

## **Minutes from the January 17, 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.

Mayor Anesh presented three proclamations. The first was in honor of Catholic Schools Week - January 29 - February 5, 2012. The second proclamation acknowledged National Wear Red Day for Women - February 3, 2012 and was accepted by Darlene Pinto and Debbie Boyle. The third presentation was a Service Recognition Proclamation honoring outgoing Fire Chief Larry Del Negro for 10 years of service as Fire Chief.

Mr. Del Negro addressed the governing body and audience and spoke briefly about his time as Chief. He expressed how the fire officers were able to convey their vision for the department to the members of the governing body over the years to make the company what it is. He acknowledged and thanked his fellow fire fighters for their dedication and commitment as members of the South Plainfield Volunteer Fire Dept.

Following the proclamation presentations, Councilman Bengivenga was joined by Chief Scalera and Deputy Chiefs Mocharski and Del Negro to present Meritorious Awards to Firefighters Alex Nieradka, Tim Gray, Nicholas Figler, Adam Tennenbaum and Chief Del Negro for their actions during a recent Plainfield fire which resulted in the discovery and rescue of an unconscious female from the fire.

Mr. Bengivenga made a motion to accept the minutes of December 19, 2011; seconded by Mr. Barletta.

**YES: Bengivenga, Frank, McConville, Rusnak**  
**RECUSE: Barletta, White**

Mr. Bengivenga made a motion to accept the minutes of January 7, 2012; 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.

Observer Editor Nancy Grennier asked for clarification on the proposed purchase of two garbage trucks. Mayor Anesh explained that the plan is to do projects like leaf pick up, bulk pick up and senior pick ups "in house" rather than outsource them. Mr. Rusnak added that details need to be worked out but they were considering issuing 2 coupons to each household to be used by appointment rather than doing bulk by district.

Frank Mikorski of Regency Place asked about Ordinance # 1944 and the purchase of an ambulance. Mr. Bengivenga explained that EMS Chief LaFerrere suggested the purchase of a slightly used ambulance from Perth Amboy with only 10,500 miles on it. The saving is substantial over buying new plus with the cost saving from the Somerset Medical Center Ambulance service agreement, the cost will be covered in 3 years.

Mr. Mikorski asked Mr. Cullen about bonding/notes and also about the purchase of a new fire engine.

Mayor Anesh closed the public portion and called for the introduction of Ordinance # 1944.

Clerk Graf read Ordinance #1944 by title only for introduction as follows:

**#1944 entitled:** An ordinance authorizing the “acquisition of a Ford F-350 type #1 Ambulance and the installation of storm sewers on New Durham Avenue and other various roads, in the Borough of South Plainfield, County of Middlesex, State of New Jersey

Mr. Rusnak made a motion to approve Ordinance # 1944 on first reading for introduction, seconded by Mr. White.

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

Ms. Graf read Ordinance # 1945 by title only for introduction as follows:

**#1945 entitled:** A bond ordinance providing for the acquisition of a vehicles in and by the Borough of South Plainfield, in the County of Middlesex, New Jersey, appropriating \$119,000 therefor and authorizing the issuance of \$113,050 bonds or notes of the borough to finance part of the cost thereof.

Mr. Barletta made the motion to approve Ordinance # 1945 on first reading for introduction, seconded by Mr. Bengivenga.

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

Ms. Graf read Ordinance # 1946 by title only for introduction as follows:

**#1946 entitled:** A Bond Ordinance providing for the acquisition of a fire truck in and by the Borough of South Plainfield, in the County of Middlesex, New Jersey, appropriating \$601,000.00 therefor and authorizing the issuance of \$570,950 bonds or notes of the Borough to finance part of the cost thereof.

Mr. Barletta made the motion to approve Ordinance # 1946 on first reading for introduction, seconded by Mr. Bengivenga.

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

Ms. Graf read Ordinance # 1947 by title only for introduction as follows:

**#1947 entitled:** An ordinance establishing rates for use of the South Plainfield Community Pool for 2012

Mr. Frank made the motion to approve Ordinance # 1947 on first reading for introduction, seconded by Mr. Rusnak.

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

Ms. Graf read Ordinance # 1948 by title only for introduction as follows:

**#1948 entitled:** An Ordinance Amending Chapter 216 Entitled “Fees of the Code of the Borough of South Plainfield”.

Mr. Barletta made the motion to approve Ordinance # 1948 on first reading for introduction, seconded by Mr. Bengivenga.

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

Ms. Graf read Ordinance # 1949 by title only for introduction as follows:

**#1949 entitled:** An ordinance creating a Mayor’s Wellness Campaign Committee.

Mr. McConville made the motion to approve Ordinance # 1949 on first reading for introduction, seconded by Mr. White.

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

Mr. Bengivenga made a motion to approve Resolutions 12-001 through 12-012, seconded by Mr. Barletta, which all begin with **BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:**

**#12-001**

**WHEREAS**, the Municipal Clerk's office utilizes Muidex to maintain all licensing and volunteers for Borough boards and committees; and

**WHEREAS**, the Borough's maintenance contract with Muidex expires on Dec. 31, 2011; and

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

**WHEREAS** it is the recommendation of the Municipal Clerk to renew the maintenance contract to Muidex for CY2012 at a cost not to exceed \$854.00; and

**WHEREAS** funds have been certified by the Chief Financial Officer and are available in the CY2012 Clerk's Budget, account # 2-01-20-120-000-235:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that authorization is hereby given to renew a maintenance agreement for the licensing and committee volunteers with Muidex at a cost not to exceed \$854.00.00 for the period January 1, 2012 thru December 31, 2012.

**#12-002**

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

**OWNER/ADDRESS**

Block 74, Lot 26  
Leon M. Gwiazdowski  
2309 Selene Ave  
South Plainfield, NJ 07080  
\$566.33

**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.

**#12-003**

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40A:11 any expenditure of public funds in excess of \$17,500 requires the advertisement for bid proposals for delivery of said goods or services; and

**WHEREAS**, a need has been determined to purchase a new Combination Catch Basin-Sewer Cleaning Truck for the Dept. of Public Works to replace the existing piece of equipment; and

**WHEREAS** bids were solicited and opened on Thursday, January 5, 2012 and the following picked up bid packages and submitted bids:

- **Eagle Equipment Inc. DBA Peirce Equipment Co.** **\$289,936.00**  
**3388 Route 22 West, Branchburg, NJ 08876**
- **Jet-Vac, Inc.** **\$319,850.00**  
**15 Taylor Road, Wharton, NJ 07885**

**WHEREAS**, the bids have been reviewed by the Borough Engineer and DPW Department Head and it is their recommendation that the bid of Pierce Equipment in the amount of \$289,936.00 be accepted and a contract be awarded subject to review by the Borough Attorney; and

**WHEREAS**, funds for said purpose have been certified by the Chief Financial.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that authorization is hereby given, subject to attorney review, to award a contract for a new Vac Con sewer vac from Pierce Equipment at a cost not to exceed \$289,936.00.

#### #12-004

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40A:11 any expenditure of public funds in excess of \$17,500 requires the advertisement for bid proposals for delivery of said goods or services; and

**WHEREAS**, it has been determined that a need exists to purchase Brush Chipper for the Dept. of Public Works; and

**WHEREAS** bids were solicited and opened on Thursday, January 5, 2012 and the following picked up bid packages and submitted bids:

- THC Enterprises, Inc T/A Mid-Atlantic Waste Systems \$37,250.00  
8C Route 130, PO Box 476, Pedricktown, NJ 08067
- R.J. Sherman & Associates, Inc DBA Vermeer North Atlantic Sales & Service \$40,637.00  
7 Maple Avenue, Lumberton, NJ 08048

**WHEREAS**, the availability of funds for this purpose have been certified by the Chief Financial Officer and are available in Account # C-04-55-922-002-901; and

**WHEREAS**, based on the fact that one bidder did not adequately meet several of the bid specs, it is the recommendation of the Supervisor of DPW and the Borough Engineer that the contract be awarded to Vermeer North Atlantic Sales & Service, subject to review by the Borough Attorney, at a cost not to exceed \$40,637.00.

