

DRAFT MINUTES

*These are the Draft Minutes of the Regular Meeting
of the North Plainfield Borough Council held on Monday, 13 June 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 Meeting of the Council of the Borough of North Plainfield held on Monday, **June 13, 2022** at 7:45 p.m. at the North Plainfield Community Center, 614 Greenbrook Road, North Plainfield, New Jersey.

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
Phil George, Esq., Associate Borough Attorney
Richard K. Phoenix, RMC, Borough Clerk

Council President Stabile read the following Notice of Compliance:

"This 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 December 15, 2021 and by posting a copy of this notice on the bulletin boards in the Municipal Building and the Memorial Library reserved for such purpose."

BOROUGH COUNCIL PROCLAMATION:

PRIDE MONTH

Council Members Corzo, Given and McIntyre shared in reading the Proclamation as follows:

WHEREAS, the Borough of North Plainfield cherishes the value and dignity of each person and appreciates the importance of equality and freedom; and

WHEREAS, all are welcome in North Plainfield to live, work, and play and every family, in any definition, deserves a place to call home where they are safe, happy and supported by friends and neighbors; and

WHEREAS, Pride Month began in June of 1970 on the one-year anniversary of the Stonewall Uprising in New York City after LGBTQ+ and allied friends rose up and fought against the constant police harassment and discriminatory laws; and

WHEREAS, the Borough of North Plainfield denounces prejudice and unfair discrimination based on age, gender identity, gender expression, race, color, religion, marital status, national origin, sexual orientation or physical attributes; and

WHEREAS, North Plainfield appreciates the cultural, civic, and economic contributions of the lesbian, gay, bisexual, transgender, queer, plus (LGBTQ+) community which strengthens our social welfare; and

WHEREAS, celebrating Pride Month raises awareness and provides support and advocacy for the LGBTQ+ community, and is an opportunity to become educated, engage in dialogue, strengthen alliances and build understanding; and

WHEREAS, it is imperative that young people in our community, regardless of sexual orientation, gender identity and expression, feel valued, safe, empowered and supported by their peers and their community; and

WHEREAS, despite being marginalized, LGBTQ+ people continue to celebrate authenticity, acceptance and love.

NOW, THEREFORE, Be It PROCLAIMED, that we the Council members of the Borough of North Plainfield do hereby declare June as LGBTQ+ Pride Month and urge residents to recognize the contributions made by members of the LGBTQ+ community and to actively promote the principles of equality, liberty and justice this month and always.

The Council President commented favorably on the shared reading of the Proclamation by the three councilmembers, adding that there were plans for a public flag raising of the Pride Flag that would include invited members of North Plainfield Public School student body at a future date.

APPROVAL OF COUNCIL MEETING MINUTES:

The Clerk had submitted copies of the minutes of the Agenda Conference and Regular Meeting of May 23, 2022.

The Council President called for a roll call on the minutes:

Ayes: Corzo, McIntyre, Merrill, Miller, Schaefer, Stabile

Nays: None

Abstained: Given

Minutes ordered approved 6-0-1.

RESOLUTIONS:

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 presented the following resolution and moved its adoption:

RESOLUTION NO. 05-23-22-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

06-23-22-01 a, b, c, d, e, f, g, h & i

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

Seconded by Mr. McIntyre and on roll call carried unanimously.

APPROVED CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 06-13-22-01a RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AMENDMENTS TO THE CONTRACT WITH CTS GROUP AWARDED IN RESOLUTION NO. 07-12-21-08a TO INCLUDE BIDDING ASSISTANCE SERVICES PERTAINING TO PREPARATION OF REVISED DRAWINGS AND SPECIFICATIONS FOR PROPOSALS FOR BUILDING IMPROVEMENTS TO PREVENT THE SPREAD OF THE COVID-19 VIRUS.

WHEREAS, the Borough of North Plainfield is in need of certain improvements to Municipal Buildings throughout the Borough as part of an effort to prevent the spread of the novel coronavirus; and,

WHEREAS, the Borough of North Plainfield adopted Resolution No. 07-12-21-08a on July 12, 2021 which approved a proposal from CTS Group Architectural Planning, PA (“CTS Group”) to design, plan and oversee improvements to the Vermeule Mansion at 614 Greenbrook Road, the North Plainfield Memorial Library at 6 Rockview Avenue, and the Vermeule Community Center at 614 Greenbrook Road related to the 2019 CDBG-CV3 Public Facilities Project (the “Project”); and,

WHEREAS, the Borough of North Plainfield has determined that the project should be rebid; and,

WHEREAS, in an effort to rebid the Project, the Project will be separated into two (2) smaller projects consisting of (1) Minor Toilet Room Improvements for Location A, Vermeule Mansion, Location B, North Plainfield Memorial Library, and Location C, Vermeule Community Center, and (2) New Public Courtyard, Vermeule Community Center; and,

WHEREAS, the contract previously approved pursuant to Resolution No. 07-12-21-08a for CTS Group to provide the Contract Design Documents requires amendment in order to include Bidding Assistance, which will allow for revision and repackaging of drawings and specifications for each project as they will now be specified, the rebidding process as well as additional time for contract administration to support two (2) separate projects; and,

WHEREAS, the additional contract compensation to CTS Group for Bidding Assistance is proposed as follows:

Minor Toilet Room Improvements Bidding Assistance	\$ 945.00
<u>Construction Support Services</u>	<u>\$3,928.50</u>
Subtotal	\$4,873.50
New Public Courtyard Bidding Assistance	\$1,155.00
<u>Construction Support Services</u>	<u>\$4,801.50</u>
Subtotal	\$5,956.50
Total Additional Fee Proposal for Bidding Assistance	\$10,830.00; and,

WHEREAS, the amount of the proposed additional fees for Bidding Assistance does not exceed twenty percent (20%) of the original contract amount of One Hundred Nineteen Thousand Four Hundred Dollars (\$119,400.00) approved in Resolution No. 07-12-21-08a, and therefore the contract with CTS Group does not have to be rebid; and,

WHEREAS, all other terms and conditions set forth in Resolution 07-12-21-08a are proposed to remain in effect:

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 accepts the proposal for amendments to the original contract awarded on July 12, 2021 under Resolution 07-12-21-08a, to add Bidding Assistance submitted by CTS Group Architectural Planning, PA (“CTS Group”) in the amount of Ten Thousand Eight Hundred and Thirty Dollars (\$10,830.00) in accordance with the Proposal submitted by CTS Group dated May 19, 20221, and attached hereto as if made a part of this Resolution; and,

BE IT FURTHER RESOLVED that all other terms and conditions set forth in Resolution 07-12-21-08a shall remain in effect; and,

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute any and all other necessary documents related to the acceptance of this Proposal and Payment for the services CTS Group Architectural Planning PA, LLC, for Building Improvement Projects as set forth above; and,

BE IT FURTHER RESOLVED that the payment for these services shall be subject to the certification of the Borough's Chief Financial Officer as to the availability of funds for payment for same.

RESOLUTION NO. 06-13-22-01b WHEREAS, tangible personal property has come into the possession of the Police Department of the Borough of North Plainfield by finding or recovery; and

WHEREAS, the whereabouts of the owners of said property are unknown and cannot be ascertained; and

WHEREAS, said property has not been disposed of and has been in the possession of the Police Department for at least six (6) months; and

WHEREAS, *N.J.S.A.* 40A:14-157 provides for the sale of said tangible property at public auction;

NOW, THEREFORE, BE IT RESOLVED, that the Police Department be and hereby is authorized and directed to sell said tangible personal property at a public auction to be held on Saturday, July 9, 2022, starting at 10:00am and ending at 2:00pm, at the North Plainfield Department of Public Works Facility, located at 254 Steiner Place North Plainfield, NJ 07060;

BE IT FURTHER RESOLVED that any monies received as a result of said auction shall be paid into the general municipal treasury in accordance with the provisions of *N.J.S.A.* 40A:14-157.

BE IT FURTHER RESOLVED that the Borough Clerk shall cause a notice of said auction, designating the time and place therefore, to be published in an official newspaper of the Borough not less than ten (10) days prior to the date of said public auction.

RESOLUTION NO. 06-13-22-01c APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE DELACY AVENUE IMPROVEMENT PROJECT.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of North Plainfield formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Delacy Avenue Improvements - NJDOT 20 - 00079 to the New Jersey Department of Transportation on behalf of the Borough of North Plainfield.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of North Plainfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

RESOLUTION NO. 06-13-22-01d URGING THE SWIFT PASSAGE OF S-330 WHICH RESTORES ENERGY TAX RECEIPTS

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of North Plainfield in the County of Somerset urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Assemblymembers Linda Carter, James Kennedy, State Senator & President Nicholas Scutari, Assembly Speaker Coughlin, Governor Murphy and the League of Municipalities.

RESOLUTION NO. 06-13-22-01e RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH PLAINFIELD AUTHORIZING THE MAYOR AND/OR THE MAYOR AND BOROUGH CLERK AND/OR THE BOROUGH ADMINISTRATOR TO ACT ON AND/OR EXECUTE AGREEMENTS ON BEHALF OF THE BOROUGH DURING THE TIME THE BOROUGH COUNCIL IS NOT IN SESSION.

WHEREAS, there are certain periods of time when the North Plainfield Borough Council is not in session and no meetings are scheduled and/or held by the Borough Council; and,

WHEREAS, during such time when the Borough Council is not in session, or where otherwise appropriate and/or necessary, certain actions may need to be taken by the Borough of North Plainfield with respect to paying bills, executing agreements and other such items; and,

WHEREAS, during this period, from this date through September 12, 2022, the Borough Council has tentatively scheduled meetings for June 27, 2022, July 11, 2022, August 15, 2022 and September 12, 2022 only; and,

WHEREAS, the Borough wishes to authorize the Mayor and/or Mayor and Borough Clerk and/or the Borough Administrator to take any and all such necessary actions on behalf of the Borough during the time the Borough Council is not in session including, but not limited to, the paying of bills and executing agreements on behalf of the Borough.

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/or the Mayor and Borough Clerk and/or the Borough Administrator are hereby authorized to pay bills, execute any and all agreements and/or take any other action on behalf of the Borough that becomes necessary during the time the Borough Council is not in session and no meetings are scheduled and/or held by the Borough Council.

RESOLUTION NO. 06-13-22-01f RESOLUTION ACKNOWLEDGING AUTOMATIC RENEWAL OF 2020-2022 URBAN COUNTY COOPERATION AGREEMENT FOR PARTICIPATION IN SOMERSET COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAM ACTIVITIES

WHEREAS, Title I of the Housing and Community Development Act of 1974 provides for substantial federal funds being made available to certain urban counties for use therein; and

WHEREAS, the Community Development Block Grant and the HOME Investment Partnership Programs have benefited the County as a whole and have provided a unique opportunity for inter-local cooperation; and

WHEREAS, the programs have provided substantial benefits to persons of low and moderate income including the elderly and disabled, and that these benefits would be lost without a renewal of the County cooperation agreement; and

WHEREAS, Borough of North Plainfield desires to preserve benefits of the Community Development Block Grant and the HOME Investment Partnership Programs for the County by renewing its participation in the Somerset County Urban County Consortium; and

WHEREAS, the Shared Services and Consolidation Act (NJSA 40A:65-1) provides a mechanism through which counties and municipalities may enter into agreements for the provision of joint services; and

WHEREAS, NJSA 40A:65-1 provides that authorization for participation in such a cooperative program must be by resolution:

NOW, THEREFORE, BE IT RESOLVED, by Borough of North Plainfield, located in Somerset County, New Jersey, that:

1. It does hereby authorize continued participation in the Somerset County Urban County Consortium.
2. It does hereby authorize, ratify and confirm a certain agreement (hereinafter referred to as "Contract") between the Borough of North Plainfield and Somerset County entitled "Cooperation Agreement for the Somerset County, NJ Urban County 2023-2025 Qualification Period". This agreement shall automatically renew in every successive qualification period unless Borough of North Plainfield elects to be excluded and proper notice is provided to HUD and Somerset County.
3. It hereby authorizes full participation by the Borough of North Plainfield in all aspects of the activities provided for within said Contract pursuant to the terms and conditions as more fully set forth in said Contract.
4. It hereby incorporates the Cooperation Agreement for the 2023-2025 Qualification Period into this Resolution by reference, as if fully set forth herein.
5. The Mayor and Municipal Clerk are hereby authorized to execute the Contract with the County and copy of said Contract will remain filed in the Office of the Municipal Clerk for public inspection.

RESOLUTION NO. 06-13-22-01g 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 9, 2022 with a rain date of July 10, 2022; 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, 2022; and

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

RESOLUTION NO. 06-13-22-01h 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 9, 2022 with a rain date of July 10, 2022 for an amount not to exceed \$15,000.00.

RESOLUTION NO. 06-13-22-01i 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 ben duly audited and found to be correct as of this 13th day of June, 2022 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

COMMUNICATIONS:

NJ League of Municipalities Trenton, NJ Somerset County Bd. of Commissioners Somerville Plainfield Area Humane Society Plainfield, NJ NJ American Water Co., Voorhees, NJ NJ Poison Control Center New Brunswick Bryan Oakes, Jr., P.E. Mott MacDonald Freehold, NJ Walter Lane, Somerset County Planning Dir. Somerville Tina Totten, North Plainfield Richard K. Phoenix, RMC Borough Clerk/Chief Operator WPQJ970 Karel E. West, Verizon, Hempstead, NY Kimberly Cowart, Director Somerset County Community Development Somerville	Various Newsletters and Communications Various Newsletters and Communications Invoice and Reports Newsdrop Newsletter Newsletter Jefferson Ave. Sewer Project Bid Announcement Planning Partners Forum Green Brook Flood Control Meeting Memorial Day Exercises Radio Script Introductory Communication Urban County Cooperation Agreement
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REQUESTS FOR AGENDA ITEMS: None heard.

PUBLIC COMMENT: No one appeared.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

The Mayor expressed his thanks to all councilmembers for coming out to all of the recent Memorial Day exercises. He reminded of the Juneteenth observance on Saturday on the middle school grounds, then commented on the success of recent Covid-19 clinics. County-wide pandemic figures are down. He advised that radon test kits are now available free of charge to the public from the Mayor’s Office, and added his thanks to Council for adopting the Energy Tax Receipts resolution supporting restoration of monies to municipalities statewide.

Recreation will soon be distributing trophies at a special gathering with hot dogs. Pop-Up parties remain a concern, and ordinances already on the books should provide all that is necessary for enforcement, although there have been thoughts about an ordinance to specify party permits. The Police Chief agrees that enforcement of the laws already on the books should be sufficient to control the pop-ups. Police report on noise ordinance enforcement which could be strengthened by specifying daytime and nighttime hours.

The Mayor met with the middle school and high school advisory committee two weeks ago. They favor recreation opportunities being extended to pupils in grades seven through twelve. He confirmed that the programs are in place, that equipment is available and fees will be charged.

Ms. Given appreciated Council's support of tonight's Pride Proclamation. Mr. McIntyre was pleased at the welcoming environment expressed by the town. Mr. Merrill shared reports of success stories from Ms. DeJesso of the Borough's camping program. One Hundred Twenty (120) campers are involved, and student jobs have been created. He concluded that the recreation program is definitely on the right track.

Ms. Miller congratulated Councilmembers Corzo, Given and McIntyre on the pride proclamation.

Mr. McIntyre discussed private garbage collection in town, and how Bound Brook went over to municipal collection. Their fees appear to be less overall than those charged by private haulers. He suggested that the town go out to bid for town-wide garbage collection. The Mayor recommended that bid specifications be crafted by Mr. Testa. Mr. George said that any bid specs should be specific regarding details of garbage collecting services, such as permitted hours of operation, and compliance with the Borough's side-yard and backyard collection regulations.

Replying to Ms. Schaefer, the Mayor replied that funding municipal collection could be a tax item or line item. Mr. George remarked that a revised ordinance could be constructed to set the desired set of standards for residents or haulers. Mr. Merrill suggested that the Borough Engineer attend a meeting of the Council, then create a possible plan. The Council President suggested discussions at the scheduled first meeting in July.

Ms. Schaefer rejoined that noise enforcement in town continued needing regulation, even over the 4th of July weekend. To set an example, she suggested that the town ask the fireworks vendor about displays that minimized noise while maintaining the traditional visual presentation. Mr. George noted that noise ordinances were difficult to enforce, since they were reliant on police being present when loud noise occurred. State standards for fireworks have changed, and they've become available from multiple traditional retail locations.

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

Meeting adjourned at 8:48 p.m.

Borough Clerk

Council President