

***CONSENT AGENDA***

**June 25, 2018**

**RESOLUTION NOS. 06-25-18-06a through n**

**RESOLUTION NO. 06-25-18-06**

**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

06-25-18-06 a, b, c, d, e, f, g, h, i, j, k, *l*, m, 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 25, 2018

Adopted: June 25, 2018

**RESOLUTION NO. 06-25-18-06a**

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

WHEREAS, the following applicants have applied for renewal of Plenary Retail Consumption or Plenary Retail Distribution Licenses for the period July 1, 2018 through June 30, 2019 and the submitted application forms are complete in all respects; and

WHEREAS, the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC laws and regulations; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that the Borough Clerk is hereby authorized and directed to issue licenses in accordance with the filed applications to the following applicants for the period July 1, 2018 through June 30, 2019:

- 1814-32-011-011 J & N Wine and Spirits LLC, t/a Buy Rite  
967 US Highway 22 West
- 1814-33-001-003 L Penaloza LLC, t/a The Bridge  
50-54 Watchung Avenue
- 1814-33-003-004 El Salvador Inc, t/a Tesoro Salvadoreño Restaurant  
64 Somerset Street
- 1814-33-004-004 Toson Food & Beverages North Plainfield LLC  
1250 Route 22 East
- 1814-33-008-006 Mi Mundo Latino LLC, t/a Mi Mundo Latino  
375 Somerset Street
- 1814-33-010-012 Texas Roadhouse Holdings LLC  
1258 Route 22 Eastbound
- 1814-44-005-008 Clinton Liquors of North Plainfield Inc., t/a Clinton Liquors  
64 Watchung Avenue
- 1814-44-006-007 R&R Spirits Inc., t/a Star Discount Liquors  
25 Greenbrook Road
- 1814-44-012-005 Shivaam LLC, t/a Herb's Liquor  
194 Somerset Street
- 1814-44-013-013 NB Liquors Inc.  
1290 US Highway 22

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Council President

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Council Member

Introduced: June 25, 2018  
Adopted: June 25, 2018

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 25 June 2018.

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Richard K. Phoenix, RMC  
Borough Clerk

**RESOLUTION NO. 06-25-18-06b**

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

WHEREAS, applications have been filed pursuant to N.P.R.G.O. 4-10 for licenses to utilize certain lots within the Borough of North Plainfield for the display or storage for sale of motor vehicles; and

WHEREAS, the Council of the Borough of North Plainfield has received certifications from the appropriate Borough officials that the applicants have satisfactorily complied with all applicable laws, ordinances and regulations;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of North Plainfield that the Borough Clerk is hereby authorized and directed to issue licenses in accordance with the filed applications to the applicants listed below for the utilization of certain lots within the Borough for the display or storage for sale of motor vehicles for the period July 1, 2018 through June 30, 2019.

1. Cartopia, LLC  
897 Route 22 West
2. GPB Cars 12 LLC, d/b/a North Plainfield Nissan  
545 Route 22 West
3. Global Motors Corp., t/a Global Auto Mall  
1099-1155 Route 22 West
4. Mike Joseph Masi, t/a M&R Auto Sales  
505 Somerset Street
5. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.  
700 Route 22 East
6. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.  
726-750 Route 22 East
7. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.  
767 Route 22 West
8. VIP Cycle & Sport Center Inc., t/a VIP Honda Inc.  
16-18 Hudson Avenue

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Council President

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Council Member

Introduced: June 25, 2018  
Adopted: June 25, 2018

**RESOLUTION NO. 06-25-18-06c**

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

At its Regular Meeting of May 29, 2018, the North Plainfield Borough Council adopted a Resolution granting permission for the public display of fireworks on July 7, 2018. That Resolution gave a rain date of July 14, 2018 for the fireworks display at West End School.

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 7, 2018 and corrects the rain date of same to July 8, 2018; 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 Wednesday, July 4, 2018; 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 25, 2018

Adopted: June 25, 2018

**RESOLUTION NO. 06-25-18-06d**

**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 7, 2018 with a rain date of July 8, 2018 for an amount not to exceed \$12,000.00.

