

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
DECEMBER 17, 2012, 7:02 P.M.  
PUBLIC MEETING**

---

**CALL TO ORDER:** Council President Rusnak called the meeting to order at 7:03 p.m. Council President Rusnak read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this meeting having been provided to the Borough's two official newspapers and also published on the Borough's website.

The roll call was administered by Clerk Antonides as follows:

COUNCIL	Present	Absent	Late
Councilman Barletta	x		
Councilman Bengivenga	x		
Councilman Frank	x		
Councilman McConville	x		
Councilman White	x		
Council President Rusnak	x		
Mayor Anesh		x	
ALSO PRESENT			
Administrator Cullen	x		
Clerk Antonides	x		
Attorney Rizzo	x		
Engineer Miller	x		

**FLAG SALUTE:** was led by Council President Rusnak and Pastor Charles Mingle led the invocation.

**South Plainfield Fire Department Swearing In and Awards Ceremony Presented by Fire Chief Thomas Scalera:**

Council President Rusnak asked for a motion to approve the below Fire Department related resolutions #12-341A through #12-341D.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta		x	x				
Councilman Bengivenga	x		x				
Councilman Frank			x				
Councilman McConville			x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

- **Resolution 12-341A:** Honoring Captain Joseph Abbruzzese for Act of Bravery and Heroism Performed by the South Plainfield Fire Department
- **Resolution 12-341B:** Honoring Lieutenant Kevin Bulla for Act of Bravery and Heroism Performed by the South Plainfield Fire Department
- **Resolution 12-341C:** Recognizing Fire Fighter John Mocharski for assisting in a rescue
- **Resolution 12-341D:** Recognizing Fire Fighter Robert Barone for assisting in a rescue

At this time, Council President Rusnak invited Chief Scalera to come forward and introduced the Fire Executive Officers; President Gary Stevenson, Vice President Dave Zushma, Treasurer Joe Sierzega, Secretary Veronica Konya, Trustee Bill Conti, Trustee Steve Phillips and Trustee Daryl Forster. Council President Rusnak swore in all Fire Executive Officers present. Everyone extended a round of applause and photographs were taken. Chief Scalera then presented valor awards and probation awards to those present; Captain Abbruzzese, Lieutenant Bulla, Fire Fighters Mocharski, Barone, Morgan, Phillips and Mocharski. Everyone extended a round of applause and photos were taken by family, friends and the media present.

Chief Scarlera gave a brief description of the events of an advanced stage structure fire on Bushwick Avenue that occurred the morning of Sunday, August 12, 2012. A trapped occupant on the second floor of the structure was located and rescued by Captain Joseph Abbruzzese and Lieutenant Kevin Bulla with the assistance of Fire Fighters John Mocharski and Robert Barone.

Council President Rusnak read in full the aforementioned resolutions of heroism #12-341A through #12-341D and presented each of the four honorees with the resolution mounted on a plaque. Again everyone extended a round of applause and more photographs were taken by family, friends and the media present.

Council President Rusnak opened the floor to the Council for comment.

Councilman Frank said it is a day like today that you realize just how much you put your lives at risk. Congratulations and thank you all for what you do for us.

Councilman Barletta said that it takes a special kind of person to do what you do. Thank you for your courage and your honor.

Councilman White said that he commends all the firemen here this evening for their unwavering service to our community.

Councilman McConville said thank you for everything that you do and that he can relate to what they go through as on many a holiday he sees his relatives get a call and go rushing out of the house to help with a fire or rescue. Thank you all.

Councilman Bengivenga said that he will have more to say at their dinner in January but for now, thanked all the Firemen and their families for all they do.

Councilman Elect Diana said he doesn't think there is anything more honorable than volunteering for something like this and there is nothing more direct than saving someone's life. He then thanked the firemen and their families and said it is an honor to reside here with you.

Council President Rusnak spoke on behalf of Mayor Anesh by saying that if he was here tonight he would tell you all of how proud he is of you and your service to this community. If there is ever anything you need in the future within our means, please don't hesitate to approach us and ask. We want to make sure you have the equipment that you need and we do realize that you do put your lives on the line.

At this time, Council President Rusnak called for a brief recess at 7:35 p.m.  
Council President Rusnak called the meeting back to order at 7:39 p.m.

