

**PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
MAY 7, 2012, 7:00 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:28 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.

ROLL CALL WAS TAKEN BY THE MUNICIPAL CLERK:

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 Bengivenga led the invocation.

PROCLAMATION(S) - Mayor Anesh presented and read the following three Proclamations in full; Older American’s Month during May, Municipal Clerk’s Week from May 6th to May 13th, and Police Week from May 13th to May 19th. Everyone extended a round of applause

PUBLIC COMMENTS: Mayor Anesh opened the floor for public comments. Mr. Frank Mikorski of Regency Place inquired if we will receive any grant funding for the road improvement projects that are on tonight’s agenda. Mr. Cullen said yes. Mr. Mikorski asked if there is an age limit of who can apply for the Summer Help positions at the Public Works Department. Mr. Cullen said there is a minimum age requirement but not a maximum or up-to age requirement. With no further comments from the public, Mayor Anesh closed the floor from public comment.

Councilman Bengivenga expressed his appreciation for the donation of the Smart Board for the Municipal Court by the Police Department. It is important to note that the Police Chief found that it was more cost effective to make this purchase utilizing our local school boards vendor. The Court will make good use of this new Smart Board and much appreciation goes to the Police Department for their donation.

PUBLIC AUCTION OF SURPLUS MUNICIPAL PROPERTY: Mayor Anesh announced that we have three surplus municipal properties up for auction this evening.

- Mayor Anesh opened the floor announcing a minimum bid amount of \$88,000 for Block 398, Lot 2.01 located on Tremont Avenue. Mayor Anesh called for any bidders. Mr. Hekmatullah Amini of 701 Tremont Avenue was the only bidder with the bid amount of \$88,000. Mr. Rizzo, Esq. reminded the bidder, Mr. Amini, that he has three days to submit cash or a certified check representing 10% of the bid. Mr. Amini provided the Borough Clerk with his contact information.
- Mayor Anesh opened the floor announcing a minimum bid amount of \$100,000 for Block 398, Lot 2.10 located at the Northeast Corner of Harvard Avenue & St. John’s Place.
- Mayor Anesh opened the floor announcing a minimum bid amount of \$85,000 for Block 404.03, Lot 1.01 located at the Southeast Corner of Harvard Avenue & St. John’s Place. Mayor Anesh called for any bidders. There were two bidders who went back and forth bidding the following increments: \$85,000, \$86,000, \$87,000, \$88,000, \$88,500, \$89,000, \$90,000, \$91,000, \$92,000, \$93,000, and the final bid amount being \$93,500. Mayor Anesh made a last call for bids at \$93,500, with no more bids, the highest bidder was Mr. Michael Socha of 167 Somerset Avenue with the bid amount of \$93,500. Mr. Rizzo, Esq. reminded the bidder, Mr. Socha, that he has three days to submit cash or a certified check representing 10% of the bid. Mr. Socha provided the Borough Clerk with his contact information.

ORDINANCES: Public Hearing and Final Adoption

BOND ORDINANCE #1961

BOND ORDINANCE PROVIDING FOR ROAD AND RESURFACING IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$608,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$376,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$608,000, including a grant in the amount of \$225,000 expected to be received from the State of New Jersey Department of Transportation (the "State Grant") for the improvement or purpose described in Section 3(a). Pursuant to N.J.S.A. 40A:2-11(c) no down payment is required for the improvement or purpose described in Section 3(a) since the improvement or purpose is being partially funded by the State Grant. For the improvement or purpose described in Section 3(b), an amount equal to \$7,000 is provided for as the down payment as 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 several improvements or purposes not covered by application of the down payment and the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$376,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Road and resurfacing improvements, including, but not limited to, Sampton Avenue, including all work and materials necessary therefor and incidental thereto. (Includes the State Grant)	\$468,000	\$243,000	10 years
b) Road and resurfacing improvements, including, but not limited to, West 8 th Street, including all work and materials necessary therefor and incidental thereto.	\$140,000	\$133,000	10 years
TOTALS	\$608,000	\$376,000	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the State Grant for the purpose described in Section 3(a) and the amount of the down payment for the purpose described in Section 3(b).

