

***CONSENT AGENDA***

**August 11, 2014**

**RESOLUTION NOS. 08-11-14-03a through h**

**RESOLUTION NO. 08-11-14-03**

**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

08-11-14-03a, b, c, d, e, f, g and h

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

---

Council President

---

Council Member

Introduced: August 11, 2014

Adopted: August 11, 2014

**RESOLUTION NO. 08-11-14-03a**

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

**Resolution Supporting the  
*Drive Sober or Get Pulled Over 2014*  
*Statewide Crackdown***

**Whereas**, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

**Whereas**, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol-related; and

**Whereas**, an enforcement crackdown is planned to combat impaired driving; and

**Whereas**, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

**Whereas**, the State of New Jersey, Division of Highway Traffic Safety has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2014 Statewide Crackdown*; and

**Whereas**, the project will involve increased impaired driving enforcement from August 15 through September 1, 2014; and

**Whereas**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

**Therefore**, be it resolved that the Council of the Borough of North Plainfield declares its support for the *Drive Sober or Get Pulled Over 2014 Statewide Crackdown* from August 15 through September 1, 2014 and pledges to increase awareness of the dangers of drinking and driving.

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

\_\_\_\_\_  
Council Member

Introduced: August 11, 2014  
Adopted: August 11, 2014

**RESOLUTION NO. 08-11-14-03b**

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

BE IT RESOLVED by the Council of the Borough of North Plainfield that the Tax Collector is hereby authorized and directed to create duplicate tax sale certificates as follows:

Block 79, Lot 28 31 Fairview Ave.  
Certificate #04-29 issued 10/27/04

---

Council President

---

Council Member

Introduced: August 11, 2014  
Adopted: August 11, 2014

**RESOLUTION NO. 08-11-14-03c**

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

BE IT RESOLVED by the Council of the Borough of North Plainfield that after receipt of \$100.00 per certificate fee, the Tax Collector is hereby authorized and directed to create duplicate tax sale certificates as follows:

Block 203.06, Lot 69 505-07 Mountainview Dr.  
Certificate #12-00240 issued 10/23/12

---

Council President

---

Council Member

Introduced: August 11, 2014

Adopted: August 11, 2014

**RESOLUTION NO. 08-11-14-03d**

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

BE IT RESOLVED by the Council of the Borough of North Plainfield that after receipt of \$100.00 per certificate fee, the Tax Collector is hereby authorized and directed to create duplicate tax sale certificates as follows:

Block 52, Lot 22 151 Westervelt Ave.  
Certificate #13-00099 issued 12/4/13

---

Council President

---

Council Member

Introduced: August 11, 2014

Adopted: August 11, 2014

**RESOLUTION NO. 08-11-14-03e**

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

**RESOLUTION AUTHORIZING AN AGREEMENT WITH ENERGYSOLVE, LLC OF SOMERSET, NJ TO PROVIDE ENERGY BILL ANALYSIS SERVICES PURSUANT TO NEW JERSEY STATE CONTRACT NO. 73693 AND AUTHORIZING MAYOR AND BOROUGH CLERK TO EXECUTE SAME ON BEHALF OF THE BOROUGH**

**WHEREAS**, there exists a need for the Borough of North Plainfield to track its energy billing in order to control consumption and cost of energy, provide a benefit to the taxpayers of North Plainfield, and to reduce the carbon footprint, thereby helping the environment; and,

**WHEREAS**, the Borough desires to further reduce administrative costs and to scrutinize all energy bills to eliminate overages or inappropriate fees being charged by public utilities; and,

**WHEREAS**, the Borough desires to have real time data on energy consumption for the purpose of improved energy management and reporting of said usage in a simple ready to utilize format when required; and,

**WHEREAS**, based upon the foregoing, the Borough Council wishes to enter into a contract with EnergySolve, LLC of Somerset, New Jersey to provide such energy bill analysis services pursuant to New Jersey State Contract No. 73693.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that it hereby authorizes the Borough to enter into a contract with EnergySolve, LLC of Somerset, New Jersey to provide the following services at the listed rates pursuant to New Jersey State Contract No. 73693:

- Provide the New Jersey Energy Tracking System, which includes setting up of all energy bills in a relational database, reporting from the database utility bill and other information in standard or customer specific reports.

- Processing and paying of all utility bills electronically after checking for billing errors.
- Tariff analysis to ensure the Borough of North Plainfield is being provided the best rates.
- Current rate for service is \$3.60 per bill processed for Local Distribution Company and \$5.70 per bill for Third Party Suppliers per month.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that this resolution shall take effect immediately and that the Mayor and/or Borough Clerk are hereby authorized to take any such action to effectuate the purposes as herein stated.

---

Council President

---

Council Member

Introduced: August 11, 2014

Adopted: August 11, 2014

#### **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 August 11, 2014.

---

Richard K. Phoenix, R.M.C.

**RESOLUTION NO. 08-11-14-03f**

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

**RESOLUTION APPROVING CHANGE ORDER, CLOSEOUT OF PROJECT  
AND APPROVAL OF FINAL PAYMENT TO TRI-STATE GROUTING, INC.  
FOR PROJECT KNOWN AS CONTRACT 2014-01 FOR THE NORTHWOOD  
APARTMENTS  
SANITARY SEWER TRENCHLESS REHABILITATION PROJECT**

**WHEREAS**, the Council, by Resolution entered on April 14, 2014, awarded Contract 2014-01 for the Northwood Apartments Sanitary Sewer Trenchless Rehabilitation project to Tri-State Grouting, Inc., for the sum of not to exceed One Hundred Twenty Six Thousand Seven Hundred Ten Dollars and No Cents (\$126,710.00); and,

**WHEREAS**, Borough Special Engineer Hatch Mott MacDonald, by Brian J. Brach, P.E., has reviewed the final project and the final payment request and change order, and recommends approval and payment of same and close out of the project; and,

**WHEREAS**, Borough Attorney/Director of Law, Eric M. Bernstein and Associates, LLC, has reviewed the request and submissions from Brian J. Brach, P.E., and concurs with his recommendation; and,

**WHEREAS**, Change Order No. 1 has resulted in a cost savings to the Borough in the amount of Fourteen Thousand Seven Hundred Eighty Eight Dollars and Thirty-Nine Cents (\$14,788.39) from the total contract value; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that with regard to Contract No. 2014-01, Change Order No. 1 dated August 1, 2014, as analyzed by Hatch Mott McDonald, be and is hereby approved; and,

**BE IT FURTHER RESOLVED** that Payment Application No. 2 (final payment) dated August 1, 2014, as analyzed by Hatch Mott McDonald, be and is hereby approved in the total sum of Ninety Thousand Five Hundred Twenty-Four Dollars and Twenty-Nine cents (\$90,524.29) to be paid to the contractor, Tri-State Grouting, Inc.; and,

**BE IT FURTHER RESOLVED** that the project known as the Northwood Apartments Sanitary Sewer Trenchless rehabilitation Project be and is hereby finalized and closed.

\_\_\_\_\_  
Council President Douglas Singleterry

\_\_\_\_\_  
Council Member

Introduced: August 11, 2014

Adopted: August 11, 2014

#### **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 August 11, 2014.

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

Date signed:

\_\_\_\_\_

**RESOLUTION NO. 08-11-14-03g**

**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 issuance of a license to drive a taxicab for two years, pursuant to N.P.R.G.O. 4-1 et seq., to the following in accordance with the application heretofore submitted:

Johnny P. Espinel  
218 Clinton Avenue  
Plainfield, NJ 07063

Juan H. Yanez-Ramos  
450 West End Avenue, Apt. 30  
North Plainfield, NJ 07060

Maria T. Barrera  
17 Stone Street  
North Plainfield, NJ 07060

Olga M. Shulca-Defreire  
816 South Avenue  
Plainfield, NJ 07062

---

Council President

---

Council Member

Introduced: August 11, 2014

Adopted: August 11, 2014

**RESOLUTION NO. 08-11-14-03h**

**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 11<sup>th</sup> day of August, 2014 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: August 11, 2014

Adopted: August 11, 2014

**RESOLUTION NO. 08-11-14-03i**

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

**RESOLUTION OF THE BOROUGH OF NORTH PLAINFIELD  
AUTHORIZING RELEASE OF LETTER OF CREDIT  
AND CONSTRUCTION SURETY BOND  
REGARDING COSTCO WHOLESALE PROJECT**

**WHEREAS**, an application and construction project known as the Costco Warehouse, located on Route 22 East, Block 203.01, Lot 1 on the Tax Maps of the Borough of North Plainfield, was approved by the Borough of North Plainfield Planning Board by Resolution in Application No. SPR-12-001 signed on October 11, 2012; and,

**WHEREAS**, Costco Wholesale Corp., the applicant before the Borough Planning Board, through its authorized contractor, Graham Contracting, Ltd., has posted a Standby Letter of Credit guaranteeing its performance of its construction obligations, such letter of credit being issued by HSBC Bank Canada, dated April 2, 2013 in the amount of Three Hundred Twenty Two Thousand Eight Hundred Sixty Two Dollars and Thirty Cents (\$322,862.30); and,

**WHEREAS**, Costco Wholesale Corp., the applicant before the Borough Planning Board, through its authorized contractor, Graham Contracting, Ltd., has posted Surety Bond No. 105744163 guaranteeing its performance of its construction obligations, such bond being issued by Travelers Casualty and Surety Company of America, dated March 27, 2013 in the amount of Three Million Eight Hundred Five Thousand Seven Hundred Sixty Dollars and No Cents (\$3,805,760.00); and,

**WHEREAS**, the Borough Engineer, Grotto Engineering Associates, LLC, by Senior Project Manager David J. Testa, P.E., C.M.E. has recommended release of the letter of credit and Surety Bond; and,

**WHEREAS**, the Borough Attorney/Director of Law Eric M. Bernstein & Associates, LLC, will review the recommendations of David J. Testa, P.E. and issue an opinion; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Standby Letter of Credit and the Surety Bond referred to herein be and are hereby authorized to be released, subject to the following:

- a. Issuance by the Borough Attorney/Director of Law Eric M. Bernstein & Associates, LLC, of a concurring opinion with the Borough Engineer's recommendations in this matter; and,

- b. Posting of the required two (2) year Maintenance Guarantees/Bonds as required under the MLUL; and,
- c. Posting of a required escrow to cover engineering, inspection, legal, and all other professional and other costs related to the wall replacement on property owned by neighbor Anthony Moglia on Block 199.04, Lot 5, with access through the Borough's paper street known as Clinton Avenue on the Tax Maps of the Borough of North Plainfield.

---

Council President Douglas M. Singleterry

---

Council Member

Introduced: August 11, 2014  
Adopted: August 11, 2014

### 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 August 11, 2014.

---

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