**NOW THEREFORE BE IT RESOLVED** by the South Plainfield Borough Council that authorization is hereby granted, subject to Attorney review, to purchase a Brush Chipper from Vermeer North Atlantic Sales & Service at a cost not to exceed \$40,637.00, the lowest responsible bidder.

#### #12-005

**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 to purchase of qualification and duty ammunition for the South Plainfield Police Dept.; 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**, State Contract # A75931 met the required specifications and was therefore utilized to make the purchase from Eagle Point Gun/T.J. Morris & Son, 1707 Third Ave, Thorofare, NJ 08086 at a cost of \$8,486.49;

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

**NOW THEREFORE BE IT RESOLVED** by the South Plainfield Borough Council that authorization is hereby granted to purchase qualification and duty ammunition from Eagle Point Gun/T.J. Morris & Son, 1707 Third Ave, Thorofare, NJ 08086 at a cost not to exceed \$8,486.49 utilizing State contract # A75931.

**#12-006**

**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 installation of alarms and fire systems for the police evidence room; 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**, State Contract #s 53763, 53771 and 54009, and Morris County Co-Op # Contract 41 meet the required specifications for this purchase and therefore are to be utilized; and

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

**WHEREAS**, it is the recommendation of the Police Chief that a contract be awarded to Triangle Communications, Millington, NJ for the purchase and installation of necessary equipment to outfit Supervisor Vehicle # 56, a new 2011 Ford Expedition, at a cost not to exceed \$12,717.95.

**NOW THEREFORE BE IT RESOLVED** by the South Plainfield Borough Council that authorization is hereby given for the purchase and installation of necessary equipment to outfit Supervisor Vehicle # 56, a new 2011 Ford Expedition, from Triangle Communications, Millington, NJ, at a cost not to exceed \$12,717.95.

**#12-007**

**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 to purchase a Rear Discharge Grooming Mower with Chain Shield for the Dept. of Public Works; 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. Power Place, Inc.            | \$6,500.00 |
| 2. Warren County Service Center | \$6,600.00 |
| 3. Central Jersey Equipment     | \$6,769.00 |

**WHEREAS**, the availability of funds for this purpose have been certified by the Chief Financial Officer and are available in Account # C-04-55-922-002-901; and

**WHEREAS**, it is the recommendation of the Supervisor of DPW and the Borough Engineer that the award of contract to Power Place, In, c297 Route 22 E, Whitehouse Station, NJ at a cost not to exceed \$6500.00;

**NOW THEREFORE BE IT RESOLVED** by the South Plainfield Borough Council that authorization is hereby granted to purchase a Rear Discharge Grooming Mower with Chain Shield from Power Place, Inc. at a cost not to exceed \$6,500.00.

**#12-008**

the Chief Financial Officer is hereby authorized to issue a refund of \$210.00 for an unused Plumbing Permit # 111175 issued to Giovanni Leonardis due to the cancellation of a planned bathroom installation.

**#12-009**

**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**

<b>CURRENT FUND</b>			
<b>FROM:</b>			<b><u>AMOUNT</u></b>
1-01-20-120-000-103	Borough Clerk	S&W	1,500.00
1-01-20-130-000-101	Financial Administration	S&W	2,500.00
1-01-20-140-000-431	Computer Services	O & E	1,000.00
1-01-20-145-000-101	Collection of Taxes	S&W	7,000.00
1-01-20-150-000-235	Assessing	O & E	1,000.00
1-01-21-180-001-221	Planning	O & E	4,500.00
1-01-22-195-001-611	Code Enforcement	O & E	5,000.00
1-01-23-210-000-655	Other Insurance	O & E	5,000.00
1-01-25-250-000-101	Emergency Management	S&W	2,500.00
1-01-25-260-000-209	Rescue	O & E	2,500.00
1-01-25-265-002-105	Fire Official	S&W	2,000.00
1-01-26-290-001-101	Public Works Administration	S&W	2,000.00
1-01-26-290-002-102	Road Repairs & Maintenance	S&W	2,500.00
1-01-26-290-003-102	Snow	S&W	10,000.00
1-01-26-305-003-101	Recycling	S&W	1,500.00
1-01-27-330-001-515	Board of Health	O & E	10,000.00
1-01-28-370-001-101	Recreation	S&W	2,500.00
1-01-26-315-000-101	Vehicle Maintenance	S&W	2,000.00
1-01-31-446-001-556	Gas	O & E	1,500.00
1-01-31-447-001-558	Fuel Oil	O & E	1,500.00
1-01-43-490-000-204	Court	O&E	1,200.00

1-01-43-490-000-401	Court	O&E	500.00
1-01-43-490-000-403	Court	O&E	300.00

**Total FROM:** 70,000.00

**TO:** AMOUNT

1-01-20-135-000-236	Audit	O & E	2,500.00
1-01-23-220-000-601	Health Insurance	O & E	40,000.00
1-01-25-240-001-261	Police	O & E	10,000.00
1-01-25-240-003-241	Crossing Guards	O & E	5,000.00
1-01-31-440-001-541	Telephone	O & E	2,500.00
1-01-30-415-001-101	Accumulated Leave	O & E	10,000.00

**Total TO:** 70,000.00

**SEWER**

**FROM:** AMOUNT

1-07-55-515-002-101	Sewer Salaries	S&W	15,000.00
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**Total FROM:** 15,000.00

**TO:** AMOUNT

1-07-55-515-002-235	Other	O & E	15,000.00
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**Total TO:** 15,000.00

**#12-010**

**WHEREAS**, the Borough is in need of professional services for financial and revenue collection software maintenance for the operation of the Borough of South Plainfield; and

**WHEREAS**, Edmunds & Associates, Inc. of Northfield, NJ has provided the Development, implementation and support for the borough's financial and revenue collection software needs for many years and it is the recommendation of the Borough Administrator to continue this relationship; and

**WHEREAS**, this contract is being awarded without competitive bidding as "Professional Services" in accordance with N.J.S.A. 40A:11-5(1) (a); and

**WHEREAS**, funds have been certified by the Chief Financial Officer and will be made available in the CY 2012 Budget, account # 2-01-20-140-000-331 and #2-07-55-515-002-235.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that authorization is hereby given to enter into a professional services contract with Edmunds & Associates, Inc. of Northfield, NJ for 2012 at a cost not to exceed \$22,194.00.

**#12-011**

**WHEREAS**, a vacancy exists on the Business Advisory Group due to the re-location of member Don Duffy; and

**WHEREAS**, Marjorie Reedy of Lynn Steel has volunteered to serve and has submitted a Citizen Service application;

**NOW THEREFORE**, it is hereby resolved by the Borough Council of the Borough of South Plainfield that Marjorie Reedy is hereby appointed to fill the unexpired term of Don Duffy as a member of the business Advisory Group, said term ending on 12/31/2012.

**#12-012**

The Municipal Clerk is hereby authorized to solicit bid proposals for the purchase of two used garbage trucks as indicated in Ordinance # 1946.

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

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

1. Zoning Board of Adjustment minutes – December 8, 2011
2. Planning Board Minutes – December 13, 2011
3. Environmental Dept. Monthly report – December 2011
4. Environmental Commission minutes – November 9, 2011
5. Cultural Arts minutes for 2011
6. Code Enforcement Report – December 2011
7. Business Advisory Group minutes – December 7, 2011
8. Recreation Commission Minutes – November 8, 2011
9. PARSA Minutes – December 1, 2011
10. Letter of Resignation from R. Frank from HCD Committee and Planning Board due to taking office as Councilman
11. Letter of Resignation from Don Duffy from BAG due to his relocation
12. Middlesex County Div. of Solid Waste notice of a public hearing on an amendment to the County’s Solid Waste Management Plan – Weds. January 25<sup>th</sup> at 6pm
13. NJ Dept. of State – notice of public hearing schedule on State Strategic Plan, Development & Redevelopment plan
14. Middlesex County HCD – re: 2012 CDBG requirements and application
15. South Plainfield Girl Scouts letter requesting use of Hamilton Blvd. overpass for “Bridging Parade” from Knights Hall to Holy Savior Academy on 3/11/12
16. Letter from Edward C. Laferrera, EMS Chief, Re: Ambulance purchase

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

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

Current Fund 1-01	\$75,345.45
Sewer Utility Operating Fund 1-07	\$12,345.90
Current Fund 2-01	\$51,833.92
Sewer Utility Operating Fund 2-07	\$10,000.00
General Capital	\$68,807.24
Grant Fund	\$31,008.81
Treasurers Trust	\$11,659.90
Recreation Trust	<u>\$ 5,942.05</u>

**TOTAL ALL FUNDS \$266,943.27**

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



**REPORTS:**

CFO/Administrator Cullen reported that PSE&G would be in town swapping out 250 old telephone poles for new ones.

Borough Engineer Miller gave an Engineering Status Report of all projects the borough is working on including the close out of New Market Ave, Phase II, the ADA Ramp project and the 2011 Road resurfacing project, the Sampton Ave project, various County joint projects, tree planting and the annual DEP Storm water Report.

Each member of the governing body expressed his thanks and appreciation to Chief Del Negro for his 10 years as Chief and wished the new Chief, Tom Scalera all the best in his new position.

Mr. Frank also recognized the passing of two local veterans – Bob Riordan and Tom Adams.

Mr. Bengivenga also announced the PBA/Middle School tournament to be held on January 29<sup>th</sup> beginning at 11:30am. He encouraged residents to come out to support this event as well as the Ponytail Comedy Show on January 28<sup>th</sup>.

Mr. White also announced that Recreation is currently running sign ups for T Ball and Ponytail leagues. He thanked Jr. Baseball for helping out with parking by utilizing field 6. He acknowledged the new goals on the hockey rink out back of borough hall. Mr. White also recognized the Boy Scouts who were in attendance to earn a merit badge.

Mr. Rusnak also reported that the governing body does have a plan for bonding .

Mayor Anesh shared a story about street hockey and how the new goals came to be. He announced that he will be seeking six (6) volunteers to serve on the Mayor's Wellness Campaign Committee. The Mayor also shared a story and some personal thoughts on Harold Martin, the owner of Glopak, a local manufacturer on Case Drive who recently passed away.

Mayor Anesh opened the meeting for public comments.

Dennis Scalera of Banta Road suggested that the town consider holding a Veterans Community Picnic and gave the Clerk a printed summary of his idea. He also asked the borough to look into a new monument to honor all vets. He also asked if anyone knows of a bag pipe palyer.

Frank Mikorski of Regency Place would like the website to carry the meeting schedules for the Library board, the Board of Freeholders and the Open Space Board. He would also like a spread sheet displaying the dollar amounts of the budget components available to the public. Mr. Mikorski spoke at length about the Board of Education Audit and the various misinformation that was made available during the budget process. He pointed out that as of 6/30/2011 the Fund Balance showed \$3.8 million and a Capital Reserve of \$1.6million. The auditors recommended that the excess surplus of \$1.343 million should be returned to the taxpayers. He suggested that the financial state leaves the credibility of the Board of Education in question.

Mayor Anesh Closed the public portion.

Mr. Bengivenga requested that the Council hold the annual Housing and Community Development Block Grant Public Hearing at 6:45pm on February 6<sup>th</sup>. The meeting was so set and will be advertised.

The Council went into executive session at 8:25pm.

The Council returned to the Public meeting at 8:45pm. Mayor Anesh announced that nothing additional transpired so he called for a motion to adjourn.

Mr. Bengivenga made a motion to adjourn, seconded by Mr. Rusnak.

Respectfully Submitted,

  
Joann Graf, Clerk