

DRAFT MINUTES

These are the Draft Minutes of the Regular Meeting of the North Plainfield Borough Council held on Monday, 14 February 2022. 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 Monday, **February 14, 2022** at 9:04 p.m. via Zoom.

PRESENT:

Council Members: Aimee Corzo
Suzette Given
Steven McIntyre
Everett Merrill, Council Vice President
Keiona R. Miller
Wendy Schaefer
Frank "Skip" Stabile, Council President

Also Present: Lawrence La Ronde, Mayor
David Hollod, Business Administrator
Phil George, Esq., Associate Borough Attorney
Patrick DeBlasio, Chief Financial Officer
Richard K. Phoenix, RMC, Borough Clerk
Stephanie Sherwood, RMC, CMR, Deputy Clerk

Mr. Phoenix 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 February 7, 2022 and by posting a copy of this notice on the bulletin boards in the Municipal Building and the Memorial Library reserved for such purpose."

The Clerk had submitted copies of the minutes of the Regular Meeting of January 24, 2022.

The Council President called for a roll call on the minutes: All in favor.

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

RESOLUTION NO. 02-14-22-01 WHEREAS, the United States honors the contributions and sacrifices of African Americans who have helped shape the Nation every February; and,

WHEREAS, Black History Month was first set out in 1926 by Carter G. Woodson, the “Father of Black History” as a time to enrich people’s understanding and appreciation of Black History and culture; and,

WHEREAS, what began as a week-long observance evolved into a month-long celebration officially recognized by President Gerald R. Ford during the American Bicentennial Year 1976 who called upon Americans to “seize the opportunity to honor the too-often neglected accomplishments of Black Americans”; and,

WHEREAS, February was chosen primarily because its second week coincides with the birthdays of President Abraham Lincoln who emancipated the slaves and Frederick Douglas, a prominent abolitionist; and,

WHEREAS, Barack Obama, our first Black president declared in 2016 that Black history shouldn’t be treated as though it is somehow separate from our collective American history; and,

WHEREAS, this year’s Black History Month is dedicated to Black Health and Wellness in recognition of the continuing fight against the Covid-19 virus and its variants which have caused a disproportionate number of African Americans to become ill and die; and,

WHEREAS, the Coronavirus siege has affected all segments of our population in Somerset County and New Jersey; now, therefore,

BE IT RESOLVED by the Council of the Borough of North Plainfield that Black History Month 2022 be recognized for its annual theme of tribute to the historical achievements of our African Americans; and, be it further resolved that this Governing Body endorses this year’s Black History Month theme intended to bolster the health of one and all in our diverse community.

Seconded by Ms. Corzo and on roll call carried unanimously.

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. McIntyre presented the following Resolution and moved its adoption:

RESOLUTION NO. 02-14-22-02 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

02-14-22-02a, 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.

Seconded by Ms. Miller and on roll call carried unanimously.

APPROVED CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 02-14-22-02a 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 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/RealAuction.com to conduct pilot programs, and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale, and

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

WHEREAS, the Borough of North Plainfield wishes to participate in the pilot program for an electronic sale.

BE IT RESOLVED by the Council of the Borough of North Plainfield that Kathleen Intravartolo is hereby authorized and directed to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

RESOLUTION NO. 02-14-22-02b WHEREAS, Leretta and the home owner, Eduardo Garcia both paid taxes on Block 109 Lot 4, in error, Mr. Garcia has requested refund of that over payment to be refunded to the him, 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:

Eduardo Garcia \$ 3,731.40
8 New Walnut Street

North Plainfield, NJ 07060

RESOLUTION NO. 02-14-22-02c WHEREAS, the following organization has been issued identification number 352-5-27290 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 a raffles license to the following:

West End School PTA
447 Greenbrook Road, North Plainfield
On-premises merchandise draw raffle – RL # 1197
March 19, 2022, 3:00 – 9:00 p.m.

RESOLUTION NO. 02-14-22-02d 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, 2022 to December 31, 2022; 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. 02-14-22-02e RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD AUTHORIZING MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH SOMERSET COUNTY FOR USE OF BOROUGH POLICE OFFICERS

WHEREAS, the County of Somerset provides various services and functions which require the use of municipal police officers in order to supplement its own force and effectively perform those services and functions; and,

WHEREAS, the Borough of North Plainfield has provided the County of Somerset with Borough police officers in the past and wishes to continue to do so on an “as available” and “as needed” basis; and,

WHEREAS, the Borough of North Plainfield wishes to enter into an agreement with the County of Somerset which will govern the use of Borough police officers by the County of Somerset, a copy of which proposed Agreement is attached hereto as Exhibit A and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute the Agreement with the County of Somerset for the use of Borough police officers for various services and functions, which Agreement is attached hereto and made a part hereof.

RESOLUTION NO. 02-14-22-02f 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:

Mohammad W. Chaudhry
 46 Mountain Avenue
 North Plainfield, NJ 07060

RESOLUTION NO. 02-14-22-02g AUTHORIZING AMENDMENT TO THE 2022 TEMPORARY BUDGET

WHEREAS, the Revised Statutes of New Jersey 40A:4-20 provides for the adoption of temporary appropriations in addition to temporary appropriations necessary for the period between the beginning of the current fiscal year and the date of the adoption of the Local Budget for the Year 2022;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Council of the Borough of North Plainfield, that the following amendments to the temporary appropriations be made in the amounts and for the purposes herein set forth for the period between January 1st, 2022 and the adoption of the Local Budget for the Borough of North Plainfield, County of Somerset and State of New Jersey for the fiscal Year 2022:

<u>A/C #</u>	<u>CURRENT FUND</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
20-100	Department of Administration	\$ 60,000.00	\$ 3,425.00
20-110	Borough Council		1,000.00
20-120	Borough Clerk	36,250.00	5,625.00
20-130	Department of Finance	75,500.00	3,500.00
20-135	Annual Audit		10,000.00
20-145	Tax Collection		3,250.00
20-150	Division of Assessments	25,500.00	1,600.00

20-151	Tax Appeals		7,500.00
20-155	Department of Law		75,000.00
20-165	Engineering		12,500.00
20-175	Historical Commission	750.00	250.00
21-180	Planning Board	300.00	1,250.00
21-185	Board of Adjustments	300.00	1,500.00
22-195	Uniform Construction Code	51,250.00	2,500.00
23-210	Liability Insurance		200,000.00
23-220	Group Insurance		525,000.00
23-225	Unemployment Compensation		5,000.00
25-240	Police	1,483,750.00	5,000.00
25-241	Crossing Guards	44,750.00	0.00
		Salaries	Other
A/C #	CURRENT FUND	& Wages	Expenses
25-252	Emergency Management	6,000.00	2,805.00
25-265	Fire Protection	1,012,250.00	16,325.00
25-266	Fire Hydrant		52,196.25
25-267	Uniform Fire Code	3,000.00	4,736.75
25-268	LOSAP		800.00
25-269	Emergency Medical Services		10,000.00
25-275	Borough Prosecutor	6,750.00	0.00
26-290	Street & Roads	300,000.00	200,000.00
26-310	Building & Grounds		25,500.00
26-315	Vehicle Maintenance		58,875.00
27-330	Health	43,750.00	34,875.00
27-340	Dog Regulation		15,000.00
28-370	Recreation	54,875.00	7,925.00
28-375	Maintenance of Parks		2,000.00
28-380	Shade Tree Advisory Board		2,500.00
30-415	Retirement Benefits		75,000.00
30-420	Celebration of Public Events		3,750.00
31-201	Contingent		2,500.00
31-430	Electricity		100,000.00
31-440	Telephone		20,000.00
31-445	Water		7,000.00
31-446	Natural Gas		20,000.00
31-460	Gasoline		43,750.00
31-461	Technology		50,000.00
31-462	Postage		10,000.00
31-471	Employees Retirement System		356,057.25
36-472	Social Security		115,000.00
36-474	Consolidated Police/Fire Retirement		0.00
36-475	Police/Fireman Retirement		2,214,766.25
41-899	Matching Funds for Grants		1,250.00
42-300	COAH Housing		2,500.00
42-305	Somerset County Recycling		50,000.00
42-405	Parking Meters	21,250.00	0.00

42-520	NJDEP Permit Fee		1,312.50
43-490	Municipal Court	84,250.00	5,400.00
43-495	Public Defender		1,000.00
62-405	Capital Equipment		<u>18,000.00</u>
	Totals	\$3,310,475.00	\$4,394,724.00

<u>A/C #</u>	<u>SEWER UTILITY FUND</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
55-501	Sewer Operating	\$ 51,250.00	\$ 25,000.00
55-502	Plainfield Area Regional Sewer		750,000.00
55-541	Social Security		4,250.00
55-542	Unemployment Comp Insurance		<u>250.00</u>
	Totals Sewer Utility	<u>\$ 51,250.00</u>	<u>\$ 779,500.00</u>

RESOLUTION NO. 02-14-22-02h 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 14th day of February, 2022 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

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

RESOLUTION NO. 02-14-22-03 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:

Attorney/Client Privilege (Real Estate/Affordable Housing)

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 Ms. Miller and on roll call carried unanimously. Executive Session convened at 9:13 p.m.

EXECUTIVE SESSION

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

Council President Stabile reconvened the meeting at 10:11 p.m. with all seven council members present.

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

RESOLUTION NO. 02-14-22-04 RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF, VARIOUS DOCUMENTS WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY AND THE APPROVAL OF THE FIRST AMENDMENT TO THE LEASE PURCHASE AGREEMENT RELATING TO THE ISSUANCE OF COUNTY GUARANTEED LEASE REVENUE BONDS (BOROUGH OF NORTH PLAINFIELD PROJECT) BY THE SOMERSET COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Somerset County Improvement Authority (the "*Authority*"), a public body corporate and politic constituting an instrumentality of the State of New Jersey (the "*State*") established and created under the provisions of the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State and the acts amendatory thereof and supplemental thereto (the "*Act*"), and the Borough of North Plainfield (the "*Borough*"), a municipal corporation of the State of New Jersey, located in the County of Somerset, entered into a Lease Purchase Agreement, dated as of April 1, 2019 (the "*Lease Purchase Agreement*"), relating to; (i) the acquisition of certain real property commonly known as 641 Somerset Street and designated as Block 110, Lot 2.14 (comprising 12.2± acres) (the "*Open Space Lot*"), and Block 10, Lots 2.02 through 2.13 (comprising 2.13± acres) (the "*Affordable Housing Lots*"; and together with the Open Space Lot, the "*Property*"), on the Borough's Tax Assessment Maps and the existing buildings and structures thereon; and, (ii) the demolition and removal of such buildings and structures located thereon (the "*Project*"); and,

WHEREAS, the Authority has financed the Project on a temporary basis through the issuance from time to time of its County Guaranteed Lease Revenue Project Notes (Borough of North Plainfield Project), most recently on February 25, 2021 and maturing on February 25, 2022 in the amount of \$5,125,000 (the "*2021 Project Notes*"), all in anticipation of the issuance of bonds under and pursuant to a general bond resolution of the Authority duly adopted on February 19, 2019, as amended and supplemented to date (the "*General Bond Resolution*"); and,

WHEREAS, in order to permanently finance the Project, the Authority will issue bonds in one or more series from time to time in an aggregate principal amount not to exceed \$5,750,000, to be designated as "County Guaranteed Lease Revenue Bonds, Series 2022 (Borough of North Plainfield Project)" (the "*Bonds*"), with such further designation as may be provided therein and in accordance with the terms of the General Bond Resolution, and any Supplemental Resolution or Certificate of Authority Officer (as such terms are defined in the General Bond Resolution) related to the Bonds; and,

WHEREAS, the Borough intends to convey the Affordable Housing Lots and a small portion of the Open Space Lot to a private developer for the purpose of construction of an affordable housing project, and upon such conveyance desires to remove such lots from the Project and the Lease Purchase Agreement and, in order to accomplish the same, the Authority and the Borough desire to amend the Lease Purchase Agreement as set forth in the First Amendment to the Lease Purchase

Agreement by and between the Authority, as lessor, and the Borough, as lessee (the "*First Amendment*"); and,

WHEREAS, the Bonds will be further secured by a full, irrevocable and unconditional guarantee by the County to pay, when due, the principal of and interest on the Bonds (the "*County Guaranty*") and, in order to establish the terms and conditions pursuant to which the County will make payments which are required to be made under the terms of the County Guaranty, the Authority, the County and the trustee for the Bonds will enter into a Guaranty Agreement (the "*Guaranty Agreement*"); and,

WHEREAS, in connection with the issuance of the Bonds, the Borough and the County will be required to enter into a continuing disclosure agreement to be dated as of the first (1st) day of the month of issuance of the Bonds (as the same may be amended and supplemented from time to time in accordance with its terms, the "*Continuing Disclosure Agreement*") with the Authority in order to satisfy the secondary market disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY as follows:

Section 1. The recitals are hereby incorporated as if set forth in full herein.

Section 2. The Borough Council of the Borough hereby approves the entering into, execution and delivery of the First Amendment in accordance with Section 13.02 of the General Bond Resolution.

Section 3. The Mayor and the Chief Financial Officer of the Borough are each hereby authorized and directed to perform all acts and things, to do all that is necessary and proper and to execute and deliver all agreements and certificates required to comply with the provisions of Rule 15c2-12, as amended and supplemented, promulgated by the Securities and Exchange Commission, pursuant to the Securities Exchange Act of 1934, ac, amended and supplemented, relating to secondary market disclosure for the Bonds.

Section 4. The Mayor and Chief Financial Officer of the Borough are each hereby authorized and directed, upon the satisfaction of all the legal conditions precedent to the execution or acknowledgment and delivery by the Borough of the First Amendment and the Continuing Disclosure Agreement to be so executed or acknowledged by the Borough, to execute or acknowledge and deliver such documents in substantially the forms on file in the office of the Clerk of the Borough, with such changes thereto as such Mayor or Chief Financial Officer, after consultation with counsel to the Borough, bond counsel to the Borough and other professional advisors to the Borough (together, the "Borough Consultants"), deems in their sole discretion to be necessary, desirable or convenient for the execution thereof and to consummate the transactions contemplated hereby and thereby, which execution thereof shall conclusively evidence such Mayor's or Chief Financial Officer's approval of any changes to the forms thereof.

Section 5. The Clerk or Deputy Clerk of the Borough are each hereby authorized and directed, upon the execution or acknowledgment of the documents set forth in Section 4 hereof in accordance with this Section 5, to attest to the Mayor's and/or Chief Financial Officer's execution or acknowledgment of such documents, and are each hereby further authorized and directed to thereupon affix the seal of the Borough to such documents.

Section 6. Upon the execution or acknowledgment, as applicable, and attestation of and, if required, the placing of the seal on the documents set forth in Section 4 hereof as by Section 5 hereof, the Mayor and the Chief Financial Officer of the Borough are each hereby authorized and directed to: (i) deliver the fully executed or acknowledged, attested and sealed documents to the other parties thereto; and, (ii) perform such other actions as the Mayor or the Chief Financial Officer deem necessary, desirable or convenient in relation to the execution and delivery of such documents.

Section 7. The Borough Council of the Borough hereby authorizes the preparation and the distribution of financial statements and demographic and other information concerning the Borough, the First Amendment and the Continuing Disclosure Agreement and the undertaking of the transactions contemplated thereby contained in a Preliminary Official Statement and final Official Statement of the Authority to be issued in connection with the marketing of the Bonds. In furtherance of such authorization, the Borough Council of the Borough hereby directs the Mayor and the Chief Financial Officer of the Borough to each take such actions and execute such certificates, documents or instruments as the Mayor or the Chief Financial Officer, after consultation with the Borough Consultants, deem in their sole discretion to be necessary, desirable or convenient in connection with the preparation and distribution of the Preliminary Official Statement and the final Official Statement to market the Bonds at the most efficient economical cost to the Borough.

Section 8. The Mayor and the Chief Financial Officer of the Borough are each hereby authorized and directed to execute and deliver any and all documents, certificates, agreements and instruments and to do and cause to be done any and all acts and things necessary or proper, including providing any necessary consents, to affect the First Amendment and the Continuing Disclosure Agreement, and necessary or desirable in connection with the issuance of the Bonds.

Section 9. The provisions of this Resolution are severable and, to the extent any clause, phrase, sentence, paragraph or provision of this resolution shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 10. This Resolution shall take effect immediately upon its adoption.

Seconded by Ms. Miller and on roll call carried unanimously.

REPORTS 2021:

Police Annual

COMMUNICATIONS:

NJ League of Municipalities Trenton, NJ	Various Newsletters and Communications
Somerset County Bd. of Commissioners Somerville	Various Newsletters and Communications
Plainfield Area Humane Society Plainfield, NJ	Invoice and Reports
Plainfield Area Regional Sewerage Authority, Middlesex, NJ	Meeting minutes and agenda
Somerset County Business Partnership Somerville	Newsletters
Capehart Scatchard, Esqs., Mt. Laurel Somerset County Bar Association Somerville	NJ Public Entity Law Monthly Land Use Law Symposium Webinar
Public Service Electric & Gas Newark	Back On Track Assistance Webinar Storm Call invitation
NJ Highlands Coalition, Boonton	Launch Party
NJ State Comptroller, Trenton	Covid-19 Compliance and Oversight
Comcast Universal, Union, NJ	Partners in Goodwill, Franchise Fee
Verizon, Newark, NJ	Franchise Fee
NJ Motion Picture & TV Commission Trenton	Newsletter – NJ Projects
NJ Office of the Attorney General, Trenton	ABC Training Sessions
Somerset County Governing Officials Somerville	February Meeting Cancelled
NJ Economic Development Authority Trenton	Brownfields Impact Fund Applications
NJ State Treasurer, Trenton	2021 Table of Equalized Valuations

REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENT: None.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

Mayor La Ronde announced that Borough Hall was once again open to the public for business. The food bank would be moved into the former caretaker's house in March or April. We are looking to execute an agreement with Somerset County for senior transportation. They would provide transportation four hours per day, four days per week.

Ms. Miller thanked the Council members for their support of the resolution honoring Black History Month.

Ms. Given and Mr. McIntyre voiced their support of the beautifully worded resolution to honor Black History Month.

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

Meeting adjourned at 10:20 p.m.

Borough Clerk

Council President