

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
DECEMBER 3, 2012, 7:02 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:02 p.m. Mayor Anesh 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		
ALSO PRESENT			
Administrator Cullen	x		
Clerk Antonides	x		
Attorney Jeff Lehrer	x		
Engineer Miller	x		

FLAG SALUTE: was led by Mayor Anesh and Pastor Charles Mingle led the invocation.

Mayor Anesh at this time moved up on the agenda Resolution #12-325 that promotes three police officers.

**RESOLUTION 12-325
AUTHORIZING THE PROMOTION OF THREE POLICE OFFICERS
TO THE POSITIONS OF CAPTAIN, LIEUTENANT AND SERGEANT**

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 promotions of the following police officers with an effective date of January 1, 2013:

- Lieutenant **Charles Siedenburg** will be promoted to Captain
- Sergeant **David DeLair** will be promoted to Lieutenant
- Patrolman **John McConville** will be promoted to Sergeant

BE IT FURTHER RESOLVED that the salary for this position is as set by Ordinance and/or Contract.

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

1. Glenn Cullen, CFO
2. James Parker, Chief of Police
3. Marie Dudek, Payroll
4. Amy Antonides, Municipal Clerk

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

Councilman Bengivenga read a brief bio on each of the officers up for promotion:

Promotion of Police Officers: Lieutenant Charles Siedenburg will be promoted to Captain
Sergeant David DeLair will be promoted to Lieutenant
Patrolman John McConville will be promoted to Sergeant

Mayor Anesh called each officer up individually with their families to be sworn in by Police Chief Parker and Councilman Bengivenga. New badges were presented to each officer. Everyone extended a round of applause and photographs were taken.

Mayor Anesh congratulated all officers and said it is a testament to your performance and abilities to receive these promotions this evening.

Councilman Frank said it is a great moment for these officers and their families. It is nice to see them all take the next step in their lives and career. Congratulations to all of them.

Councilman Barletta extended his congratulations and said that he has always admired our police officers from a very young age. Congratulations again, you deserve it.

Councilman Bengivenga advised that he is glad to see this day and is truly honored to swear these officers in this evening. Congratulations to these officers and their families.

Councilman White expressed his appreciation to the officers families for all their sacrifices they have made. Congratulations and happy holidays.

Council President Rusnak said that he is glad to see this day and emphasized that the Council is here to help support the police department and these officers. Congratulations on these promotions.

At this time, Mayor Anesh called for a brief recess at 7:35 p.m.
 Mayor Anesh called the meeting back to order at 7:47 p.m.

Approve Council Minutes: November 19, 2012 - Agenda
 November 19, 2012 – Public

COUNCIL	MOTION	2 ND	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				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

Public Comment For Agenda Items Only:

Mayor Anesh opened the floor for public comment.

Mr. Paul McCullen of 1213 Walnut Street inquired about Ordinance 1974 asking what items are contained within this bond. Mr. Cullen advised there are generators for various municipal buildings, radios, garbage truck, dump truck, computer equipment, finger print machine. Mr. McCullen asked the Council to be prudent with the passing of any more bond ordinances during this fiscal year. Mr. McCullen asked why there is a need for another garbage truck? Mr. Cullen responded.

Ms. Nancy Grennier asked if Ordinance 1976 has been amended from the prior one that was introduced and that the fees were addressed. Mayor Anesh advised that 1976 is the amended version with adjustments to the fee structure.

Council President Rusnak explained the relevance of bonding now for next year. Mr. Rusnak advised that for example the finger print machine in the Police Department is broken due to a power surge and they are in dire need to have it replaced. A replacement machine can take up to six months to order and be delivered, therefore, the sooner we are able to purchase it the sooner we will be able to replace a much needed piece of equipment.

With no further comments made from the public, Mayor Anesh closed the floor.

ORDINANCE – SECOND READING BY TITLE – Clerk Antonides read each ordinance by title and Mayor Anesh opened the floor for public comment. There were no comments from the public at this time.

#1971 AN ORDINANCE AMENDING CHAPTER 300 OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD ENTITLED: “NOISE”

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

The following vote reflects Ordinance #1972 being removed from the table. – NOT ADOPTED

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

ORDINANCE – FIRST READING BY TITLE – Clerk Antonides advised that the Public Hearing is set for December 17, 2012 for the following Ordinances. The Council had no comments at this time pertaining to the below ordinances.

(Tabled from 11/19/12 meeting) **ORDINANCE NO. 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.

WHEREAS, there exists within the Borough of South Plainfield, Middlesex County, New Jersey a street which is a “paper street” known as Chelsea Place, and shown on the Official Tax Map of the Borough of South Plainfield as being a vacant, unimproved right-of-way situated between Block 370, Lot 2 and Block 371, Lot 1; and

WHEREAS, the adjoining property is owned by the same owner, Anda Builders, LLC, which has requested the Borough to vacate its rights to a portion of said property; and

WHEREAS, the Borough has had the portion of the property appraised, and the Borough appraiser, Russell K. Sterling, has opined that the portion of the property area over which the right-of-way exists does not meet the a minimum lot size requirements, and cannot be developed on its own, and the highest and best use is assemblage of the portion of the property with an adjacent parcel of property; and