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Council President

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Council Member

Introduced: June 25, 2018

Adopted: June 25, 2018

**RESOLUTION NO. 06-25-18-06e**

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

**RESOLUTION AUTHORIZING THE MAYOR AND/OR THE MAYOR AND  
BOROUGH CLERK AND/OR THE BOROUGH ADMINISTRATOR TO ACT ON  
AND/OR 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**, during this period, from this date through September 10, 2018, the Borough Council has tentatively scheduled meetings for July 16, 2018, August 13, 2018 and September 10, 2018 only; and,

**WHEREAS**, the Borough wishes to authorize the Mayor and/or the Mayor and Borough Clerk and/or the 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 the 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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Lawrence La Ronde  
Council President

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Council Member

Introduced: June 25, 2018  
Adopted: June 25, 2018



**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 25, 2018.

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

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

**RESOLUTION NO. 06-25-18-06f**

**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 by the Mayor and with the advice and consent of this Council, MICHAEL J. CECCATO be and hereby is appointed as Deputy Coordinator to the OFFICE OF EMERGENCY MANAGEMENT to serve for the legal term expiring at 12:00 noon on January 1, 2019 or until his successor is appointed and qualified.

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Council President

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Council Member

Introduced: June 25, 2018  
Adopted: June 25, 2018

**RESOLUTION NO. 06-25-18-06g**

**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  
Off-premises 50-50 cash draw raffles:  
11 August 2018

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Council President

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Council Member

Introduced: June 25, 2018

Adopted: June 25, 2018

**RESOLUTION NO. 06-25-18-06h**

**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 GROTTO  
ENGINEERING ASSOCIATES, LLC FOR THE 2018 CAPITAL ROAD  
IMPROVEMENTS PROJECT FOR VARIOUS ROADS IN THE BOROUGH OF  
NORTH PLAINFIELD**

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**WHEREAS**, the Borough of North Plainfield is in need of certain professional services relating to improvements to various streets in the Borough of North Plainfield under the 2018 Capital Road Improvements Project (hereinafter referred to as the “Project”); and,

**WHEREAS**, Grotto Engineering Associates, LLC, with its 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 to the Borough of North Plainfield, Somerset County, New Jersey, dated June 5, 2018, in the total amount not to exceed Seventy Thousand Dollars (\$70,000.00), which consists of Twenty-Eight Thousand Five Hundred Dollars (\$28,500.00) for Design Documents and Forty-One Thousand Five Hundred Dollars (\$41,500.00) for Bid Support, Contract Administration and Inspection; 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, a copy of said proposal being maintained in the Office of the Borough Clerk, the contents of which are incorporated herein.

**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 in a total amount not to exceed Seventy Thousand Dollars (\$70,000.00) Dollars as per Grotto’s proposal and authorizes the Mayor and the Borough Clerk to sign and/or execute a Professional Services Agreement with Grotto Engineering Associates, LLC 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 25, 2018

Adopted: June 25, 2018

**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 25, 2018.

Date: June 25, 2018

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

**RESOLUTION NO. 06-25-18-06i**

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

**RESOLUTION OF THE BOROUGH OF NORTH  
PLAINFIELD ACCEPTING THE PROJECT KNOWN  
AS GREENBROOK GARDENS AND AUTHORIZING  
THE RELEASE OF PERFORMANCE GUARANTEES**

**WHEREAS**, an application and construction project known as Greenbrook Gardens, located at 1275 Rock Avenue, Block 204, Lot 7 on the official tax map of the Borough of North Plainfield, was approved by the Borough of North Plainfield Planning Board by Resolution in Application No. SPR-16-003; and,

**WHEREAS**, SDK Greenbrook Gardens, LLC, the applicant before the Borough Planning Board, has posted performance guarantees for the guarantee of the installation of required public improvements as required under the Municipal Land Use Law (hereinafter referred to as the “MLUL”), *N.J.S.A. 40:55D-1 et seq.*; and,

**WHEREAS**, the Borough Engineer, Grotto Engineering Associates, LLC, by Senior Project Manager David J. Testa, P.E., C.M.E., C.P.W.M., in a letter dated June 8, 2018, has recommended acceptance of the public improvements and release of the performance guarantees; and,

**WHEREAS**, the Borough Attorney/Director of Law Eric M. Bernstein & Associates, LLC, has reviewed the recommendations of David J. Testa, P.E. and concurs with his recommendations;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey, that the project known as “Greenbrook Gardens,” located at 1275 Rock Avenue, Block 204, Lot 7 on the official tax map of the Borough of North Plainfield, be and is hereby accepted and the performance guarantees may be released.

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Lawrence La Ronde, Council President

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Council Member

Introduced: June 25, 2018  
Adopted: June 25, 2018

## **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 25, 2018.

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

**RESOLUTION NO. 06-25-18-06j**

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

*Resolution Awarding Intensive Level  
Historic District Survey Contract  
to Barton Ross and Partners, LLC*

TEXT TO BE PROVIDED AT

REGULAR COUNCIL MEETING



**RESOLUTION NO. 06-25-18-06k**  
**TO ADD ROTH PROVISION FOR**  
**AN EXISTING DEFERRED COMPENSATION PLAN**  
**89-PD-AXA-120616**

**WHEREAS**, the Borough of North Plainfield (hereinafter referred to as the “Employer”) by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) effective July 23, 1991 for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and to add ROTH Provision

**WHEREAS**, the Small Business Jobs Act of 2010 amended Section 402A(e)(1) of the Internal Revenue Code (the “Code”); and

**WHEREAS**, the Employer desires its Plan to add Roth provisions brought about by the Small Business Jobs Act of 2010; and

**WHEREAS**, the Employer desires to adopt a restated Plan that is substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service including provisions of The Small Business Job Protection Act of 1996 (United States Public Law No. 104-188), the Tax payer Relief Act of 1997 (United States Public Law No. 105-34), the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16), Section 401(a)(9) of the Internal Revenue code, the Small Business Jobs Act of 2010, and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Code Section 457 including pertinent applicable Treasury Regulations. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent; and

**WHEREAS**, such revised Plan shall supersede the previously adopted Plan;

**NOW, THEREFORE BE IT RESOLVED**, that the Employer hereby adopts the attached revised Plan **89-PD-AXA-120616**.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

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Council President

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Council Member

Introduced: June 25, 2018  
Adopted: June 25, 2018

**RESOLUTION NO. 06-25-18-067**

**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 Construction Permit Fee

Pasquale Assalone                      \$ 1348.00

TVM Food LLC  
21 White Marsh Drive  
Manalapan, NJ 07726

Job: 1200 NJSH 22 E

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Council President

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Council Member

Introduced:     June 25, 2018

Adopted:        June 25, 2018

**RESOLUTION NO. 06-25-18-06m**

**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 certificate(s) as follows:

Block 148	Lot 10	107 Willow Ave.	Cert. #10-00140	issued 08-25-10
			#15-00159	issued 10-29-15
			#09-00324	issued 10-01-09
			#07-00097	issued 12-18-07
Block 48	Lot 32	109 Jackson Ave.	#11-00053	issued 09-20-11
Block 23	Lot 19	5 Hurley Ave.	#15-00037	issued 10-29-15
			#13-00060	issued 12-04-13
Block 5	Lot 6	268-70 North Drive	#00-07	issued 06-27-00
Block 151	Lot 11	124-26 Tappan Ave.	#12-00179	issued 10-23-12

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Council President

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Council Member

Introduced: June 25, 2018

Adopted: June 25, 2018

**RESOLUTION NO. 06-25-18-06n**

**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 25<sup>th</sup> day of June, 2018 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 25, 2018

Adopted: June 25, 2018