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the

Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10 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 \$376,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$175,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

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

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the State Grant referred to in Section 1 hereof, 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

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta	X		X		
Councilman Bengivenga		X	X		
Councilman Frank			X		
Councilman McConville					X
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			5	0	

*Councilman McConville had stepped out of the room

RESOLUTIONS

RESOLUTION NO. 12-107

AUTHORIZING RENEWAL OF STREET SWEEPING AGREEMENT WITH STILO EXCAVATING IN AN AMOUNT NOT TO EXCEED \$39,695

BE IT RESOLVED that the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey, that:

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:11-15, the Borough entered into a contract with Stilo Excavating for the provision of street sweeping services for a one-year period beginning July 1, 2011 and ending June 30, 2012, which Contract included a provision that it might be extended for two one-year terms with the price to be determined by the index rate at the time of renewal; and

WHEREAS, the Borough has determined that it wishes to extend said Contract, and Stilo Excavating having agreed to such extension at the annual cost as set forth in the original Contract, \$38,495.00 per year, plus a per diem rate of \$400.00 for emergency callouts on an as-needed basis, the total cost per year not to exceed \$39,695.00;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given that the Mayor and Municipal Clerk are authorized to execute all necessary amendments and other documents from Stilo Excavating to reflect the retention of Stilo Excavating for street sweeping services from July 1, 2012 through June 30, 2014, at a price of \$38,495.00 per year, plus a per diem rate of \$400.00 for each emergency callout on an as-needed basis, the total contract amount not to exceed \$39,695.00 per year.

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 12-108

APPOINTING CHRISTINE TEDESCO AS A MEMBER OF THE SOUTH PLAINFIELD VOLUNTEER FIRE DEPARTMENT

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

CHRISTINE TEDESCO

is hereby appointed to the South Plainfield Volunteer Fire Department.

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

1. Fire Department
2. Municipal Clerk

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 2012-109

**AUTHORIZING WAIVER OF PERMIT FEES FOR PUMP INSTALLATION AT
SOUTH PLAINFIELD COMMUNITY POOL**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that the Recreation Director hereby recommends a waiver of permit fees for the pump installation at the South Plainfield Community Pool with the exception being for electrical permits;

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of South Plainfield hereby authorizes the waiver of permit fees for the pump installation at the South Plainfield Community Pool with the exception being for electrical permits.

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

- Municipal Clerk
- Chief Financial Officer
- Recreation Director

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION# 2012-110

RESOLUTION AUTHORIZING REFUND

TOTALING \$270.00 FOR SENIOR CITIZEN TRIPS

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that the Senior Citizen Director has recommended the following refunds for senior trips and there arises a necessity to hereby refund those who have submitted payment for said trip(s) to the following individuals:

- Margorie Baily – 1824 Pershing Place – Refund for Taj Mahol Trip on 4/19/12-**\$20.00**
- Dominick Apice – 215 Carlisle Street – Refund for Wildwood Trip in May,2012 - **\$210.00**
- Vicky Padovan – 1290 Hollywood Ave. – Refund for Taj Mahol Trip on 4/4/12 - **\$20.00**
- Bertha Forehand – 1338 Grant Ave. – Refund for Bally’s Trip on 4/10/12 - **\$20.00**

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.

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

- Municipal Clerk
- Chief Financial Officer
- Recreation Director

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 2012-111

AUTHORIZING TAX REFUND IN THE AMOUNT OF \$537.88

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

WHEREAS, the Tax Collector advises that the following taxpayer(s) and/or their agents have overpaid their taxes and have requested refunds:

Block 110; Lot 9.02

Joseph T. Ball, Jr.

206 Morris Avenue

South Plainfield, NJ 07080

\$537.88

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; and

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

- Municipal Clerk
- Chief Financial Officer
- Tax Collector

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 2012-112

AUTHORIZING RENEWAL OF CROSSING GUARD AGREEMENT WITH DMS SYSTEMS AT AN HOURLY RATE OF \$14.99 PER GUARD PER HOUR IN AN AMOUNT NOT TO EXCEED \$372,000.00

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

WHEREAS, a need has been determined for School Crossing Guard services for the 2012 – 2013 school year; and

WHEREAS, sealed bids for School Crossing Guard Services were received and publicly opened on July 21, 2009; and

WHEREAS, DMS Systems, Inc., 50 Lewis Avenue, Jersey City, New Jersey 07306. was determined to be the lowest qualified bidder, at a cost of \$14.99 per guard per hour and a one year agreement was executed for the period July 1, 2009 through June 30, 2010; and

WHEREAS, in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11-15, said agreement may be extended for two (2) one-year terms; and

WHEREAS, said contract was renewed from July 1, 2010 through June 30, 2011 by approval of Resolution #10-160 and renewed for a second time from July 1, 2011 through June 30, 2012 by approval of Resolution #11-209; and

WHEREAS, the Borough of South Plainfield and DMS Systems mutually agree to renew the contract agreement for one additional one year period at the same cost hourly rate of \$14.99; and

WHEREAS, the Borough reserves the right to adjust locations and/or personnel as needed; and

WHEREAS, funds for said purpose will be made available in the CY 2012 budget.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given to renew a contract for School Crossing Guard services for the Borough of South Plainfield to DMS Systems, Inc., 50 Lewis Avenue, Jersey City, New Jersey 07306. at an hourly rate of \$14.99 per guard per hour, and a total cost not to exceed \$372,000.00 for the period July 1, 2012 through June 30, 2013.

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute the necessary agreement with DMS Systems, Inc.

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

- Municipal Clerk
- Chief Financial Officer

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION# 2012-113

RESOLUTION AUTHORIZING REFUND FOR OVERPAYMENT OF LICENSING FEE TO FLANAGAN’S RESTAURANT & BAR IN THE AMOUNT OF \$1,200

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes at the Chief Financial Officer’s recommendation a refund of \$1,200.00 for an overpayment of a licensing fee for Flanagan’s Restaurant & Bar

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

- Municipal Clerk
- Chief Financial Officer

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 2012-114- This Resolution was removed from the agenda.

RESOLUTION 12-115

APPOINTING PAUL MCCULLEN TO THE CULTURAL ART COMMITTEE

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

PAUL MCCULLEN

is hereby appointed to the South Plainfield Cultural Art Committee.

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

- Municipal Clerk

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 12-116

ACCEPTING THE RESIGNATION OF OFFICER CHANTA HUNTER-JOHNSON FROM THE POLICE DEPARTMENT

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

CHANTA HUNTER-JOHNSON

is hereby accepted with an effective date of June 1, 2012 in which will be her last day on payroll.

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

- Municipal Clerk
- Payroll Clerk
- Police Chief

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 12-117

APPOINTING THOMAS WALSH AS ALTERNATE I TO THE ENVIRONMENTAL COMMISSION TO REPLACE CHRISTINA VAN WYK AND FILL THE UNEXPIRED TERM

BE IT RESOLVED by the MAYOR of the Borough of South Plainfield, New Jersey that:

THOMAS WALSH

is hereby appointed to the South Plainfield Environmental Commission to replace Christina Van Wyk's unexpired term.

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

- Municipal Clerk

MAYOR'S APPOINTMENT NO VOTE OR ROLL CALL NEEDED.

RESOLUTION 12-118

APPOINTING CHRISTINA VAN WYK AS FULL MEMBER TO THE ENVIRONMENTAL COMMISSION TO FILL THE UNEXPIRED TERM

BE IT RESOLVED by the MAYOR of the Borough of South Plainfield, New Jersey that:

CHRISTINA VAN WYK

is hereby appointed to the South Plainfield Environmental Commission as a full member to fill the unexpired term.

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

- Municipal Clerk

MAYOR'S APPOINTMENT-NO VOTE OR ROLL CALL NEEDED

RESOLUTION 2012-119

AUTHORIZING T&M ASSOCIATES TO DO BID, DESIGN, AND CONSTRUCTION ADMINISTRATION FOR THE SAMPTON AVENUE ROAD PROJECT FOR A COST NOT TO EXCEED \$83,420.00

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates to provide bid, design, and construction administration for the Sampton Avenue Road Improvement Project for a cost not to exceed \$83,420.00.

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

- Municipal Clerk
- Chief Financial Officer
- T&M Associates

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 2012-120

AUTHORIZING T&M ASSOCIATES TO GO OUT TO BID FOR SAMTON AVENUE ROAD IMPROVEMENT PROJECT

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates to pursue the bid process for the Sampton Avenue Road Improvement Project and is also authorized to publish a solicitation for said bid accordingly;

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

- Municipal Clerk
- Chief Financial Officer
- T&M Associates

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 2012-121

AUTHORIZING T&M ASSOCIATES TO DO BID PHASE ADMINISTRATION AND DESIGN FOR WEST 8TH STREET, OAK TREE AVENUE, NUNNINK LANE, LORRAINE AVENUE, CAFFREY TERRACE AND EAST ELMWOOD DRIVE FOR AN AMOUNT NOT TO EXCEED \$25,000.00

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates to provide bid phase administration and design for West 8th Street, Oak Street Avenue, Nunnink Lane, Lorraine Avenue, Caffrey Terrace and East Elmwood Drive for an amount not to exceed \$25,000.00

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

- Municipal Clerk
- Chief Financial Officer
- T&M Associates

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 2012-122- Mayor Anesh tabled this Resolution

APPROVING APPLICATION FOR A PERSON TO PERSON AND A PLACE TO PLACE LIQUOR LICENSE TRANSFER FOR LICENSE NO. 1222-33-05-06 FROM STEAK AND ALE OF NEW JERSEY TO KONBROTHERS, INC.

RESOLUTION 2012-123

AUTHORIZING APPROVAL OF A 2012 TEMPORARY CAPITAL BUDGET AMENDMENT

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

WHEREAS, CY2012 Temporary Capital 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:

General Improv.	Total Cost	Capt. Improv. Fund	Debt Auth.
Sampton Ave. & Various Roads	\$608,000	\$7,000.00	\$376,000.00
TOTAL GENERAL IMPROVEMENTS:	\$608,000	\$7,000.00	\$376,000.00

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.

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 2012-124

AUTHORIZING APPOINTMENT OF 2012 SUMMER HELP

EMPLOYEES FOR THE DPW

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

WHEREAS, a need exists to supplement the workforce of the Department of Public Works and Borough Hall during the summer months; and

WHEREAS, the list below has been recommended by the Administrator and Superintendent of Public Works with the proposed salaries (as per the salary Ordinance No.1785), and

WHEREAS, the twelve summer employees for DPW will be divided into two 5-week working periods beginning on June 25, 2012 through July 27, 2012. The second 5 week period will begin July 30, 2012 and end on August 31, 2012.

NOW THEREFORE BE IT RESOLVED by the South Plainfield Borough Council that the persons listed below be employed as seasonal employees for the Department of Public Works and Borough Hall as indicated:

- | | |
|---------------------|---------------------|
| -Jeffrey Pellegrino | D.P.W. |
| -Nick Muglia | D.P.W |
| -Anthony Celentano | D.P.W. |
| -Sal Esposito | D.P.W. |
| -Ricky Zekas | D.P.W. |
| -Tyler Hunt | D.P.W. |
| -Ryan Hughes | P.A.L. |
| -Thomas Zazzara | D.P.W. (start 5/14) |
| -Kyle Hughes | D.P.W. (start 5/14) |

-James Moore

D.P.W. (start 5/14)

-Shane O'Connor

D.P.W. (start 5/14)

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

- Municipal Clerk
- DPW Supervisor
- Payroll Clerk

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

RESOLUTION 2012-125

AUTHORIZING AWARD OF STATE CONTRACT PURCHASE TO MAIL FINANCE OWNED BY NEOPOST TO REPLACE EXISTING MAIL MACHINE WITH MODEL IS460 IN AN AMOUNT NOT TO EXCEED \$389.00 FOR FIVE YEARS

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes award of a State Contract Purchase (#75256) with Neopost to replace the existing mail machine with model IS460 in an amount not to exceed \$389.00 for Five Years.

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

- Municipal Clerk
- Chief Financial Officer
- Anne Daley

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta		X	X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

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:

- a. Environmental Commission Minutes – March 14, 2012
- b. Environmental Commission Monthly Report – April, 2012
- c. Recycling Monthly Report – March and April, 2012
- d. Traffic Safety Advisory Commission Minutes – March 27, 2012
- e. Business Advisory Group Minutes – February 1, 2012
- f. Code Enforcement Monthly Report – April, 2012

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta			X		
Councilman Bengivenga	X		X		
Councilman Frank			X		
Councilman McConville		X	X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

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 **\$1,792,629.69**

COUNCIL	Motion	Second	Ayes	Nays	Absent
Councilman Barletta	X		X		
Councilman Bengivenga		X	X		
Councilman Frank			X		
Councilman McConville			X		
Councilman White			X		
Council President Rusnak			X		
TOTAL VOTE:			6	0	

COUNCIL REPORTS

Attorney Rizzo – had no report for this evening.

Administrator/CFO Cullen – had no report for this evening.

Engineer Miller – had no report for this evening.

Municipal Clerk Antonides – had no report this evening other than to say she is still becoming acclimated to her new work environment.

Councilman Frank – reported that the Scouts recently worked on the landscaping in front of the municipal building and really did a fine job. Mr. Frank further reported that it was truly remarkable to see so many who turned out to help for Clean-Up Day. A big hand goes to them. Mr. Frank concluded by saying how proud he was.

Councilman Bengivenga – had no report for this evening.

Councilman Barletta - . Councilman Barletta acknowledged that Nurse’s Week is upon us and expressed his appreciation for the vital role that nurses play. He said our hats go off to them for all that they do. Mayor Anesh said that he will gladly administer a Proclamation at the next Council meeting of May 21st to honor nurses. Councilman Barletta concluded his report by acknowledging “Take Your Child To Work Day”, and expressed what a good gesture this was. He further stated how beneficial it was for the Fire Department to impress upon the children fire safety techniques.

Councilman McConville – Wished all mothers a very happy Mother’s Day.

Councilman White – Expressed his appreciation for the Autism Walk in honor of Richie Romano. Mr. White concluded by reminding everyone that on May 29th there will be a Retirement Seminar at the Senior Center and encourages those interested to attend. Furthermore, a new pool table was recently donated to the Senior Center and as such, the prior pool table was in turn donated to Keystone. Councilman White expressed his appreciation for the donation.

Council President Rusnak – Commended the Police Department for their donation of the Smart Board to the Court and what a big savings it was for them to utilize the local school board vendor.

Mayor Anesh – Also wished all mothers a very happy Mother’s Day.

PUBLIC COMMENTS

Mr. Al Rappore of 3313 Park Lane asked if there are any updates pertaining to tax appeals with the local school board? Council President Rusnak advised that the conversation with the school board is still on-going and we will continue to pursue a dialog with them until or unless they tell us no more.

Mr. Paul McCullen of Walnut Street thanked the Mayor and Council for his appointment this evening to the Cultural Arts Committee. Mr. McCullen asked what the status of the road improvements for New Brunswick Avenue is? Borough Engineer, Len Miller, advised that the contract has been awarded and the project is indeed moving forward. The work should begin in the not so distant future. To conclude, Mr. McCullen expressed concerns about not having a drought ordinance in the Borough. He advised how disturbing it is to see sprinklers running during a rain storm. Mayor Anesh advised that we do get State mandated water restrictions from time to time that we do enforce. Mr. Rizzo, Esq. advised that the State’s mandate in this regard may pre-empt any local ordinance we would have.

Ms. Nancy Greenier, from the Observer, reminded everyone that the Junior Journalist dinner is this Wednesday evening at which time all winners will be awarded.

At this time, Mr. Rinaldi, Esq. and Mr. Demetrios Koniarelis returned to try to pursue having a public hearing for Resolution #12-122. Mayor Anesh advised that the Council ultimately tabled this Resolution to the next meeting. Mayor Anesh asked if the applicant was able to contact the other liquor license owner. Mr. Rinaldi said that neither the owner, “Sal” or his wife were available. Mayor Anesh advised that we will table this to our next meeting. Mr. Rinaldi insisted that it be heard sooner due to the sales transaction being with the bankruptcy court. After brief discussion, the Mayor and Council set a special meeting time and date for Tuesday, May 15, 2012 at 6:30 p.m. for the matter to have a formal public hearing and for further consideration.

ADJOURNMENT

The Mayor and Borough Council reconvened back into public session at 8:43 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 Councilman McConville and unanimously carried. The meeting was adjourned at 8:45 p.m.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk