

BOROUGH OF NORTH PLAINFIELD

AGENDA

REGULAR COUNCIL MEETING

Virtual Meeting (via Zoom)

MONDAY, FEBRUARY 8, 2021

7:30 P.M.

ROLL CALL:

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

NOTICE: Pursuant to the Executive Order of New Jersey Governor Murphy requiring social distancing due to Covid-19, this meeting excludes public attendance. The entire meeting proceedings, including opportunity for public comment will be made available live, in real time via the "Zoom" system.

Join Zoom Meeting via the following Link:

<https://us02web.zoom.us/j/84555149982?pwd=aExWZFdlRExSN3JVYVFWR05HbTlZdz09>

Meeting ID: 845 5514 9982

Passcode: 696999

One tap mobile

+13017158592,,84555149982#,,, *696999# US (Washington DC)

+13126266799,,84555149982#,,, *696999# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 929 205 6099 US (New York)

Pledge of Allegiance to the Flag

Moment of Silence for the Men and Women Serving in Our Armed Forces

Statement of Compliance as to Notice of Meeting

APPROVAL OF COUNCIL MEETING MINUTES:

Regular Meeting and Executive Session of January 11, 2021
Special Meeting of January 28, 2021

Roll Call

APPOINTMENTS BY COUNCIL REQUIRING COUNCIL CONFIRMATION:

BOARD OF ADJUSTMENT:

Dr. Harry Allen	Unexpired four-year term
Daniel Battista, Alternate 1	Unexpired two-year term
Michelle Brown	Unexpired two-year term

BOARD OF HEALTH MEMBER TO THE MUNICIPAL ALLIANCE COMMITTEE:

Suzette Given	One-year term
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COUNCIL MEMBER TO THE ECONOMIC DEVELOPMENT COMMITTEE:

Steven McIntyre	Unexpired one-year term
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APPOINTMENTS BY MAYOR TO BOARDS, COMMITTEES AND COMMISSIONS REQUIRING COUNCIL CONFIRMATION:

HISTORIC PRESERVATION COMMISSION:

Stephen Harlan	Unexpired four-year term
Peter G. Beckman, Alternate 1	Unexpired two-year term

LIBRARY ADVISORY COMMITTEE:

Jennifer McGovern	Unexpired three-year term
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OFFICE OF EMERGENCY MANAGEMENT/LOCAL EMERGENCY PLANNING COUNCIL:

LOCAL EMERGENCY PLANNING COUNCIL:

<u>One-year terms:</u>	
Everett Merrill	Council Member
Jody Karcher	North Plainfield Public Schools

APPOINTMENTS BY MAYOR NOT REQUIRING COUNCIL CONFIRMATION:

ECONOMIC DEVELOPMENT COMMITTEE:

Amnet Ramos-Hernandez

Two-year term

CONSENT AGENDA

Statement by Council President

RESOLUTION:

Ms. Corzo:

02-08-21-01 Approving Consent Agenda

Roll Call

CONSENT AGENDA RESOLUTIONS:

- a. Authorizing an Agreement with Your Way Construction, Inc. for the Glenside Place Sanitary Sewer Replacement Project
- b. Authorizing an Agreement with Messercola Excavating, Inc. for 2021 – 2022 On-Call Services – Emergency Repairs
- c. Authorizing Treasurer to Refund Storm Water Runoff Bond
- d. Authorizing License Agreement with the County of Union for the Use of Green Brook Park for its Annual Fourth of July Fireworks Display
- e. Authorizing Designation – BGIA as Risk Managers
- f. Authorizing an Amendment to the Temporary Budget
- g. Confirming Board of Adjustment appointments
- h. Confirming the appointment of Board of Health member to the Municipal Alliance Committee
- i. Confirming the appointment of a Council member to the Economic Development Committee
- j. Confirming Historic Preservation Commission appointments
- k. Confirming Library Advisory Committee appointment
- l. Confirming Office of Emergency Management/Local Emergency Planning Council appointments
- m. Approving the Consolidated Bill List of February 8, 2021

COMMUNICATIONS:

NJ State League of Municipalities Trenton, NJ	Newsletters & Advisories
County of Somerset, Somerville, NJ	Newsletters & Communications
Plainfield Area Humane Society Plainfield, NJ	Report and Invoicing
Plainfield Area Regional Sewerage Authority Middlesex, NJ	Minutes and Agenda
Public Service Electric & Gas, Newark, NJ	Newsletters
Somerset County Governing Officials Somerville, NJ	Virtual Meetings
Tina Totten, North Plainfield	Green Brook Flood Control Commission meeting calendar – 2021
Verizon/FIOS, Newark, NJ	Franchise Fee
Comcast Business, Union, NJ	Franchise Fee

REQUESTS FOR AGENDA ITEMS

PUBLIC COMMENT

General public comments shall be limited to five minutes for each individual.
(Rule 29 of the Borough Council's Rules of Order)

COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS

ADJOURNMENT

CONSENT AGENDA

February 8, 2021

RESOLUTION NOS. 02-08-21-01 a through m

RESOLUTION NO. 02-08-21-01

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

02-08-21-01 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.

Council President

Council Member

Introduced: February 8, 2021

Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01a

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE
MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT
WITH YOUR WAY CONSTRUCTION, INC. FOR THE GLENSIDE
PLACE SANITARY SEWER REPLACEMENT PROJECT**

WHEREAS, the Borough of North Plainfield is in need of certain sanitary sewer replacement improvements as it relates to the Glenside Place Sanitary Sewer Replacement Project (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and received seven (7) bids, the three (3) lowest of which are as follows:

<u>Bidding Entity</u>	<u>Base Bid</u>
Your Way Construction, Inc.	\$162,155.04
John Garcia Construction Co.	\$181,715.01
Messercola Excavating, Inc.	\$189,566.00

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC, as well as Mott MacDonald, LLC, the Borough’s Engineer on the Project, have reviewed the bid submissions and recommend the award of the bid and contract for the Project to the lowest responsive and responsible bidder, Your Way Construction, Inc., whose main offices are located at 404 Coit Street, Irvington, NJ 07111 (hereinafter referred to as the “Contractor”), as there are no material defects with the bid proposal; and,

WHEREAS, the Borough of North Plainfield is desirous of obtaining the services of the Contractor to perform all those services contemplated in the Borough’s bid documents and the bid proposal submitted by the Contractor; and,

WHEREAS, the Borough of North Plainfield finds that the Contractor is the lowest responsive and responsible bidder for the Project, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

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 awards the following Bid and Contract:

Project: Glenside Place Sanitary Sewer Replacement
Successful Bidder: Your Way Construction, Inc.

Base Bid: In the Amount Not to Exceed One Hundred and Sixty-Two Thousand and One Hundred and Fifty-Five Dollars and Four Cents (\$162,155.04)

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute a contract and all other necessary documents to engage the paving services of Your Way Construction, Inc. for the Project; and,

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; and,

BE IT FURTHER RESOLVED that the award and the contract and its performance shall be consistent with all applicable laws, the Borough's bid documents and the bid proposal of Your Way Construction, Inc. for the Project, known as the Glenside Place Sewer Replacement Project.

Frank A. "Skip" Stabile
Council President

Council Member

Introduced: February 8, 2021
Adopted: February 8, 2021

CERTIFICATION

I, Richard K. Phoenix, Municipal Clerk of the Borough of North Plainfield, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough Council at a meeting of the Borough Council held on February 8, 2021.

Richard K. Phoenix, R.M.C.
Borough Clerk
Borough of North Plainfield

Date signed:

RESOLUTION NO. 02-08-21-01b

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE
MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT
WITH MESSERCOLA EXCAVATING, INC. FOR 2021-2022 ON-CALL
SERVICES-EMERGENCY REPAIRS**

WHEREAS, the Borough of North Plainfield is in need of On-Call Services-Emergency Repairs for calendar years 2021 and 2022 (hereinafter referred to as the “Project”); and,

WHEREAS, the Borough of North Plainfield solicited bids for the Project and received three (3) bids as follows:

<u>Bidding Entity</u>	<u>Total Hourly Rate Bid</u>
Messercola Excavating, Inc.	\$877.00/hour
Montana Construction Corp., Inc.	\$1,514.00/hour
Underground Utilities Corp.	\$1,704.00/hour

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esq. and the offices of Eric M. Bernstein & Associates, LLC, as well as David J. Testa, PE, CME, CPWM of Grotto Engineering Associates, LLC, the Borough’s Engineer, have reviewed the bid submissions and recommend the award of the bid and contract for the Project to the lowest responsive and responsible bidder, Messercola Excavating, Inc., whose main offices are located at 549 East Third Street, Plainfield, New Jersey 07060 (hereinafter referred to as the “Contractor”), as there are no material defects with the bid proposal; and,

WHEREAS, the Borough of North Plainfield is desirous of obtaining the services of the Contractor to perform all those services contemplated in the Borough’s bid documents and the bid proposal submitted by the Contractor; and,

WHEREAS, the Borough of North Plainfield finds that the Contractor is the lowest responsive and responsible bidder for the Project, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

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 awards the following Bid and Contract:

Project: 2021-2022 On-Call Services-Emergency Repairs
Successful Bidder: Messercola Excavating, Inc.

Total Bid: In the Amount of Eight Hundred and Seventy-Seven Dollars and Zero Cents (\$877.00) Per Hour for each year of the Term.
Term: For both Calendar Years 2021 and 2022

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute a contract and all other necessary documents to engage the services of Messercola Excavating, Inc. for the Project; and,

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; and,

BE IT FURTHER RESOLVED that the award and the contract and its performance shall be consistent with all applicable laws, the Borough's bid documents and the bid proposal of Messercola Excavating, Inc. for the Project known as the 2021-2022 On-Call Services-Emergency Repairs.

Frank A. "Skip" Stabile
Council President

Council Member

Introduced: February 8, 2021
Adopted: February 8, 2021

CERTIFICATION

I, Richard K. Phoenix, Municipal Clerk of the Borough of North Plainfield, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough Council at a meeting of the Borough Council held on February 8, 2021.

Richard K. Phoenix, R.M.C.
Borough Clerk
Borough of North Plainfield

Date signed:

RESOLUTION NO. 02-08-21-01c

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

BE IT RESOLVED, by the Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Treasurer with the approval of release from the Borough Engineer is hereby authorized to refund the following:

Refund of Storm Water Runoff Bond:

Lidio A. Matos \$ 1500.00
120 Duer Street
North Plainfield, NJ 07060

Council President

Council Member

Introduced: February 8, 2021

Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01d

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND
BOROUGH CLERK TO EXECUTE A LICENSE AGREEMENT WITH THE COUNTY
OF UNION FOR THE USE OF GREEN BROOK PARK FOR ITS ANNUAL FOURTH
OF JULY FIREWORKS DISPLAY IN THE BOROUGH OF NORTH PLAINFIELD.**

WHEREAS, the Borough of North Plainfield desires to have a fireworks display in honor of the 4th of July in Green Brook Park (hereinafter referred to as the “Fireworks”) to be held on Saturday, July 10, 2021, with a proposed rain date of Sunday, July 11, 2021; and,

WHEREAS, the County of Union, a body politic of the State of New Jersey, with offices at the Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey is the owner and operator of Green Brook Park; and,

WHEREAS, the County of Union requires that the Borough of North Plainfield have a license agreement to use Green Brook Park for its Fireworks, a copy of said license agreement being maintained in the Office of the Borough Clerk and the contents of which are incorporated herein; and,

WHEREAS, the Borough of North Plainfield is desirous of using Green Brook Park for its Fireworks and entering into said license agreement with the County of Union.

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 authorize the Mayor and the Borough Clerk to sign and/or execute a license agreement with the County of Union, without the need for any further action of this Borough Council, for the purposes cited above.

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

Council President

Council Member

Introduced: February 8, 2021
Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01e

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**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, 2021 to December 31, 2021; 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.

Council President

Council Member

Introduced: February 8, 2021

Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01f

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

AUTHORIZING AMENDMENT TO THE 2021 TEMPORARY BUDGET

*(Text to be provided by
the Finance Office)*

Council President

Council Member

Introduced: February 8, 2021

Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01g

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield that DR. HARRY ALLEN be and hereby is appointed to the BOARD OF ADJUSTMENT of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2025 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that DANIEL BATTISTA be and hereby is appointed as Alternate Member No. 1 to the BOARD OF ADJUSTMENT of this Borough 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.

BE IT FURTHER RESOLVED that MICHELLE BROWN be and hereby is appointed as Alternate Member No. 2 to the BOARD OF ADJUSTMENT of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2023 and until her successor shall have been appointed and qualified.

Council President

Council Member

Introduced: February 8, 2021

Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01h

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield, that SUEZETTE GIVEN be and hereby is appointed as Board of Health Member to the MUNICIPAL ALLIANCE COMMITTEE of this Borough to serve for the legal term expiring at 12:00 noon on January 1, 2022, and until her successor shall have been appointed and qualified.

Council President

Council Member

Introduced: February 8, 2021

Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01i

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield that STEVEN MCINTYRE be and hereby is appointed to the ECONOMIC DEVELOPMENT COMMITTEE of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2022 and until his successor shall have been appointed and qualified.

Council President

Council Member

Introduced: February 8, 2021

Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01j

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield, that upon nomination of the Mayor and with the advice and consent of this Council, STEPHEN HARLAN be and hereby is appointed to the HISTORIC PRESERVATION COMMISSION of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2024 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED, than upon nomination of the Mayor and with the advice and consent of this Council, PETER G. BECKMAN be and hereby is appointed to the HISTORIC PRESERVATION COMMISSION of this Borough as an alternate member 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.

Council President

Council Member

Introduced: February 8, 2021

Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01k

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield, that upon nomination of the Mayor and with the advice of consent of this Council, JENNIFER MCGOVERN be and hereby is appointed to the LIBRARY ADVISORY COMMITTEE of this Borough to serve for the balance of an unexpired term expiring at 12:00 noon on January 1, 2024 and until her successor shall have been appointed and qualified.

Council President

Council Member

Introduced: February 8, 2021

Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01/

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

BE IT RESOLVED by the Council of the Borough of North Plainfield, that upon nomination of the Mayor and with the advice and consent of this Council, EVERETT MERRILL be and hereby is appointed as Council Member representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term expiring on January 1, 2022 and until his successor shall have been appointed and qualified; and

BE IT FURTHER RESOLVED that JODY KARCHER be and hereby is appointed as Public Schools representative to the LOCAL EMERGENCY PLANNING COUNCIL to serve for the legal term expiring on January 1, 2022 and until her successor shall have been appointed and qualified.

Council President

Council Member

Introduced: February 8, 2021
Adopted: February 8, 2021

RESOLUTION NO. 02-08-21-01m

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

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 8th day of February, 2021 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

Council President

Council Member

Introduced: February 8, 2021

Adopted: February 8, 2021