

***CONSENT AGENDA***

**June 13, 2016**

**RESOLUTION NOS. 06-13-16-03a through n**

**RESOLUTION NO. 06-13-16-03**

**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

06-13-16-03a, b, c, d, e, f, g, h, i, j, k, l, m and n

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

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Council President

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Council Member

Introduced: June 13, 2016

Adopted: June 13, 2016

**RESOLUTION NO. 06-13-16-03a**

**RESOLUTION AUTHORIZING A CONTRACT WITH  
THE COUNTY OF SOMERSET TO PROVIDE PARTICIPATION  
IN A COOPERATIVE MEANS OF CONDUCTING CERTAIN  
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 Program and the HOME Investment Partnership Programs have benefited the County as a whole and have provided a unique opportunity for intermunicipal cooperation and

**WHEREAS**, the program has provides 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**, the Borough of North Plainfield desires to preserve benefits of the Community Development Block Grant Program and the Home Investment Partnership Programs for the County by renewing its participation in the Somerset County Community Development Consortium; and

**WHEREAS**, the Interlocal Services Act (N.J.S.A. 40:8A-1 et seq.) provides a mechanism through which counties and municipalities may enter into agreements for the provision of joint services; and

**WHEREAS**, N.J.S.A. 40:8A-1 et seq. provides that authorization for participation in such a cooperative program must be by resolution:

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of North Plainfield, County of Somerset, New Jersey, that the Borough of North Plainfield:

1. does hereby authorize continued participation in the Somerset County Community Development Consortium or Urban County.
2. does hereby authorize, ratify and confirm a certain agreement (hereinafter referred to as "Contract") between the Borough of North Plainfield and Somerset County entitled "Agreement Between the County of Somerset and Certain Municipalities Located Therein For the Establishment of Cooperative Means of Conducting Certain Community Development Activities" and is further authorized to amend language that is contained in the existing agreement to comply with new requirements from the Department of Housing and Urban Development.

This agreement shall automatically renew in every successive qualification period unless notice that it wishes to withdraw is provided to HUD and Somerset County.

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.

3. It hereby incorporates said Agreement into this Resolution by reference, as if fully set forth herein.
4. 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.

**APPROVED** this 13<sup>th</sup> day of June, 2016.

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Council President

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Council Member

Introduced: June 13, 2016

Adopted: June 13, 2016

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Michael Giordano Jr., Mayor

**ATTEST:**

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Richard K. Phoenix, RMC  
Borough Clerk

**RESOLUTION NO. 06-13-16-03b**

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

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, 2016 with a rain date of July 16, 2016; 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, 2016; and

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

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Council President

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Council Member

Introduced: June 13, 2016

Adopted: June 13, 2016

**RESOLUTION NO. 06-13-16-03c**

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

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<sup>th</sup>, 2016 with a rain date of July 16, 2016 for an amount not to exceed \$9,000.00.

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Council President

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Council Member

Introduced: June 13, 2016

Adopted: June 13, 2016

**RESOLUTION NO. 06-13-16-03d**

**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 S. BROTHERS  
INC. FOR THE FY2015 MUNICIPAL AID PROGRAM – GROVE STREET ROAD  
IMPROVEMENTS FOR THE BOROUGH OF NORTH PLAINFIELD**

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**WHEREAS**, the Borough of North Plainfield is in need of certain Road Improvements to Grove Street (hereinafter referred to as the “Project”); and,

**WHEREAS**, the Borough of North Plainfield solicited public bids for the Project and eight (8) bids were received and opened on the due date of May 26, 2016. The following three (3) were the lowest responsible bids:

<u>Bidding Entity</u>	<u>Total Amount</u>
S. Brothers Inc.	\$280,468.32
JTG Construction, Inc.	\$290,504.80
Reivax Contracting Corp.	\$300,238.00

**WHEREAS**, Grotto Engineering Associates, LLC, the Borough’s consulting engineer supervising on this Project, has reviewed the bid submissions and has recommended the award of the bid and contract for the Project to S. Brothers Inc., whose main offices are located at 16 Sobechko Road, Manalapan, New Jersey 07724 (hereinafter referred to as the “Contractor”); and,

**WHEREAS**, Director of Law/Borough Attorney Eric M. Bernstein, Esq., and the offices of Eric M. Bernstein & Associates, LLC, have reviewed the bid submissions and find no material defect with the bid proposal for the Contractor; 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 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: FY2015 Municipal Aid Program – Grove Street Road Improvements  
Successful Bidder: S. Brothers Inc.  
Total Bid: In the Amount of Two Hundred Eighty Thousand Four Hundred Sixty-Eight Dollars and Thirty-Two Cents (\$280,468.32).

**BE IT FURTHER RESOLVED** that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute the contract and all necessary documents to engage the construction services of S. Brothers 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 is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey and that the contract and its performance shall be consistent with all applicable laws, the Borough's bid documents and the bid proposal of S. Brothers Inc. for the Project known as the Grove Street Road Improvement Project.

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Lawrence La Ronde, Council President

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Council Member

Introduced: June 13, 2016

Adopted: June 13, 2016

### **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 regular meeting of the Borough Council held on June 13, 2016.

Date:

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



**RESOLUTION NO. 06-13-16-03e**

**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 TOP LINE  
CONSTRUCTION CORP. FOR THE AWARD OF THE 2016 CAPITAL ROAD  
IMPROVEMENTS FOR THE BOROUGH OF NORTH PLAINFIELD.**

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**WHEREAS**, the Borough of North Plainfield is in need of certain capital road improvements on various streets throughout the Borough (hereinafter referred to as the "Project"); and,

**WHEREAS**, the Borough of North Plainfield solicited public bids for the Project and received ten (10) bids, including the following three (3) submissions, which appear to be the three (3) lowest responsible bids as were received and opened on the due date of May 12, 2016:

<b>Bidding Entity</b>	<b>Base Bid</b>	<b>Add Alt. A Amount</b>	<b>Total Amount</b>
Top Line Construction Corp.:	\$535,686.02	\$38,011.68	\$573,697.70
Kyle Conti Construction LLC:	\$581,034.53	\$18,901.35	\$599,935.88
CCM Contracting, Inc.	\$577,055.45	\$24,477.56	\$601,533.01

**WHEREAS**, Grotto Engineering Associates, LLC, the Borough's consulting engineer supervising this Project, has reviewed the bid submissions and has recommended the award of the bid and contract for the Project to Top Line Construction Corp., with its main offices located at 22 Fifth Street, Somerville, New Jersey 08876 (hereinafter referred to as the "Contractor"); and,

**WHEREAS**, Director of Law/Borough Attorney Eric M. Bernstein, Esq., and the offices of Eric M. Bernstein & Associates, LLC have reviewed the bid submissions and find no material defect with the bid proposal for the Contractor; 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 responsible bidder for the Project.

**WHEREAS**, a mathematical error was made in the Resolution adopted by the Borough Council on May 23, 2016 and that this Resolution corrects that error.

**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: 2016 Capital Road Improvements  
Successful Bidder: Top Line Construction Corp.  
Total Bid: In the amount of Five Hundred Thirty-Five Thousand Six Hundred Eighty-Six Dollars and Two Cents (\$535,686.02) with an Additional Alternate A amount of Thirty Eight Thousand Eleven Dollars and Sixty-Eight Cents (\$38,011.68) for a Total Bid of Five Hundred Seventy-Three Thousand Six Hundred Ninety-Seven Dollars and Seventy Cents (\$573,697.70).

**BE IT FURTHER RESOLVED** that the Borough Council hereby authorizes the Mayor and the Borough Clerk to sign and/or execute the contract and all necessary documents to engage the construction services of Top Line Construction Corp. 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 is made pursuant to and consistent with the Local Public Contracts Laws of the State of New Jersey and that the contract and its performance shall be consistent with all applicable laws, the Borough's bid documents and the bid proposal of Top Line Construction Corp. for the Project known as the 2016 Capital Road Improvements.

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Lawrence La Ronde, Council President

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Council Member

Introduced: June 13, 2016  
Adopted: June 13, 2016

**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 regular meeting of the Borough Council held on June 13, 2016.

Date:

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

**RESOLUTION NO. 06-13-16-03f**

**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 PROFESSIONAL SERVICES AGREEMENT WITH GROTTO ENGINEERING ASSOCIATES, LLC FOR THE NORWOOD AVENUE ROAD IMPROVEMENTS – NJDOT 2016 FOR THE BOROUGH OF NORTH PLAINFIELD.**

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**WHEREAS**, the Borough of North Plainfield is in need of a Professional Engineer to provide the design documents for pavement, sidewalk, curb and drainage improvements to Norwood Avenue from Mountain Ave to Brook Avenue (approximately 2,400 feet) known as the Norwood Avenue Road Improvements – NJDOT 2016 (the “Project”); and,

**WHEREAS**, Grotto Engineering Associates, LLC, with a principal place of business located at 340 North Avenue, Cranford, New Jersey 07016, is in the business of providing Engineering Services and previously submitted a proposal for the Project for the Borough of North Plainfield, Somerset County, New Jersey, dated May 9, 2016 in an amount not to exceed Seventy Five Thousand Five Hundred (\$75,500.00) Dollars; and,

**WHEREAS**, the Borough of North Plainfield is desirous of obtaining the services of Grotto Engineering Services, LLC to perform all of those services contemplated in the afore-referenced proposal.

**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 award said contract to Grotto Engineering Associates, LLC, 340 North Avenue, Cranford, New Jersey 07016, and authorizes the Mayor and the Borough Clerk to sign and/or execute a Professional Services Agreement with Grotto Engineering Associates 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 of the State of New Jersey.

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Lawrence La Ronde,  
Council President

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Council Member

Introduced: June 13, 2016  
Adopted: June 13, 2016

### **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 regular meeting of the Borough Council held on June 13, 2016.

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

Date signed: \_\_\_\_\_

**RESOLUTION NO. 06-13-16-03g**

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

**RESOLUTION AUTHORIZING MAYOR AND/OR MAYOR AND BOROUGH  
CLERK AND/OR BOROUGH ADMINISTRATOR TO ACT AND 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**, the Borough Council will only be holding three (3) meetings during the time period between June 27, 2016 and September 12, 2016; and,

**WHEREAS**, the Borough wishes to authorize the Mayor and/or Mayor and Borough Clerk and/or Borough Administrator to take any necessary action on behalf of the Borough during the time the Borough Council is not in session including, but not limited to, paying 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 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.

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Council Member

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Council President

Introduced: June 13, 2016

Adopted: June 13, 2016

**RESOLUTION NO. 06-13-16-03h**

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

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 is 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 July 16, 2016, starting at 12:00 noon and ending at 4:00 PM in the gravel lot behind the Police Station at 263 Somerset Street, North Plainfield, New Jersey

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.

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Council President

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Council Member

Introduced: June 13, 2016

Adopted: June 13, 2016

**RESOLUTION NO. 06-13-16-03i**

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

WHEREAS, the following applicant has filed application for an Outdoor Sidewalk Café license for the period ending December 31, 2016:

Arturo Marroquín, t/a Family Barbecue LLC  
306 Somerset Street  
North Plainfield, NJ 07060

WHEREAS, review of the application and investigations of the site by appropriate Borough Officials discloses that the granting of said application would be in order;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that an Outdoor Sidewalk Café license be issued to the applicant in accordance with the filed application, subject to all requirements set forth in N.P.R.G.O. 14-10 and the following conditions:

1. Restaurant management shall keep the outdoor dining area clear of litter, food scraps and soiled dishes and utensils at all times.
2. Trash receptacles shall be provided in outdoor dining areas used for consuming take-out items unless public trash receptacles are located nearby.
3. At the end of each business day, the establishment is to clean and sweep the entire sidewalk in and around the outdoor dining area.
4. No debris shall be swept, washed, or blown into the sidewalk, gutter or street.
5. Trash receptacles shall be emptied daily.
6. If awnings or umbrellas are used, they shall be washed whenever they become dirty.
7. Applicant must not block adjacent doorway with any tables, chairs or planters, and must maintain six (6) feet of clear space between tables/planters and curb and/or structures to ensure A.D.A. compliance.

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Council President

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Council Member

Introduced: June 13, 2016  
Adopted: June 13, 2016



RESOLUTION NO. 06-13-16-03j

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 Tax Collector is hereby authorized and directed to create a duplicate tax sale certificate as follows:

Block 154-01 Lot 18  
169 Greenbrook Road

Cert. # 12-00181  
Issued 10-23-12

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Council President

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Council Member

Introduced: June 13, 2016

Adopted: June 13, 2016

RESOLUTION NO. 06-13-16-03k

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 is hereby authorized to refund the following

Refund of Dumpster Bond

Stephen Bene	\$ 200.00
650 Rockview Avenue	
North Plainfield, NJ 07060	

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Council President

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Council Member

Introduced: June 13, 2016

Adopted: June 13, 2016

**RESOLUTION NO. 06-13-16-03/**

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

**REQUESTING APPROVAL  
OF INSERTION OF \$39,952.27 FOR THE 2016  
BUDGET REVENUE AVAILABLE FROM  
THE CLEAN COMMUNITIES PROGRAM  
GRANT**

WHEREAS, N.J.S. 40:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough of North Plainfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$39,952.27 which item is now available as a revenue from the Clean Communities Program Grant.

BE IT FURTHER RESOLVED that a like sum of \$39,952.27 be and the same is hereby appropriated under the caption of:

Clean Communities Program Grant

\_\_\_\_\_  
Council President

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Council Member

Introduced: June 13, 2016

Adopted: June 13, 2016

By my hand, certified to be a true and complete copy of the Resolution adopted by the Council of the Borough of North Plainfield at its Regular Meeting of 13 June 2016.

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Richard K. Phoenix, RMC  
Borough Clerk

**RESOLUTION NO. 06-13-16-03m**

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

WHEREAS, the following organization has been issued identification number 352-5-31277 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 raffles licenses to the following:

North Plainfield Youth Sports Association  
233 Henry Court, North Plainfield  
On-premises 50-50 cash draw raffles:  
RL #1141, July 9, 2016  
RL #1142, July 18, 2016  
RL #1143, August 7, 2016  
RL #1144, October 1, 2016  
RL #1145, November 27, 2016

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Council President

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Council Member

Introduced: June 13, 2016  
Adopted: June 13, 2016

**RESOLUTION NO. 06-13-16-03n**

**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 13<sup>th</sup> day of June, 2016 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

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Council President

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Council Member

Introduced: June 13, 2016

Adopted: June 13, 2016