

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
JULY 23, 2012, 6:30 P.M.
SPECIAL PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:10 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			Arrived at 7:00
Councilman McConville	x		
Councilman White			Arrived at 6:50
Council President Rusnak	x		
ALSO PRESENT			
Administrator Cullen	x		
Clerk Antonides	x		
Attorney Rizzo	x		

FLAG SALUTE: was led by Mayor Anesh and Council President Rusnak led the invocation.

Public Hearing on the CY 2012 Municipal Budget Amendment (#12-211)

Administrator/CFO gave a synopsis of the budget process for this year. He advised that we are a little late adopting our budget this year due to the refinancing of our debt. When we began the budget process we were up around \$500,000, but were then able to cut that significantly. We had to budget an extra \$100,000 due to the influx of tax appeals this year. Though there has been a decrease in the ratable base, there has been an increase with building permits as we seem to be seeing a lot of economic activity. Overall we are in as good a shape as can be.

Council President Rusnak advised that our biggest obstacle this year has been being faced with so many tax appeals. There are more tax appeals now than in the past four years. We have budgeted a total of \$300,000 to cover this.

Councilman Barletta advised that we started out looking at a potential substantial tax increase. We worked very hard together to make necessary cuts to keep a low tax increase. Councilman Barletta thanked Council President Rusnak, Councilman Bengivenga and Mr. Cullen for all their suggestions and help to get the numbers down. We all worked very hard together. The refinancing of our debt was of significant benefit. Excellent job done by Mr. Cullen with his financial abilities. The Council unanimously agreed.

Councilman Bengivenga advised that they went through every single line item diligently, and many hurdles were encountered along the way. Council President Rusnak said that we were able to cut a total of \$167,000 which is a remarkable indication for how far we have come in the process.

Mayor Anesh stated that it is really remarkable that our budget is comparable to that of 2007 levels. No one wants to see their taxes go up and as such, we did all we could to have as minimal of a tax increase as possible. It is because of the good work of the Council and the Administrator that we were able to keep the budget down and the taxes nearly flat.

Councilman White arrived at this time; 6:50 p.m. but had no comment.

Mayor Anesh opened the floor for public comment pertaining to the 2012 Municipal Budget.

Mr. Paul McCullen of Walnut Street noted that we used \$400,000 in surplus and questioned if we will be able to make up for that surplus. Mr. Cullen said that surplus revolves from year to year but fully anticipates by the end of 2012 to have built it back up again.

Mr. Frank Mikorski of Regency Place questioned the large figures budgeted for Department of Public Safety and 911. Mr. Mikorski also noted that health benefits figures went up. Mr. Cullen advised that we actually had a reduction to pension costs and as for health benefit reductions, we won't see the benefits of the health care contributions until 2013 or 2014. Mr. Mikorski questioned \$1.9 million for compensated absences. Mr. Cullen explained how some employees are grandfathered pursuant to law. Mr. Mikorski concluded by expressing his hope that a document that Mr. Cullen has depicting other components of our tax rate are published. Mayor Anesh said we will consider doing that.

With no further comments, Mayor Anesh closed the floor for public comments pertaining to the budget.

Public Comments on Agenda items only

There were no comments from the public pertaining to agenda items this evening.

RESOLUTIONS:

RESOLUTION 12-211

AUTHORIZING THE ADOPTION OF THE 2012 MUNICIPAL BUDGET AND AMENDMENT

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, New Jersey that it hereby adopts the 2012 Municipal Budget with a total general appropriation of \$26,590,959.04 of which has been made available for public inspection; and

BE IT FURTHER RESOLVED, that a full complete copy of the 2012 Municipal Budget is attached hereto; and

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

1. Amy Antonides, Municipal Clerk
2. Glenn Cullen, Chief Financial Officer
3. Robert Swisher, Municipal Auditor
4. Director of the Division of Local Gov't. Services (w/2 complete copies of budget)
5. Middlesex County Board of Taxation (w/1 complete copy of budget)

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

RESOLUTION 12-212

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 PURUSANT TO N.J.S.A. 54:4-3.30 PRORATED TO MAY 28, 2008

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 **May 28, 2008** as verified by the Tax Assessor; and

WHEREAS, the Tax Bills for the four quarters of Calendar Year 2008 were generated from the 2007 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 2008, 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 2nd , 3rd and 4th quarters of the year 2008 in the amount of **\$1,841.39**; and

BE IT FURTHER RESOLVED, that the Tax Collector be, and she hereby is, authorized and directed to cancel total monies levied for the years 2009 - 2011 in the amount of **\$10,364.06**, on the property known and designated as Lot **11** in Township Block **142**.

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

1. Glenn Cullen, CFO
2. Kim Clifford, Tax Collector
3. Amy Antonides, Municipal Clerk

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

RESOLUTION No. 12-213

AUTHORIZING THE APPOINTMENT OF ANGELO STRILLACCI TO FILL IN AS PLUMBING SUBCODE OFFICIAL IN THE ABSENCE OF VINNY FRANCHINO DURING THE WEEK OF JULY 23RD THROUGH JULY 27TH AT A RATE OF \$40 PER HOUR FOR NO MORE THAN 16.5 HOURS

Angelo Strillacci is hereby hired as a part time, temporary Plumbing Subcode Official for the week of July 23, 2012 through July 27, 2012, at a rate of \$40.00 per hour (16.5 hour max), to provide coverage for the regular Plumbing Subcode Official, Vinny Franchino, who will be on vacation.

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

RESOLUTION 12-214

AUTHORIZING CONSENT FOR ACCESS TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR ACCESS TO PROPERTY IN THE VICINITY OF THE FORMER CORNELL-DUBILIER ELECTRONICS FACILITY

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of South Plainfield hereby consents to officers, employees, contractors, and authorized representative of the United States Environmental Protection Agency (U.S. EPA) to access and address properties in the vicinity and/or in the rights-of-way of the former Cornell-Dubilier Electronics Facility

BE IT FURTHER RESOLVED the Borough Council of the Borough of South Plainfield hereby authorizes the Mayor and Municipal Clerk to execute the Consent for Access form;

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

1. Municipal Clerk
2. Borough Administrator
3. Diego Garcia, Remedial Project Manager

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

**RESOLUTION #12-215
AUTHORIZING A CLOSED SESSION MEETING**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 and P.L. 2001, C. 404, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council of the Borough of South Plainfield wishes to go into a closed Executive Session and is of the opinion that such circumstances presently exist which should not be discussed in public, and

WHEREAS the Open Public Meetings Act pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12 permits the Borough Council to discuss certain matter(s) in private, and in this case for the purpose of the Borough Council to discuss the below matters all of which requires attorney-client privilege:

- Legal Matter – Celebrations
- Legal Matter – Trees
- Legal Matter – Board of Health

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it will go into an Executive Session for the purpose of Borough Council to discuss the aforementioned matters all of which requires attorney-client privilege in this regard;

BE IT FURTHER RESOLVED that the results of such discussion may be revealed at such time as the matter(s) are resolved and/or a contract(s) is signed and/or the negotiations are formally settled. Interested parties may contact the Borough Clerk anytime during normal business hours for periodic updates as to the availability in this regard.

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

**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 **\$1,619,968.58**

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

COUNCIL REPORTS:

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

Administrator Cullen – has no report for this evening.

Clerk Antonides – has no report for this evening.

Councilman Barletta – advised that there were two grand openings in town recently; Sears and the Farmer's Market is under new ownership. Mr. Barletta went on to say how the new owners of the Farmer's Market expressed their excitement and desire to get involved with the community.

Councilman Frank - Absent

Councilman Bengivenga – had nothing to report this evening other than making progress.

Councilman White – advised that he attended a great Sunday breakfast and the car show fund raiser was a big success.

Councilman McConville – had nothing to report this evening other than making progress

Council President Rusnak – advised that he attended the recent Board of Education Meeting and the Board of Education expressed their feelings of wishing to continue to build our relationship together.

Mayor Anesh – advised that recently he and Glenn met with Aristicare who gave the Borough a \$5,000 donation for the Labor Day Fireworks. Mayor Anesh expressed his appreciation for Aristicare's generosity on behalf of the Borough.

Councilman Frank arrived at this time; 7:00 p.m.

COMMENTS FROM THE PUBLIC:

Mr. Paul McCullen of Walnut Street wanted to remind everyone of the EPA Meeting scheduled for August 7, 2012 at the Senior Center. Mayor Anesh said he plans on attending.

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

At this time, 7:00 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 7:21 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 White made a motion to adjourn, seconded by Councilman Bengivenga and unanimously carried. The meeting was adjourned at 7:22 p.m.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk