

Minutes from the November 7, 2011 Public Meeting of the South Plainfield Mayor and Council

The meeting was called to order at 7:20pm 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, McConville, Salerno and Rusnak. Mr. Barletta was absent.

After the Pledge of Allegiance, the Invocation was offered by Council President Rusnak.

Mayor Anesh opened a public hearing on the release of a performance bond for public improvements made on Block 362, Lot 6.01, 1021 Lorraine Ave, by Joseph Glowacki. With no objections from the public, the Mayor closed the public hearing and advised that the resolution will be approved at the public meeting to follow.

Mr. McConville made a motion to accept the Agenda, Public and Executive meeting minutes of October 17, 2011; seconded by Ms. Buteas.

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

The Mayor opened the meeting to the Public for comments on Agenda items only. Seeing none, Mayor Anesh closed the public portion and called for a motion on Resolutions.

Mr. Bengivenga made a motion to approve Resolutions 11-269, and 11-274 through 11-290, seconded by Mr. Rusnak, which all begin with **BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:**

#11-269

WHEREAS, a need exists to supplement the current Public Safety Telecommunications staff in Police Dispatch thereby reducing the staffing shortages and current staff working extended shifts which has produced excessive overtime; and

WHEREAS, it is the recommendation of the Chief of Police to hire seven (7) additional staff members in Police Dispatch on a part time Per Diem basis at a rate of \$17.05; and

WHEREAS, those being hired have all successfully completed 80 hours of pre-requisite training in Basic Telecommunicator and Emergency Medical Dispatch;

NOW, THEREFORE, BE IT RESOLVED by the South Plainfield Borough Council that the following individuals are hereby hired as part time Per Diem Public Safety Telecommunicators at an hourly rate of \$17.05, excluding benefits.

Allen Lomonda
Karl Schuetz
Christina Tedesco
Susan Anthony

Teresa Eisenberg
Shirley Heron
Joseph Grago

#11-274

WHEREAS, Joseph Glowacki has applied for a release of a performance bond posted for public improvements to Block 362, Lot 6.01, 1021 Lorraine Ave); 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 Check in the amount of \$31,356.00 be released upon the posting of a two year maintenance bond in the amount of \$4,703.40 and the payment of any outstanding engineering escrow fees or COAH fees; and

WHEREAS, the Governing Body held a public hearing on Monday, November 7, 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.

#11-275

authorization is hereby given to waive the Fire Permit fee of \$42.00 for the South Plainfield Football Eagles' Bonfire / Pep Rally to be held on Friday, November 18, 2011 at the Eagles Field, 832 Kenneth Ave. at 6:30 pm

#11-276

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Borough of South Plainfield has received a grant in the amount of \$12,000.00 from the Middlesex County Dept. of Housing & Community Development under the 2010 Community Development Block Grant program;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of South Plainfield, in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$12,000.00, which is now available as a revenue from the Middlesex County Dept. of Housing & Community Development under the 2010 State Community Development Block Grant program.

BE IT FURTHER RESOLVED that one certified copy of this resolution be forwarded to the Director of the Division of Local Government Services

#11-277

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Borough of South Plainfield has received a grant in the amount of \$3,650.00 from the State of New Jersey under the 2010 State Drunk Driving Enforcement Fund;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of South Plainfield, in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$3,650.00, which is now available as a revenue from the State of New Jersey under the 2010 State Drunk Driving Enforcement Fund.

BE IT FURTHER RESOLVED that one certified copy of this resolution be forwarded to the Director of the Division of Local Government Services

#11-278

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Borough of South Plainfield has received a grant in the amount of \$44,669.00 from the State Division of Criminal Justice under the 2010 Safe and Secure Grant program;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of South Plainfield, in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$44,669.00, which is now available as a revenue from the State of New Jersey under the 2010 Safe and Secure Grant program.

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services along with collateral documentation.

#11-279

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Borough of South Plainfield has received a grant in the amount of \$13,382.00 from the New Jersey DEP Municipal Recycling Tonnage grant program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of South Plainfield, in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$13,382.00, which is now available as a revenue from the New Jersey DEP Municipal Recycling Tonnage grant program.

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services along with collateral documentation.

#11-280

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Borough of South Plainfield has received a grant in the amount of \$3,875.00 from the New Jersey Division of Traffic Safety under the Drunk Driving Enforcement grant program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of South Plainfield, in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$3,875.00, which is now available as a revenue from the New Jersey Division of Traffic Safety under the Drunk Driving Enforcement grant program.

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services along with collateral documentation.

#11-281

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Borough of South Plainfield has received a grant in the amount of \$7,000.00 from the Middlesex County Dept. on Aging, under the 2011 Title III B grant for Senior Citizen Information and Assistance program services;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of South Plainfield, in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$7,000.00, which is now available as a revenue from the Middlesex County Dept. on Aging Title III B grant program.

BE IT FURTHER RESOLVED that one certified copy of this resolution be forwarded to the Director of the Division of Local Government Services

#11-282

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Borough of South Plainfield has received a grant in the amount of \$7,000.00 from the Middlesex County Dept. on Aging, under the 2011 SHTP grant for Senior Citizen Assisted Transportation program services;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of South Plainfield, in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$7,000.00, which is now available as a revenue from the Middlesex County Dept. on Aging SHTP grant for Senior Citizen Assisted Transportation services;

BE IT FURTHER RESOLVED that one certified copy of this resolution be forwarded to the Director of the Division of Local Government Services

#11-283

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Borough of South Plainfield has received a grant in the amount of \$4,368.71 from the State of New Jersey, Alcohol Ed. Rehab Enforcement Fund and DWI Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of South Plainfield, in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$4,368.71, which is now available as a revenue from the State of New Jersey, Alcohol Ed. Rehab Enforcement Fund and DWI Fund.

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services along with collateral documentation.

#11-284

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Borough of South Plainfield has received a Fire Grant in the amount of \$5,000.00 from the Port Authority of New York and New Jersey under the 911 Fire grant program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of South Plainfield, in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$5000.00, which is now available as a revenue from the Port Authority of New York and New Jersey under the 911 Fire grant program.

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services along with collateral documentation.

#11-285

WHEREAS, on August 28, 2011, the Borough of South Plainfield was severely affected by impact of Hurricane Irene, which presented circumstances effecting the health, safety and welfare of the public (N.J.S.A. 40A:11-6), and which required immediate action on the part of the administration; and

WHEREAS, the formal chain of command was followed and the Borough Administrator authorized immediate action, which included the purchase of an emergency generator; and

WHEREAS, the cost of said services shall not exceed \$20,000.00 and the borough will seek financial assistance from a FEMA grant; and

WHEREAS, pursuant to N.J.S.A. 40A:4-52, an Affidavit of the Chief Financial Officer shall be issued regarding this emergency appropriation;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the South Plainfield Borough Council that the emergency appropriation to purchase an emergency generator at a cost not to exceed \$20,000.00 was a necessary decision that required emergency action to ensure the public health, safety and welfare; and

BE IT FURTHER RESOLVED that all permit fees required for the above-referenced work shall be waived; and

BE IT FURTHER RESOLVED that two copies of this Resolution are to be filed with the Director of the Division of Local Government Services, as well as an Emergency Procurement Report, which must be filed within 30 days of the emergency.

#11-286

WHEREAS, the Borough of South Plainfield is desirous of renewing an Interlocal Services Agreement with the Township of Woodbridge (the "Township") for the provision of an industrial wastewater sampling program; and

WHEREAS, the Borough of South Plainfield has a need for these services and it would serve the best interests of each of the communities to enter into this agreement; and

WHEREAS, Woodbridge Township has the personnel to accommodate the Borough of South Plainfield's needs and is willing to provide such services;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD that:

1. Pursuant to the authority provided by the Municipal Interlocal Services Act, N.J.S.A. 40:8-1 et seq., the Borough of South Plainfield deems it to be in the public interest to enter into an Interlocal Services Agreement with the Township of Woodbridge for the provision of an industrial wastewater sampling program.
2. The Mayor and the Municipal Clerk of the Borough of South Plainfield are authorized and directed to execute and attest, respectively, on behalf of the Borough of South Plainfield, that certain Interlocal Services Agreement providing for said services to the Borough.
3. The term of the aforesaid agreement authorized hereunder shall be for the period of two (2) years commencing January 1, 2012 and terminating December 31, 2013.
4. The aforesaid agreement shall provide for Woodbridge Township to supply all manpower, materials and equipment for industrial wastewater sampling and analysis. It shall be set forth that the total cost for said services shall not exceed \$75.00 per sample.
5. This Resolution shall take effect immediately upon adoption and publication according to law.

#11-287

the letter of resignation of Police Telecommunications Operator, Christopher Blath is hereby accepted, effective immediately.

#11-288

authorization is hereby given to waive the Fire Permit fee of \$42.00 for the Roosevelt School PTO's Halloween Dance which was held on Friday, October 28, 2011.

#11-289

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:

CURRENT FUND

FROM:

			<u>AMOUNT</u>
1-01-23-220-000-621	Group Insurance	O & E	115,000.00
1-01-22-195-001-101	Code Enforcement	S&W	5,000.00
1-01-26-290-001-101	Public Works Admin	S&W	5,000.00

Total FROM:

125,000.00

TO:

			<u>AMOUNT</u>
1-01-26-310-000-101	Buildings & Grounds	S&W	15,000.00
1-01-26-310-000-204	Buildings & Grounds	O & E	10,000.00
1-01-20-140-000-225	Computers	O & E	10,000.00
1-01-26-290-002-101	Road Repairs & Maintenance	S&W	15,000.00
1-01-32-465-001-545	Landfill	O & E	75,000.00

Total TO:

125,000.00

#11-290

authorization is hereby given to waive the Fire Permit fee of \$42.00 for Sacred Heart Church to hold their annual Christmas Concert on November 27, 2011 in the church.

#11-291

WHEREAS, the Knights of Columbus organization will be holding a fund raising event on Saturday, November 12, 2011 for the Make a Wish Foundation with 100% of the proceeds going to the Foundation; and

WHEREAS, the Knights of Columbus have requested that the Mayor and Council waive the \$250.00 rental fee for use of the South Plainfield Senior Center because all the proceeds will go to the charity; and

WHEREAS, the Governing Body took into consideration that all proceeds go directly to the charity and the rental fee would take away from the total to be donated;

NOW, THEREFORE, authorization is hereby given by the South Plainfield Borough Council to honor the request made by the Knights of Columbus and to waive the \$250.00 rental fee for the November 12, 2011 fund raiser for the Make a Wish Foundation.

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

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

1. Letter from L. Vastola, Esq. on behalf of Moon Builders on Release of Performance Bond at 1451 Walnut Street
2. Traffic Safety Advisory Commission minutes – September 28, 2011
3. Planning Board minutes – October 11, 2011
4. Zoning Board of Adjustment minutes – October 13, 2011
5. Recycling Dept. report – September 2011
6. Health Advisory Board minutes – October 19, 2011
7. Letter from Comcast re: final change over to all digital around 12/6/11
8. Letter from Paul Buckley re: 2011 Community Development Block Grant
9. PARSA Monthly report, Oct. 6th minutes and Nov. 3rd agenda
10. Code Enforcement monthly report – October 2011
11. Business Advisory Group minutes – Oct. 5, 2011
12. Environmental Dept. Report – October 2011
13. Environmental Commission Minutes – Sept. 14, 2011

YES: Bengivenga, Buteas, McConville, Salerno, Rusnak

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

PAYMENT OF BILLS

- Current Fund - \$318,993.67
- Sewer Utility Operating Fund - \$4,880,275.44
- Sewer Utility Operating Fund 9-07 - \$20,000.00
- General Capital - \$161,268.70
- Grant Fund - \$62,796.09
- Treasurers Trust - \$35,564.52
- Recreation Trust - \$8,597.72

TOTAL OF ALL FUNDS - \$5,487,496.14

YES: Bengivenga, Buteas, McConville, Salerno, Rusnak

REPORTS:

Borough Attorney Paul Rizzo updated the governing body on the escrow account deficiencies of a number of applicants for zoning applications. He advised the Council that he would be contacting the attorneys of those applicants with deficiencies to let them know that the borough may be filing suit against their clients. Further action will be decided after their responses are received.

Mr. Cullen reported that he and Mr. Miller have been discussing the Safe Streets Safe Schools as it relates to areas with no sidewalks or partial sidewalks, especially near our schools. He also mentioned that there will be funds left over from the ADA ramps project to do additional ramps.

Mr. Miller echoed Mr. Cullen's report on the ADA ramp project and also advised that the New Market Ave Phase II is near completion.

Ms. Graf reminded the public that Tuesday is Election day with the polls open from 6am to 8pm. and that there will be a national emergency alert on Weds. Nov. 9th at 2pm.

Mr. Cullen reported that the curbside pickup of storm debris is ongoing and the borough is working hard to clean everything up as quickly as possible. He acknowledged that all the tree work done by DPW this summer helped reduce the amount of damage from the storm.

Mr. Salerno wished all the candidates the best of luck in Tuesday's election.

Mr. Bengivenga reported progress.

Mr. McConville expressed his thanks to the DPW staff for an excellent job during the snow storm.

Ms. Buteas also thanked DPW and all the Emergency services for their efforts during and after the storm. She wished all the candidates good luck on Election Day.

Mr. Rusnak also wish all the candidates good luck tomorrow.

Mayor Anesh extended his best wishes to the candidates. He commented on the cooperation of PSE&G which allowed the Mayor to provide timely updates to residents who called him about their power outage. He acknowledged how stressful the events of the storm were and how well DPW handled things.

Mayor Anesh opened the meeting for public comment.

Paul McCullen of Walnut St. thanked Chief Parker for the County pedestrian sign on Walnut Street. He reported that he and Larry Morrell cleaned the stream of debris as best as they could but could use DPW's help with the big branches that fell. He also mentioned that every other street light along Clinton and Sampton from Franklin down to Trista's Way were out.

Debbie Boyle of Van Fleet Ave thanked DPW and Emergency Services for their efforts during the snow storm. She also said she wanted to set the record straight regarding Board of Ed employee totals. She reported that in 2010 – 2011 there were 522 total employees in all categories. In 2011 – 2012 there are 513 total. She also commented on Shared Services and how successful the joint effort has been for the borough. She and Council President Rusnak were interviewed by *The Leader* on shared services and she noted that Governor Christie has mandated that all towns do shared services with their Board of Ed.

Frank Mikorski of Regency Pl. asked if there was any progress on the proposal to have the DPW do oil changes for the Board of Ed buses. Mr. Cullen said that they weren't sure it would work as originally anticipated. Mr. Rusnak mentioned that the proposal would be re-visited by himself, Mr. Cullen and Mr. Capparelli. Mr. Mikorski concluded by commenting on negative campaign tactics.

With no further public comment, Mayor Anesh called for a motion to adjourn.

Mr. McConville made a motion to adjourn at 7:40pm; seconded by Mr. Rusnak and approved unanimously.

Respectfully Submitted,

Joann L. Graf, RMC
Municipal Clerk

