

Minutes from the February 21, 2012 Public Meeting of the South Plainfield Mayor and Council

The meeting was called to order at 7:15pm by Mayor Matthew Anesh in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, with adequate notice of this meeting of the Borough Council being provided to the borough's two official newspapers and also published on the Borough's website.

Clerk Graf called the roll. Those present were Council Members Barletta, Bengivenga, Frank, McConville, Rusnak and White.

After the Pledge of Allegiance, the invocation was offered by Councilman Bengivenga.

Mayor Anesh presented two proclamations. The first proclamation designated March as Women's History Month in the borough. The second proclamation was present to members of the Board of Education and members of the Library Board in honor of Read Across America.

Mayor Anesh then presented wedding fee donation checks to six charitable organizations. It is a tradition for Mayor Anesh to donate all the proceeds from the weddings he performs throughout the year to local charitable organizations and causes. He gave a brief summary about each of the recipients. They are:

- South Plainfield Domestic Violence Team \$1350.00
- Elks Camp & Cooley's Anemia \$300.00
- The Pink SOCS Foundation \$600.00
- The Brayden Carr Foundation \$600.00
- The Buddy Walk \$600.00
- Time 2 Shine Foundation \$600.00

Mr. White made a motion to accept the minutes of February 6, 2012, Agenda, Public and Executive; seconded by Mr. Barletta.

YES: Barletta, Bengivenga, Frank, McConville, White and Rusnak Motion Carried
Mayor Anesh opened the meeting to the Public for comments on Agenda items only.

Frank Mikorski of Regency Place complimented the governing body for approving Resolution # 12-028, joining the Middlesex Regional Education Coop. He commented on the borough's agreement with the Plainfield Municipal Utility authority for the disposal of bulk waste; and he inquired about the tuition reimbursement policy of the borough as it related to Resolution # 12-039.

Debbie Boyle of Van Fleet Ave advised the Council that the annual Women's history Essay contest that was started a few years ago will again take place this year. She also announced that the date for the Walk/Run fund raiser and PBA basketball event to benefit Rutgers students with disabilities has been changed to April 15th.

Mayor Anesh closed the public portion and called for Ordinance # 1950.

Clerk Graf read Ordinance #1950 by title only for Public Hearing and final adoption as follows:

#1950 entitled: An ordinance amending Chapter 84 titled "Police Department" of the Code of the Borough Of South Plainfield".

WHEREAS, the Chief of the Police Department of the Borough of South Plainfield has requested that the Code of the Borough be amended to reflect the overtime rate for a Class C

officer performing private or quasi-public functions when off duty in accordance with the current PBA contract now in effect;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Code of the Borough, Chapter 84 entitled "Police Department" shall be and is hereby amended to delete Section 84-16. Rate of Payment for Service. To be replaced as follows:

The party requesting the service of a member of the Police Department as stated in Section 84-14 hereof shall be charged and pay for each service per hour at one and one half (1.5) times the compensation rate presently payable to Class C patrolman, plus five (\$5.00) dollars administrative fee for all entities, except non-profit groups (including, but not limited to churches) in which the administrative fee will remain at \$2.00. An additional fee of \$15.00 will be added to the hourly rate charged when a patrol vehicle is required. All sums shall be paid to the Treasurer of the Borough of South Plainfield, and shall become part of its general funds.

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

Mr. Barletta made a motion to adopt Ordinance # 1950; seconded by Mr. Bengivenga.

As this is a final reading, Mayor Anesh opened a public hearing on the ordinance.

No comments were offered so Mayor Anesh closed the public hearing and asked if the council had any questions or comments.

YES: Barletta, Bengivenga, Frank, McConville, White and Rusnak Motion Carried

Clerk Graf read Ordinance #1951 by title only for Public Hearing and final adoption as follows:

#1951 entitled: A Bond ordinance providing for improvements to the Pool Utility in and by the Borough of South Plainfield, in the County of Middlesex, New Jersey, appropriating \$90,000 therefor and authorizing the issuance of \$85,500 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 improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$90,000, including the sum of \$4,500 as the down payment required by the Local Bond Law. The down payment is now 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 improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$85,500 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. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various improvements to the pool utility, consisting of the removal and replacement of both pool recirculation pumps, the removal and replacement of both motor starters, the removal and replacement of a suction strainer, the removal and replacement of all throttle and isolation valves, and piping modifications to suit the above improvements, including other related work in and around the pool and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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 improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 15 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 \$85,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough **hereby** declares the intent of the Borough **to** issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) 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 purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement 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.

Mr. White made a motion to adopt Ordinance # 1951; seconded by Mr. McConville.

As this is a final reading, Mayor Anesh opened a public hearing on the ordinance.

No comments were offered so Mayor Anesh closed the public hearing and asked if the council had any questions or comments.

YES: Barletta, Bengivenga, Frank, McConville, White and Rusnak Motion Carried

Mr. McConville requested that Resolution # 12-039 be separated from the list of Resolution consent items.

Mr. White made a motion to approve Resolutions 12-028 through 12-038 and 12-040 through 12-044, seconded by Mr. Barletta, all of which begin with **BE IT RESOLVED BY THE**

GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

#12-028

WHEREAS, N.J.S.A. 40A:11-11(5) specifically authorizes two or more contracting units to establish a Cooperative Pricing System for the provision and performance of goods and services and enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission is conducting a voluntary Cooperative Pricing System with other contracting units; and

WHEREAS, the Borough of South Plainfield desires to join the Middlesex Regional Educational Cooperative Pricing System and enter into a Coop agreement;

NOW THEREFORE, the South Plainfield Borough Council hereby authorizes the Mayor and Municipal Clerk to execute the Cooperative Pricing System Agreement between the Borough of South Plainfield and the Middlesex Regional Educational Services Commission, pursuant to the terms and conditions set forth.

#12-029

Borough Prosecutor Thomas Lanza, Esq. is hereby appointed to serve as Special Prosecutor to represent the Borough of South Plainfield for an ABC hearing on charges alleging violations of N.J. Division of Alcoholic Beverage Control regulations concerning liquor licenses and business brought against J.P.R.C., Inc., d/b/a/ Liquid Assets. The established hourly rate for Borough Attorney fees shall prevail.

#12-030

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

WHEREAS, there are certain CY2011 Budget Appropriations of the Borough of South Plainfield with balances insufficient to meet requirements for operating borough affairs; and

WHEREAS, there are CY2011 Budget Appropriations with unexpected balances that are not needed for such purposes; and

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

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

**Borough of South Plainfield
Transfers 2011**

CURRENT FUND

FROM:		<u>AMOUNT</u>
1-01-23-220-000-601	Health Insurance	O & E 14,000.00
		<hr/>
Total FROM:		<u>14,000.00</u>

TO: **AMOUNT**

3585

1-01-23-210-000-651	Other Insurance	O & E	14,000.00
Total TO:			<u><u>14,000.00</u></u>

#12-031

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

Block 302; Lot 1; Qual: C0003
Canova Properties Limited
6 Creekside Court
North Brunswick, NJ 08902
\$1,600.90

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.

#12-032

WHEREAS, the Borough of South Plainfield wishes to apply to Middlesex County Housing and Community Development Agency for discretionary aid; and

WHEREAS, the Borough's Citizen Advisory Committee met to discuss possible uses of the 2012 CDBG funding; and

WHEREAS, the Governing Body of the Borough of South Plainfield held a public hearing on February 6, 2012 to elicit input from borough residents on the best uses for the 2012 CDBG;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of South Plainfield do hereby make application to Middlesex County Housing and Community Development for discretionary aid to be used for the following proposed uses:

Senior Citizen Coordinator salary	\$12,500
Senior Citizen Auditorium lighting upgrade	\$20,000
Continue ADA Ramp installation program	\$40,000
Upgrade the front entrance of Borough Hall to ADA accessible	<u>\$15,000</u>
TOTAL	\$87,500

BE IT FURTHER RESOLVED that a certified copy of this resolution will be forwarded to the Director of the Middlesex County Housing and Community Development Agency.

#12-033

authorization is hereby given to waive the applicable building permit fee (excluding electrical) for the installation of the fire alarm system in the Municipal Building basement, being done by Foremost Fire.

#12-034

the south Plainfield Mayor and Council hereby accept the retirement of Bradford Bullard for ordinary disability pursuant to the approval of his application for ordinary disability benefits by the State of New Jersey Division of Pensions and Benefits received on Feb. 13, 2012, such retirement effective October 1, 2011.

#12-035

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

WHEREAS, there are certain CY2011 Budget Appropriations of the Borough of South Plainfield with balances insufficient to meet requirements for operating borough affairs; and

WHEREAS, there are CY2011 Budget Appropriations with unexpected balances that are not needed for such purposes; and

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

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

Borough of South Plainfield Transfers 2011

CURRENT FUND			
FROM:			AMOUNT
1-01-25-265-001-201	Fire Official	O & E	2,500.00
1-01-23-210-000-660	Other Insurance	O & E	15,000.00
1-01-26-290-001-101	Public Works Administration	S&W	1,500.00
1-01-25-250-000-101	Emergency Management	S&W	2,000.00
1-01-26-290-002-235	Road Repairs & Maintenance	O & E	2,500.00
1-01-31-446-001-556	Gas Use	O & E	1,500.00
1-01-31-447-001-558	Fuel Oil	O & E	1,000.00
Total FROM:			<u><u>26,000.00</u></u>
TO:			AMOUNT
1-01-20-135-000-236	Finance/Audit	O & E	14,500.00
1-01-25-265-001-201	Fire Dept	O & E	2,500.00
1-01-26-310-000-445	Public Buildings & Grounds	O & E	3,000.00
1-01-30-425-001-101	Salary & Wage	O & E	6,000.00
Total TO:			<u><u>26,000.00</u></u>

#12-036

WHEREAS, the Local Public Contracts Law of the State of New Jersey (NJSA 40A:11-1 et seq.) establishes standards and procedures for the awards of contracts and the purchase of goods and services which are to be paid with public funds; and

WHEREAS, it has been determined that a need exists for the purchase of a John Deere 997 Commercial Lawn Mower to replace the one that was destroyed by fire; and

WHEREAS, NJSA 40A:11-6.1 requires the solicitation of quotations for purchases estimated to be in excess of \$2,640.00 or more but less than \$17,500.00; and

WHEREAS, the availability of funds for this purpose have been certified by the Chief Financial Officer and is available in Account # 2-01-23-220-000-655; and

WHEREAS, it is the recommendation of the DPW Supervisor and the Borough Administrator that a contract be awarded to Power Place, Inc., 297 Route 22 East, Whitehouse Station, NJ 08889, at a cost not to exceed \$15,888.00

NOW THEREFORE BE IT RESOLVED by the South Plainfield Borough Council that the Mayor and Municipal Clerk are hereby authorized to execute a contract with Power Place, Inc., 297 Route 22 East, Whitehouse Station, NJ 08889, for the purchase of a John Deere 997 Commercial Diesel Lawn Mower as described in the quote submitted, at a cost not to exceed \$15,888.00.

#12-037

WHEREAS, a need exists for the Borough to provide bulky waste disposal services to the residents of the borough; and

WHEREAS, the Borough of South Plainfield has recently purchased two garbage trucks to be used for bulky waste pick up service within the borough; and

WHEREAS, the governing body of the Borough of South Plainfield wishes to enter into an inter-local agreement with the Plainfield Municipal Utilities Authority for Type 13 & Type 13c bulky waste debris disposal; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given for the Mayor and Administrator to execute the Inter-local Services Agreement with Plainfield Municipal Utilities Authority for Type 13 & Type 13c bulky waste debris disposal at their facility in Plainfield at a cost not to exceed \$81.00 per ton plus the NJ State Recycling Surcharge Cost of \$3.00. per ton; and

BE IT FURTHER RESOLVED that the Mayor and Administrator are also authorized to negotiate a rate in the future for type 10 disposal costs with the Plainfield Municipal Utilities Authority.

#12-038

WHEREAS, the Borough owns a Senior Center located at 90 Maple Avenue, South Plainfield, New Jersey; and

WHEREAS, Middlesex County has expressed a desire to utilize such center for the operation of its Senior Meal Program for the Elderly; and

WHEREAS, the Governing Body of the Borough of South Plainfield has deemed it beneficial and appropriate to enter into such an agreement with the County;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Mayor and Borough Clerk are authorized to execute a contract with the County of Middlesex to allow the County to utilize the South Plainfield Senior Center for the operation of its Senior Meal Program for the Elderly upon the conditions and terms as set forth in the proposed Contract annexed hereto.

#12-040

T & M Associates is hereby authorized to prepare specifications and solicit bids on behalf of the Borough's Pool Utility for various items of Pool equipment.

#12-041

WHEREAS, CY2012 Temporary Budget was adopted by the Governing Body of the Borough of South Plainfield on the 19th day of December, 2011; and

WHEREAS it is the desire of the Governing Body to amend the capital budget section of the CY2012 Temporary Budget for various General Improvement purposes.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, that the amendment(s) to the adopted capital budget section of the 2012 Budget be made as follows:

<u>Pool Utility Improvements:</u>	<u>Estimated total Cost</u>	<u>Cap. Imp. Fund</u>	<u>Debt Authorized</u>
Pool Equipment	\$90,000	\$4,500	\$85,500

BE IT FURTHER RESOLVED that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

#12-042

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 FY 2009 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 years 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 are hereby amended to add the following amounts and that a certified copy of this resolution be transmitted to the Chief Financial Officer.

**Borough of South Plainfield
Temporary Budget Amendment
CALENDAR YEAR 2012
CURRENT FUND**

			<u>AMOUNT</u>
2-01-23-220-000-601	Health Benefits	O&E	250,000.00
2-01-30-415-001-101	Accumulated Leave	O&E	50,000.00
2-01-36-472-000-675	SSI	Statutory	50,000.00
2-01-29-390-000-235	Library	O&E	100,000.00
Total CURRENT FUND			<u>450,000.00</u>

SEWER

			<u>AMOUNT</u>
2-07-55-515-002-215	Other Expenses	O&E	500,000.00

Total SEWER UTILITY**#12-043**

WHEREAS, the Local Public Contracts Law of the State of New Jersey (NJSA 40A:11-1 et seq.) establishes standards and procedures for the awards of contracts and the purchase of goods and services which are to be paid with public funds; and

WHEREAS, it has been determined that a need exists for the replacement of 16 trees along Lakeview Avenue, one tree at Putnam Park and two trees on Mill St.; and

WHEREAS, NJSA 40A:11-6.1 requires the solicitation of quotations for purchases estimated to be in excess of \$2,640.00 or more but less than \$17,500.00; and

WHEREAS, quotes were received from:

1. Pat Scanlon Landscaping \$4,716.00
2. NJ Tree Foundation \$5,745.50
3. Bartel Landscaping \$6,395.00

WHEREAS, the availability of funds for this purpose have been certified by the Chief Financial Officer from the Tree Fund; and

WHEREAS, it is the recommendation of the Environmentalist, Dr. Alice Tempel, that a contract be awarded to Pat Scanlon Landscaping, the low bidder, at a cost not to exceed \$4,716.00.

NOW THEREFORE BE IT RESOLVED by the South Plainfield Borough Council that the Mayor and Municipal Clerk are hereby authorized to execute a contract with Pat Scanlon Landscaping for the replacement of sixteen (16) trees along Lakeview Avenue and one tree at Putnam Park, at a cost not to exceed \$4,716.00.

#12-044

WHEREAS, each year Mayor Anesh performs dozens of weddings in his capacity as Mayor which generates a fee for the service; and

WHEREAS, it is a tradition for Mayor Anesh to donate all the proceeds from the wedding fees to local charitable organizations and causes;

NOW, THEREFORE, BE IT RESOLVED, that Mayor Anesh hereby directs the distribution of \$4050.00 in wedding fees as follows:

- South Plainfield Domestic Violence Team \$1350.00
- Elks Camp & Cooley's Anemia \$300.00
- The Pink SOCS Foundation \$600.00
- The Brayden Carr Foundation \$600.00
- The Buddy Walk \$600.00
- Time 2 Shine Foundation \$600.00

YES: Barletta, Bengivenga, Frank, McConville, White and Rusnak Motion Carried

Mr. Rusnak made a motion to approve Resolution # 12-039, seconded by Mr. Bengivenga as follows:

#12-039

WHEREAS, Keely Heyman-Loria, an employee of the Borough in the position of telecommunicator, filed a grievance against the Borough seeking reimbursement of education costs, and

WHEREAS, the grievance was scheduled for a hearing, at which time the parties entered into settlement of the claim;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Mayor and Borough Clerk are authorized to execute an agreement with Keely Heyman-Loria and AFSCME Council 73, Local 3970, as follows:

1. The Borough and Local will discuss the procedures to apply and qualify for education reimbursement during the upcoming negotiations for a new collective bargaining agreement;
2. The Borough shall reimburse Keely Heyman-Loria \$3,500.00 for the completion of her coursework in full and final settlement of her grievance;
3. Keely Heyman-Loria and the Local shall make no further claim for additional coursework which has been completed by Ms. Heyman-Loria, and was referenced in the grievance filed by Ms. Heyman-Loria;
4. The Borough shall not be obligated to provide reimbursement for coursework that is not related to an employee’s job duties with the Borough. Further, the Borough asserts and maintains that it will not reimburse any claims for educational reimbursement that are not timely submitted;
5. The Local union maintains that it shall rely upon contract language to assert that the Borough is obligated to provide education reimbursement to union members; and
6. The aforesaid agreement represents the complete and final settlement of all claims arising from the grievance filed by Keely Hayman-Loria.

YES: Barletta, Bengivenga, Frank, McConville, White and Rusnak Motion Carried

Mr. Barletta made a motion to accept the Correspondence as listed below, seconded by Mr. White:

1. Environmental Commission Annual Report 2011
2. Environmental Dept. Report – January 2012
3. Middlesex County Planning Board minutes – January 10, 2012
4. Recreation Commission minutes – January 2012

YES: Barletta, Bengivenga, Frank, McConville, White and Rusnak Motion Carried

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

PAYMENT OF BILLS

Current Fund 1-01	\$ 63,768.89
Current Fund 2-01	\$166,966.22
Sewer Utility Operating Fund	\$ 8,662.82
General Capital	\$ 77,260.54
Grant Fund	\$ 17,914.00
Treasurers Trust	\$ 6,151.66
TOTAL ALL FUNDS	\$340,724.13

YES: Barletta, Bengivenga, Frank, McConville, White and Rusnak Motion Carried

Mr. Cullen reported that the Division of Local government Services are releasing the State Aid figures and he anticipates that the budget will be introduced at the March 5th Council meeting. He also expects to have the Roads list ready for the next meeting. Mr. Cullen reported that TD Bank was the successful bidder at the Bond Sale with a rate of .084%. The closing is expected on Thursday.

Mr. Frank reminded the public on behalf of the Environmental Commission to observe the anti-idling ordinance in place in the borough and encouraged drivers to cooperate.

Mr. Barletta and Mr. Bengivenga each reported progress

Mr. McConville invited the public to support the Marine Corps. Spaghetti Dinner being held on Feb 25th at the American Legion. He also reported on a plan to repair the fence behind borough hall at the park.

Mr. White announced that Registration for 2012 Community Poll membership has begun. Also, the deadline to register for Ponytail and T-Ball is March 9th. There is a new Mommy and Me program starting at the PAL.

Mr. Rusnak commented on the Board of Ed roof repair project and assured the public that contrary to rumors, the roofs are not unsafe.

Mayor Anesh commented on the fact that he performed 127 weddings that resulted in the charitable donations given tonight. He spoke about the Mayor's Wellness Campaign Committee and noted that committee positions are still available and applications are being accepted. The Mayor also recognized the South Plainfield High School Wrestling Team on their success thus far and their once again attaining the #1 ranking in the State of NJ.

Mayor Anesh opened the meeting for public comment.

Frank Mikorski of Regency Place asked Mr. Cullen for the rates on the BAN sale. Mr. Cullen confirmed that the rate was .084%. The other bidders came in at 1.25% and 1.5%. Mr. Mikorski thanked Mr. Rusnak, White & Bengivenga for attending the Board of Education meeting. He also remarked on the press release which confirmed that the Board of Ed Auditor was correct and there is a \$1.3 surplus. Regarding the possible use for roof repair to the schools, Mr. Cullen emphasized that the Borough's Construction Official did not inspect the roofs. He requested submission of a structural report which he did receive.

In response to Mr. White's earlier report about repairs to the park fence at the rear of Borough Hall, John Abbruzzese noted that given the low use of the recreation area behind Borough Hall and the need for increase parking space, perhaps the best plan would be to utilize the area to expand the parking lot and to pave the entire lot.

Debbie Boyle of Van Fleet Ave. commented on the condition of the school roofs and blamed Sodexo for not keeping up with the maintenance. She also reported that Bloomfield has begun shared services efforts because of the success of South Plainfield's program.

Mayor Anesh closed the public portion of the meeting and the Council moved into Executive Session to discuss 3 DPW personnel matters.

On the council's return from Executive session, Mayor Anesh announced that no further action was required and he called for a motion to adjourn. Mr. Rusnak made a motion to adjourn, seconded by Mr. McConville at 8:30pm.

Respectfully Submitted,

Joann L. Graf, RMC
Municipal Clerk