WHEREAS, Mr. Sterling has opined that the value of a portion of the property to be vacated is \$35,000.00; and

WHEREAS, Anda Builders, LLC has agreed to pay said amount to the Borough as the Borough vacates its rights; and

WHEREAS, Anda Builders, LLC agreed to the assemblage of the entire vacated street bed with Block 371, Lot 1 so that the vacated property will merge with the property of Block 731, Lot 1 and not with the property known as Block 370, Lot 2; and ~~has waived any claim to the part of the street to be vacated as the owner of the property at Block 371, Lot 2 so that the vacated property will merge with the property at Block 370, Lot 1; and~~

WHEREAS, N.J.S.A. 40:67-19 authorizes the Borough to release and extinguish public rights, and the rights of the Borough arising from the dedication of the street;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey as follows:

The rights of the public and the Borough of South Plainfield in and to a portion of Chelsea Place located between Block 370, Lot 2 and Block 371, Lot 1, as described more particularly in Schedule A annexed hereto and made a part hereof are hereby extinguished and vacated, and such portion of Chelsea Place shall merge with and become a part of the property located at Block 371, Lot 1 creating a conforming building lot without the requirement or necessity of any further subdivision. The property shall remain subject to all other requirements for development set forth in State statutes and the Municipal Code.

At least one week prior to the time affixed for the consideration of this Ordinance for final passage, a copy thereof, together with a Notice of Introduction thereof at a time and place when and where the Ordinance will be further considered for final passage shall be mailed to every person whose land may be affected by this Ordinance insofar as may be ascertained. Said Notices shall be made by the Borough Clerk to the owner of Block 370, Lot 2 and the owner of Block 371, Lot 1; and

The Borough Clerk shall, within 60 days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the Seal of the Borough to be a true copy thereof, together with proof of publication thereof in the office of the Clerk of the County of Middlesex in accordance with the provisions of N.J.S.A. 40:67-21.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

COUNCIL	MOTION	2 ND	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				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

ORDINANCE 1974

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.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$325,000, including the aggregate sum of \$17,500 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$307,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of rescue squad radios, including all related costs and expenditures incidental thereto.	\$25,500	\$24,200	10 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
b) The acquisition of a garbage truck, including all related costs and expenditures incidental thereto.	\$52,000	\$49,300	5 years
c) The acquisition of a tandem dump truck, including all related costs and expenditures incidental thereto.	\$75,000	\$71,000	5 years
d) The acquisition of a police sport utility vehicle, including all related costs and expenditures incidental thereto.	\$65,000	\$61,500	5 years
e) The acquisition of computer equipment and software, including all related costs and expenditures incidental thereto.	\$27,500	\$26,000	5 years
f) The acquisition of a finger print machine, including all related costs and expenditures incidental thereto.	\$45,000	\$42,500	15 years
g) The acquisition of miscellaneous equipment, including all related costs and expenditures incidental thereto.	<u>\$35,000</u>	<u>\$33,000</u>	15 years
TOTALS	<u>\$325,000</u>	<u>\$307,500</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.84 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$307,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$6,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

COUNCIL	MOTION	2 ND	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				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

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

BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey, as follows:

SECTION 1. The rates of compensation for each employee of the Borough of South Plainfield shall be on an annual basis as follows except where indicated. Such rates of pay shall be effective on January 1st of the years shown.

POSITION: FIELD REPRESENTATIVE, ASSESSING
SALARY: \$5,000 TO \$10,000

SECTION 2. **INCONSISTENCY** – All ordinance or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. **EFFECTIVE DATE** – This ordinance shall become effective and operative ten days after the publication thereof after final passage.

COUNCIL	MOTION	2 ND	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				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

(Revision of #1972 above) **ORDINANCE NO.1976**
AN ORDINANCE AMENDING ORDINANCE 1875 AUTHORIZING FEES FOR RENTAL OF SENIOR CENTER AND ADOPTION OF POLICIES AND PROCEDURES.

WHEREAS, the Mayor and Council of the Borough of South Plainfield desire to amend the Borough Code as to fees, rules and regulations for the rental of the South Plainfield Senior Center;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey, that Chapter 350 of the Borough Code shall be deleted and replaced as follows:

SECTION 350-1.

Rental fees shall be based upon the location of the residence of the person, group, corporation or entity representing the Senior Center (hereinafter the “Center”), and the purpose of the activity. They shall be set pursuant to certain categories. The rental fee shall include the use of the kitchen (to warm food only, no cooking will be permitted), ice machine, microphone system, podium/lectern, setup and take down of tables and chairs, and use of movie screen. The categories shall be as follows:

- A. Borough boards, commissions and agencies;
 - 1. Borough boards, commissions and agencies shall be defined as any group formed under the Borough Code and designated as a board, commission or agency whose members have been appointed pursuant to Borough Code by the Mayor or Borough Council as the case may be. Borough boards, commissions and agencies may only utilize the Senior Center for public purposes.

Rental fees in this category shall be \$0.

