of their licenses.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the current period for licenses issued for the display or storage for sale of motor vehicles is hereby extended for an additional thirty (30) days until July 30, 2020.

RESOLUTION NO. 06-09-20-05k RESOLUTION AUTHORIZING THE DESIGNATION OF REGION NINE UAW HOUSING CORPORATION AS REDEVELOPER OF THOSE CERTAIN PARCELS OF PROPERTY DESIGNATED AS BLOCK 110, LOTS 2.02 THROUGH 2.13 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF NORTH PLAINFIELD.

WHEREAS, the Borough of North Plainfield (“Borough”) previously determined that property designated as Block 110, Lots 2.02 through 2.14 on the Official Tax Map of the Borough (the “Property”) also known as the Villa Maria site, is an area in need of redevelopment in accordance with the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and,

WHEREAS, the Borough desires to designate a redeveloper for the development of low- and moderate-income family rental dwelling units on Lots 2.02 through 2.13 (Lot 2.14 will remain as open space) of the Property to help fulfill the Borough’s Third (3rd) Round affordable housing obligations and implement the Borough’s adopted Housing Element and Fair Share Plan; and,

WHEREAS, Region Nine UAW Housing Corporation (“RNHC”), a non-profit 501c(3) organization that was established in 1970 to sponsor, promote, and provide affordable housing to meet the needs of low to moderate income seniors, persons with disabilities, and families, proposes to develop up to twenty-four (24) units of affordable housing on Lots 2.02 through 2.13 of the Property; and,

WHEREAS, the Borough desires to designate RNHC as the redeveloper for Lots 2.02 through 2.13 of the Property as to the creation of up to twenty four (24) affordable housing units.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey as follows:

1. The above recitations are incorporated herein as if set forth at length; and,

2. RNHC is hereby designated as the Redeveloper for the redevelopment of Block 110, Lots 2.02 through 2.13 of the Property; and,
3. This designation is expressly contingent upon the Redeveloper being responsible for and assuming all costs incurred by the Redeveloper, including, but not limited to its own legal, appraisal, title, environmental, financial, engineering, etc.; and,
4. This designation is also expressly contingent upon the Redeveloper obtaining all funds necessary for the acquisition (if applicable), relocation, property maintenance, any and/or all of which amongst other things is necessary and at the Property and for the construction of the proposed Project; and,
5. The designation herein is for a period of two hundred seventy (270) calendar days, which period may be extended if necessary at the sole discretion of the Borough for an additional period of two hundred seventy (270) calendar days.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute any and all documents and/or agreements necessary to effectuate this Resolution on behalf of the Borough, subject to review and approval of the Borough Attorney.

RESOLUTION NO. 06-09-20-05/ 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 9th day of June, 2020 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. 06-09-20-05m RESOLUTION AUTHORIZING THE REVIEW OF APPLICATIONS FOR TEMPORARY COVID-19 EXPANSION OF PREMISES PERMITS PURSUANT TO SPECIAL RULING NO. SR 2020-10 OF THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL OF THE STATE OF NEW JERSEY.

WHEREAS, by Executive Order No. 150 (2020), Governor Murphy announced that, given the reduced transmission of COVID-19 outdoors, licensees or permittees with on-premises liquor retail consumption privileges would be permitted to reopen their establishments and serve patrons in outdoor areas; and,

WHEREAS, to facilitate this reopening, which is to become effective on June 15, 2020, the Director of the Division of Alcoholic Beverage Control (the "Division") has determined that it is necessary to create a temporary permit, known as the COVID-19 Expansion of Premises Permit ("COVID-19 Expansion Permit"), to enable licensees and permittees to expand their liquor licensed premises into outdoor areas, either contiguous or non-contiguous to their permanently licensed premises; and,

WHEREAS, on June 3, 2020, the Director of the Division issued Special Ruling No. SR 2020-10 establishing which licensees are eligible for COVID-19 Expansion Permits, the application process, and the privileges and limitations of the COVID-19 Expansion Permits; and,

WHEREAS, upon the submission to the Division of a completed COVID-19 Expansion Permit the application will be transmitted by the Division to the municipal clerk and police chief (or designee) of the municipality where the license is issued for municipal review; and,

WHEREAS, the Division will not take action on any application for a COVID-19 Expansion Permit until it receives an endorsement or approval by the appropriate municipal officials.

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 Clerk and the Borough Chief of Police (or designee) are hereby authorized to review and recommend for approval by the State of New Jersey, Division of Alcoholic Beverage Control all applications for COVID-19 Expansion Permits, without the need for any further action of this Borough Council, which meet all of the requirements of Executive Order No. 150 and Special Ruling No. SR 2020-10.

BE IT FURTHER RESOLVED that the Borough Clerk and the Borough Police Chief’s (or designee’s) recommendation for approval of such COVID-19 Expansion Permits shall be subject to the review and recommendation of any and all other appropriate Borough Officials and/or departments including, but not limited to, the Borough Fire Department and Zoning Official.

COMMUNICATIONS:

NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
State of NJ – Dept. of Environmental Protection, Trenton, NJ	Weekly Newsletters
County of Somerset, Somerville, NJ	Newsletters & Communications
Richard K. Phoenix, RMC – Borough Clerk & Chief Operator, WPQJ970-1630-AM Radio	Updated Radio Scripts and Technical memos
Plainfield Area Humane Society Plainfield, NJ	Report and Invoicing
Plainfield Area Regional Sewerage Authority Middlesex, NJ	Minutes and Agenda

PUBLIC COMMENT:

Eileen Chambers, 108 Jennings Lane, North Plainfield, thanked the Council for bringing forth Ordinance No. 20-03 which will restrict parking on the south side of the dead end on Jennings Lane.

Nick Yager, 450 Grove Street, North Plainfield, expressed concerns with the rehabilitation plan for the old Villa Maria property. He noted a potential discrepancy with the boundary designations which may exclude a portion of his driveway.

Nyja Canada, 144 Delacy Avenue, North Plainfield, voiced her concerns with vehicles speeding on Grandview Avenue between Sandford Avenue and Westervelt Avenue. Mr. Hollod assured that he would share her concerns with the Traffic Division of the Police Department.

REQUESTS FOR AGENDA ITEMS:

Mr. La Ronde requested an update on the pet ordinance.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

Mayor Giordano recognized the North Plainfield High School student representatives for a peaceful demonstration, as well as members of the Police Department for taking the time to walk around and talk with the participants. The Fourth of July fireworks will be postponed until September 5. The Farmers Market will be held on Saturdays beginning June 27.

Reporting that all employees were back to full time hours in Borough Hall, Mr. Hollod noted that they continue to look at ways to safely reopen the building to the public.

Ms. Corzo thanked the students and the Police Department for a successful and peaceful demonstration.

Mr. Merrill reported on the Middle School gymnasium mercury levels which were nowhere near a harmful level. A power point is available on the Board of Education's website. Plans for a possible outdoor graduation are in the works for early July.

Ms. Miller commended the student organizers for a peaceful demonstration. For all to take a knee for the amount of time a black American lost his life was one of the most moving moments. Injustice anywhere is a threat to justice everywhere.

Reporting that June is Pride month, Mr. Singleterry suggested displaying Pride flags in recognition of same.

Council President Stabile thanked Messrs. Grygiel and Ceberio for their input with the Affordable Housing ordinances. He thanked the high school students and Police Department members for their participation in the demonstration. Reporting that many diverse people took a knee for eight minutes, it was quite powerful, he remarked. He then thanked his wife for dialing into the virtual meeting from Brazil.

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

Meeting adjourned at 5:45 p.m.

Borough Clerk

Council President