

CONSENT AGENDA

March 27, 2017

RESOLUTION NOS. 03-27-17-05a through f

RESOLUTION NO. 03-27-17-05

**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

03-27-17-05a, b, c, d, e and f

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

Council President

Council Member

Introduced: March 27, 2017

Adopted: March 27, 2017

RESOLUTION NO. 03-27-17-05a

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

WHEREAS, the Church of the Holy Cross, 40 Mercer Avenue, North Plainfield, New Jersey, has applied for a license to conduct an off-premises 50-50 cash raffles on June 17, 2017; and

WHEREAS, the Church of the Holy Cross has been issued Identification No. 352-1-38411 by the New Jersey Legalized Games of Chance Control Commission; and

WHEREAS, investigation has shown that said applicant meets the requirements for the issuance of a raffle license;

NOW, THEREFORE, BE IT RESOLVED that the Clerk be and is hereby authorized to issue a license to Church of the Holy Cross for an off-premises 50-50 cash raffles to be held on June 17, 2017 at 40 Mercer Avenue, North Plainfield, New Jersey.

Council President

Council Member

Introduced: March 27, 2017

Adopted: March 27, 2017

RESOLUTION NO 03-27-17-05b

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

**RESOLUTION ESTABLISHING
CANVASSING/SOLICITING PERMIT FEES**

WHEREAS, the North Plainfield Borough Code Section 4-6.3 provides for the establishment of the canvassing/soliciting permit fees by Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough of North Plainfield, County of Somerset, New Jersey, that the following canvassing/soliciting fees are hereby established pursuant to North Plainfield Borough Code Section 4-6.3:

1. Canvassing/soliciting permit valid for no longer than sixty (60) calendar days from date of issuance: \$25.00
2. Canvassing/soliciting permit valid for no longer than one (1) calendar year from date of issuance: \$100.00

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough of North Plainfield, County of Somerset, New Jersey, that the forgoing canvassing/soliciting permit fees shall remain in effect until such time that same are superseded by a subsequent Resolution.

Lawrence La Ronde,
Council President

Council Member

Introduced: March 27, 2017
Adopted: March 27, 2017

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 March 27, 2017.

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

Date signed:

RESOLUTION NO. 03-27-17-05c

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

**Resolution Supporting the 2017
UDrive. UText. UPay. Distracted Driving Crackdown
April 1 - 21, 2017**

Whereas, distracted driving is a serious, life-threatening practice that is preventable; and

Whereas, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

Whereas, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

Whereas, in 2014 alone distracted driving-related crashes resulted in 3,179 deaths and 431,000 injuries on our nation's roads; and

Whereas, in New Jersey distracted driving was listed as a contributing circumstance in more than 800,000 crashes between 2010-2014; and

Whereas, the State of New Jersey will participate in the nationwide Distracted Driving 2017 Crackdown from April 1 - 21, 2017 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

Whereas, the national slogan for the campaign is UDrive. UText. UPay; and

Whereas, a reduction in distracted driving in New Jersey will save lives on our roadways;

Therefore, be is resolved that North Plainfield Borough declares it's support for the Distracted Driving 2017 Crackdown both locally and nationally from April 1 - 21, 2017 and pledges to increase awareness of the dangers of distracted driving.

Council President

Council Member

Introduced: March 27, 2017

Adopted: March 27, 2017

RESOLUTION NO. 03-27-17-05d

**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 27th day of March, 2017 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: March 27, 2017

Adopted: March 27, 2017

RESOLUTION NO. 03-27-17-05e

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

**RESOLUTION OF THE BOROUGH COUNCIL
AUTHORIZING VERIZON WIRELESS TO USE UTILITY POLES
IN THE PUBLIC RIGHT-OF-WAY TO DEPLOY SMALL NETWORK NODES
IN THE BOROUGH OF NORTH PLAINFIELD**

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless (hereinafter referred to as "Verizon Wireless"), is a provider of commercial mobile data service subject to regulation by the Federal Communications Commission; and,