- B. Borough employees; Senior Center members; and non-profit community organizations holding a free event.
1. Borough employees shall be defined as any full-time Borough employee currently employed by the Borough for not less than three consecutive months.
 2. Senior Center members shall be defined as any person who has been an active member of the Senior Center for twelve consecutive months, is in good standing, and has paid dues to date.
 3. Non-profit community organizations shall be defined as a not-for-profit group or organization formed and recognized under the laws of the State of New Jersey for a purpose of a service nature, which organization is comprised of 60% or more of Borough residents as its members. The organization shall be required to provide proof of non-profit status.

Rental fees for any person or organization in this category shall be the cost of a supervisor and janitor only - \$250.00. The fee shall include one hour for setup of an event, and a maximum of four additional hours for the event to be held. After the initial five hours, each additional hour, or part thereof, shall be billed and charged at \$50.00 per hour.

- C. For South Plainfield residents, and businesses which are not charging admission for an event, the fee shall be \$400.00 which fee shall include one hour prior to the event for setup, and a maximum of four additional hours for the event to be held. After the initial five hours, each additional hour, or part thereof, shall be billed and charged at \$50.00 per hour.
- D. For South Plainfield businesses charging admission and political groups (including national, state, county and local political parties which are permitted to rent for any legal use, such as fund-raising events, rallies, occasions to solicit membership and annual meetings) the fee shall be \$550.00, which fee shall include one hour prior to the event for setup, and a maximum of four additional hours for the event to be held. After the initial five hours, each additional hour, or part thereof, shall be billed and charged at \$50.00 per hour.
- E. Under no circumstances may any of the fees and charges set forth herein be waived.
- F. The Senior Center may be rented by and for use by only South Plainfield boards, commissions, agencies, employees, non-profit community organizations, residents and businesses (defined as sole proprietorships, partnerships, corporations or other legal entities conducting business from a location within the Borough of South Plainfield). The Senior Center may not be rented to or for use by any non-resident person or entity.

SECTION 350-2. DAMAGE DEPOSIT:

In addition to rental fees, a damage deposit of \$100.00 payable by check shall be required. Cash shall not be accepted. This deposit shall be required a minimum seven calendar days before the event date. The rental fees, plus the damage deposit shall be the total lease amount. The damage deposit shall be refunded within ten calendar days after the scheduled event has concluded after inspection of the premises, and conditioned upon the premises being found to be in good and clean condition as existed prior to the event. The inspection shall be conducted before any other event is held in the rented area. The Borough reserves the right to retain part of or all of the damage deposit to pay for any costs of repair or cleaning made necessary by the renter's use of the facility. The liability of the renter shall not be limited to the amount of the damage deposit. The liability of the renter shall extend to any damage or cleaning costs incurred as a result of the acts of any participants of the event sponsored by the renter of the premises.

SECTION 350-3. RESERVATION/PAYMENT PROCEDURES:

Reservations are to be made in person and must include a deposit of \$100.00. Requests must be submitted at least 14 calendar days prior to the requested date. The balance due payment shall be by cash to be made seven days prior to the event date. The Senior Director shall review all applications, and has the right to grant or deny use based on policies and availability or to grant use subject to conditions. The Borough reserves the right to cancel or deny use, and to limit the frequency of the building used by any organization under any circumstances. In the event of cancellation less than 72 hours prior to the scheduled event, the deposit shall be forfeited. The deposit will be returned in full in the event of cancellation more than 72 hours prior to the scheduled event.

One individual shall be designated as the responsible party for the requesting group, and shall sign the contract. Such person signing the contract shall be the responsible party, and shall assume the responsibility for the cleanup and any damage, loss or disturbance during the rental period.

SECTION 350-4. SETUP AND CLEANUP:

Setup and take down may take place only on the date and time designated on the rental contract. Access to the building prior to the rental time for setup must be confirmed in advance.

SECTION 350-5. USE OF KITCHEN:

Rental of the facility may include use of the kitchen. Kitchen users must make their own catering arrangements, and arrange for cleaning the kitchen after use. The kitchen shall be used for heating/warming purposes only. No cooking shall be allowed.

SECTION 350-6. SIGN AND DECORATION PLACEMENT:

All signs, decorations, scenery, etc. shall be erected without defacing the facility in any way, and shall be subject to the approval of the Senior Director. All signs, decorations, scenery, etc. shall be installed and removed from the facility within the time reserved. No items or materials may be affixed to walls, doors, flooring, furniture, etc. that will leave a residue, stain, scratch, or otherwise mar the surfaces. No smoking, use of candles, open flames and/or decorations which may be flammable or combustible, smoke or fog generating equipment or apparatus shall be allowed.

SECTION 350-7. SENIOR CENTER'S CLEANING STAFF:

The Senior Center's cleaning staff shall ensure the Center is cleaned following the event. No renter shall be allowed to take down tables or chairs following their event. This shall be done by the cleaning staff, and is included in the rental fee. Under no circumstance shall this portion of the rental fee be waived. While the Center's cleaning staff does the cleaning, the renter shall remain responsible for the following:

- A. Cleaning of rented rooms:
 - 1. Removal of decorations and personal items from the facility.
 - 2. Place all garbage into the garbage cans.
 - 3. Pour all liquids down the drain, and do not place in garbage cans.

- B. Cleaning of kitchen if used by renter:
 - 1. Empty all garbage containers into the outside dumpster.
 - 2. Wipe off all countertops (dish towels are available in kitchen).
 - 3. Empty coffee maker and clean coffee pots.
 - 4. Put all items back in the respective areas.
 - 5. Do not remove towels from kitchen areas, hang over sink to dry.
 - 6. Do not use dish towels to clean up spills or for cleaning purposes.
 - 7. Do not remove any item which belongs to the Center.
 - 8. Renters shall bring their own containers to take leftovers from the Center.

Failure to follow these cleaning guidelines may result in the withholding of the damage deposit.

SECTION 350-8. NO SMOKING POLICY:

The Senior Center is a NON-SMOKING FACILITY. Any violation may cause forfeiture of all reservation fees. Smoking is permitted outside only, and all cigarette butts must be deposited in containers provided.

SECTION 350-9. ALCOHOL POLICY:

Beer, wine and liquor may be served with the authorization of the Senior Center Director. No one under 21 years of age may consume alcohol on the premises. Pursuant to the rules of the Division of Alcohol and Beverage Control, any group requesting the use of alcohol for their engagement must obtain a "social permit" from the Municipal Clerk. A renter must provide a copy of the social permit license to the Senior Center at least seven calendar days before the rental event. Under no circumstances may a person or entity charge a fee for the service of beer, wine and liquor.

SECTION 350-10. SECURITY:

The Senior Center Director/Board may, at their discretion, require security permits. The policy of the Center shall be that when alcohol is served, security shall be needed. Security will be provided by the Center at a charge. The renter shall be responsible for paying the charge when paying the basic facility rental charge. Such policy may be waived by the Director/Board. Whenever it is determined that security is necessary at the event, the fee cannot be waived.

SECTION 350-11. INJURY/LOST ARTICLES:

The Borough of South Plainfield and the Center assume no responsibility for accidents, injuries, lost or damaged articles while attending a meeting or event of a rental group.

SECTION 350-12. FIRE REGULATIONS:

A fire permit must be filled out and returned to the Senior Center, along with final payment. The Center staff shall provide a copy to the renter. The permit may be filled out and mailed, faxed or dropped off to the Bureau of Fire Prevention, 123 Maple Avenue, South Plainfield, New Jersey 07080.

All groups must observe the following fire regulations:

- A. Use of open flames is prohibited.
- B. Electrical extension cords and decorations must be flame proof.
- C. Exits, corridors and hallways must be free of obstructions at all times.
- D. Persons may never stand in aisles of exit.
- E. Maximum capacity numbers in rooms must be observed.

SECTION 350-13. NOTICE OF RESPONSIBILITY/LIABILITY:

This section is to notify the renter that the Borough of South Plainfield and the Center shall be responsible only to maintain the building and its structural components and systems, such as plumbing, lighting and electricity in a safe and operable condition. Neither the Borough nor the Center shall be responsible for the conduct of persons participating in events held at the facility. It shall be the renter’s responsibility, as the renter and sponsor of the event, to see that all participants use the facility in a safe and reasonable manner and obey all laws.

Likewise, the Borough is not responsible for the conduct of any persons or businesses hired by the renter to work at the event, including, but not limited to the liquor servers (as provided under Borough contract), food caterers, decorators or entertainers hired to service the event. The renter shall take complete responsibility for the conduct of its group or others present during the rental period, and agree to compensate the Borough for all damages to the facility, equipment or other property owned by the Borough incurred during the rental period. Furthermore, the renter assumes all liability for any personal injuries, including death caused by participants at the scheduled event. The renter shall hold harmless and defend the Borough and Center from any claims for personal injury or property damage.

Any disputes or claims of liability involving the providers of services are matters strictly between the renter, the event participants and the providers. Renter agrees that neither the renter nor the participants at the event shall file any claims or involve the Borough in any legal action regarding such matters.

SECTION 350-14. CERTIFICATE OF INSURANCE:

The organization/representative shall obtain a policy of general insurance from any insurance provider within the State of New Jersey to provide coverage for personal injury and property damage in an amount of at least \$1,000,000 per person, and \$2,000,000 in total for personal injuries, death or damage suffered by any person or persons arising from the use of the facility or services provided. The organization/representative shall obtain a policy of general liability insurance from a business in the State of New Jersey to provide coverage against any and all liability or claims of liability arising out of, occasioned by or resulting from any accident or similar event in or about the leased premises for injuries to any persons for a limit not to be less than \$1,000,000 for property damage, \$1,000,000 for injury to one person, and \$2,000,000 for injuries to more than one person in any one accident or occurrence. The Borough of South Plainfield shall be listed as an additional insured on all insurance policies.

SECTION 350-15. POLICY EXCEPTIONS:

Any exceptions or variations to this policy will require the prior approval of the Mayor and Council. Requests must be made in writing and accompany the Center rental form. The Mayor and Council have the final authority for decisions on all rentals.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

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

RESOLUTIONS:

**RESOLUTION 2012-323
BOROUGH OF SOUTH PLAINFIELD
COUNTY OF MIDDLESEX**

**AUTHORIZING INSERTION OF ITEM OF REVENUE FOR BUDGET YEAR 2012 FOR THE PURCHASE OF A SENIOR
CITIZEN MINIVAN FROM
THE 2011 COMMUNITY DEVELOPMENT BLOCK GRANT**

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 county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough 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 2012 in the sum of \$25,000.00, which is now available from the County of Middlesex from the 2011 CDBG Grant CD1147.

BE IT FURTHER RESOLVED, that the like sum of \$25,000.00 is hereby appropriated under the 2011 Community Development Block Grant CD1147;

BE IT FURTHER RESOLVED, that two copies of this Resolution shall be forwarded to the Director of the Division of Local Government Services, and one copy shall be forwarded to the Chief Financial Officer.

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

**RESOLUTION 2012-324
AUTHORIZING THE STATE CONTRACT PURCHASE OF A
2013 DODGE GRAND CARAVAN SE FOR THE SENIOR CENTER
FROM HERTRICH FLEET SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$25,000.00**

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, State of New Jersey, that:

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:11, any expenditure of public funds in excess of \$17,500 requires municipalities without a QPA to advertise for proposals for delivery of said goods or services; and

WHEREAS, a need has been determined that the purchase a minivan for the Senior Center is necessary; and

WHEREAS quotations/proposals were solicited and the following submitted quotations/proposals as follows:

Hertrich Fleet Services Inc. (State Contract #A82889)	\$20,210.00
--	-------------

WHEREAS, the proposals have been reviewed by the Chief Financial Officer who has verified that the lowest qualified proposal is through a State Contract with Hertrich Fleet Services, Inc. in the amount of \$20,210.00 and has recommended that this proposal be accepted to purchase; and

WHEREAS, funds for said purpose have been certified by the Chief Financial Officer and are available to pay for said minivan through the 2011 Community Development Block Grant CD1147;

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the Mayor and Municipal Clerk are hereby authorized to execute a contract, if applicable, for the State Contract purchase of a minivan for the Senior Center from Hertrich Fleet Services, Inc. in an amount not to exceed \$25,000.00.

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

RESOLUTION 2012-326

AUTHORIZING T&M ASSOCIATES TO PERFORM ENGINEERING SERVICES TO PROVIDE AND ADMINISTER BIDS FOR RECYCLING SERVICES

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 recycling services 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 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta	x		x				
Councilman Bengivenga			x				
Councilman Frank			x				
Councilman McConville						x	
Councilman White			x				
Council President Rusnak		x	x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 2012-327

AUTHORIZING T&M ASSOCIATES TO PERFORM ENGINEERING SERVICES TO PROVIDE AND ADMINISTER BIDS FOR A GARBAGE 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 garbage 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:

- Municipal Clerk
Chief Financial Officer
T&M Associates

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

**RESOLUTION 12-328
 AUTHORIZING WAIVER OF A GAMES OF CHANCE PERMIT FEE IN THE AMOUNT OF \$750.00 FOR THE
 AMERICAN LEGION POST 243 OF SOUTH PLAINFIELD,
 A CHARITABLE NONPROFIT ORGANIZATION**

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 Game of Chance permit fees for the American Legion Post 243 of South Plainfield, a charitable nonprofit organization.

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

RESOLUTION #12-329

**AUTHORIZING THE RELEASE OF PERFORMANCE BOND IN THE AMOUNT OF \$4,677.00, THE RELEASE OF
 ENGINEERING ESCROW IN THE AMOUNT OF \$787.85, AND SURETY BOND IN THE AMOUNT OF \$42,093.00 FOR
 BERG-N-PITT DEVELOPMENT LLC PERTAINING TO BLOCK 282 AND LOT 14
 KNOWN AS 154 MARTIN DRIVE FOR WETLAND PERMIT WORK ONLY**

WHEREAS, the Borough of South Plainfield is in possession of a Performance in the amount of \$4,677.00, Engineering Escrow in the amount of \$787.85 and Surety Bond in the amount of \$42,093.00 from Berg-N-Pitt Development LLC for Block 282, Lot 14 known as 154 Martin Drive in South Plainfield for Wetland Permit work only.

WHEREAS, wetland permit work only was performed and has now been completed; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of South Plainfield, that the Borough Clerk is hereby authorized to release the aforementioned Bonds and/or escrow held for the Public Improvements located at Block 282, Lot 14.

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

RESOLUTION 12-330

**AUTHORIZING THE RENEWAL OF A JUNKYARD LICENSE FOR GENE’S AUTO WRECKERS FOR THE YEAR 2013
 PURSUANT TO CH. 118 OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD. THE APPLICANT HAS MET
 ALL BOROUGH REQUIREMENTS AND ALL APPROPRIATE FEES HAVE BEEN PAID**

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

WHEREAS, the owner of Gene’s Auto Wreckers in the Borough of South Plainfield has made an application in accordance with the Borough Code, Chapter 118 for renewal of the license to operate a junkyard for the year 2013, and

WHEREAS, after proper investigation it was deemed that all requirements of the Code have been met.

NOW THEREFORE BE IT RESOLVED that the Governing Body that a junk yard license be issued to Gene’s Auto Wreckers for 2013.

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

RESOLUTION No. 12-331

AUTHORIZING 2012 APPROPRIATION TRANSFERS IN THE AMOUNT OF \$75,000.00 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 accordance with State Statute:

CURRENT FUND

FROM:			AMOUNT
2-01-25-240-003-241	Crossing Guards	O&E	15,000.00
2-01-23-210-000-655	Other Insurance	O&E	10,000.00
2-01-31-440-001-541	Telephone	O&E	5,000.00
2-01-31-420-001-555	Electric	O&E	5,000.00
2-01-30-425-001-101	Salary & Wage Adjustment	O&E	15,000.00
2-01-31-435-002-555	Street Lights	O&E	15,000.00
2-01-31-465-001-565	Gasoline	O&E	10,000.00
Total FROM:			75,000.00

TO:			AMOUNT
2-01-25-250-000-101	911	S&W	20,000.00
2-01-26-315-000-215	Vehicle Maintenance	O & E	15,000.00
2-01-23-220-000-601	Health Benefits	O & E	40,000.00
Total TO:			75,000.00

OUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta	x		x				
Councilman Bengivenga			x				
Councilman Frank			x				
Councilman McConville						x	
Councilman White			x				
Council President Rusnak		x	x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 12-332

RESOLUTION OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING AN AMENDMENT OF RESOLUTION 12-316 SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$200,000 PURSUANT TO N.J.S.A. 40A:4-54 TO PROVIDE FOR AN ADDITION OF \$100,000 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 \$100,000.00 thus the new revised total of said Special Emergency Appropriation shall be \$300,000; 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 \$100,000, thus the new revised total of said Special Emergency Appropriation shall be \$300,000.00 for the Recovery from Super Storm Sandy. The \$300,000 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 \$60,000.00 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

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

RESOLUTION 12-333

AUTHORIZING AWARD OF AN EMERGENCY CONTRACT WITH STILO EXCAVATING FOR TREE AND DEBRIS REMOVAL DUE TO SUPER STORM SANDY IN AN AMOUNT NOT TO EXCEED \$45,000 AND AUTHORIZE THE MAYOR AND MUNICIPAL CLERK TO EXECUTE SAID CONTRACT IF APPLICABLE

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby approves of the emergency contract with Stilo Excavating for tree and debris removal due to Super Storm Sandy in an amount not to exceed \$45,000.00 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
 Stilo Excavating

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

RESOLUTION 12-334

**AUTHORIZING REFUNDS FOR CANCELLED TRIPS TO VARIOUS SENIORS IN DOLLAR AMOUNTS BETWEEN
\$20.00 TO \$136.00**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that, as the Senior Citizen Trips 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:

Doolans Trip Nov 5 and Taj Nov 7:

Carmella Bozzo
235 Golf Ave. East
South Plainfield, NJ 07080
\$68.00 - Doolans

Marie Piesche
1937 Grant Ave.
South Plainfield, NJ 07080
\$68.00 - Doolans

Doris Clark
505 Newark Ave.
Piscataway, NJ 08854
\$68.00 - Doolans

Miriam Bowman
3237 Banta Rd.
South Plainfield, NJ 07080
\$136 (2) - Doolans

Lubov Mack
59 Leeds Drive
South Plainfield, NJ 07080
\$68.00 - Doolans

Ann Nappe
1900 Terrace Ave.
South Plainfield, NJ 07080
\$68.00 - Doolans

Eleanor Stoner
328 Norwood Ave.
South Plainfield, NJ 07080
\$68.00 - Doolans

Pat Sincavage
1166 Clinton Terrace
South Plainfield, NJ 07080
\$20.00 -- Bally's

Sandra Kavka
408 Cotton St.
South Plainfield, NJ 07080
\$40 – Bally's

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 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta	x		x				
Councilman Bengivenga			x				
Councilman Frank			x				
Councilman McConville						x	
Councilman White			x				
Council President Rusnak		x	x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 12-335

AUTHORIZING THE TEMPORARY HELP OF ADELINE GEBAUER AND DAWN HUTCHINSON TO COVER FOR THE BUILDING DEPARTMENT WITH PERMITS AND VARIOUS OTHER DUTIES ON AN AS-NEEDED BASIS FOR DECEMBER 2012 AND JANUARY 2013 AT AN HOURLY RATE OF \$21.45

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 temporary help of Adeline Gebauer and Dawn Hutchinson to cover for the Building Department with permits and various other duties on an as-needed basis for December 2012 and January 2013 at an hourly rate of \$21.45

BE IT FURTHER RESOLVED that the salary for this position is an hourly rate as set by Ordinance.

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

- Glenn Cullen, CFO
- John Pabst, Construction Official
- Marie Dudek, Payroll
- Amy Antonides, Municipal Clerk

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

RESOLUTION 12-336

AUTHORIZING THE HIRING OF RICHARD ROTELLA AS PART-TIME SEASONAL HELP FOR THE MUNICIPAL OFFICES AT AN HOURLY RATE OF \$11.65

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 hiring of Richard Rotella for the seasonal part-time help for the municipal offices at an hourly rate of \$11.65 with an effective date being date of adoption of this resolution.

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

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

RESOLUTION 12-337

AUTHORIZING NORTHEAST INTEGRATED TECHNOLOGIES TO PROVIDE INFORMATION TECHNOLOGY CONSULTING SERVICES RELATED TO THE BOROUGH OF SOUTH PLAINFIELD'S VARIOUS COMPUTER NETWORKS AND RELATED EQUIPMENT ON AN AS NEEDED MONTHLY BASIS AT A COST NOT TO EXCEED \$1,410.00

BE IT HEREBY RESOLVED by the Borough Council of the Borough of South Plainfield that the Council authorizes Northeast Integrated Technologies to provide Information Technology consulting services related to the Borough of South Plainfield's various computer networks and related equipment; provide the IT department with level 2 & level 3 support and training, and assist The Borough Administration in planning improvements, and related IT activities. Northeast will provide the Borough with up to date analysis, evaluation, and reports. Northeast will provide the Borough these services on an as needed, monthly basis at a cost not to exceed \$1,410.00

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

Glenn Cullen, CFO
 Amy Antonides, Municipal Clerk
 John Abbruzzese, IT

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

RESOLUTION 12-338

AUTHORIZING THE PURCHASE OF TWO RACK MOUNT BDR DEVICES (MODEL VBR2000) FROM TACTICAL PUBLIC SAFETY, FOR THE BUSINESS CONTINUITY SYSTEMS HARDWARE PLATFORM, AT A COST NOT TO EXCEED \$5,998.00

BE IT HEREBY RESOLVED by the Borough Council of the Borough of South Plainfield that the Council authorizes the purchase of two rack mount BDR devices model VBR2000 from Tactical Public Safety, for the Business Continuity System's hardware platform, at a cost not to exceed \$5,998.00

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

Glenn Cullen, CFO
 Amy Antonides, Municipal Clerk
 John Abbruzzese, IT

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

RESOLUTION 12-339

AUTHORIZING NORTHEAST INTEGRATED TECHNOLOGIES TO PROVIDE PROACTIVE SERVER AND NETWORK INFRASTRUCTURE MANAGEMENT FOR THE BOROUGH OF SOUTH PLAINFIELD ON AN AS NEEDED MONTHLY BASIS AT A COST NOT TO EXCEED \$1,362.50

BE IT HEREBY RESOLVED by the Borough Council of the Borough of South Plainfield that the Council authorizes Northeast Integrated Technologies to provide Proactive Server and Network infrastructure management For the Borough of South Plainfield. These services will include **24 x 7** Monitoring & Remediation; Performance Optimization, Weekly Server Maintenance, Patch Management, Vendor Management, Network Audits. Northeast will provide the Borough these services on an as needed, monthly basis at a cost not to exceed \$1,362.50

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

Glenn Cullen, CFO
 Amy Antonides, Municipal Clerk
 John Abbruzzese, IT

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

**RESOLUTION 12-340
 AUTHORIZING NORTHEAST INTEGRATED TECHNOLOGIES TO PROVIDE BUSINESS CONTINUITY AND
 DISASTER RECOVERY SERVICES ON AN AS NEEDED MONTHLY BASIS
 AT A COST NOT TO EXCEED \$1,229.00**

BE IT HEREBY RESOLVED by the Borough Council of the Borough of South Plainfield that the Council authorizes Northeast Integrated Technologies to provide Business Continuity and Disaster Recovery Services. Service includes the backup of all Borough Servers, Cloud storage in two secure data centers, and monthly backup virtualization testing. Northeast will provide the Borough these services on an as needed, monthly basis at a cost not to exceed \$1,229.00

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

Glenn Cullen, CFO
 Amy Antonides, Municipal Clerk
 John Abbruzzese, IT

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta	x		x				
Councilman Bengivenga			x				
Councilman Frank			x				
Councilman McConville						x	
Councilman White			x				
Council President Rusnak		x	x				
		VOTE:	5	0			
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:

- Middlesex County Planning Board Minutes – October 9, 2012
- Notice of Middlesex County public hearing on an amendment to the County’s Solid Waste Management Plan scheduled for December 5, 2012, 6:00 p.m.
- Board of Adjustment Minutes – September 18, 2012

COUNCIL	MOTION	2 ND	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				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

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 **\$393,037.18**
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 ND	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				
		vote:	5	0			
Mayor Anesh – TIE ONLY							

COUNCIL REPORTS:

Borough Attorney Jeff Lehrer, Esq. – had no report for this evening.

Administrator Cullen – gave a brief status update on the paving, and clean – up from the storm. Mr. Cullen said he is very proud with how we have handled the whole clean-up process and believes we performed better than most towns. We were also very fortunate that we did not need to bring in a crew this past weekend.

Engineer Miller – briefed the Council on the status of the road improvement projects. Sampton Avenue is now complete. Progressive is on schedule and will be starting sewer work soon and will be conducting that during night time hours.

Councilman Elect Diana – said that he tends to agree with Mr. McCullen this evening in that he also feels we should take a step back on adopting any bond ordinances and that waiting may be best.

Clerk Antonides – had no report for this evening.

Councilman Frank – said that we have been seeking the best possible method to save money down the road and that this Council has done an outstanding job.

Councilman Barletta – reported progress.

Councilman Bengivenga – advised that we are applying for reimbursement from FEMA for storm damages, but it may take up to a year to receive. We do however, need a new finger print machine, that was destroyed due to a power surge, as soon as possible for our Police Department, hence the bond ordinance that was introduced this evening. We do look at the items needed individually to make sure the money is spent in a prudent manner.

Councilman McConville – was absent this evening.

Councilman White – reported progress.

Council President Rusnak – advised that he was recently notified that the Board of Education has decided to not use our Borough gasoline any longer. Instead they will be under contract with Plainfield for fuel as they feel it will be a cost savings to them.

Mayor Anesh – reported progress.

COMMENTS FROM THE PUBLIC:

Mr. Lester Bergen of 1811 Hamilton Blvd.

Ms. Debbie Boyle of Van Fleet, commended the DPW Superintendent, Cappi, stating that he and his department really do an excellent job for our town. Ms. Boyle went on to say that she believes the Board of Educations decision to use Plainfield for gasoline is

ridiculous as they are not going to drive nine miles each way to get fuel not to mention the time it will take to drive back and forth to Plainfield. Ms. Boyle concluded by questioning the fees imposed with the new Senior Center Ordinance. Mayor Anesh explained that the intent of the ordinance is to streamline the usage of it.

Mr. George Zereconski of 412 Kenneth Avenue said he feels the Council is clueless regarding the noise issue with the DPW. Mr. Zereconski said that at 4:30 a.m. his nine month old son is awakened by the noise. Equipment is being repaired at 5:00 a.m. and he has decibel readings on his cell phone that conflict with the Borough Ordinance and doesn't feel the Superintendent is doing this for the good of the Borough. Trucks are idling long hours and there is a lot of fact the Council doesn't know about. The basis of the complaint is that the DPW is starting operations before 7:00 a.m.

Council President Rusnak said that he has an email from Councilman McConville dated October 2nd that said the problem was resolved. Mr. Zereconski said that he didn't see the emails that followed that. Mayor Anesh said that we do not tolerate noise for the sake of having noise. We support the good operations of the DPW that is in the best interest for the community.

Mr. Jani of 501 Fulton Street said that trucks are idling near the DPW every single day and said he noted the ideling time of 14 to 17 minutes. There are honking of horns at 5:00 a.m. and heavy vibrations felt. It is really annoying. There is a lot of noise pollution. Mayor Anesh said the intent of the ordinance is to operate the DPW with efficiency.

Mr. Deepak Kakar of 411 Spicer Avenue said he concurs with what the other residents said. There is a lot of noise in this area.

Mr. Len Miller, Borough Engineer, said that he does a lot of work with the DPW and feels we should be thanking them for coming in so early to help our town and community, especially with road surfacing repairs, sewer repairs, rerouting of traffic and many other emergent needs that arise.

Mr. Frank McCarthy said he lives on Oak near Spicer and said he feel there is more noise other than from DPW going on in that area.

Mrs. Darlene Cullen pointed out that there is a deli that is nearby that opens at 6:00 a.m. and receives deliveries at 4:30 a.m. Mrs. Cullen advised that she used to live in an area in which truck noises would wake up her children, but she can't sit back and watch Bobby's character on the line here. He travels up from the shore for the betterment of our community. There are other reasons other than the DPW that are cause for noise in the area. Mrs. Cullen concluded by saying that she hopes the Council will support this Ordinance.

Mr. Robert Capparelli, DPW Superintendent, said that it is true there are other things in the area that are cause for noise, such as the Star Ledger making early morning deliveries, and trains running. To single out the DPW is ridiculous.

Council President Rusnak said he is behind the amendment to the noise ordinance.

Councilman Barletta said he agrees that the ordinance is essential.

Councilman White said he appreciated the Borough Engineer's comments this evening and agrees with his sentiments.

Councilman Frank said he doesn't like to see the anger in the audience this evening but feels this ordinance amendment is well worth considering.

Mr. Scarpato of 414 West Crescent Parkway said he echo's what everyone has said about Cappi. He does an excellent job. No one wants to live with noise but it cannot all be blamed on the DPW. On another note, Mr. Scarpato asked what happened with the Board of Education's gasoline contract. Councilman Rusnak said he doesn't really know. They notified us they didn't wish to renew their contract and hopes we can build our relationship.

Chief Parker said he receives these noise complaints often and does look into them. Chief Parker advised that what his department sees is truck traffic, deliveries etc. and cannot pin point the noise on the DPW.

Mr. Rob Richkus of 1325 Famularo Drive said that the DPW is a class act and thanked them and the Council for all their help with the recent storm clean-up. Also congratulations with the three promotions this evening.

Mrs. Debbie Bergen of 1811 Hamilton Blvd., asked where we stand now with the new truck route? Mayor Anesh said that we are a little frustrated at this point as it is taking a long time. We understand it is still in a technical review with the State. We hope to move forward soon.

Mr. Paul McCullen of 1213 Walnut Street advised that the truck route may help resolve some of the quality of life issues. Mr. McCullen also suggested enforcing our ordinances. Mr. McCullen asked if insurance would pay for the replacement of the Police Department's finger print machine. Mr. Cullen explained that our JIF, would most likely only award a small fraction of the cost of the machine due to its age. Mr. McCullen thanked the DPW, Police, and all emergency services for the storm clean-up effort saying they all did an outstanding job. Congratulations were extended to Councilman Bengivenga and Councilman Elect Diana on the election.

With no further comments from the public, Mayor Anesh closed the floor. At this time, 9:01 p.m., Mayor Anesh 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, Mayor Anesh called for a motion to adjourn. Council President Rusnak made a motion to adjourn at 9:10 p.m., seconded by Councilman White and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk