

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
JULY 16, 2012, 7:08 P.M.  
PUBLIC MEETING**

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**CALL TO ORDER:** Mayor Anesh called the meeting to order at 7:08 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 Rizzo	x		

**FLAG SALUTE:** was led by Mayor Anesh and Councilman McConville led the invocation.

**Mayor's Appointment:** Mayor Anesh appointed Mr, Scott Carey to the Mayor's Wellness Committee. Municipal Clerk Antonides swore in Mr. Carey. Everyone extended a round of applause and photos were taken.

**Proclamations:** Mayor Anesh read the following Proclamations in full; Parent's Day, 22<sup>nd</sup> Anniversary of Americans with Disabilities Act and Summer Drama Workshop Week. Everyone extended a round of applause and photographs were taken.

**Approve Council Minutes:** June 18, 2012 - Agenda  
June 18, 2012 - Public  
June 18, 2012 – Executive

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

**Public Comment For Agenda Items Only:**

Mr. Paul McCullen of Walnut Street questioned resolutions 12-206 and 12-207. Mr. Cullen explained the nature of these resolutions to Mr. McCullen. Mr. Cullen advised that he will be highlighting the budget introduction this evening and go more in depth at the next meeting.

Mr. Frank Mikorski of Regency Place asked why the Borough is amending its budget asking if the Borough received more money from the state. Mr. Cullen explained and said no, we did not receive more money from the state. The budget amendment is mainly due to the refinancing of our debt. Mr. Mikorski said he does not understand the overpayment of sewer fees on tonight's agenda and asked who discovered it. Mr. Cullen advised the resident and their attorney discovered it. Mr. Mikorski concluded by asking if the Borough is a member of the New Jersey State League of Municipalities. Mr. Cullen said yes. Mr. Mikorski asked the Council to tell Mr. Dressel to get off of NJ 101.5.

**BUDGET AMENDMENT INTRODUCTION:**

**#12-191A AUTHORIZING AMENDMENT OF THE 2012 MUNICIPAL BUDGET AS ADVERTISED IN FULL, AND POSTED ON THE MUNICIPAL WEBSITE AND ON THE MUNICIPAL BULLETIN BOARD** – Mr. Cullen explained that due to various changes in the budget we are required to have a special public hearing before we adopt it. The public hearing will be next Monday, July 23, 2012 at 6:30 p.m. The new tax rate is 1.293. We did put additional money into the budget for tax appeals. When all was said and done, we were able to reduce the overall budget by \$425,000. Refinancing our debt made a big difference. Council President Rusnak advised that \$167,000 was cut on the on-set by meeting with the various department heads. Unfortunately, we still have not received any support from the Library Board or School Board., though we sure tried. Mr. Cullen advised that next week we will discuss the budget in more detail. Councilman McConville thanked the Council for such a great job.

Mayor Anesh set the public hearing for July 23, 2012 at 6:30 p.m.

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

**RESOLUTIONS:**

**RESOLUTION 12-191  
ACCEPTING THE 2011 MUNICIPAL AUDIT**

**WHEREAS**, N.J.S.A. 40:A5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transaction, and

**WHEREAS**, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by Resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

and,

**WHEREAS**, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

As evidenced by the group affidavit form of the Governing Body, and

**WHEREAS**, such Resolution of Certification shall be adopted by the annual audit, as per the regulations of the Local Finance Board, and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the promulgation’s of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52-27BB-52 to wit: R.S. 52:27BB-52 – “A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of South Plainfield, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said audit.

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

**RESOLUTION 12-192  
Borough of South Plainfield**

**ACCEPTING THE CORRECTIVE ACTION PLAN – 2011 AUDIT**

**WHEREAS**, there exists comments entitled “Recommendations” in the 2011 Audit showing deficiencies in various departments; and

**WHEREAS**, each department was advised of the weaknesses/deficiencies within their department, and

**WHEREAS**, the Borough Auditor, in conjunction with the Borough employees and the Borough Council, discussed a Corrective Action Plan for the 2011 Audit;

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, that as per the requirements of the Federal OMB Circular No. A-128 13(d), that the attached Corrective Action Plan for the 2011 Audit Findings be submitted to the Department of Community Affairs for their review.

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

**RESOLUTION 12-193**

**AUTHORIZING THE WAIVER OF PERMIT FEES FOR THE AMERICAN LEGION  
PERTAINING TO THEIR ANNUAL PICNIC ON JULY 28, 2012**

**BE IT RESOLVED**, that American Legion Chaumont Post 243 located at 243 Oak Tree Avenue will hold its annual picnic on July 28, 2012 and will be cooking food on their outdoor grill and smoker and as such hereby request a waiver for the required permit fees;

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of South Plainfield hereby authorizes the waiver of the permit fees for the aforementioned event.

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

1. Municipal Clerk
2. Chief Financial Officer
3. Joseph A. Abbruzese, Fire Inspector
4. American Legion

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

**RESOLUTION #12-194**

**AUTHORIZING THE RELEASE OF A PERFORMANCE BOND POSTED BY CNC  
ASSOCIATES NY, INC FOR PUBLIC IMPROVEMENTS TO BLOCK 255, LOT 10 AND  
ACCEPTANCE OF THE MAINTENACE BOND IN THE AMOUNT OF \$66,126**

**WHEREAS**, the Borough of South Plainfield is in possession of a Performance Bond from CNC Associates NY, Inc. for the Improvements located at Block 255, Lot 10; and

**WHEREAS**, CNC Associates NY, Inc. has submitted a Maintenance Bond in the amount of \$66,126; and

**WHEREAS**, the Borough Attorney and the Borough Engineer have given approval of the form and content of the aforementioned Maintenance Bond.

**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 accept the aforementioned Maintenance Bond and release the Performance Bond held for the Public Improvements located at Block 255, Lot 10.

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

**RESOLUTION 12-195  
AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE A SHARED SERVICE CONTRACT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF SOUTH PLAINFIELD FOR E-WASTE SUBSIDY PROGRAM**

**WHEREAS**, Middlesex County is proactive in addressing environmental issues such as the proper recycling of consumer electronics; and

**WHEREAS**, effective of January 1, 2011, recycling of certain consumer electronics is mandatory in the State of New Jersey; and

**WHEREAS**, the County has entered into a contract with Sims Recycling Solutions to accept residentially generated consumer electronics; and

**WHEREAS**, the County is seeking to provide a financial incentive that will assist municipalities in properly recycling the consumer electronics that they collect curbside or at their drop-off centers; and

**WHEREAS**, the County and Borough of South Plainfield are authorized to enter into this Agreement pursuant to N.J.S.A. 40A:11-5(2);

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that based upon the recommendation of the South Plainfield Recycling Coordinator, that it hereby authorizes the Mayor and Municipal Clerk to execute the Agreement with Middlesex County to implement E-Waste Subsidy Program with the Borough of South Plainfield pursuant to the terms and conditions in accordance with the Agreement

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

1. Alice Tempel, Recycling Coordinator
2. Robert Capparelli, DPW Supervisor
3. Chief Financial Officer
4. Municipal Clerk
5. County of Middlesex

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

**RESOLUTION 12-196  
AUTHORIZING REFUND FOR OVERPAYMENT OF SEWER FEE IN THE AMOUNT OF \$1,168.52 TO LORETTA LETOSTAK OF 156 LAKEVIEW AVENUE**

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

**Block 261; Lot 1  
Loretta Letostak  
156 Lakeview Avenue  
South Plainfield, NJ 07080  
\$1,682.50**

**Send check to: 222 Merchants Avenue South Plainfield, NJ 07080**

**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.

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

1. Tax Collector
2. Chief Financial Officer
3. Dotty Paradiso, Supervisor of Accounts
4. Municipal Clerk

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

**RESOLUTION 12-197**

**AUTHORIZE THE RENEWAL OF THE 2012-2013 LIQUOR LICENSE MADHUSUDAN, LLC TRADING AS PALACE OF JAIPUR AND AUTHORIZING THE MUNICIPAL CLERK TO ISSUE THE 2012-2013 LIQUOR LICENSE**

**WHEREAS**, applications for renewal of Liquor License 1222-33-016-011 for the year 2012-2013 has been submitted to the Municipal Clerk on June 29, 2012; and

**WHEREAS**, no objections to said renewal has been filed; and

**WHEREAS**, the proper Borough and State fees have been paid by the applicant.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of the Borough of South Plainfield that the following license be granted renewals of their liquor licenses for the year commencing July 1, 2012 and expiring June 30, 2013:

	License #	Type	License Name	Trade Name
1	1222-33-016-011	Plenary Retail Consumption	Madhusudan Limited Liability Co.	Palace of Jaipur

**BE IT FURTHER RESOLVED** Plenary Retail Consumption License 1222-33-016-011 for Madhusudan LTD with the Trade Name of Palace of Jaipur has been submitted and as such, their application for renewal for the 2012-2013 year is hereby approved by the Governing Body of South Plainfield; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk is authorized to issue this 2012-2013 liquor license to the above named licensee.

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

**RESOLUTION 12-198**

**AUTHORIZING AWARD OF CONTRACT TO TRIANGLE COMMUNICATIONS, LLC FOR COMMUNICATION EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby approves of the purchase of Communication Equipment for the Department of Public Works in the amount not to exceed \$6,078.00

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Robert Capparelli, DPW Supervisor

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

**RESOLUTION 12-199**

**AUTHORIZING CONTRACT WITH THE BLACK ROSE BAND FOR THE 2012 LABOR DAY PARADE**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby approves and authorizes the contract for the Black Rose Band to play a minimum of two, one-hour sets that will contain songs covering several musical categories (rock, pop, country, and standards) of which they will set-up by 8:00 a.m. on September 3, 2012 and play their first set from 12:30 p.m. to 1:30 p.m. and the second set from 2:00 p.m. to 3:00 p.m.

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

**RESOLUTION 12-200**

**AUTHORIZING REFUND TO SENIORS FOR TRIP CANCELLATION TO LANCASTER, PA AND THE TAJ MAHAL**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that, as the Senior Citizen Trips to Lancaster, Pa, and the Taj Mahal were cancelled by the below mentioned seniors there arises a necessity to hereby refund those who have submitted payment for said trip to the following individuals:

**Jonah Trip - Lancaster, PA - Cancelled - July 24, 2012**

Elsie Solowynsky- \$135  
 21 lane Ave.  
 South Plainfield, NJ 07080

Jean McKimm- \$135  
 315 Fairland Ave.  
 South Plainfield, NJ 07080

Gloria Weber- \$135  
 305 Lane Ave.  
 South Plainfield, NJ 07080

Laura Lemos- \$135  
 325 Firth Street  
 South Plainfield, NJ 07080

Frank Lemos- \$135  
 325 Fifth Street  
 South Plainfield, NJ 07080

Lena Sorrentino- \$135  
 45 Brotherhood St.  
 South Plainfield, NJ 07080

**The following person will need a refund for Taj Mahal Trip - June 5, 2012**

Mary Lesso- \$20.00  
 1144 Foster Ave.  
 South Plainfield, NJ 07080

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

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

**RESOLUTION 12-201  
 AUTHORIZING A BLOCK PARTY LOCATED ON CLARK LANE  
 FROM ELISSA COURT TO CAFFERY TERRACE REQUESTED  
 BY NICOLE MILANO FOR SEPTEMBER 2, 2012 FROM 1:00 P.M. TO 10:00 P.M.**

**WHEREAS**, a request was made by Nicole Milano to hold a block party on September 2, 2012 on Clark Lane from Elissa Court to the Caffery Terrace from 1:00 pm – 10:00 pm; and  
**WHEREAS**, Police, Fire and Rescue Squad have been notified and given their approval.  
**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that permission to hold said block party is hereby granted; and  
**FURTHER BE IT RESOLVED** that copies of this resolution be given to the Police Department, Fire Department, Rescue Squad, Department of Public Works, Emergency Management and the applicant.

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

**RESOLUTION No. 12-202  
 AUTHORIZING CHANGE ORDER NO. 1 REFLECTING AN INCREASE OF \$3,500 AND FINAL  
 PAYMENT TO RJR ENGINEERING FOR IMPROVEMENTS TO THE PUBLIC POOL FOR A  
 REVISED CONTRACT TOTAL AMOUNT OF \$78,200**

**WHEREAS**, the Borough of South Plainfield awarded a contract to RJR Engineering Co., Inc., for Improvements to the South Plainfield Public Pool, Phase 1 for a contract amount of \$74,700.00; and  
**WHEREAS**, the Borough’s Engineer, T&M Associates, has prepared Change Order No. 1 and Final Payment Certificate for the improvements stated above and the Director of the Recreation Department has certified that all contracted work for the project has been satisfactorily completed; and  
**WHEREAS**, the Borough Engineer, T&M Associates, recommends approving Change Order No. 1 for the Public Pool project, which has a net increase of the Contract amount by \$3,500.00 for a revised Contract total amount of \$78,200.00; and

**WHEREAS**, the modification to the Contract as provided by Change Order No. 1 reflects adjustments to contract line items to as-built amounts, as well as supplemental line items S-1 and S-2 to provide for dewatering well points and installation of additional wading pool skimmer; and

**WHEREAS**, the Contractor has been directed by the Borough Engineer to execute and deliver a Maintenance Bond having a penal sum equal to 50% of the final adjusted contract amount of \$78,200.00. The 50% Bond amount required is \$39,100.00 and shall remain in full force and effect for a period of no less than two (2) years; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available to pay for said change order.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of South Plainfield authorizes Change Order No. 1 and Final Payment, resulting in a Project Closeout of the project for improvements to the South Plainfield Public Pool, Phase 1 in the amount of \$78,200.00 for the Borough's contract with RJR Engineering Co., Inc

**RESOLUTION 12-203  
AUTHORIZING AWARD OF CONTRACT TO MIGLIS GENERAL CONTRACTING FOR  
EMERGENCY REPAIRS TO THE POP WARNER CLUB HOUSE IN AN AMOUNT NOT  
TO EXCEED \$5,800.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes award of a contract to Miglis General Contracting for Emergency Repairs to the Pop Warner Club House in an amount not to exceed \$5,800.00.

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it also hereby waives any and all permit fees required by the South Plainfield Building Department

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

Municipal Clerk  
Chief Financial Officer  
John Pabst, Construction Official  
Miglis General Contracting

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

**RESOLUTION NO. 12-204  
RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT  
WITH SHROPSHIRE ASSOCIATES, LLC FOR PROVISION OF  
TRAFFIC ENGINEERING.**

**WHEREAS**, the Borough of South Plainfield received a proposal for a Professional Services Agreement from Shropshire Associates, LLC to provide traffic engineering, transportation planning and design with regard to condemnations on West Seventh Street, specifically with regard to the parking lot at the Pizza Hut located on Stelton Road; and

**WHEREAS**, Shropshire Associates, LLC has been recommended by the Borough Appraiser, Russell Sterling, and such services have been deemed necessary for the project;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey, that a Professional Services Contract is being awarded to Shropshire Associates, LLC, and the Mayor and Municipal Clerk are hereby authorized and directed to executed the Professional Services Contract attached hereto; and

**BE IT FURTHER RESOLVED** that the required Notice of Contract Award shall be published in the local newspaper as required by law within ten days of the its passage.

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

**RESOLUTION 12-205**  
**AUTHORIZING THE SEASONAL HIRING OF LIFEGUARD I FOR THE COMMUNITY POOL**  
**TO FILL IN FOR THOSE ON VACATION**  
**AND/OR LEAVING FOR COLLEGE**

**BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of the Director of Recreation that a Resolution be adopted to allow the hiring of Lifeguard I for the Community Pool to fill in for those on vacation and/or leaving for College, and

**Lifeguard I \$9.64/hr**  
Allsion Huber

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

1. Mr. Kevin Hughes, Recreation Director
2. Glenn Cullen, Chief Financial Officer
3. Marie Dudek, Payroll

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

**RESOLUTION 12-206**  
**AUTHORIZING REFUND OF TAX APPEAL JUDGMENT IN THE AMOUNT OF \$73,038.73**  
**FOR WADE ASSOCIATES, L.P.**  
**OF 100 WADE AVENUE IN SOUTH PLAINFIELD**

**WHEREAS**, the following list of taxpayers have filed appeals with the State Tax Court and have received judgments reducing their assessments:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be refunded.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
S/K Wade Associates, L.P. 100 Wade Avenue South Plainfield, NJ 07080	470	1	2011	\$36,278.72
			2010	\$36,760.01

**Make check payable to:**

Michael I. Schneck, Trustee for  
S/K Wade Associates, L.P.  
301 So. Livingston Ave Ste. 105  
Livingston, NJ 07039

**Total** **\$73,038.73 \***

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

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

**RESOLUTION 12-207  
AUTHORIZING REFUND OF TAX APPEAL JUDGMENT IN THE AMOUNT OF \$15,988.99  
FOR SOUTH PLAINFIELD FIDELCO ASSOCIATES  
OF 3474 RAND ROAD IN SOUTH PLAINFIELD**

**WHEREAS**, the following list of taxpayers have filed appeals with the State Tax Court and have received judgments reducing their assessments:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be refunded.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
South Plainfield Fidelco Associates 3474 Rand Road, 6 Century South Plainfield, NJ 07080	467.05	15.01	2011	\$8,228.43
			2010	\$7,760.56

**Make check payable to:**

Michael I. Schneck, Trustee for  
South Plainfield Fidelco Associates  
301 So. Livingston Ave Ste. 105  
Livingston, NJ 07039

**Total** **\$15,988.99 \***

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

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

**RESOLUTION 12-208  
AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND MONIES LEVIED TO  
ANTHONY VETUSCHI OF 107 SUSSEX STREET WHO HAS QUALIFIED AS A ONE  
HUNDRED PERCENT DISABLED VETERAN PUSUANT TO N.J.S.A. 54:4-3.30  
COMMENCING ON APRIL 26, 2012**

**WHEREAS**, property known as Lot 11, in Township Block 142, more commonly known as 107 Sussex Street in South Plainfield, NJ is owned by Anthony Vetusch; and

**WHEREAS**, Anthony Vetusch, who had qualified as a one hundred percent Disabled Veteran under the provision of the N.J.S.A. 54:4-3.30, causing his property to be exempt from taxation at the local level commencing on April 26, 2012 as verified by the Tax Assessor; and

**WHEREAS**, the Tax Bills for the four quarters of Calendar Year 2012 were generated from the 2011 Assessor's Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with tax bills for 2012, while the property is correctly classified as being Tax Exempt for the same period;

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel and refund monies levied for the first two quarters of the year 2012 in the amount of **\$1,767.18**; and

**BE IT FURTHER RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 3<sup>rd</sup> quarter of the year 2012 in the amount of **\$943.90**; and

**BE IT FURTHER RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 4<sup>th</sup> quarter of the year 2012, as well as, 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2013 once the reconciled final 2012 bills are determined

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

#### **RESOLUTION 12-209**

**AUTHORIZING THE MUNICIPAL CLERK TO ADVERTISE A SPECIAL MEETING OF THE BOROUGH COUNCIL FOR JULY 23, 2012 FOR THE PURPOSE OF CONDUCTING A PUBLIC HEARING FOR THE AMENDED 2012 MUNICIPAL BUDGET AND TO ADVERTISE FOR THE RESCHEDULING OF THE AUGUST COUNCIL MEETING FROM AUGUST 13<sup>TH</sup> TO AUGUST 20<sup>TH</sup>**

**BE IT RESOLVED** that a special meeting of the South Plainfield Mayor and Council has been scheduled for Monday, July 23, 2012 beginning at 6:30 p.m. in the Council Chambers of the South Plainfield Municipal Building, 2480 Plainfield Avenue, South Plainfield, New Jersey 07080. The purpose of the meeting is for a public hearing and potential adoption of the amended CY2012 Municipal Budget. The amended CY2012 Municipal Budget can be viewed on the municipal website or at the Municipal Clerk's office during normal business hours; and

**BE IT RESOLVED** that the scheduled meeting of the Borough Council of August 13, 2012 has been rescheduled for August 20, 2012 beginning at 7:00 p.m. in the Council Chambers of the South Plainfield Municipal Building, 2480 Plainfield Avenue, South Plainfield, New Jersey 07080.

**BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby authorized to advertise for the aforementioned meetings pursuant to the Open Public Meetings Act of New Jersey.

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

#### **RESOLUTION 12-209A**

**AUTHORIZING THE APPOINTMENT OF ROBERT AIMONE TO THE SOUTH PLAINFIELD VOLUNTEER FIRE DEPARTMENT AS FIREFIGHTER**

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the appointment of Robert Aimone to the South Plainfield Volunteer Fire Department as Firefighter; and

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

Glenn Cullen, CFO  
 Thomas Scalera, Fire Chief  
 Marie Dudek, Payroll  
 Amy Antonides, Municipal Clerk

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

**RESOLUTION 12-209B  
 AUTHORIZING THE HIRING OF MATTHEW CIANDELLA AS PART-TIME  
 GROUNDSKEEPER FOR TUESDAYS FROM 3:30 P.M. TO 7:00 P.M.**