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way to deploy small network nodes in the Borough of North Plainfield; and,

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality;

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

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way to deploy no more than five (5) small network nodes in the Borough of North Plainfield, subject to the following:
 - a. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and local laws regarding safety requirements related to the use of the public right-of-way;
 - b. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Borough of North Plainfield;
 - c. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of North Plainfield, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy of poles

located within the public right-of-way, except to the extent resulting from the acts or omissions of the Borough of North Plainfield;

d. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000.00 for injury to or death of one or more persons in any one occurrence and \$500,000.00 for damage or destruction to property in any one (1) occurrence. Verizon Wireless shall include the Borough of North Plainfield as an additional insured;

e. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its utilities;

f. Notwithstanding any provision contained herein, neither the Borough of North Plainfield nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument;

g. This instrument shall be adopted on behalf of the Borough of North Plainfield by the Borough Council of the Borough of North Plainfield and attested to by the Borough of North Plainfield Borough Clerk who shall affix the Borough of North Plainfield Seal thereto; and,

h. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

2. If additional small network nodes are required in the Borough of North Plainfield, an additional resolution will be required from this Borough Council.

BE IT FURTHER RESOLVED that this resolution authorizes Verizon Wireless to use poles erected within the public right-of-way of the Borough of North Plainfield by parties that have the lawful right to maintain such poles to deploy small network nodes.

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.

Lawrence La Ronde,
Council President

Council Member

Introduced: March 27, 2017
Adopted: March 27, 2017

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 March 27, 2017.

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

Date signed: _____

RESOLUTION NO. 03-27-17-05f

**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 THE COUNTY OF SOMERSET FOR A CERTIFIED
RECYCLING PROFESSIONAL TO SIGN ANNUAL RECYCLING TONNAGE
REPORTS FOR THE BOROUGH OF NORTH PLAINFIELD**

WHEREAS, the Borough of North Plainfield has duly enacted a recycling plan for all recyclable materials as designated by the Somerset County Solid Waste Management Plan and amendments thereto codified in the Borough Code under section 14-7, "Recycling Program" and,

WHEREAS, pursuant to the Recycling Enhancement Act, N.J.S.A. 13:1E-96.2 et seq., the Borough of North Plainfield is in need of a Certified Recycling Professional to approve and sign a mandatory Annual Recycling Tonnage Report to be submitted to the New Jersey Department of Environmental Protection; and,

WHEREAS, the County of Somerset, a body politic having its offices located at 20 Grove Street, P.O. Box 3000, Somerville, New Jersey 08876 (hereinafter referred to as the "County"), has a Certified Recycling Professional on staff; and,

WHEREAS, while it is understood that the responsibility for the accuracy of all tonnage and materials reported lies with the Borough of North Plainfield, the Borough is desirous of retaining the services of the County's Certified Recycling Professional for the signing of said Annual Recycling Tonnage Report to be submitted to the New Jersey Department of Environmental Protection at a rate of Thirty-Three Dollars and Fifty Cents (\$33.50) per hour as needed, not to exceed an annual amount of One Thousand Dollars (\$1,000.00).

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 Borough Clerk to enter into said contract with the County of Somerset, a copy of which is attached hereto and made a part hereof, for the services of the County's Certified Recycling Professional to sign the Borough's Annual Recycling Tonnage Reports at a rate of Thirty-Three Dollars and Fifty Cents (\$33.50) per hour as needed, not to exceed an annual amount of One Thousand Dollars (\$1,000.00).

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute any and all documents on behalf of the Borough to effectuate this Resolution.

BE IT FURTHER RESOLVED that the execution 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 of this contract to Somerset County, pursuant to N.J.S.A. 13:1E-99.14, is an exception to the bidding requirements as set forth in the Local Public Contracts Law of the State of New Jersey, pursuant to N.J.S.A. 40A:11-5(2).

Lawrence La Ronde,
Council President

Council Member

Introduced: March 27, 2017
Adopted: March 27, 2017

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 March 27, 2017.

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

Date signed: _____