**MINUTES** of the Regular Meeting of the Council of the Borough of North Plainfield held on Monday, **November 13, 2023** at 9:02 p.m. via Zoom.

### PRESENT:

Council Members: Aimee Corzo, Council Vice President

Suezette Given Steven McIntyre Everett Merrill Keiona R. Miller 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 October 23, 2023:

Aye: Corzo, Given, McIntyre, Miller, Schaefer, Stabile

Abstain: Merrill

### **HEARING:**

**ORDINANCE NO. 23-17** AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 7 OF THE BOROUGH CODE, ENTITLED "TRAFFIC", MORE PARTICULARLY BY ADDING A NEW § 7-22, ENTITLED "E-COMMERCE EXCHANGE ZONE".

The Acting Clerk read the ordinance by its title.

# **PUBLIC COMMENT:** None.

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

## **RESOLUTION:**

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

**RESOLUTION NO. 11-13-23-01** BE IT RESOLVED by the Council of the Borough of North Plainfield that an Ordinance numbered 23-17 be adopted and advertised as required by statute.

Seconded by Ms. Given and on roll call carried unanimously.

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

**RESOLUTION NO. 11-13-23-02** BE IT RESOLVED by the Borough Council of North Plainfield that an Ordinance numbered 23-18 be read by its title by the Borough Clerk and be passed on its first reading and advertised as required by statute, fixing November 27, 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. Miller and on roll call carried unanimously.

The Acting Clerk read the ordinance by its title:

ORDINANCE NO. 23-18 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 22 OF THE BOROUGH CODE, ENTITLED "LAND DEVELOPMENT", MORE SPECIFICALLY ARTICLE VIII, ENTITLED "ZONING BOARD OF ADJUSTMENT", AND MORE PARTICULARLY § 22-89, ENTITLED "ZONING BOARD OF ADJUSTMENT", MORE PARTICULARLY § 22-101, ENTITLED "WATER RUNOFF CONTROL," BY ADDING A NEW § 22-101.5 ENTITLED "PRIVATELY-OWNED SALT STORAGE FACILITIES", TO THE ORDINANCES OF THE BOROUGH OF NORTH PLAINFIELD

## **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. Miller requested that item "j" be removed for separate vote.

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

**RESOLUTION NO. 11-13-23-03** BE IT RESOLVED by the Council of the Borough of North Plainfield that resolutions numbered

11-13-23-03 a, b, c, d, e, f, g, h, i, k, *l*, m

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

Seconded by Ms. Corzo and on roll call carried unanimously.

## APPROVED CONSENT AGENDA RESOLUTIONS:

**RESOLUTION NO. 11-13-23-03a** RESOLUTION AUTHORIZING THE BOROUGH OF NORTH PLAINFIELD TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2023 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EMERGENCY MANAGEMENT AGENCY ASSISTANCE

WHEREAS, the Borough of North Plainfield Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FY23-EMPG-EMAA-1814rom the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the Borough of North Plainfield will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

WHEREAS, the award period is from July 1, 2023 to June 30, 2024; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Borough of North Plainfield Office Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

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

- 1. That the Council accepts the award of the FFY23 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
- 2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.

3. That copies of this resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

# **RESOLUTION NO. 11-13-23-03b** A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES

WHEREAS, the owner of 171 West End Avenue, also known as Block 167 Lot 4 was deemed a 100% Disabled Veteran and is now exempt from property taxes per the Assessor and;

WHEREAS, the taxes had been billed and paid on this parcel up to the 3rd quarter of 2023:

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 refund overpayments on this parcel:

Refund Overpayments to:

Brian H. Benson \$6,730.95 171 West End Avenue North Plainfield, NJ 07060

**RESOLUTION NO. 11-13-23-03c** Refund Real Estate Erroneous Tax Payments

WHEREAS, Tuyet Van Nguyrn & Tuyet Bach Pho inadvertently paid 2022 fourth Quarter Taxes on Block 55 Lot 21 and have requested refund of that payment, and;

WHEREAS, their mortgage company had already paid the taxes as they should have;

BE IT RESOLVED, by the Council of the Borough of North Plainfield, that the Acting Chief Financial Officer is authorized to make the following refunds:

Refund Real Estate Erroneous Tax Payments:

Tuyet Van Nguyrn & Tuyet Bach Pho \$ 2,053.07 32 Regent Street
North Plainfield, NJ 07060

# **RESOLUTION NO. 11-13-23-03d** A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES

WHEREAS, the owner of 159 Manning Avenue, also known as Block 37 Lot 13 was deemed a 100% Disabled Veteran and is now exempt from property taxes per the Assessor and;

WHEREAS, the taxes had been billed and paid on this parcel for 3rd quarter of 2023:

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 refund overpayments on this parcel:

Refund Overpayments to:

Gerardo Rivera \$1,825.77 159 Manning Avenue North Plainfield, NJ 07060

**RESOLUTION NO. 11-13-23-03e** RESOLUTION AUTHORIZING THE BOROUGH OF NORTH PLAINFIELD TO FILE A GRANT APPLICATION WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR AMERICAN RESCUE PLAN FUNDING ASSISTANCE ON BEHALF OF THE BOROUGH OF NORTH PLAINFIELD

WHEREAS, the Borough of North Plainfield Fire Department and its Emergency Medical Services Division (hereinafter referred to jointly as the "NPFD") use Oxygen Equipment during emergency responses, as well as for operational safety; and,

WHEREAS, the NPFD desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately Sixty-Seven Thousand, Four Hundred Seventy-Five (\$67,475.00) to provide alternative Oxygen Equipment to NPFD Firefighters and EMT's to provide adequate resources during all incident responses especially when exposed to Covid 19:

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 of the Borough of North Plainfield does hereby authorize the NPFD to file an application for such a grant; and,

BE IT FURTHER RESOLVED that the Borough Council and the NPFD recognize and accept that the Department of Community Affairs may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditures of funds pursuant to the terms of the agreement between the North Plainfield Fire Department and the New Jersey Department of Community Affairs and in accordance with law.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith.

**RESOLUTION NO. 11-13-23-03f** WHEREAS, Able Title Agency LLC inadvertently paid an overpayment for certificate #23-00077;

BE IT RESOLVED, by the Council of the Borough of North Plainfield, that the Acting Chief Financial Officer is authorized to make the following refunds:

Refund Real Estate Erroneous Overpayment:

Able Title Agency LLC \$ 100.00 84 Washington Street, 4th Floor Hoboken, NJ 07030

**RESOLUTION NO. 11-13-23-03g** 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 certificate(s) as follows:

Block 99 Lot 13 35 Greenbrook Rd # 07-00073 issued 12/18/2007 #09-00285 issued 10/1/2009 #10-00092 issued 8/25/2010 #14-00135 issued 10/29/2014

**RESOLUTION NO. 11-13-23-03h** WHEREAS, Block 40 Lot 17 has credits from tax years prior to 2021; and,

WHEREAS, these credits are thought to be unidentifiable, erroneous or as a result of initial conversion; and,

WHEREAS, in an effort to improve the financial integrity of the Borough it is recommended that said credit amounts be transferred to surplus for any future claims.

BE IT RESOLVED, by the Council of the Borough of North Plainfield, that the Tax Collector is hereby directed to transfer said credits totaling up to \$ 780.96 to surplus and the Chief Financial Officer is authorized to make the necessary corresponding entries.

**RESOLUTION NO. 11-13-23-03i** RESOLUTION OF THE BOROUGH COUNCIL APPROVING PAYMENT NO. 4 (FINAL) TO BLACK ROCK ENTERPRISES, L.L.C. AND THE CLOSING OUT OF THE CONTRACT AND THE RELEASE OF RETAINAGE FOR THE 2021 NJDOT MUNICIPAL AID PROGRAM BROOKE AVENUE IMPROVEMENTS PROJECT.

WHEREAS, the Borough of North Plainfield previously awarded a contract for the 2021 NJDOT Municipal Aid Program Brooke Avenue Improvements Project (hereinafter referred to as the "Project") to Black Rock Enterprises, L.L.C. (hereinafter referred to as the "Contractor"); and,

WHEREAS, David Testa, P.E., C.M.E., C.P.W.M., of Grotto Engineering Associates, L.L.C., the Borough's Engineer for the Project, on behalf of the Borough, by letter dated October 20, 2023, a copy of which is on file in the office of the Acting Borough Clerk and made a part hereof, has reviewed the Contractor's submission for Payment No. 4 (Final); and,

WHEREAS, the original contract price for the Project was Four Hundred Thirty Four Thousand Eight Hundred Ninety Three Dollars and Fifty Cents (\$434,893.50), which has been adjusted by the Final Contract Completed Cost, decreasing the final contract amount to a final

Contract Price of Four Hundred Thirteen Thousand One Hundred Sixty Eight Dollars and Fifty Nine Cents (\$413,168.59); and,

WHEREAS, the Contractor has submitted said Final Payment No. 4, adjusted by the above amount, to a final Contract Balance due in the total amount of Eight Thousand Two Hundred Sixty Three Dollars and Eighty Six Cents (\$8,263.37) plus the release of any and all of the Contractor's retained funds held by the Borough for the Project; and,

WHEREAS, in accordance with the Contract, the Contractor has submitted a one (1) year Maintenance Bond in the amount of Forty One Thousand Three Hundred Sixteen Dollars and Eighty Six Cents (\$41,316.86), with an effective date of June 28, 2023; and,

WHEREAS, Director of Law/Borough Attorney Eric M. Bernstein, Esquire and the offices of Eric M. Bernstein & Associates, L.L.C. have reviewed the Borough's Engineer on this Project and the Contractor's submissions and accept same based on the recommendations of the Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the request for Partial Payment No. 4 (Final) and the Closeout of the 2021 NJDOT Municipal Aid Program Brooke Avenue Improvements Project is approved with Black Rock Enterprises, L.L.C., whose main offices are located at 1316 Englishtown Road, Old Bridge, New Jersey 08857, in the total amount of Eight Thousand Two Hundred Sixty Three Dollars and Eighty Six Cents (\$8,263.37) plus the release of any and all of the Contractor's retained funds held by the Borough for the Project, which Final Payment Request and Closeout request is incorporated herein by reference as if same was fully set forth within and payment for same is authorized to be made to the Contractor, without the need for any further action of this Borough Council; and,

BE IT FURTHER RESOLVED that the original contract price for the Project was Four Hundred Thirty Four Thousand Eight Hundred Ninety Three Dollars and Fifty Cents (\$434,893.50), which has been adjusted by the Final Contract Completed Cost, decreasing the final contract amount to a final Contract Price of Four Hundred Thirteen Thousand One Hundred Sixty Eight Dollars and Fifty Nine Cents (\$413,168.59), which final contract price is hereby approved; and,

BE IT FURTHER RESOLVED that this Resolution 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 Borough Council hereby authorizes the Mayor and the Acting Borough Clerk to sign and/or execute any and all necessary documents to close out the Project and issue Payment No. 4 (Final) and release all retainage.

**RESOLUTION NO. 11-13-23-03k** RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND ACTING MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH THE NORTH PLAINFIELD BOARD OF EDUCATION FOR THE USE OF BOROUGH FACILITIES AT THE NORTH PLAINFIELD MEMORIAL LIBRARY AND THE

VERMEULE COMMUNITY CENTER FOR NORTH PLAINFIELD BOARD OF EDUCATION SAFETY DRILLS AND EMERGENCIES .

WHEREAS, the Borough of North Plainfield has municipal facilities located at the North Plainfield Memorial Library and the Vermeule Community Center; and,

WHEREAS, the North Plainfield Board of Education has a need for space to use for emergency evacuation and meeting locations for its students in cases of safety drills and any other emergencies to the North Plainfield Memorial Library, located at 6 Rockview Avenue in the Borough, and the Vermeule Community Center, located at 614 Greenbrook Road in the Borough; and,

WHEREAS, the Borough wishes to provide access to the North Plainfield Board of Education for the use of the North Plainfield Memorial Library and the Vermeule Community Center for such services pursuant to the terms and conditions of an Agreement, a copy of said Agreement being maintained in the Office of the Acting Borough Clerk and the contents of which are incorporated herein; and,

WHEREAS, said Agreement provides for the use of municipal property without costs or fees to the Borough of North Plainfield for a term of November 1, 2023 through October 31, 2024; and,

WHEREAS, the said Agreement provides that each party thereto shall maintain insurance to cover any risk, damage or injury which may occur on municipal property during such time as the North Plainfield Board of Education, its officers, employees or students are using municipal property during safety drills or emergencies under the Agreement and name the other as an additional insured; and,

WHEREAS, the North Plainfield Board of Education approved the said Agreement by resolution at its regular meeting on October 18, 2023.

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 authorizes the Mayor and the Acting Municipal Clerk or designee, on behalf of the Borough, to sign and/or execute the Agreement received from the North Plainfield Board of Education, for a period commencing November 1, 2023 through and including October 31, 2024. Said Agreement is incorporated herein by reference as if same was fully set forth, without the need for any further action of this Borough Council.

**RESOLUTION NO. 11-13-23-03/** A RESOLUTION AUTHORIZING THE BOROUGH OF NORTH PLAINFIELD TO PROVIDE MENTAL HEALTH SCREENING SERVICES FOR THE NORTH PLAINFIELD POLICE DEPARTMENT UNDER THE ARRIVE TOGETHER PILOT PROGRAM.

WHEREAS, pursuant to N.J.S.A. 40:48-1 and N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal and enforce such ordinances, regulations, rules and by-laws not contrary to the laws of this State and/or of the United States as it may deem necessary and proper

for the good of government, order and protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any other law; and,

WHEREAS, pursuant to *N.J.S.A.* 30:4-27.1, et seq. (the "Screening Law") and *N.J.A.C.* 10:31-1.1, et seq. ("Screening Regulations"), it is the policy of the State of New Jersey to provide for a public mental health system that delivers treatment consistent with a person's clinical condition and that screening services be developed as the public mental health system's entry point in order to provide accessible crisis intervention, evaluation and referral services to persons with mental illness, to offer persons with mental illness clinically appropriate alternatives to inpatient care and, when necessary, to provide a means for involuntary commitment to treatment; and,

WHEREAS, the Borough recognizes the importance of ensuring the safety of every person involved in civilian-law enforcement interactions, and that many of the negative outcomes that have resulted from such interactions may stem from law enforcement officers responding to situations involving individuals experiencing behavioral health crises; and,

WHEREAS, the New Jersey Department of Human Services ("DHS") contracts annually with Rutgers University Behavioral Health Care for the provision of screening services, pursuant to *N.J.A.C.* 10:31:10.1(c) and DHS Contracting Policy as a Mental Health Service Provider; and,

WHEREAS, local Mental Health Service Providers have been designated by DHS to provide screening services to local police departments in Somerset County in accordance with the Screening Law and Screening Regulations; and,

WHEREAS, the Screening Law provides officers and mental health specialists with the legal authority to transport or authorize transport of individuals who are experiencing a behavioral health crisis to an emergency department for a full assessment where appropriate; and,

WHEREAS, law enforcement officers may also request the assistance of Mental Health Service Providers specialists when responding to emergency service calls that relate to behavioral health crises and mental health personnel may request assistance from officers when responding to requests for emergency screening; and,

WHEREAS, in an effort to improve the outcomes in law enforcement's response to emergency behavioral health crisis calls, to divert individuals in crisis from unnecessary entry into the criminal justice system, and to more efficiently employ the resources of the North Plainfield Police Department, the North Plainfield Police Department seeks to start the ARRIVE Together Pilot Program in the Borough of North Plainfield.

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 authorizes the Chief of Police of the North Plainfield Police Department to undertake the necessary planning to institute the ARRIVE Together Pilot Program for the provision of assistance of mental health specialists when responding to emergency service calls that relate to behavioral health crises and

mental health personnel may request assistance from officers when responding to requests for emergency screening, including planning and development with the Somerset County Prosecutor's Office and designated Mental Health Service Providers.

**RESOLUTION NO. 11-13-23-03m** 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 November 2023 the same be paid; and that the Mayor and Chief Financial Officer are hereby authorized to sign and deliver warrants for the same.

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

**RESOLUTION NO. 11-13-23-03j** RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE MAYOR AND BOROUGH CLERK TO ACCEPT A PROPOSAL FROM KLEIN TRAFFIC CONSULTING, LLC TO EVALUATE TRAFFIC CONTROLS, SIGNING, STRIPING, AND PAVEMENT MARKINGS AT THE INTERSECTION OF MYRTLE AVENUE WITH WILLOW AVENUE AND INTERSECTION OF ROCKVIEW AVENUE WITH ROCKVIEW TERRACE.

WHEREAS, the Borough of North Plainfield is in need of assistance to evaluate traffic controls, signing, striping and pavement markings at the intersection of Myrtle Avenue with Willow Avenue and at the intersection of Rockview Avenue with Rockview Terrace; and,

WHEREAS, the Borough of North Plainfield has received a proposal from Klein Traffic Consulting, LLC, dated October 27, 2023, a copy of said proposal being maintained in the Office of the Acting Borough Clerk and the contents of which are incorporated herein, to provide professional services relative to the evaluation of said traffic controls, signing, striping, and pavement markings at the two said (2) intersections; and,

WHEREAS, Klein Traffic Consulting, LLC proposes a Scope of Services, in which it will conduct a field visit to become familiar with the subject intersections: to verify the existing roadway and lane dimensions, traffic control devices, signing and striping; determine the minor street approach to the studied intersections; evaluate the crash reports for the most recent three (3) years at the studied intersections; evaluate the traffic volume data provided by the Borough for the studied intersections; evaluate the potential traffic calming measures that might apply to each intersection; and, evaluate the potential modifications to the traffic control devices, striping, signing and pavement markings that might apply to each intersection; and,

WHEREAS, Klein Traffic Consulting, LLC will also develop conceptual improvement plans showing the proposed modifications to the traffic control, signing, striping and pavement markings, as well as traffic calming devices, and meet with the applicable Borough official to discuss conceptual improvements; and,

WHEREAS, the fee to complete the above outlined Scope of Services will be Seven Thousand Six Hundred Dollars (\$7,600.00) for said professional services relative to the evaluation of said traffic controls, signing, striping and pavement markings at these two (2) intersections; and,

WHEREAS, all services which may be requested by the Borough beyond the Scope of Services as outlined above will be considered as extra work and invoiced as extra work at the hourly rate for a Professional Traffic Engineer of Two Hundred Dollars (\$200.00) per hour and at the hourly rate for an AutoCAD technician at One Hundred Twenty Dollars (\$120.00) per hour, whichever is applicable. No extra work will be performed unless authorized by the Borough Engineer and Borough Administrator in writing.

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 accepts the proposal submitted by Klein Traffic Consulting, LLC to perform the professional services relative to the evaluation of said traffic controls, signing, striping and pavement markings at the intersection of Myrtle Avenue with Willow Avenue and at the intersection of Rockview Avenue with Rockview Terrace for an aggregate total amount not to exceed Seven Thousand Six Hundred Dollars (\$7,600.00), plus any extra work authorized by the Borough Engineer and Borough Administrator at the hourly rate for a Professional Traffic Engineer of Two Hundred Dollars (\$200.00) per hour and/or at the hourly rate for an AutoCAD technician at One Hundred Twenty Dollars (\$120.00) per hour, whichever is applicable; and,

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and the Acting Borough Clerk to sign and/or execute the proposals submitted by Klein Traffic Consulting LLC, dated October 27, 2023, pertaining to all of these services; and,

BE IT FURTHER RESOLVED that the award of this proposal 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 proposal and its performance shall be consistent with all applicable laws, the Borough's bid documents and the bid proposals of Klein Traffic Consulting, LLC, dated October 27, 2023, for the Services set forth herein.

Seconded by Mr. Merrill with Roll Call as follows:

Aye: McIntyre, Merrill, Stabile Nay: Corzo, Given, Miller, Schaefer

Resolution failed 3-4.

### **REPORTS:**

POLICE DEPARTMENT – AUGUST 2023 REPORT BOARD OF HEALTH REPORT – OCTOBER 2023

### **COMMUNICATIONS:**

New Jersey League of Municipality Hospitality Functions, Housing & Shuttle

	Bus
Francine Gargano	Email for Dropbox Closing
New Jersey Department of Environmental Protection	Weekly Update

# **REQUESTS FOR AGENDA ITEMS:**

Mr. Merrill requested an update from the Economic Development Committee regarding the new businesses opening in the borough.

# **PUBLIC COMMENT:**

Meeting adjourned at 9:30 p.m.

Francine Gargano, 57 Willow Avenue, North Plainfield, requested an ordinance that would prohibit residents from removing leaves from their properties and piling them in front of a neighbor's property. The speaker voiced her displeasure with administration requesting tax payers' money for a traffic study after voting in favor of the Yeshiva application which will increase on-street parking exponentially. Ms. Gargano again requested consideration of permit parking for residents which would alleviate almost all of the over-crowding issues. She further advised that the police department should be responsible for traffic studies.

Rich Phoenix, 58 Sycamore Avenue, North Plainfield, requested clarification of the evening's ordinances, specifically why a capital bond ordinance was passed without a sewer bond ordinance. Mr. George clarified that no bond ordinances were introduced or adopted that evening.

## COMMENTS BY MAYOR, ADMINISTRATOR AND COUNCIL MEMBERS:

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

& J		
	Acting Borough Clerk	
C : 1 D: 1 4		
Council President		