**Approve Council Minutes:** December 3, 2012 - Agenda  
December 3, 2012 – Public  
December 3, 2012 – Executive Session

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville			x				
Councilman White	x		x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**Public Comment For Agenda Items Only:**

Council President Rusnak opened the floor for public comment.  
With no comments made from the public, Council President Rusnak closed the floor.

**ORDINANCE – SECOND READING BY TITLE-** Clerk Antonides read each of the below four ordinances by title:

#1973 AN ORDINANCE VACATING THE BOROUGH'S AUTHORITY AND OVER A PORTION OF CHELSEA PLACE IN THE BOROUGH OF SOUTH PLAINFIELD, MIDDLESEX COUNTY, NEW JERSEY

Council President Rusnak opened the floor for public comment. Mr. Less Bergen of Hamilton Blvd. asked if this paper street is close to the ball fields. Mr. Cullen said no, it is off of Kenneth and Councilman Barletta give a further description as to the location of this street vacation. With no further comments, Council President Rusnak closed the floor and asked for a motion to adopt Ordinance #1973:

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta		x	x				
Councilman Bengivenga	x		x				
Councilman Frank			x				
Councilman McConville			x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

#1974 A 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 \$325,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$307,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Council President Rusnak opened the floor for public comment. With no comments made, Council President Rusnak closed the floor and asked for a motion to adopt Ordinance #1974:

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

#1975 AN ORDINANCE CREATING EMPLOYMENT POSITION FOR THE BOROUGH OF SOUTH PLAINFIELD AND ESTABLISHING THE COMPENSATION FOR THE POSITION OF ASSESSING, FIELD REPRESENTATIVE

Council President Rusnak opened the floor for public comment. With no comments made, Council President Rusnak closed the floor and asked for a motion to adopt Ordinance #1975:

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta	x		x				
Councilman Bengivenga			x				
Councilman Frank			x				
Councilman McConville			x				
Councilman White		x	x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

#1976 AN ORDINANCE AMENDING ORDINANCE 1875 AUTHORIZING FEES FOR RENTAL OF SENIOR CENTER AND ADOPTION OF POLICIES AND PROCEDURES

Council President Rusnak opened the floor for public comment. With no comments made, Council President Rusnak closed the floor and asked for a motion to adopt Ordinance #1976:

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta		x	x				
Councilman Bengivenga			x				
Councilman Frank			x				
Councilman McConville			x				
Councilman White	x		x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTIONS:**

**RESOLUTION 12-342  
AUTHORIZING A \$40.00 REFUND TO ALAN AND MARGARET BRIFFETT  
FOR SENIOR TRIP CANCELLATION**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that, as the Senior Citizen Trip(s) pursuant to the below list were cancelled by the applicant(s) there arises a necessity to hereby refund the submitted payment for said trips to the following individuals:

**Trip to Taj in November:**

Alan and Margaret Briffett  
324 Pulaski Street  
South Plainfield, NJ 07080  
908-769-1096  
\$40.00

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of South Plainfield that the Finance Office hereby has approval to release the aforementioned refunds.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 12-343**

**AUTHORIZING A \$42.00 WAIVER OF FIRE PERMIT FEES FOR THE SOUTH PLAINFIELD ELKS LODGE FOR THEIR ANNUAL HOOP SHOOT TO BE HELD ON DECEMBER 28, 2012**

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

Authorization is hereby given to waive the \$42.00 Fire Permit Fee for the South Plainfield Elks Lodge for their annual Hoop Shoot to be held on December 28, 2012 at the Grant School.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION No. 12-344**

**AUTHORIZE THE RENEWAL OF LICENSES FOR SELF-SERVICE LAUNDROMATS FOR THE YEAR 2013 PURSUANT TO CH. 122 OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD. THE APPLICANTS HAVE MET ALL BOROUGH REQUIREMENTS AND ALL APPROPRIATE FEES HAVE BEEN PAID.**

**WHEREAS**, the following list of Laundromat operator have made application in accordance with the Borough Code, Chapter 122 for renewal of their license to operate for the year 2013;

1. Laundry Land, 1243 West 7<sup>th</sup> Street
2. Quick Wash Laundromat, 4993 Stelton Road
3. Smile Laundromat, 2099 New Brunswick Ave.
4. Hreem, LLC
5. The Best Laundromat, 1711 Park Ave

**WHEREAS**, after proper investigation, it was deemed that all requirements of the Code have been met by each applicant;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, that licenses be issued to the four laundry owners listed above for 2013.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION No. 12-345**

**AUTHORIZE THE RENEWAL LICENSES FOR MOTOR VEHICLE SALES/EXCHANGE FOR THE YEAR 2013. THE APPLICANTS HAVE MET ALL STATE AND BOROUGH REQUIREMENTS AND ALL FEES HAVE BEEN PAID.**

**WHEREAS** Absolute Fire Protection Co., Inc., A.J.V. Auto Air & Service, Inc., Conti Enterprises, H. K. Truck Services and Prevost Car (US), Inc. have met all requirements of the Borough Ordinance #742 to conduct the sale or exchange of motor vehicles; and **NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that Absolute Fire Protection Co., Inc., A.J.V. Auto Air & Service, Inc., Conti Enterprises, H. K. Truck Services, Prevost Car (US), Inc. be and are hereby issued licenses to conduct the sale or exchange of motor vehicles for the year 2013

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**BOROUGH OF SOUTH PLAINFIELD**

**RESOLUTION No. 12-346**

**AUTHORIZE THE MUNICIPAL CLERK TO ENTER INTO A MAINTENANCE AGREEMENT WITH MUNIDEX FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2013 AT A COST NOT TO EXCEED \$830.00**

**WHEREAS**, the Municipal Clerk’s office utilizes Munidex to maintain mercantile licensing and volunteers for Borough boards and committees; and

**WHEREAS**, the Borough’s maintenance contract with Munidex expires on Dec. 31, 2012; and

**WHEREAS**, due to the recent enactment of the Citizen Service Act which requires the creation and maintenance of a directory of municipal entities, their membership and vacancies, the need for the Munidex software is vital; and

**WHEREAS** it is the recommendation of the Municipal Clerk to renew the maintenance contract to Munidex for CY2013 at a cost not to exceed \$830.00; and

**WHEREAS** funds have been certified by the Chief Financial Officer and are available in the CY2013 Clerk’s Budget, account #3-01-20-120-000-235:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that authorization is hereby given to renew a maintenance agreement for the mercantile licensing and committee volunteers with Munidex at a cost not to exceed \$830.00 for the period January 1, 2013 thru December 31, 2013.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION: 12-347**

**AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$2,078.08 FOR MICHAEL BUTRICO OF 115 ELIZABETH AVENUE**

**WHEREAS**, the Tax Collector advises that the following taxpayers and/or their agents have overpaid their property taxes and have requested refunds:

Michael Butrico  
115 Elizabeth Avenue  
South Plainfield, NJ 07080

Mail check to: 114 Harvard Avenue

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a check(s) in the amount(s) as mentioned above.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 12-348**

**AUTHORIZING THE AWARD OF AN EMERGENCY CONTRACT FOR TREE REMOVAL SERVICES FROM DISCH TREE EXPERTS IN AN AMOUNT NOT TO EXCEED \$32,500.00.**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby approves of the emergency contract with Disch Tree Experts for tree removal services located on Joan Street due to Super Storm Sandy in an amount not to exceed \$32,500.00 of which funds are available as certified by the Chief Financial Officer

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Bob Capparelli, DPW Superintendent
4. Disch Tree Experts

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 12-349**  
**AUTHORIZING THE ACCEPTANCE OF A RESIGNATION FROM YVONNE VISCOSI**  
**FROM THE CULTURAL ARTS COMMISSION**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that the resignation of Yvonne Viscosi from the Cultural Arts Commission is hereby accepted.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of South Plainfield that a copy of this resolution will be filed in the office of the Municipal Clerk.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 12-350**  
**AUTHORIZING \$750.00 WAIVER OF RAFFLE LICENSE FEE FOR THE SOUTH PLAINFIELD MEMORIAL POST**  
**6763 VETERANS OF FOREIGN WARS**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:**

Authorization is hereby given to waive the \$750.00 Raffle Permit Fee for the South Plainfield Memorial Post 6763 Veterans of Foreign Wars.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 12-351**  
**RESOLUTION OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, STATE OF NEW**  
**JERSEY AUTHORIZING AN AMENDMENT OF RESOLUTION 12-332 SPECIAL EMERGENCY APPROPRIATION IN**  
**THE AMOUNT OF \$300,000 PURSUANT TO N.J.S.A. 40A:4-54 TO PROVIDE FOR AN ADDITION OF \$25,000 FOR**  
**RESPONSE TO THE EXTRAORDINARY EXPENSES**  
**RESULTING FROM DAMAGE CAUSED BY SUPER STORM SANDY**

**WHEREAS**, it has been found necessary to make a special emergency appropriation to meet certain expenses incurred or to be incurred as a result of the extraordinary damage to the streets, roads and other public property caused by Super Storm Sandy (the “Recovery”) requiring the appropriation of funds of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey (the “Borough”), in the amount of an additional \$25,000.00 thus the new revised total of said Special Emergency Appropriation shall be \$325,000; and

**WHEREAS**, N.J.S.A 40A:4-54 provides that it shall be lawful to make such appropriation, which appropriation and special emergency notes issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act:

**NOW, THEREFORE BE IT RESOLVED (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:**

1. Pursuant to N.J.S.A. 40A:4-54, a special emergency appropriation is hereby made in the additional amount of \$25,000, thus the new revised total of said Special Emergency Appropriation shall be \$325,000.00 for the Recovery from Super Storm Sandy. The \$325,000 appropriated herein is sufficient to fund the special emergency.

2. The special emergency appropriation set forth in Section 1 hereof shall be provided for in the budgets of the succeeding years by the inclusion of not less than \$65,000.00 annually in each of the next five years' succeeding budgets to be expended from the fund balance of said budgets.
3. *The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on the Notes issued under this resolution.*
4. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.
5. This resolution shall take effect immediately

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 12-352**

**AUTHORIZING THE APPOINTMENT OF MARY FRANCES HILDEBRANDT TO THE POSITION OF ASSISTANT FIELD REPRESENTATIVE EFFECTIVE JANUARY 1, 2013 AT A SALARY OF \$7,500 PER YEAR**

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the appointment of Mary Frances Hildebrandt to the position of Assistant Field Representative effective January 1, 2013 at a salary of \$7,500 per year.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

- Glenn Cullen, CFO
- Marie Dudek, Payroll
- Amy Antonides, Municipal Clerk
- Mary Frances Hildebrandt, Assistant Field Representative

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga			x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 12-353**

**AUTHORIZING THE APPOINTMENT OF JOHN CALVEY FROM SENIOR ASSESSING CLERK TO FIRE PREVENTION SPECIALIST EFFECTIVE JANUARY 1, 2013 AT HIS CURRENT SALARY RATE.**

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the appointment of John Calvey from Assessing Clerk to the position of Fire Prevention Specialist effective January 1, 2013 at his current salary rate.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

- Glenn Cullen, CFO
- Marie Dudek, Payroll
- Amy Antonides, Municipal Clerk
- John Calvey, Fire Prevention Specialist



COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION No. 12-354**

**AUTHORIZING THE RENEWAL LICENSES OF TOWING/WRECKING ESTABLISHMENTS FOR THE YEAR 2013. THE APPLICANTS HAVE MET ALL STATE AND BOROUGH REQUIREMENTS AND ALL FEES HAVE BEEN PAID.**

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

**WHEREAS**, the operators of towing/wrecking establishments in the Borough of South Plainfield have made applications in accordance with Ch. Chapter 434-11 of the Code of the Borough of South Plainfield for renewal of the license to operate on the rotation towing/wrecker list for the year 2013; and

**WHEREAS**, after proper review of the renewal application and inspection of the facilities by the South Plainfield Police Department it was deemed that all applicants have met the requirements of the Code.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that wrecker licenses be and are hereby issued to the following establishments for the year 2013 contingent upon all documents, applications and fees are properly executed and paid in full:

- |                     |                          |
|---------------------|--------------------------|
| Butrico Auto Body   | Majestic Towing          |
| Gemini Towing       | Matthew's Service Center |
| J & L Auto Body     | R & C Auto Body          |
| George Logan Towing | Sullivan's Auto Body     |

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION No. 12-355**

**AUTHORIZING 2012 APPROPRIATION TRANSFERS IN THE AMOUNT OF \$133,500.00 FOR THE CURRENT FUND PURSUANT TO N.J.S.A. 40A:4-58**

**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

**CURRENT FUND**

**FROM:**

			<u>AMOUNT</u>
2-01-20-145-000-101	Tax Collection	S&W	3,000.00
2-01-20-150-000-101	Assessment	S&W	3,000.00
2-01-21-180-001-221	Planning Board	O&E	3,000.00
2-01-22-195-001-611	Code Enforcement	O&E	5,000.00
2-01-23-210-000-661	Other Insurance	O&E	15,000.00
2-01-25-240-001-101	Police	S&W	46,000.00
2-01-26-290-001-101	DPW Administration	S&W	3,000.00
2-01-26-290-003-102	Snow	S&W	3,000.00
2-01-26-310-000-415	Public Buildings & Grounds	O&E	12,500.00

2-01-28-370-001-101	Recreation	S&W	5,000.00
2-01-31-420-001-555	Electric	O&E	10,000.00
2-01-31-435-002-555	Street Lights	O&E	5,000.00
2-01-31-435-002-555	Telephone	O&E	5,000.00
2-01-31-446-001-556	Gasoline	O&E	5,000.00
2-01-43-490-000-101	Municipal Court	S&W	5,000.00
2-01-32-465-001-545	Landfill	O&E	5,000.00

**Total FROM:**

**133,500.00**

**TO:**

**AMOUNT**

2-01-20-100-000-101	Administration	S&W	12,000.00
2-01-20-110-000-101	Executive	S&W	3,000.00
2-01-22-195-001-101	Code Enforcement	S&W	18,000.00
2-01-25-240-001-475	Police	O & E	5,000.00
2-01-25-250-000-101	911	S&W	24,000.00
2-01-25-265-002-101	Fire Official	S&W	5,000.00
2-01-26-290-001-235	DPW Administration	O&E	2,000.00
2-01-26-290-002-101	Road Repairs & Maintenance	S&W	10,000.00
2-01-26-305-003-235	Recycling	O&E	8,000.00
2-01-26-315-000-215	Vehicle Maintenance	O & E	7,500.00
2-01-27-335-001-101	Environmental	S&W	2,000.00
2-01-28-370-002-101	Office on Aging	S&W	10,000.00
2-01-36-472-000-675	SSI	Statutory	22,000.00
2-01-43-490-000-611	Municipal Court	O&E	5,000.00

**Total TO:**

**133,500.00**

OUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION No. 12-356**

**AUTHORIZING THE TEMPORARY BUDGET FOR 2013 – TOTAL GENERAL APPROPRIATIONS IN THE AMOUNT OF \$5,311,400.00;  
TOTAL SEWER UTILITY IN THE AMOUNT OF 1,528,900.00  
AND TOTAL POOL UTILITY IN THE AMOUNT OF \$6,000.00**

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

**WHEREAS**, N.J.S.A. 40a:4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

**WHEREAS**, the date of this resolution is prior to the adoption of the CY2013 Budget, and

**WHEREAS**, the temporary budget set forth below does not exceed twenty six and one quarter percent of the total appropriations in the previous year's budget (exclusive of any appropriations made for Debt Service, Capital Improvements Fund and Public Assistance).

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the temporary appropriations pursuant to the attached itemization from the Chief Financial Officer of Total General Appropriations is in the amount of \$5,311,400.00; Total Sewer Utility in the amount of \$1,528,900.00 and Total Pool Utility in the amount of \$6,000.00 are hereby

authorized and that a certified copy of this resolution be transmitted to the Chief Financial Officer. A copy of the Budget document is attached.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		VOTE:	6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION No. 12-357**

**AUTHORIZING THE LICENSE RENEWALS OF COIN-OPERATED AMUSEMENT DEVICES LICENSES FOR 2013, PURSUANT TO CHAPTER 141, ARTICLE III OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD. THE APPLICANTS HAVE MET ALL STATE AND BOROUGH REQUIREMENTS AND ALL FEES HAVE BEEN PAID.**

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

**WHEREAS**, Chapter 141, Article III of the Code of the Borough of South Plainfield permits machines or devices, which may be operated by the public for entertainment or amusement, in established places of business situated in the Borough of South Plainfield providing said places of business first obtain a license approved by the Mayor and Council in accordance with Chapter 141 of the Code, and

**WHEREAS**, the following establishments or owners of devices placed in same have requested renewal for the year 2013 and have met all conditions required and paid all required fees for renewal:

**NAME AND ADDRESS**

**NUMBER OF MACHINES**

Flanagan's, 2501 Plainfield Ave.	2
Italian American Club, 1001 Garibaldi Ave.	2
K.C. Korner, 100 Oak Tree Ave.	1
Liquid Assets	2
Polish Home, 312 New Market Ave.	5
Sal's Spirit Shop, 1645 Park Ave.	3
Regal Cinema Hadley, 1000 Corporate Court	5
Pizza Hut, 5251 Stelton Road	4
Red Robin, 6200 Hadley Road	3
VFW Post 6767, 155 Front Street	1

**NOW, THEREFORE**, in accordance with Chapter 141 of the Code of the Borough of South Plainfield, the Governing Body of the Borough of South Plainfield hereby approves the issuance of licenses to the establishments listed above for 2013 contingent upon all documents, applications and fees being properly executed and paid in full.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		VOTE:	6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2012-358**

**AUTHORIZING T&M ASSOCIATES TO PERFORM ENGINEERING SERVICES TO PROVIDE AND ADMINISTER BIDS FOR A TANDEM DUMP TRUCK**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates to provide and administer bids for a tandem dump truck for the Borough of South Plainfield and is also hereby authorized to publish a solicitation for said bid accordingly;

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. T&M Associates

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
Mayor Anesh – TIE ONLY							

**RESOLUTION 12-359**

**AUTHORIZING A REFUND OF SEWER OVERPAYMENT IN THE AMOUNT OF \$1,014.43 FOR GARY GARRUBBO AND DAWN LIPPI OF 127 RISOLI TERRACE**

**WHEREAS**, the Tax Collector advises that the following taxpayers and/or their agents have overpaid their sewer and have requested refunds:

Block: 125 Lot: 2  
G. Garrubbo & D. Dinardo-Lippi  
127 Risoli Terrace  
South Plainfield, NJ 07080

\$1,014.43

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a check(s) in the amount(s) as mentioned above.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
Mayor Anesh – TIE ONLY							

**RESOLUTION 12-360**

**AUTHORIZING THE AWARD OF AN EMERGENCY CONTRACT FOR DUE TO SUPER STORM SANDY FOR EMERGENT REPAIR OF TRAFFIC LIGHTS FROM JEN ELECTRIC INC. IN AN AMOUNT NOT TO EXCEED \$9,000.00.**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby approves of the emergency contract with Jen Electric Inc. for emergent repair of traffic lights due to Super Storm Sandy in an amount not to exceed \$9,000.00 of which funds are available as certified by the Chief Financial Officer

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

Glenn Cullen, CFO  
Amy Antonides, Municipal Clerk  
James Parker, Police Chief  
Jen Electric Inc.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Frank			x				
Councilman McConville	x		x				
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
Mayor Anesh – TIE ONLY							

**ACCEPTANCE OF CORRESPONDENCE**

**BE IT RESOLVED** THAT THE FOLLOWING CORRESPONDENCE BE AND ARE HEREBY ACCEPTED BY THE BOROUGH COUNCIL OF SOUTH PLAINFIELD AND AUTHORIZATION IS HEREBY GIVEN TO FILE ALL CORRESPONDENCE RECEIVED:

- Letter from Tracey Walker – Dept. of Treasury – Borough in compliance with Public Agency Review
- Middlesex County Health Department – Changes in State Sponsored Rabies Clinic Program for 2013
- Letter from Mr. Patel Complimenting the Staff in the Building Department
- Environmental Commission Monthly Report – November, 2012
- Environmental Commission Minutes – October 10, 2012
- Board of Adjustment Minutes – October 2, 2012
- Code Enforcement Monthly Report – November, 2012
- Recycling Monthly Report – November, 2012
- Health Advisory Board Minutes – November 11, 2012

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta		x	x				
Councilman Bengivenga	x		x				
Councilman Frank			x				
Councilman McConville						x	
Councilman White			x				
Council President Rusnak			x				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**SOUTH PLAINFIELD BOROUGH  
APPROVAL OF BILLS AND CLAIMS**

**WHEREAS**, The Chief Financial Officer has certified and submitted a consolidated bill list for the payment of claims; and **WHEREAS**, all vouchers listed herewith have been encumbered and sufficient funds are available for payment; and **WHEREAS**, the required signatures of the Department Head and/or the Finance Chairperson, the Vendor, and the Chief Financial Officer, have all been obtained on each voucher on the attached list. **NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of South Plainfield Borough that the voucher list submitted is hereby approved for payment in the total amount of **\$780,511.74** **BE IT FURTHER RESOLVED** that a copy of this approval be forwarded to the following:

Municipal Clerk  
Glenn Cullen, Chief Financial Officer  
Dotty Paradiso, Supervisor of Accounts

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta		x	x				
Councilman Bengivenga			x				
Councilman Frank			x				
Councilman McConville			x				
Councilman White	x		x				
Council President Rusnak			x				
		<b>vote:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**COUNCIL REPORTS:**

Borough Attorney Paul Rizzo, Esq. – had no report for this evening.

Administrator Cullen – advised that we are in receipt of correspondence from the Department of Treasury stating that our contracts are in compliance and said he wanted to publically thank Amy Antonides for her assistance with this process. On another note, we are working on our reports to submit to FEMA pertaining to Hurricane Sandy. We are still waiting on an exact number for the debris that is over at our compost site. We are also waiting to see if we need a cup grinder to cart away the debris in smaller pieces. Overall, we are very pleased with how the storm clean-up has gone and many compliments go to Cappi for that. Mr. Cullen wished everyone a happy holiday and see everyone in 2013.

Engineer Miller – briefed the Council on the status of the road improvement projects. The road resurfacing with Fischer is near completion. We are working on the specifications for the Tandem Dump Truck and are reviewing the Cedar Brook Pump installation. To conclude, we are still working with the DEP pertaining to the truck route. We still are waiting for the minutes of the DOT for the quiet zones.

Councilman Elect Diana – said that it was a tough end of the week with what happened in the country and that it needs to be said that our police department and Chief Parker did a great job all around especially with the schools which is something we need to be vigilant about to make sure nothing like that happens here.

Clerk Antonides – had no report for this evening.

Councilman Frank – reported progress.

Councilman Barletta – reported that the Zoning Board has approved the expansion of the Quick Check, however, it is our understanding it will be appealed by Luke Oil and as such may be tied up for a year or two. The Zoning Board also approved Dicks Sporting Goods which will be located where the old Pathmark was. In closing Councilman Barletta wished everyone a very Happy Hanukkah and Merry Christmas to all saying he hopes 2013 will be a better year.

Councilman Bengivenga – wished everyone a Merry Christmas and Happy New year. Councilman Bengivenga thanked Councilman Frank for his services to the residents of South Plainfield.

Councilman McConville – Thanked the DPW for their great job saying that they saved this community a lot of tax dollars by managing most of the storm clean-up themselves opposed to calling in outside contractors to do the work. Councilman McConville wished everyone a Merry Christmas and a Happy New Year and concluded by thanking Councilman Frank for his service to the community.

Councilman White – reported that the seniors will be holding their annual holiday lunch this week and that the Tabernacle Church will be doing Christmas Caroling this weekend around town. To conclude, Councilman White wished everyone a very Merry Christmas and a Happy Hanukkah.

Council President Rusnak – advised that the Board of Education and the Police Chief met to discuss prevention measures as it relates to the recent school shooting in Connecticut. Council President Rusnak read a letter written by the School Superintendent that was sent to all parents of students. Chief Parker said that his department will be working very closely with the Superintendent and do all they can to assure the safety of our schools.

Mayor Anesh – was absent this evening.

#### **COMMENTS FROM THE PUBLIC:**

Mrs. Debbie Bergen of 1811 Hamilton Blvd. asked when the Reorganization Meeting is. Council President Rusnak said tentatively it will be either January 5<sup>th</sup> or 6<sup>th</sup> and that we are waiting to hear back from some others in order to confirm a date and time. Mrs. Bergen said the former Exxon station is a mess. Councilman Barletta advised that it has been approved for a convenient store and the owner is just waiting for a tenant, which is the only hold up right now.

Ms. Debbie Boyle of Van Fleet, commended Chief Parker, Emergency Management and the Mayor and Council for their quick response pertaining to the recent school shooting up in Connecticut. Our police presence is excellent. Mrs. Boyle reminded everyone of the Business Association's holiday breakfast this Thursday at 8:30 a.m.

Mrs. Darlene Cullen said that she would like to make a comment about a letter to the Editor that was in the Observer dated December 7<sup>th</sup> about the Library expansion. Mrs. Cullen asked Councilman Elect Diana if he actually wrote that letter. Councilman Elect Diana said of course he did. The quote from the paper mentioned the expansion of the current Library building now being proposed. Mrs. Cullen said that she wants to be clear that nothing has been proposed to the Mayor and Council in this regard. There has been an ad-hoc committee that has been working on it with the Board of Trustees. Mrs. Cullen said she wants to be clear that nothing formally has been proposed to the Mayor and Council in this regard. Councilman Elect Diana said he understands. Mrs. Cullen said she was a little taken back by this letter because she has not seen Councilman Diana at any of the Library Board meetings or at any of the ad-hoc meetings and was wondering where Councilman Elect Diana got his facts from. Mrs. Cullen mentioned the options that Councilman Elect suggested in the article included areas which were also in flood zones. Councilman Elect Diana said a year ago he didn't recall the flood from the storm being nearly as bad near Unity as it was near the existing library. Councilman Elect Diana said that he thinks the intent of his letter was somewhat misconstrued and that all he was suggesting was to not build in an area in which flood damage already occurred and Mrs. Cullen is 100% correct that he didn't attend any of the Library meetings. Councilman Elect Diana said that if someone can show him and the Council that it is not a concern going forward then he would have no objections to expanding the existing Library and was just suggesting that other options be considered along with that one. Mrs. Cullen said she respects that and said if he had been coming to the Library Board meetings or the ad-hoc meetings he would see we have been working with the Engineer discussing various possibilities to prevent future flood issues, but again, nothing has been proposed to the Mayor and Council at all about this because we wanted all our facts in order first. Councilman Elect Diana said that perhaps using the word "proposed" in his letter was a poor choice of words and using "published" may have been a better word to use. Mrs. Cullen expressed her concerns with the land next to Unity citing its \$350,000 cost plus \$339,000 for the building design which is well over a million dollars of which money has already been spent by former administrations which we are still paying notes on. Mrs. Cullen said as far as she can recall there was no public input on those transactions and if anyone knows different to please let her know. There was a

Democracy Day for the Library of which was ultimately defeated. There was thereafter a suggestion about pursuing a new location which was looked into. That brings us back to the question if we should put an expansion on the existing site. Hopefully in January maybe we can put a proposal before the Mayor and Council to get everyone's feedback. Cost is of utmost concern. To conclude, Mrs. Cullen said she was very taken back by Councilman Elect Diana's letter to the Editor and wanted to clarify the facts and did not want Councilman Elect Diana to have a premature stance on this when nothing has been proposed. Councilman Elect Diana said he doesn't have a set in stone stance on any of it and apologizes to Mrs. Cullen or anyone on the Library Board who was offended by his letter. Councilman Elect Diana said his only concern was born out of having grown up in the area for 23 years before moving. The fact that it did flood last year should be a concern to us, but his intent was not to ever renovate this Library. We need to talk about if another place will better serve the Library. A renovation or new library is something that this town needs and he hopes what he said was not taken as a stand before he officially sits on Council and has a right to take a stand and again apologized. Mrs. Cullen said she is just here tonight as a member of the Library Board to clarify some of the facts and state her opinion. She said she does not want the Library to become a political football. Our town, our residents, and children really deserve more. Mrs. Cullen thanked Councilman Elect Diana for clarifying his letter and for the Council's time and wished everyone a Merry Christmas, Happy Hanukkah, and a Happy New Year.

Mr. Cataldo, 122 Fairmount Avenue, thanked the Council for honoring the Fire Department this evening as they really do put their lives on the line for us. Mr. Cataldo went on to also thank the DPW and their Supervisor Cappi saying that he is one of the better supervisors that department has ever had. To conclude, Mr. Cataldo said he would like to see the Council abandon the expense of the quiet zone project saying that he see that it will actually benefit our community.

Mr. Robert Capparelli, DPW Superintendent, said it was about four years ago when the road department was on the verge of extinction and he didn't see too much of a future for it. It is thanks to this Governing Body and Glenn Cullen that our Public Works has come so far. Mr. Capparelli said he is just amazed at how far his whole department has come. Mr. Capparelli thanked the Mayor and Council for everything and all their support of the DPW and then wished everyone a very happy holiday.

With no further comments from the public, Council President Rusnak closed the floor. At this time, 8:20 p.m., Councilman Rusnak advised that they will be going into Executive Session and everyone is welcome to stay for their return back into public session.

#### **ADJOURNMENT**

Without further comment, Council President Rusnak called for a motion to adjourn. Councilman McConville made a motion to adjourn at 8:54 p.m., seconded by Councilman Frank and unanimously carried. The meeting was adjourned.

Submitted By:

---

Amy Antonides, RMC/CMC - Municipal Clerk