**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 Matthew Ciandella as a part-time groundskeeper effective date of employment as July 17, 2012; and

**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  
 Alice Temple, Environmental Specialist  
 Robert Capparelli, Public Works Supervisor  
 Marie Dudek, Payroll  
 Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			X				
Councilman Bengivenga		X	X				
Councilman Frank			X				
Councilman McConville			X				
Councilman White	X		X				
Council President Rusnak			X				
		VOTE:	6	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:**

1. Planning Board Minutes – June 12th and 26th, 2012
2. Board of Health Minutes – June 26, 2012
3. Board of Adjustment Minutes – June 5, 2012
4. Middlesex County Planning Board Minutes – May 8, 2012
5. South Plainfield Business Association Minutes – June 28, 2012
6. Recycling Monthly Report – May, 2012
7. Code Enforcement Monthly Report – June, 2012
8. Environmental Commission Monthly Report – June, 2012
9. Environmental Commission Minutes – May 9, 2012

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

**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 or the 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 **\$778,651.19**  
**BE IT FURTHER RESOLVED** that a copy of this approval be forwarded to the following:

1. Municipal Clerk
2. Glenn Cullen, Chief Financial Officer
3. Dotty Paradiso, Supervisor of Accounts

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

**COUNCIL REPORTS:**

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

Administrator Cullen – wanted to further clarify that \$300,000 was put into the budget to cover this year’s tax appeals.

Engineer Miller – Mr. Miller briefed the Council on the status of various projects. Improvements to New Market Avenue Phase II is being finalized and closed out. Permits have been submitted for the 2012 Stream Cleaning Project and it is anticipated that NJDEP will have approvals in the next two weeks. The revisions for the truck by-pass route have been completed and submitted to NJDEP. The field survey is completed for Sampton Avenue Improvements and base maps are being worked on. T&M is presently working on preparing specifications and contract documents for road resurfacing. Construction work is ongoing pertaining to the New Brunswick Avenue Bridge replacement. The County is preparing conceptual plans for modifications to Stelton Road and New Brunswick Avenue. Mr. Miller advised that the Borough needs to move forward with the Right-of-Way acquisitions for New Durham Road and Corporate Boulevard. Furthermore, the Borough needs to acquire right-of-way for West 7<sup>th</sup> Street, and Stelton Road.

Clerk Antonides – has no report for this evening.

Councilman Barletta – said he would like to welcome Louie G Ice Cream and wishes them much success. Councilman Barletta further advised that he met with Royal Coffee of New York and they will be moving to South Plainfield soon. They are a popular coffee distributor. Mr. Barletta concluded by remarking what a nice turn out there was at the car show last week and thanked emergency management for their efforts.

Councilman Frank – complimented the efforts of Council President Rusnak and his team who worked hard trying to seek out any kind of compensation from the Board of Education and Library.

Councilman Bengivenga – also thanked the EMS for holding the car show on July 8<sup>th</sup> and cited what a nice job they did. The Elks breakfast is this week and we are looking forward to that. To conclude, Councilman Bengivenga questioned the Borough Engineer about a road resurfacing project.

Councilman White – said that the new sewer truck is a fine looking piece of equipment. Councilman White thanked Cappi, his team and Glenn, for implementing the bocci ball court. The DPW did a real fine job installing it. The Lizard Guy Show at the Library was a fun event that was enjoyed very much. There will be puppet show art this week at the Library. To conclude, Zumba Gold at the Senior Center is looking to add another class due to its popularity.

Councilman McConville – reported that Putnam Park has a brand new bocci ball court that is now complete and those interested in playing should bring their own balls. Mr. Cullen advised that a resident has donated balls for the bocci court. To conclude Councilman McConville advised that the Public Works Department has received the new sewer truck and looks forward to putting it to some good use.

Council President Rusnak – explained that tax appeals filed from 2011 to early 2012 have been most successful than ever before. The Council is trying to take an aggressive approach to stay on top of this area of concern. Mr. Rusnak complimented the Police Chief and his department for their fast apprehension of a murder suspect within a 48 hour time frame. To conclude, it is apparent that the Mayor's Wellness Champagne has been a great influence on our Council.

Mayor Anesh – encouraged everyone to check out the Facebook page to see the photos from the car show. There were a lot of nice cars and it was a very successful event. Mayor Anesh advised that Royal Coffee of New York is a very fascinating company. They search for coffee beans from all over the world. We are very pleased to have them housed here in South Plainfield. Also, at the end of last month, he and Glenn met with the State DEP and went through an 18 point letter addressing areas of concern. The state expressed how impressed they were with the work done by T&M in revising the potential truck route.

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

Mr. Dennis Scalera, former member of the Traffic Safety Advisory Commission, asked what the Borough has done to make the streets safer. Mayor Anesh advised that the Borough has put focus on expanding the Safe Street/Safe Kid Program in which we have received a lot of positive feedback. Councilman Bengivenga advised that we also applied for grants for our sidewalks and crosswalks. Mr. Scalera said he is concerned about vehicles running a red light and cutting people off, like what recently happened to him. Mayor Anesh said it can be costly to add red light cameras and there is not much of a history with the roads that Mr. Scalera speaks of. (Hamilton Blvd.). Mr. Scalera said the road on Stelton Road by Staples is the biggest concern as it doesn't seem to work. There is something wrong with the left hand turn signal. Councilman Bengivenga said the Traffic Safety Advisory Commission will take a look at this.

Mr. Paul McCullen of Walnut Street asked if the new Coffee Company moving into South Plainfield will generate new jobs. Mayor Anesh said yes, most likely. Mr. McCullen asked if the road improvements are paid for with grant funding? Mr. Cullen said yes, both grant funding and some bonded. Mr. McCullen advised that this Wednesday night the Board of Ed is holding a meeting in which discussions pertaining to custodial savings will be had and encourages the Governing Body to attend. Mr. McCullen concluded by saying he encourages the Council to appeal to our local legislators for support pertaining to these tax appeals. Mayor Anesh said he believes there is a Bill pending right now.

Ms. Kelly Dunn, 15 Brick Road, is the Pop Warner President. Ms. Dunn thanked the Council for authorizing repairs to the Pop Warner Snack Bar facility. Councilman Barletta explained what the contractor will be doing. Ms. Dunn expressed concerns about outside town organizations conducting fund raisers in South Plainfield, yet we cannot conduct our fund raisers in their towns. The Council asked the Borough Attorney, Mr. Rizzo, to look into the legalities.

Mr. Jeff Seider, 208 O'Donohue Avenue, asked if the Council is happy with the way they handled his complaint about rats? Council President Rusnak advised that reports were reviewed, investigations took place, exterminators were called in, bait traps were set. Mr. Rusnak said the final reports concluded that the source of the problem was not where Mr. Seider thought it was. Mr. Seider asked if the Council read the reports from December. Councilman Barletta said he did. Mr. Seider gave an account and time line of what he perceives to have taken place by the Borough Council, Borough Health Department and the Administrator. Mr. Seider said he is very frustrated.

Ms. Terry Wilkenson, who lives near Mr. Jeff Seider, said the rats are a concern to her as well and is happy Mr. Seider is here to speak out about this problem. Ms. Wildenson said she feels the source is from a neighbors shed and also expressed her frustration.

Mr. Frank Mikorski of Regency Place, advised that at a June 13<sup>th</sup> meeting, the Board of Education pointed out some of their increased costs. Mr. Mikorski complimented Council President Rusnak for his effort and consistency with the Board of Ed. Mr. Mikorski also complimented Councilman Barletta on his weight loss as well as his work on economic study. Mr. Mikorski suggested that the Council ask the Board of Ed to refinance their debt. To conclude, Mr. Mikorski advised that New Brunswick is staffing an auxiliary police department and maybe we should do the same.

Mr. Jason Coravelli, who also lives near Mr. Jeff Seider, said that he had two rats in his yard and is concerned for his children playing in the yard so he hired his own exterminator and learned that the problems seems to be more wide spread. It is very important for residents to keep their properties clean.

Mr. Jeff Seider suggested that the Council do an audit of the Board of Ed books going back to 2006.

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

At this time, 8:30 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**

The Mayor and Borough Council reconvened back into public session at 9:01 p.m. and advised that there are no matters that require action from the closed session meeting this evening. Without further comment, Mayor Anesh called for a motion to adjourn. Councilman Bengivenga made a motion to adjourn, seconded by Council President Rusnak and unanimously carried. The meeting was adjourned at 9:02 p.m.

Submitted By:

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Amy Antonides, RMC/CMC - Municipal Clerk