

## Minutes from the November 21, 2011 Public Meeting of the South Plainfield Mayor and Council

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The meeting was called to order at 7:45pm by Mayor Anesh in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, with adequate notice of this meeting of the Borough Council being provided to the borough's two official newspapers and also published on the Borough's website.

Clerk Graf called the roll. Present were Council Members: Bengivenga, Buteas, Frank, McConville, Salerno and Rusnak.

After the Pledge of Allegiance, the Invocation was offered by Councilman Salerno.

Mr. McConville made a motion to accept the minutes of Agenda meeting of November 7, 2011; seconded by Mr. Bengivenga.

**YES: Bengivenga, Buteas, McConville, Salerno, Rusnak**  
**ABSTAIN: Frank**

**Motion Carried**

The Mayor opened the meeting to the Public for comments on Agenda items only.

Frank Mikorski of Regency Place asked for clarification on Ordinances 1941 and 1942. He asked if a cost benefit analysis had been done on the purchase of the sewer vac. Will it be used enough to warrant a \$300,000 expenditure and is it possible to share with another community.

Mr. Rusnak explained that the borough has a total of 3100 catch basins which must be serviced. Based on this past year's performance at a rate of 1000 basins per year, it takes 3 years to complete the full process.

Mr. Cullen added that the sewer jet vac is a critical piece of equipment to DPW. It is used not only for the catch basins but also for the servicing of the borough's sanitary sewer system.

Bob Capparelli added that DPW's response time is also a critical factor and the new equipment will satisfy that need.

Mr. Bengivenga noted that when the borough was forced to rent the equipment in order to comply with DEP's mandate, we paid \$10,000 and completed 300 basins in a month.

Ms. Buteas asked for clarification on Ordinance # 1940 relative to the proposed rate increase. Mr. Cullen explained that the rate increase amounts to 1.5% or approximately \$5.00 per household. He felt that the increase was the prudent management decision to make at this time.

The Mayor closed the public portion and called for Ordinance # 1940.

Ms. Graf read Ordinance # 1940 by title only on introduction as follows:

**#1940 entitled:** An Ordinance Amending Chapter 157 of the Code of the Borough of South Plainfield entitled "Sewers"

Mr. Rusnak made a motion to approve Ordinance # 1940 on first reading, seconded by Mr. Bengivenga.

**YES: Bengivenga, Frank, McConville, Rusnak**  
**NO: Buteas, Salerno**

**Motion Carried**

Ms. Graf read Ordinance # 1941 by title only on introduction as follows:

**#1941 entitled:** Bond Ordinance providing for various capital improvements of the Borough of South Plainfield, in the County of Middlesex, New Jersey, appropriating the aggregate amount of \$164,000 therefor and authorizing the issuance of \$155,000 bonds or notes of the Borough to finance part of the cost thereof.

Mr. McConville made a motion to approve Ordinance # 1941 on first reading, seconded by Mr. Bengivenga.

Ms. Buteas asked about the balance of funds in the Capital Expenses Account. Mr. Cullen confirmed that there is a balance of approximately \$150,000 and advised that a number of County projects involving South Plainfield and Piscataway – New Durham, Stelton and W. 7<sup>th</sup> Street, which have all be previously approved, need to be financed this year.

**YES: Bengivenga, Buteas, Frank, McConville, Salerno, Rusnak**

Ms. Graf read Ordinance # 1942 by title only on introduction as follows:

#1942 entitled: Bond Ordinance providing for the acquisition of a sewer jet truck for the sewer utility in and by the Borough of South Plainfield, in the County of Middlesex, New Jersey, appropriating \$300,000 therefor and authorizing the issuance of \$300,000 bonds or notes of the Borough to finance part of the cost thereof.

Mr. Bengivenga made a motion to approve Ordinance # 1942 on first reading, seconded by Mr. Rusnak.

**YES: Bengivenga, Buteas, Frank, McConville, Salerno, Rusnak**

Mr. Bengivenga made a motion to approve Resolutions 11-292 through 11-302, seconded by Mr. Rusnak, which all begin with **BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:**

**#11-292**

**WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1222-33-015-006, heretofore issued to South Plainfield Lodging Realty LLC for premises located at 4701 Stelton Road, South Plainfield, New Jersey; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

**NOW, THEREFORE BE IT RESOLVED** that the South Plainfield Governing Body does hereby approve, effective November 22, 2011, the transfer of the aforesaid Plenary Retail Consumption License to **Menlo Management SP LLC**, and does hereby direct the Borough Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows:

*“This license, subject to all its terms and conditions, is hereby transferred to Menlo Management SP LLC, 2025 Lincoln Hwy., Edison, NJ 08817, effective November 22, 2011.*

**#11-293**

**WHEREAS**, TD Bank has applied for a release of a performance bond posted for public improvements to Block 188, Lots 47.01 (2481 Plainfield Avenue); and

**WHEREAS**, the Borough Engineer has certified all required public improvements to the property have been installed; and

**WHEREAS**, the requirements and conditions of Borough Ordinance # 762 have been complied with as to filing and serving of notice; and

**WHEREAS**, the Borough Engineer has recommended that the performance bond in the form of a Bond in the amount of \$276,738.12 and a Check in the amount of \$30,748.68 be released upon

the posting of a two year maintenance bond in the amount of \$46,123.02 and the payment of any outstanding engineering escrow fees or COAH fees; and

**WHEREAS**, the Governing Body held a public hearing on Monday, November 21, 2011 and there were no objections filed against the release of said bond.

**NOW THEREFORE BE IT RESOLVED** that the above stated performance bond be released.

**#11-294**

Rileighs Outdoor Decor, Inc, PO Box 4365, Bethlehem PA 18018 is hereby hired to provide the installation, maintenance and storage of the Borough’s Holiday Wreaths for 2011 at a cost not to exceed \$6,990.00.

**#11-295**

Authorization is hereby granted for the borough’s traffic signal maintenance vendor, Jen Electric Traffic Systems Specialists, 631 Morris Ave, Springfield, NJ to repair the downed traffic light at the intersection of Helen Street and Durham Ave at a cost not to exceed \$15,293.60.

**#11-296**

**WHEREAS**, in accordance with N.J.S.A. 40A:4-58 permits appropriation transfers during the last two months of the fiscal year, for the purposes specified and in excess of sums appropriated in the Budget; and

**WHEREAS**, such transfers must be approved by a vote of not less than two-thirds of the full membership of the governing body;

**NOW, THEREFORE, BE IT RESOLVED** that the following transfers be approved in accordance with State Statute:

**BOROUGH of SOUTH PLAINFIELD  
TRANSFERS – 2011**

<b>CURRENT FUND</b>			<b>AMOUNT</b>
<b>FROM:</b>			<u>                    </u>
1-01-20-120-000-101	Borough Clerk	S&W	3,000.00
1-01-20-130-000-101	Finance	S&W	15,500.00
1-01-23-210-000-661	Other Insurance	O & E	5,000.00
1-01-23-220-000-601	Group Insurance	O & E	250,000.00
1-01-20-165-000-204	Engineering	O & E	2,500.00
1-01-21-180-001-221	Planning Board	O & E	2,500.00
1-01-22-195-001-101	Code Enforcement	S&W	6,500.00
1-01-25-265-003-581	Fire Service Charges	O & E	5,000.00
1-01-26-290-001-101	Public Works Admin	S&W	10,000.00
1-01-26-305-003-101	Recycling	S&W	1,500.00
1-01-27-330-001-235	Board of Health	O & E	3,500.00
1-01-36-472-000-675	SSI	Stat	25,000.00
1-01-43-490-000-611	Court	O & E	5,000.00
<b>Total FROM:</b>			<u><u>335,000.00</u></u>

<b>TO:</b>			<b><u>AMOUNT</u></b>
1-01-20-130-000-101	Administration	S&W	6,000.00
1-01-20-130-000-403	Administration	O & E	4,000.00
1-01-20-110-000-505	Executive	O & E	2,000.00
1-01-20-120-000-204	Borough Clerk	O & E	1,000.00
1-01-20-130-000-235	Finance	O & E	10,000.00
1-01-20-135-000-236	Audit	O & E	3,000.00
1-01-20-145-000-255	Tax Collection	O & E	5,000.00
1-01-20-150-000-101	Tax Assessing	S&W	20,000.00
1-01-21-185-000-221	Zoning	O & E	2,000.00
1-01-25-240-001-101	Police	S&W	5,000.00
1-01-25-240-001-301	Police	O & E	75,000.00
1-01-25-250-000-204	911	O & E	10,000.00
1-01-25-252-000-321	Emergency Management	O & E	6,000.00
1-01-25-265-001-201	Fire Department	O & E	3,000.00
1-01-26-290-002-102	Road Repairs & Maintenance	S&W	50,000.00
1-01-26-290-002-445	Road Repairs & Maintenance	O & E	10,000.00
1-01-26-305-003-519	Recycling	O & E	1,000.00
1-01-26-310-000-101	Public Building & Grounds	S&W	49,000.00
1-01-26-310-000-441	Public Building & Grounds	O & E	3,000.00
1-01-28-370-002-102	Office on Aging	S&W	20,000.00
1-01-28-370-002-501	Office on Aging	O & E	5,000.00
1-01-30-410-001-535	Municipal Support	O & E	12,000.00
1-01-43-490-000-101	Court	S&W	3,000.00
1-01-31-435-002-555	Street Lights	O & E	4,000.00
1-01-31-420-001-555	Electric	O & E	4,000.00
1-01-37-480-000-225	Judgements	O & E	2,000.00
1-01-36-472-000-675	Landfill	O & E	12,000.00
1-01-31-445-001-581	Water	O & E	3,000.00
1-01-31-465-001-565	Gasoline	O & E	5,000.00
<b>Total TO:</b>			<b><u><u>335,000.00</u></u></b>

**POOL UTILITY**

<b>FROM:</b>			<b>AMOUNT</b>
1-26-55-520-000-601	Other Expenses	O & E	5,000.00
1-26-55-520-000-495	Other Expenses	O & E	2,000.00
1-26-55-520-000-555	Other Expenses	O & E	1,000.00
1-26-55-560-000-675	SSI	Statutory	2,000.00
<b>Total FROM:</b>			<b><u>10,000.00</u></b>
<b>TO:</b>			<b>AMOUNT</b>
1-26-55-520-000-101	Salaries	S&W	10,000.00
<b>Total TO:</b>			<b><u>10,000.00</u></b>

**#11-297**

**WHEREAS**, a need exists to enter into a licensing agreement with Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547 for the Borough's Computer Server;

**NOW, THEREFORE**, the Borough Council of the Borough of South Plainfield hereby authorizes said agreement, at a cost not to exceed \$13, 237.68

**#11-298**

the resignation of Teresa Eisenberg as a part time, per diem Police Communications Operator is hereby accepted, effective immediately.

**#11-299**

the resignation of Chief Assistant Assessor Margaret Ackerman is hereby accepted, effective November 30, 2011.

**#11-300**

**WHEREAS**, a need exists to install security gates and fencing for the Police Dept. Evidence Room in Borough Hall; and

**WHEREAS**, funds are available for this project through the Law Enforcement Trust Fund; and

**WHEREAS**, Custom Fence & Deck gave the successful quote to provide and install the security gates and fence at a cost of \$5,400.00;

**NOW, THEREFORE**, the Borough Council of the Borough of South Plainfield hereby approves Custom Fence and Deck to install the security gates and fencing needed at a cost not to exceed \$5,400.00.

**#11-301**

**WHEREAS**, a need has been determined for the purchase of two Police Patrol Vehicles; and

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40A:11, a local contracting unit may, without advertising for bids, purchase any goods or services under any contract or contracts entered into through a Cooperative Pricing agreement with other municipalities; and

**WHEREAS**, Warnock Automotive, the successful bidder selected by the Cranford Co-Op under Contract # 101, meets the specifications of the borough's need for a police patrol vehicle;

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.3 et seq, the Chief Financial Officer has determined and certified to the Clerk that funds are available in accounts 0-01-25-240-001-301;

**NOW, THEREFORE**, be it resolved that the South Plainfield Borough Council hereby authorizes the purchase of two (2) 2011 Marked Ford Crown Victoria Patrol Vehicles with required options and warranties from Warnock Automotive, utilizing the Cranford Co-op contract # 101, at a cost not to exceed \$27,581.45 per vehicle or a total of \$55,162.90.

**#11-302**

**WHEREAS**, the Mayor and Council of the Borough of South Plainfield has deemed it appropriate to approve an employee holiday on Friday, November 25, 2011 in observance of Thanksgiving; and

**WHEREAS**, this accommodation is applicable only to Thanksgiving 2011 in appreciation of the hard work exhibited by the borough's staff;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Mayor and Council of the Borough of South Plainfield that the Borough offices will be closed on Friday, November 25, 2011 in observance of the Thanksgiving holiday.

**YES: Bengivenga, Buteas, Frank, McConville, Salerno, Rusnak          Motion Carried**

Mr. McConville made a motion to accept the Correspondence as listed below, seconded by Mr. Bengivenga.

1. Township of Edison: Notice of Ordinance re: Zoning changes
2. Assemblyman Diegnan, re: Grant Award from Div. of Criminal Justice for \$4589.96
3. Middlesex County Planning Board Minutes – October 2011

**YES: Bengivenga, Buteas, Frank, McConville, Salerno, Rusnak          Motion Carried**

Mr. Bengivenga made a motion to approve the Bills List as summarized below, seconded by Ms. Buteas.

**PAYMENT OF BILLS**

Current Fund - \$290,462.32  
Sewer Utility Operating Fund - \$1,251,209.91  
Election Account – \$14,500.00  
Grant Fund - \$14,936.99  
Treasurers Trust - \$5,104.99  
Recreation Trust – 1,928.16

**TOTAL OF ALL FUNDS - \$1, 578, 142.37**

**YES: Bengivenga, Buteas, Frank, McConville, Salerno, Rusnak          Motion Carried**

**REPORTS:**

Mr. Cullen updated the governing body on the plan to accept credit and debit cards for payments to the borough, reporting that the plan is set to proceed in December.  
Mr. White and Mr. Barletta wished everyone a Happy Thanksgiving.

Mr. Salerno congratulated Mr. Barletta, Mr. Frank and Mr. White on their recent election to the Borough Council and wished everyone a Happy Thanksgiving.

Mr. Frank pledged to do his utmost to represent all the residents of the borough to the best of his abilities. He thanked everyone and wished all a Happy Thanksgiving.

Mr. Bengivenga offered his best wishes to everyone for a Happy Thanksgiving. He reported on two upcoming UNICO events – the Annual Pig Roast and the Keystone Christmas Party.

Mr. McConville announced three upcoming events - the American Legion Pancake Breakfast on Nov. 27<sup>th</sup>, the Eagles Cheerleaders fundraiser dinner on Weds., Nov. 23<sup>rd</sup> at SPHS, and the Cappi Awards Dinner on Dec. 3<sup>rd</sup> at the Senior Center. Mr. McConville encouraged the public to support these worthy events. He wished all a Happy Thanksgiving.

Ms. Buteas congratulated the newly elected Councilmen and wished each of them the best of luck. She noted that serving the residents of the Borough is an honor and something you should enjoy and remember all your lives. Ms. Buteas congratulated on being selected as the new Fire Chief. She thanked Chief Del Negro for all his hard work and countless hours of service that go into serving as Fire Chief and she wished him well. She invited residents to Breakfast with Santa at the Senior Center on Saturday, December 10<sup>th</sup>. She wished everyone a Happy Thanksgiving. Ms. Buteas asked if the borough would be seeking proposals for the EMS service presently provided by Somerset Medical.

Mr. Bengivenga confirmed that proposals would be solicited from vendors shortly.

Mr. Rusnak congratulated the newly elected Councilmen. He thanked Public Works for their efforts to clean up after the storm noting that our town is much cleaner than most surrounding communities.

Mayor Anesh commented on the new Fire Training Facility as a great community project and credited the Knights' Squires group for their help with the project. The Mayor reported that he attended a ribbon cutting for the re-opening of One Step Body in their new building. Mayor Anesh invited everyone to join him on Thanksgiving morning for the annual South Plainfield/North Plainfield football game beginning at 1030am at NPFS.

Mayor Anesh opened the meeting for comments from the public.

Nancy Grennier thanked the Mayor for helping to get her telephone included on the Emergency Phone system. She finally received the broadcast call that went out the other day.

Anthony Risoli of Hamilton Blvd. addressed the governing body about conditions in his neighborhood caused by a nearby business including noise in the middle of the night and parking on Easton Blvd. He began by asking the Borough Attorney whether a conflict existed due to the fact that the adjoining property to the one being discussed is owned by Mr. Bengivenga's father. Mr. Rizzo qualified his response by saying that until he knows the specifics of the matter to be discussed, he cannot give an opinion but the general rule is the Councilman would recuse himself if a potential conflict existed.

Mr. Risoli was concerned with property on Easton Blvd. owned by New Era Development which had received a variance previously and was currently in violation. Mr. Risoli spoke with Zoning Officer John Pabst and he sent out a violation letter today. Mr. Risoli was also concerned that the borough's computer system was not updated with the information he sought. He cited violations by Entemann's with both noise and also illegal on street parking. He felt that a fortune 300 company should provide off street parking for it's employees. He suggested that the borough consider making Easton Blvd a no parking street and possibly making Bedford Ave as a an alternative.

Robert Bengivenga Sr. of Woodland Ave. congratulated the newly elected Councilmen and wished everyone a Happy Thanksgiving. He also announced that the American Legion, the Historical Society and UNICO will hold a Flag Raising Ceremony at the Civil War monument at Monument Park on Sunday, Nov. 27<sup>th</sup> at 1:00pm. Everyone is welcome to attend.

Debbie Boyle thanked the Knights of Columbus Squires for their help with the Taste of South Plainfield event. She announced that Peer Leadership will again offer snow removal for Seniors and handicap individuals. Sign up at Senior Center. The Athletic Booster Club is running a Toy Drive from now through Dec. 14<sup>th</sup>. She commented on a meeting she had with a member of the Bloomfield Bd of Ed about Shared Services and the benefits of such a program. The students at SPHS are running a Midnight Madness Basketball tournament on Friday, Dec. 2<sup>nd</sup> beginning at

9:00pm and they are looking for donations to help but trophies and tee shirts if anyone is interested in helping. Mrs. Boyle asked if additional ADA ramps were planned for Lane Ave. Mr. Miller informed her that ramps at the next two intersections are scheduled to be done next.

Mr. Rusnak commented on the success of the Council/Bd of Ed Shared Services program in South Plainfield and he thanked Debbie for her efforts and cooperation.

Charlie Butrico asked for a status report on the placement of the 9-11 steel as to when a decision could be expected. Mayor Anesh asked the committee to get back together to decide where to place the monument. A discussion took place and it was left that the Council will decide.

Bill Cochrane of Eganey St., President of the Recreation Commission, announced that the recipient of the 2011 Cappi Award is Bill Ashnault, one of the forbearers of South Plainfield's very successful wrestling program. He also addressed the issue of turning the old Suburban Transit property over to Recreation and expressed his desire to move the transition forward and offered whatever assistance the Council needs to expedite things.

Mr. Bengivenga gave a brief update on the status of the project explaining that the Environmental Engineer has completed all the testing and prep work and now a grant will be sought to fund the cleanup.

Frank Mikorski of Regency Place suggested that the meeting schedule for the Library Board of Trustees be published. He would also like the Freeholders Meeting schedule published. Mr. Mikorski also commented on the County's Open Space program. He asked how long the developer of the Celebrations project can delay and whether a Developers Impact fee could be charged.

Debbie Bergen of Hamilton Blvd. complained about the truck traffic on Hamilton Blvd. and the lack of enforcement. Mayor Anesh stated that the patrolmen are out there and he publicly instructed Chief Parker to see that the ban is enforced. Mr. Bengivenga added that many trucks are from out of state and the GPS doesn't indicate the truck route so there are cases where a driver may go the wrong way. Mrs. Bergen also complained about the street lights being out.

As a resident living a couple doors down from Hamilton blvd., Dennis Little of Hopkinson St. spoke in defense of the job being done by the patrolmen and the Chief regarding truck traffic and also speeding violations. He wished all a Happy Thanksgiving.

With no further public comment, Mayor Anesh closed the public comment portion of the meeting and the Council moved into Executive session at 8:53pm.

On the Council's return, Mayor Anesh announced the Council's plan to address the rodent infestation problem to the residents present and confirmed the governing body's desire to eliminate the problem with the help and cooperation of all the residents affected.

Mr. Rusnak made a motion to adjourn at 9:38pm; seconded by Mr. McConville and approved unanimously.

Respectfully Submitted,

  
Joann Graf, Clerk