

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
NOVEMBER 19, 2012, 7:10 P.M.
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	x		
Councilman McConville	x		
Councilman White	x		
Council President Rusnak	x		
ALSO PRESENT			
Administrator Cullen	x		
Clerk Antonides	x		
Attorney Rizzo	x		
Engineer Miller	x		

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

Approve Council Minutes: November 5, 2012 - Agenda
November 5, 2012 – Public

COUNCIL	MOTION	2 ND	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							

Public Comment For Agenda Items Only:

Mayor Anesh opened the floor for public comment.

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

ORDINANCE – SECOND READING BY TITLE was read by Clerk Antonides.

ORDINANCE NO.1969

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2011 THROUGH 2014

The ordinance #1969 read by title upon second reading herewith and was introduced at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on November 5, 2012. Mayor Anesh opened the floor for public comment. With no comments made, Mayor Anesh closed the floor.

Adoption of Ordinance #1969: November 19, 2012

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

#1970 AN ORDINANCE VACATING THE BOROUGH’S AUTHORITY AND OVER A PORTION OF CHELSEA PLACE IN THE BOROUGH OF SOUTH PLAINFIELD, MIDDLESEX COUNTY, NEW JERSEY

Mr. Rizzo, Esq. requested that this Ordinance be removed from the agenda at this time as amendments need to be made to it before it can be introduced.

#1971 AN ORDINANCE AMENDING CHAPTER 300 OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD ENTITLED: “NOISE”

BE IT ORDAINED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 300 of the Code of the Borough of South Plainfield be hereby amended as follows:

DELETE: Section 300-4(a). Emergency Exception.

ADD: Section 300-4(a). Emergency Exception and Public Works Operations.

The provisions of this Chapter shall not apply to the emission of sound for the purpose of alerting persons through the existence of any emergency or the emission of sound in the performance of emergency work. The provisions of this Chapter shall not apply to the operations of the Borough Public Works Department performed by any employee of the Borough. The provisions of this Chapter shall not apply to any individual performing work at the request or direction of the Governing Body, which request or direction shall have been provided to such individual requiring the performance of such work prior to the work being initiated.

All other provisions of Chapter 300 of the Code of the Borough of South Plainfield shall remain in full force and effect.

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

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

#1972 AN ORDINANCE AMENDING ORDINANCE 1875 AUTHORIZING FEES FOR RENTAL OF SENIOR CENTER AND ADOPTION OF POLICIES AND PROCEDURES

WHEREAS, the Mayor and Council of the Borough of South Plainfield desire to amend the Borough Code as to fees, rules and regulations for the rental of the South Plainfield Senior Center;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey, that Chapter 350 of the Borough Code shall be deleted and replaced as follows:

SECTION 350-1.

Rental fees shall be based upon the location of the residence of the person, group, corporation or entity representing the Senior Center (hereinafter the “Center”), and the purpose of the activity. They shall be set pursuant to certain categories. The rental fee shall include the use of the kitchen (to warm food only, no cooking will be permitted), ice machine, microphone system, podium/lectern, setup and take down of tables and chairs, and use of movie screen. The categories shall be as follows:

- A. Borough boards, commissions and agencies; Borough employees; Senior Center members; and non-profit community organizations holding a free event.
 - 1. Borough boards, commissions and agencies shall be defined as any group formed under the Borough Code and designated as a board, commission or agency whose members have been appointed pursuant to Borough Code by the Mayor or Borough Council as the case may be. Borough boards, commissions and agencies may only utilize the Senior Center for public purposes.
 - 2. Borough employees shall be defined as any full-time Borough employee currently employed by the Borough for not less than three consecutive months, who have never rented the Center for any activity previously.

3. Senior Center members shall be defined as any person who has been an active member of the Senior Center for twelve consecutive months, is in good standing, has paid dues to date, and who has never rented the Center for any activity previously.
4. Non-profit community organizations shall be defined as a not-for-profit group or organization formed and recognized under the laws of the State of New Jersey for a purpose of a service nature, which organization is comprised of 60% or more of Borough residents as its members, and is utilizing the Center for a free public purpose, such as a blood drive, food/clothing drive, education purposes, or the like. The organization shall be required to provide proof of non-profit status.

Rental fees for any person or organization in this category shall be the cost of a supervisor and janitor only - \$250.00. The fee shall include one hour for setup of an event, and a maximum of four additional hours for the event to be held. After the initial five hours, each additional hour, or part thereof, shall be billed and charged at \$50.00 per hour. Under no circumstances may the cost of the supervisor and janitor be waived.

Non-profit community organizations, as previously defined hereunder, holding fund raisers or private events for profit shall pay a fee of \$500.00, which fee shall include one hour prior to the event for setup, and a maximum of four additional hours for the event to be held. After the initial five hours, each additional hour, or part thereof, shall be billed and charged at \$50.00 per hour.

- C. For senior members and Borough employees who have previously rented the Senior Center, and for South Plainfield residents and businesses, which are not charging admission for an event, the fee shall be \$650.00 which fee shall include one hour prior to the event for setup, and a maximum of four additional hours for the event to be held. After the initial five hours, each additional hour, or part thereof, shall be billed and charged at \$50.00 per hour. South Plainfield residents and businesses shall be defined as any South Plainfield resident or business renting for a self-interest purpose, which is social in nature or business oriented, such as, but not limited to parties, showers and business meetings.
- D. South Plainfield residents and businesses charging admission, any non-residents, any out-of-town businesses, and out-of-town organizations/groups and political groups (including national, state, county and local political parties which are permitted to rent for any legal use, such as fund-raising events, rallies, occasions to solicit membership and annual meetings) shall be charged \$800.00, which fee shall include one hour prior to the event for setup, and a maximum of four additional hours for the event to be held. After the initial five hours, each additional hour, or part thereof, shall be billed and charged at \$50.00 per hour.

SECTION 350-2. DAMAGE DEPOSIT:

In addition to rental fees, a damage deposit of \$100.00 payable by check shall be required. Cash shall not be accepted. This deposit shall be required a minimum seven calendar days before the event date. The rental fees, plus the damage deposit shall be the total lease amount. The damage deposit shall be refunded within ten calendar days after the scheduled event has concluded after inspection of the premises, and conditioned upon the premises being found to be in good and clean condition as existed prior to the event. The inspection shall be conducted before any other event is held in the rented area. The Borough reserves the right to retain part of or all of the damage deposit to pay for any costs of repair or cleaning made necessary by the renter's use of the facility. The liability of the renter shall not be limited to the amount of the damage deposit. The liability of the renter shall extend to any damage or cleaning costs incurred as a result of the acts of any participants of the event sponsored by the renter of the premises.

SECTION 350-3. RESERVATION/PAYMENT PROCEDURES:

Reservations are to be made in person and must include a deposit of \$100.00. Requests must be submitted at least 14 calendar days prior to the requested date. The balance due payment shall be by cash to be made seven days prior to the event date. The Senior Director shall review all applications, and has the right to grant or deny use based on policies and availability or to grant use subject to conditions. The Borough reserves the right to cancel or deny use, and to limit the frequency of the building used by any organization under any circumstances. In the event of cancellation less than 72 hours prior to the scheduled event, the deposit shall be forfeited. The deposit will be returned in full in the event of cancellation more than 72 hours prior to the scheduled event.

One individual shall be designated as the responsible party for the requesting group, and shall sign the contract. Such person signing the contract shall be the responsible party, and shall assume the responsibility for the cleanup and any damage, loss or disturbance during the rental period.

SECTION 350-4. SETUP AND CLEANUP:

Setup and take down may take place only on the date and time designated on the rental contract. Access to the building prior to the rental time for setup must be confirmed in advance.

SECTION 350-5. USE OF KITCHEN:

Rental of the facility may include use of the kitchen. Kitchen users must make their own catering arrangements, and arrange for cleaning the kitchen after use. The kitchen shall be used for heating/warming purposes only. No cooking shall be allowed.

SECTION 350-6. SIGN AND DECORATION PLACEMENT:

All signs, decorations, scenery, etc. shall be erected without defacing the facility in any way, and shall be subject to the approval of the Senior Director. All signs, decorations, scenery, etc. shall be installed and removed from the facility within the time reserved. No items or materials may be affixed to walls, doors, flooring, furniture, etc. that will leave a residue, stain, scratch, or otherwise mar the surfaces. No smoking, use of candles, open flames and/or decorations which may be flammable or combustible, smoke or fog generating equipment or apparatus shall be allowed.

SECTION 350-7. SENIOR CENTER'S CLEANING STAFF:

The Senior Center's cleaning staff shall ensure the Center is cleaned following the event. No renter shall be allowed to take down tables or chairs following their event. This shall be done by the cleaning staff, and is included in the rental fee. Under no circumstance shall this portion of the rental fee be waived. While the Center's cleaning staff does the cleaning, the renter shall remain responsible for the following:

- A. Cleaning of rented rooms:
 - 1. Removal of decorations and personal items from the facility.
 - 2. Place all garbage into the garbage cans.
 - 3. Pour all liquids down the drain, and do not place in garbage cans.

- B. Cleaning of kitchen if used by renter:
 - 1. Empty all garbage containers into the outside dumpster.
 - 2. Wipe off all countertops (dish towels are available in kitchen).
 - 3. Empty coffee maker and clean coffee pots.
 - 4. Put all items back in the respective areas.
 - 5. Do not remove towels from kitchen areas, hang over sink to dry.
 - 6. Do not use dish towels to clean up spills or for cleaning purposes.
 - 7. Do not remove any item which belongs to the Center.
 - 8. Renters shall bring their own containers to take leftovers from the Center.

Failure to follow these cleaning guidelines may result in the withholding of the damage deposit.

SECTION 350-8. NO SMOKING POLICY:

The Senior Center is a NON-SMOKING FACILITY. Any violation may cause forfeiture of all reservation fees. Smoking is permitted outside only, and all cigarette butts must be deposited in containers provided.

SECTION 350-9. ALCOHOL POLICY:

Beer, wine and liquor may be served with the authorization of the Senior Center Director. No one under 21 years of age may consume alcohol on the premises. Pursuant to the rules of the Division of Alcohol and Beverage Control, any group requesting the use of alcohol for their engagement must obtain a "social permit" from the Municipal Clerk. A renter must provide a copy of the social permit license to the Senior Center at least seven calendar days before the rental event.

SECTION 350-10. SECURITY:

The Senior Center Director/Board may, at their discretion, require security permits. The policy of the Center shall be that when alcohol is served, security shall be needed. Security will be provided by the Center at a charge. The renter shall be responsible for paying the charge when paying the basic facility rental charge. Such policy may be waived by the Director/Board. Whenever it is determined that security is necessary at the event, the fee cannot be waived.

SECTION 350-11. INJURY/LOST ARTICLES:

The Borough of South Plainfield and the Center assume no responsibility for accidents, injuries, lost or damaged articles while attending a meeting or event of a rental group.

SECTION 350-12. FIRE REGULATIONS:

A fire permit must be filled out and returned to the Senior Center, along with final payment. The Center staff shall provide a copy to the renter. The permit may be filled out and mailed, faxed or dropped off to the Bureau of Fire Prevention, 123 Maple Avenue, South Plainfield, New Jersey 07080.

All groups must observe the following fire regulations:

- A. Use of open flames is prohibited.
- B. Electrical extension cords and decorations must be flame proof.
- C. Exits, corridors and hallways must be free of obstructions at all times.
- D. Persons may never stand in aisles of exit.
- E. Maximum capacity numbers in rooms must be observed.

SECTION 350-13. NOTICE OF RESPONSIBILITY/LIABILITY:

This section is to notify the renter that the Borough of South Plainfield and the Center shall be responsible only to maintain the building and its structural components and systems, such as plumbing, lighting and electricity in a safe and operable condition. Neither the Borough nor the Center shall be responsible for the conduct of persons participating in events held at the facility. It shall be the renter’s responsibility, as the renter and sponsor of the event, to see that all participants use the facility in a safe and reasonable manner and obey all laws.

Likewise, the Borough is not responsible for the conduct of any persons or businesses hired by the renter to work at the event, including, but not limited to the liquor servers (as provided under Borough contract), food caterers, decorators or entertainers hired to service the event. The renter shall take complete responsibility for the conduct of its group or others present during the rental period, and agree to compensate the Borough for all damages to the facility, equipment or other property owned by the Borough incurred during the rental period. Furthermore, the renter assumes all liability for any personal injuries, including death caused by participants at the scheduled event. The renter shall hold harmless and defend the Borough and Center from any claims for personal injury or property damage.

Any disputes or claims of liability involving the providers of services are matters strictly between the renter, the event participants and the providers. Renter agrees that neither the renter nor the participants at the event shall file any claims or involve the Borough in any legal action regarding such matters.

SECTION 350-14. CERTIFICATE OF INSURANCE:

The organization/representative shall obtain a policy of general insurance from any insurance provider within the State of New Jersey to provide coverage for personal injury and property damage in an amount of at least \$1,000,000 per person, and \$2,000,000 in total for personal injuries, death or damage suffered by any person or persons arising from the use of the facility or services provided. The organization/representative shall obtain a policy of general liability insurance from a business in the State of New Jersey to provide coverage against any and all liability or claims of liability arising out of, occasioned by or resulting from any accident or similar event in or about the leased premises for injuries to any persons for a limit not to be less than \$1,000,000 for property damage, \$1,000,000 for injury to one person, and \$2,000,000 for injuries to more than one person in any one accident or occurrence. The Borough of South Plainfield shall be listed as an additional insured on all insurance policies.

SECTION 350-15. POLICY EXCEPTIONS:

Any exceptions or variations to this policy will require the prior approval of the Mayor and Council. Requests must be made in writing and accompany the Center rental form. The Mayor and Council have the final authority for decisions on all rentals.

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

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

RESOLUTIONS:

**RESOLUTION No. 12-314
AUTHORIZING THE TRANSFER OF 2011 CDBG FUNDS IN THE AMOUNT OF \$25,000 AND AUTHORIZES THE
REQUEST OF SAID FUNDS
FROM THE COUNTY OF MIDDLESEX TO BE USED FOR
THE PURCHASE OF A SENIOR CITIZEN MINIVAN**

WHEREAS, the County reports the following balances in the 2011 Community Development Block Grant program in the following amounts:

CD1145	\$12,000	Senior Center Coordinator
CD1146	\$10,100	Senior Center Improvements
CD1147	\$45,362	Curb Cut Project
Total	\$67,462	

WHEREAS, one of these amounts are surplus and are not needed for their original purpose; and

WHEREAS, funds are needed for the purchase of a senior citizen minivan and as such, a request for a change of use of said funds is necessary;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that it hereby approves the transfer of County grant funds in the amount of \$25,000 from CD1147 Curb Cut Project and hereby changes the use of purchase to a “Senior Citizen Minivan” and as such authorizes the request of said funds from the County of Middlesex.

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

**RESOLUTION NO. 2012-315
RESOLUTION AUTHORIZING AGREEMENT TO PERMIT FENCING
AND LANDSCAPING WITHIN A RIGHT-OF-WAY LOCATED AT
90 TYLER PLACE, OWNER OF THE PROPERTY KNOWN AS TFB TRUCKING, LLC**

WHEREAS, TFB Trucking, LLC is the owner of property known as 90 Tyler Place, South Plainfield, New Jersey, also known as Block 468, Lot 4 on the Tax Map of the Borough; and

WHEREAS, the trucking company had applied to the Borough Zoning Board of adjustment for a use variance and bulk variances from the Borough’s Zoning Ordinance that involves approval of an amended site plan; and

WHEREAS, the Zoning Board granted the requests for variances and approved the amended site plan, but conditioned such approval, in part, on the trucking company obtaining approval from the Mayor and Council for landscaping or fencing in a right-of-way of the municipality located on the property; and

WHEREAS, the Borough has determined that the placement of the fence and landscaping within its right-of-way will not detrimentally affect the property or the purpose for the right-of-way, and has no objection to the placement of same with the understanding that any fencing or landscaping will be removed at the expense of the trucking company if deemed necessary by the Borough;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that permission is granted to TFB Trucking, LLC to place fencing and landscaping in the right-of-way of the Borough on property known as Tyler Place pursuant to the plan submitted to the Zoning Board and reviewed by the Borough Engineer conditioned upon TFB Trucking, LLC agreeing to remove fencing and landscaping at its expense in the event the Borough should deem it necessary in the future.

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

RESOLUTION 12-316

RESOLUTION OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$200,000 PURSUANT TO N.J.S.A. 40A:4-54 TO PROVIDE FUNDS FOR RESPONSE TO THE EXTRAORDINARY EXPENSES RESULTING FROM DAMAGE CAUSED BY SUPER STORM SANDY

WHEREAS, it has been found necessary to make a special emergency appropriation to meet certain expenses incurred or to be incurred as a result of the extraordinary damage to the streets, roads and other public property caused by Super Storm Sandy (the “Recovery”) requiring the appropriation of funds of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey (the “Borough”), in the amount of \$200,000; and

WHEREAS, N.J.S.A 40A:4-54 provides that it shall be lawful to make such appropriation, which appropriation and special emergency notes issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act:

NOW, THEREFORE BE IT RESOLVED (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:

1. Pursuant to N.J.S.A. 40A:4-54, a special emergency appropriation is hereby made in the amount of \$200,000 for the Recovery from Super Storm Sandy. The \$200,000 appropriated herein is sufficient to fund the special emergency.
2. The special emergency appropriation set forth in Section 1 hereof shall be provided for in the budgets of the succeeding years by the inclusion of not less than \$40,000.00 annually in each of the next five years’ succeeding budgets to be expended from the fund balance of said budgets.
3. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on the Notes issued under this resolution.
4. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.
5. This resolution shall take effect immediately

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

RESOLUTION 12-317

AUTHORIZING WAIVER OF A GAMES OF CHANCE PERMIT FEE IN THE AMOUNT OF \$750.00 FOR THE ELKS LODGE NO. 2298 OF SOUTH PLAINFIELD, A CHARITABLE NONPROFIT ORGANIZATION

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

authorization is hereby given to waive the \$750.00 Game of Chance permit fees for the Elks Lodge No. 2298 of South Plainfield, a charitable nonprofit organization.

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

RESOLUTION 12-318

AUTHORIZING REFUND OF \$275 TO GENEVIEVE HELBO-NOVAK OF 115 RAHWAY AVENUE IN SOUTH PLAINFIELD FOR POOL MEMBERSHIP FEE DUE TO CHILD’S MEDICAL CONDITION

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

authorization is hereby given, at the recommendation of Mr. Kevin Hughes, Recreation Director, to refund Genevieve Helbo-Novak of 115 Rahway Avenue in South Plainfield \$275.00 for a family pool membership fee due to a child’s medical condition

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

RESOLUTION 12-319

AUTHORIZING THE WAIVER OF FEES FOR USE OF THE SENIOR CENTER FOR BREAKFAST WITH SANTA ON DECEMBER 8, 2012

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

authorization is hereby given to waive all fees for use of the Senior Center for the annual Breakfast with Santa event to be held on December 8, 2012.

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

RESOLUTION 12-320

AUTHORIZING THE WAIVER OF FIRE PERMIT FEES FOR THE ANNUAL PRE-THANKSGIVING FOOTBALL GAME BONFIRE AT THE HIGH SCHOOL ON WEDNESDAY, NOVEMBER 21, 2012

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

authorization is hereby given to waive all fire permit fees for the annual pre-Thanksgiving Football Game Bonfire at the High School on Wednesday, November 21, 2012

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

RESOLUTION No. 12-321

AUTHORIZING FRIDAY, NOVEMBER 23, 2012 AS AN EMPLOYEE HOLIDAY IN THE BOROUGH OF SOUTH PLAINFIELD IN OBSERVANCE OF THANKSGIVING

WHEREAS, the Mayor and Council of the Borough of South Plainfield have deemed it appropriate to approve an employee holiday on Friday, November 23, 2012 in observance of Thanksgiving; and

WHEREAS, this accommodation is applicable only to Thanksgiving 2012 in appreciation of the hard work exhibited by the Borough's staff;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South Plainfield that the Borough offices will be closed on Friday, November 23, 2012 in observance of the Thanksgiving holiday.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			X				
Councilman Bengivenga		X	X				
Councilman Frank			X				
Councilman McConville	X		X				
Councilman White			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:

- Code Enforcement Monthly Report – October, 2012
- Environmental Commission Monthly Report – October, 2012
- Environmental Commission Minutes – September 12, 2012
- Recycling Monthly Report – October, 2012

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga			x				
Councilman Frank			x				
Councilman McConville		x	x				
Councilman White	x		x				
Council President Rusnak			x				
		VOTE:	6	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 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 **\$748,904.18**

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

- Municipal Clerk
- Glenn Cullen, Chief Financial Officer
- 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. – had no report for this evening.

Administrator Cullen – explained that the leaf schedule is a bit more relaxed at present. Everyone should try to follow the schedule like years past, however, if someone put their leaves out early we will be by to pick them up. Brush collection will continue this week and probably this weekend. Mr. Cullen advised that he recently attended a PARSA meeting in which he learned that the Borough should see a decrease in excess of \$300,000 in sewer rates.

Engineer Miller – briefed the Council on the status of the road improvement projects. Fisher contracting has completed his job and all the speed bumps are in place now. Stilo Excavating has finished all their prep work and should begin paving Sampton Avenue next week. Mr. Miller briefly discussed the status of the stream cleaning and thanked Cappi and his department for all their help. .

Councilman Elect Diana – thanked everyone for all their support. Mr. Diana also thanked the Council for including him in on yesterday's leaf bag collection. Mr. Diana advised that the entire Council was out helping to collect the leaf bags for the town.

Clerk Antonides – had no report for this evening.

Councilman Frank – welcomed CJ to the Council and said he knows he will do a good job for the Borough. With nothing further to add, reported progress.

Councilman Barletta – also welcomed CJ. Mr. Barletta went on to advise that we had two grand opening recently; Sunkissed Tans and Royal Coffee. The downtown area is looking better. Royal Coffee expressed their looking forward to interacting with our community.

Councilman Bengivenga – congratulated CJ and said it was good to bond with him yesterday while picking up the leaf bags around town. Mr. Bengivenga said the Mayor did a great job throughout the whole storm process working 14 hour days over the past two to three weeks. Mr. Bengivenga said he never saw a Mayor work so hard.

Councilman McConville – also congratulated CJ and Rob on both of their election wins. Mr. McConville extended his appreciation to all Public Works employees and Cappi for all their time and effort put into cleaning up after the hurricane. A special thanks to Stilo Excavating for the use of equipment to help us manage this clean-up effort. Mr. McConville noted that the Council was out six to eight hours on Sunday picking up leaf bags and when we called CJ to see if he would like to join us, he was readily available to help. Mr. McConville thanked CJ for joining the rest of the Council to assist with the clean-up. Mr. McConville concluded by reminding all residents to bag their leaves. Do not put leaves to the curb unbagged.

Councilman White – thanked the Council for their support this evening on the purchase of a senior citizen minivan. Mr. White advised that this past Sunday was the 120th celebration at the First Baptist Church. It was a very nice event. Boy Scouts were busy with a flag retirement event. On another note, the High School football team played very hard. Though they lost their recent game, they have come a long way in a short time and we are very proud of them. The Junior Pop Warner Cheerleaders will be heading to Disney for a national level competition. To conclude, Mr. White welcomed CJ.

Council President Rusnak – advised that one of the problems that we have been encountering during the storm clean-up is that professional landscapers have been leaving material out at the curb instead of taking it away themselves as they normally should. Mr. Rusnak warned residents to make sure their landscapers are not charging them for hauling away their debris. Mr. Rusnak congratulated CJ. To conclude, Mr. Rusnak reminded everyone that the 4th quarter grace period for taxes was extended until November 16th.

Mayor Anesh – welcomed CJ to Council. Mayor Anesh said he has been happy to help supplement the great job the DPW and Cappi do by having all the members of Council assist in the clean-up of the leaf bags. Mayor Anesh advised that at the grand opening for Royal Coffee, the owner turned the event into a fund raiser for Hurricane Sandy relief in which their headquarters said they would match any money raised for this purpose. To conclude Mayor Anesh said there are a countless number of employees to thank for all their help during and after the storm and looks forward to getting back to normalcy.

COMMENTS FROM THE PUBLIC:

Mr. Lester Bergen of 1811 Hamilton Blvd. asked when to put the leaves out; based on the schedule or anytime? Mayor Anesh advised that it is ok to put the leaves out early and that we will collect them, however, when possible, try to follow the schedule. Mr. Bergen asked if anyone has heard how Frank Mikorski is doing. Mr. Rusnak said that unfortunately, not very well.

Ms. Debbie Boyle of Van Fleet, briefed the Council on the status of Royal Coffee's hurricane relief. Ms. Boyle went on to thank everyone for all their work and effort with the storm clean-up. To conclude, Ms. Boyle advised that the Business Association Holiday Breakfast will be on December 20th.

Mr. John Abbruzzese said that as the AFSCME representative he wanted to thank the Council for approving Ordinance #1969 tonight. Mr. Abbruzzese said he feels the outcome to be fair and equitable for both the Borough and the employees.

With no further comments from the public, Mayor Anesh closed the floor. At this time, 7:55 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

Without further comment, Mayor Anesh called for a motion to adjourn. Councilman White made a motion to adjourn at 8:20 p.m., seconded by Council President Rusnak and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk