

MINUTES of the Regular Meeting of the Council of the Borough of North Plainfield held on Monday, **September 11, 2023** at 8:47 p.m. at North Plainfield Council Chambers, 263 Somerset Street, North Plainfield, New Jersey.

PRESENT:

Council Members: Aimee Corzo, Council Vice President
Suzette Given
Steven McIntyre
Everett Merrill
Keiona R. Miller (absent – excused)
Wendy Schaefer
Frank “Skip” Stabile, Council President

Also Present: Lawrence La Ronde, Mayor
David E. Hollod, Business Administrator
Phil George, Esq., Associate Borough Attorney
Michele Irby-Garry, CMR, Acting 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 12, 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.”

APPROVAL OF COUNCIL MEETING MINUTES:

The Council President called for a roll call on the Agenda Conference and Regular Meeting minutes of August 14, 2023:

Aye: Corzo, Given, McIntyre, Merrill, Stabile
Abstain: Schaefer

HEARING:

ORDINANCE NO. 23-12 AN ORDINANCE ADOPTING THE AMENDED VILLA MARIA SITE REDEVELOPMENT PLAN

The Acting Clerk read the ordinance by its title.

PUBLIC COMMENT: None.

Motion to close public comment by Ms. Schaefer, seconded by Mr. McIntyre and on roll call carried unanimously.

RESOLUTION:

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

RESOLUTION NO. 09-11-23-01 BE IT RESOLVED by the Council of the Borough of North Plainfield that an ordinance numbered 23-12 be adopted and advertised as required by statute.

Seconded by Ms. Corzo and on roll call carried all six voting aye.

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

RESOLUTION NO. 09-11-23-02 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 23-13 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing September 25, 2023 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 or Zoom as the place for hearing and final adoption.

Seconded by Mr. Merrill and on roll call carried all six voting aye.

The Acting Clerk read the ordinance by its title:

ORDINANCE NO. 23-13 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 4, ENTITLED "GENERAL LICENSING," MORE SPECIFICALLY, § 4-1.2 ENTITLED "TAXICAB OWNERS COMPANY LICENSES; CONTENT AND MANNER OF APPLICATION; FEE AND TERM OF ISSUANCE" AND EVEN MORE PARTICULARLY § 4-1.2 (E), ENTITLED "FEE FOR AND TERM OF LICENSE," AND, AS TO CHAPTER 4, ENTITLED "GENERAL LICENSING," MORE SPECIFICALLY, §4-2, ENTITLED "COIN OPERATED AMUSEMENT DEVICES,"AND MORE SPECIFICALLY § 4-2.3, ENTITLED "LICENSE FEE"; AND, AS TO CHAPTER 4, ENTITLED "GENERAL LICENSING" MORE SPECIFICALLY § 4-6, ENTITLED "CANVASSERS" AND, MORE PARTICULARLY, § 4-6.3, ENTITLED "FEE, DURATION AND DISPLAY"; AND, AS TO CHAPTER 4, ENTITLED, "GENERAL LICENSING", MORE SPECIFICALLY § 4-10 ENTITLED, "MOTOR VEHICLE SALE REGULATION" AND, MORE PARTICULARLY § 4-10.12, ENTITLED "LICENSE FEES"; AND, CHAPTER 6, ENTITLED "ALCOHOLIC BEVERAGE CONTROL", MORE SPECIFICALLY § 6-3, ENTITLED "LICENSES"; AND, MORE PARTICULARLY, § 6-3.7, ENTITLED "FEES"; AND, AS TO CHAPTER 11, ENTITLED "PROPERTY MAINTENANCE", MORE SPECIFICALLY ARTICLE IV, ENTITLED "PORTABLE STORAGE UNITS ("PODS"), AND, MORE PARTICULARLY, § 11-12.7, ENTITLED "PERMIT REQUIRED".

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

RESOLUTION NO. 09-11-23-03 BE IT RESOLVED by the Borough Council of North Plainfield that Bond Ordinance numbered 23-14 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing September 25, 2023 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 or Zoom as the place for hearing and final adoption.

Seconded by Ms. Schaefer and on roll call carried all six voting aye.

The Acting Clerk read the ordinance by its title:

BOND ORDINANCE NO. 23-14 BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL ACQUISITIONS AND IMPROVEMENTS, BY AND IN THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, APPROPRIATING \$4,167,275 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,276,005 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

The Acting Clerk presented the Supplemental Debt Statement.

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

RESOLUTION NO. 09-11-23-04 BE IT RESOLVED by the Borough Council of North Plainfield that Bond Ordinance numbered 23-15 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing September 25, 2023 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 or Zoom as the place for hearing and final adoption.

Seconded by Ms. Schaefer and on roll call carried all six voting aye.

The Acting Clerk read the ordinance by its title:

BOND ORDINANCE NO. 23-15 BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF SANITARY SEWERS FOR THE SEWER UTILITY OF THE BOROUGH OF NORTH PLAINFIELD, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY; APPROPRIATING \$478,000 THEREFOR (INCLUDING A COMMUNITY DEVELOPMENT BLOCK GRANT IN THE AGGREGATE AMOUNT OF \$150,000) AND AUTHORIZING THE ISSUANCE OF \$328,000 IN BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

RESOLUTION NO. 09-11-23-05 BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 23-16 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing September 25, 2023 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 or Zoom as the place for hearing and final adoption.

Seconded by Mr. McIntyre and on roll call carried all six voting aye.

The Acting Clerk read the ordinance by its title:

ORDINANCE NO. 23-16 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 7 OF THE NORTH PLAINFIELD BOROUGH CODE, ENTITLED “TRAFFIC”, MORE SPECIFICALLY § 7-3, ENTITLED “PROHIBITED PARKING” AND, MORE PARTICULARLY, § 7-3.1B, ENTITLED “PROHIBITED PARKING PENALTY,” BY ADDING A NEW § 7-3.1B(c) ENTITLED “PARKING MONITORING AND ENFORCEMENT SYSTEM”.

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. Corzo requested that item “i” be removed and considered at a later date.

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

RESOLUTION NO. 09-11-23-06 BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

09-11-23-06 a, 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 Mr. Merrill and on roll call carried all six voting aye.

APPROVED CONSENT AGENDA RESOLUTIONS:

RESOLUTION NO. 09-11-23-06a GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations,” and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations,” as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of North Plainfield, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION NO. 09-11-23-06b 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:

Chaudhry M. Saleem
108 Ridge Avenue
North Plainfield, NJ 07060

RESOLUTION NO. 09-11-23-06c A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES

WHEREAS, the owner of 66 Meadowbrook Road, also known as Block 3.03 Lot 6 was deemed a 100% Disabled Veteran effective February 7, 2023 per the Assessor and;

WHEREAS, the property taxes were billed on the aforementioned parcel for 2023 as well as 2024 1st and 2nd.

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. 09-11-23-06d 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 taxicabs to the following for two years in accordance with the applications heretofore submitted:

Holguer Peralta Toapanta & Ana D. Naranjo Chasi
t/a Amba Taxi, LLC.
302 Somerset Street
North Plainfield, NJ 07060

RESOLUTION NO. 09-11-23-06e RESOLUTION OF THE BOROUGH COUNCIL WAIVING CERTAIN GARAGE SALE LICENSING ORDINANCES IN THE BOROUGH OF NORTH PLAINFIELD DURING THE BOROUGH-WIDE GARAGE SALE

WHEREAS, Garage Sales, Yard Sales and Estate Sales are popular in North Plainfield as a means of getting to know neighbors while realizing a modest profit for the sellers; and,

WHEREAS, the Mayor and Borough Council have heard requests from the citizenry for a Borough-wide, fee-free weekend garage sale that would appeal to the interests of all Borough residences; and,

WHEREAS, North Plainfield Ordinance No. 18-07 calls for a Twenty Dollar (\$20.00) fee to be charged for every garage sale permit issued by the Borough Clerk's Office; due to requests heard from residents throughout North Plainfield, the Borough Council is interested in having the above fee waived for such sales throughout the Borough on Saturday, for a Borough-wide public garage sale; and,

WHEREAS, N.P.R.G.O. 4-11.6 regulates the number of signs advertising a garage sale; the Borough Council is interested in having said sign restriction regarding the number of signs allowed to be posted waived for such sales throughout the Borough on Saturday, September 23, 2023 and Sunday, September 24, 2023 for a Borough-wide public garage sale.

NOW, THEREFORE, BE IT RESOLVED that this Borough-wide garage sale would not impact residents' three (3) per year paid permit allotment.

BE IT FURTHER RESOLVED that the hours of the town-wide garage sale would run from 9:00 a.m. until 4:00 p.m. local time on both Saturday and Sunday.

BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of North Plainfield that for purposes of allowing a Borough-wide garage sale on Saturday, September 23, 2023 and Sunday, September 24, 2023, the fee for such a two (2) day sale per Ordinance No. 18-07 shall be waived for this event.

BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of North Plainfield that for purposes of allowing a Borough-wide garage sale on Saturday, September 23, 2023 and Sunday, September 24, 2023, the restriction on the number of signs advertising garage sales for such a two (2) day sale per N.P.R.G.O. 4-11.6 shall be waived for this event.

RESOLUTION NO. 09-11-23-06f APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT IDENTIFIER: EVLVL-2022-NPLAINFL-00877

WHEREAS, the governing body of Borough of North Plainfield desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$16,000.00 to fund the following project: It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program

THEREFORE, the Governing Body resolves that Lawrence La Ronde or the successor of the office of Mayor is authorized

- (a) to make application for such a grant,
- (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than \$16,000.00 and
- (c) to execute any amendments thereto, and

The Mayor and Council authorize and hereby agree to match 0% of the Total Project amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. Up To 0% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement), and

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

RESOLUTION NO. 09-11-23-06g RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND ACTING BOROUGH CLERK TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE PLAINFIELD AREA REGIONAL SEWERAGE AUTHORITY FOR THE CLEANING OF THE SEWERAGE LINES OF THE BOROUGH OF NORTH PLAINFIELD.

WHEREAS, the Borough of North Plainfield is in need of services for the inspection and cleaning of all of its sewerage lines (hereinafter referred to as the “Project”); and,

WHEREAS, the Plainfield Area Regional Sewerage Authority (hereinafter referred to as “PARSA”), with its principal place of business located at 200 Clay Avenue, Middlesex, New Jersey 08846, is in the business of providing sewerage line inspection and cleaning services and previously submitted a proposed shared services agreement to the Borough of North Plainfield, Somerset County, New Jersey, to clean all of the Borough’s sewerage lines, one tenth (1/10th) of the Borough’s sewerage lines per year, over the course of ten (10) years, in the amount of Twenty-Six Thousand Seventeen Dollars and Fifty Cents (\$26,017.50) per year for each of the ten (10) years in question; and,

WHEREAS, the Borough of North Plainfield is desirous in obtaining the services of PARSA to perform all of those services contemplated in the afore-referenced Shared Services Agreement, a copy of said Agreement being maintained in the Office of the Acting Borough Clerk, the contents of which are incorporated herein.

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 does hereby agree to enter into said Shared Services Agreement with PARSA, 200 Clay Avenue, Middlesex, New Jersey 08846 in an amount of Twenty-Six Thousand Seventeen Dollars and Fifty Cents (\$26,017.50) per year for each of the ten (10) years of the Shared Services Agreement and authorizes the Mayor and the Acting Borough Clerk to sign and/or execute a Shared Services Agreement with PARSA without the need for any further action of this Borough Council.

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.

BE IT FURTHER RESOLVED that the award is made pursuant to and consistent with the Local Public Contracts Laws and other applicable Laws of the State of New Jersey.

RESOLUTION NO. 09-11-23-06h 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 11th day of September, 2023 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

REPORTS:

BOARD OF HEALTH REPORT – AUGUST 2023

COMMUNICATIONS:

State of New Jersey Division of Taxation	Municipal Hotel and Motel Occupancy Tax Distribution – Monthly Report
NJDEP	Weekly Update
PSEG	2023/2024 Annual BGSS Commodity Charge Filing

REQUESTS FOR AGENDA ITEMS: None.

PUBLIC COMMENT:

Richard Phoenix, 58 Sycamore Avenue, North Plainfield, voiced his interest in the person-to-person transfer of the plenary retail consumption license from Dombar, LLC to Paradise Club & Sports Bar LLC.

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

Mayor La Ronde reminded that the Hispanic Heritage Festival is scheduled for Saturday, September 16 from 11:00 a.m. until 5:00 p.m. He thanked those that volunteered their time and participated in Clean Communities Day. The Borough-wide Yard Sale will be held Saturday, September 23 and Sunday, September 24 from 9:00 a.m. until 4:00 p.m. Voicing his concerns with the lack of revenue for the Mayor’s Special Events, he spoke of limiting the number of concerts in 2024.

All council members offered their gratitude to the fire department members for their dedication and hard work.

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

Meeting adjourned at 9:30 p.m.

Acting Borough Clerk

Council President