

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
JUNE 10, 2013, 7:11 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:11 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 Diana	x		
Councilman McConville	x		
Councilman White	x		
Council President Rusnak	x		
Mayor Anesh	x		
ALSO PRESENT			
Administrator Cullen	x		
Clerk Antonides	x		
Attorney Rizzo	x		
Engineer Miller		x	

Flag Salute: was led by Mayor Anesh and Reverend Mingle led the invocation.

NOTE: At this time, the recording device that is used during the meeting temporarily malfunctioned for approximately ten minutes. The Municipal Clerk was able to repair the issue and resume the recording of the meeting.

Presentation: Commendation to Firefighter Michael Pellegrino – Mayor Anesh read the proclamation in full honoring Michael Pellegrino for his act of heroism.

Proclamation

**Honoring Firefighter Michael Pellegrino
For Act of Bravery and Heroism**

WHEREAS, this Governing Body is of the opinion that selfless acts of courage should be officially recognized; and

WHEREAS, Firefighter Michael Pellegrino of the Volunteer Fire Department of the Borough of South Plainfield did perform an act of courage on March 11, 2013 when responding to commotion taking place in the 200 block of Maple Avenue; and

WHEREAS, upon arrival, Firefighter Pellegrino did ascertain that an animal was attacking both a small child and the child's grandmother and thus immediately intervened recognizing that the animal was a pit bull that had the arm of a small boy firmly within its jaws; and

WHEREAS, Firefighter Pellegrino placed himself between the animal and the boy as the child's grandfather arrived at the scene and started to assist in prying the dog away in which Firefighter Pellegrino became successful in removing the young boy's arm from the dogs mouth thus scooping up the child and running him into the house.

WHEREAS, this act of heroism was performed in an attempt to save human life, and in this case, though the child did suffer a deep laceration to the arm as a result of the severe bite, he is expected to make a complete recovery; and

WHEREASE, Fire Chief Thomas Scalera, has recommended a commendation for Firefighter Michael Pellegrino;

NOW, THEREFORE BE IT RESOLVED, that this Mayor and Council of the Borough of South Plainfield hereby officially recognize and commend Firefighter Michael Pellegrino for his unselfish acts above the call of duty which reflect great credit on himself, the Volunteer Fire Department and the community which Firefighter Pellegrino serves. He has acted in a fashion that brings honor to the Fire Department and the community as a whole.

Michael Pellegrino was asked to come forward to receive his proclamation. Everyone extended a round of applause and photographs were taken by the media.

Each member of the Borough Council congratulated and thanked Michael Pellegrino for his act of heroism saying that they are unsure if anyone else would have stepped in to do what he did.

Proclamation: Small Business Week - Mayor Anesh read the proclamation in full and presented it to representatives of the Economic Development Committee. Everyone extended a round of applause and photographs were taken by the media.

Mayor Anesh called for a brief recess at 7:30 p.m.
 Mayor Anesh called the meeting back to order at 7:35 p.m.

Approve Council Minutes:

May 20, 2013 - Agenda
 May 20, 2013 – Public

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

May 20, 2013 – Executive

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

Public Comment For Agenda Items Only:

Mayor Anesh opened the floor for public comment.

Mrs. Donna Bryan, thanked the Governing Body for their support in opposing the closing of the Woodbridge Development Center. These individuals are profoundly disabled that require 24-7 care. It is appreciated that the Council support this opposition for our most fragile of citizens who cannot speak for themselves.

Debbie Boyle of Van Fleet asked if petitions can be submitted along with the resolution opposing the closing of the developmental center. Clerk Antonides said yes, that she would be happy to submit them along with the resolution.

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

ORDINANCE – FIRST READING BY TITLE – was read by Clerk Antonides advising that the public hearing is set for June 24, 2013 at approximately 7:00 p.m. for the following two ordinances:

ORDINANCE No. 1989
AN ORDINANCE AMENDING SALARY ORDINANCE # 1936
ENTITLED AN ORDINANCE PROVIDING FOR THE COMPENSATION
OF VARIOUS BOROUGH EMPLOYEES AND THE METHOD OF
PAYMENT OF SAID COMPENSATION. – for Senior Center Leader

WHEREAS, the Salary Ordinance of the Borough of South Plainfield confirms the titles of officers and employees of the Borough and establishes their respective compensation, and the Ordinance remains in effect until amended or superseded; and

WHEREAS, Borough Council wishes to amend Salary Ordinance #1936 to include a full time position of Recreation Leader – Senior Center;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of South Plainfield as follows:

SECTION 1. The aforesaid Salary Ordinance is hereby amended and supplemented as follows:

- A. The ordinance is amended to include the Full Time position of “Recreation Leader, Senior Center” with an annual salary range of \$28,000 to \$34,000

SECTION 2. INCONSISTENCY – All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency.

SECTION 3. EFFECTIVE DATE: This Ordinance shall become effective and operative ten days after publication thereof after final passage.

Introduction of Ordinance #1989: June 10, 2013

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

ORDINANCE 1990

AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE ZONING ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD SPECIFICALLY TO UPDATE THE CONDITIONAL USE ZONING PROVISIONS FOR AUTOMOTIVE GASOLINE STATIONS, AUTOMOTIVE REPAIR SHOPS AND AUTOMOTIVE GASOLINE STATION MINI-MARTS

WHEREAS, the Borough of South Plainfield Zoning Board of Adjustment 2012 Annual Report made a finding that the provisions in Article X of the South Plainfield Zoning Ordinance for “filling stations and public garages is outdated and need to be updated.”

WHEREAS, most automotive gasoline stations are now typically constructed with a mini-mart or convenience store or are modernized to add retail sales of snacks, beverages, food and other sundry items.

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey as follows:

Section One

Article II (Definitions) is hereby amended and supplemented to add the following definitions:

“AUTOMOTIVE GASOLINE STATION shall mean any establishment servicing motor vehicles with fuel, but not including repairs, changing of tires, or any other replacement of essential or accessory parts. Automotive gasoline stations may service automobiles by adding oil, windshield washer fluid, or similar fluids, but shall not provide any services which require bays or lifts, such as oil changes or lubrication of chassis.

AUTOMOTIVE GASOLINE STATION MINI-MART shall mean an automotive gasoline station which has, on the same site a retail store selling convenience household items such as prepackaged food items, ice cream, baked goods, beverages, paper products, and similar items geared for the use and convenience of the motorists utilizing the gasoline pumps. It is the intent that a convenience store provides convenience items to the motoring public which will generally be utilized or consumed at a separate destination, and not on site, though tables and chairs may be provided for incidental use by customers upon approval by the Board with proper jurisdiction over the site plan application..

AUTOMOTIVE SERVICE STATION shall mean any establishment, whether or not serving gasoline, serving motor vehicles with vehicle maintenance not requiring extensive or prolonged mechanical work (for the purposes of this ordinance, extensive or prolonged mechanical work shall mean work which requires a vehicle to be on the site for a period of more than 30 days) before completion. Service work offered shall be limited to: oil changes; lubrication; tune-ups; minor engine or drive train repairs; installation of tires, batteries, and accessories; wheel balancing and alignment; and the replacement of mechanical parts such as hoses, spark plugs, ignition wiring, brakes, alternators, water pumps and similar parts not requiring extensive repairs. Repair facilities which provide repairs and service to any large trucks or equipment such as semi-tractors, or heavy grading equipment shall not be considered automotive service stations. Repair facilities which provide automotive body or collision repairs shall not be considered automotive service stations.”

Section Two

Article II (Definitions) is hereby amended to delete Definition # 27 “Garage, Public”.

Section Three

Section 1001 (Service Stations and Public Garages) is hereby amended and supplemented to delete Section 1001 in its entirety and the following inserted in its place:

Section 1001

Automotive Gasoline Station; Automotive Service Station; Automotive Gasoline Station Minimart

A. Automotive Gasoline Stations, Automotive Service Stations, and Automotive Gasoline Station Mini-Mart shall only be permitted when authorized as a conditional use by the Planning Board in accordance with the following standards:

1. Automotive Gasoline Stations and Automotive Gasoline Service Stations shall be a permitted conditional use only in the OBC-1, 2, and 3 zones.
2. Automotive Gasoline Station Mini-Marts shall be permitted as a conditional use in compliance with the following standards:
 - a. An Automotive Gasoline Station Mini-Mart shall have frontage on Durham Road or on Stelton Road;
 - b. The property boundary of the parcel to be developed or redeveloped for an automotive gasoline station mini-mart shall be within one thousand (1,000) linear feet of the intersection of an entrance or exit ramp of the interchange of Route 287 with a county or Borough roadway.
 - c. An Automotive Gasoline Station Mini-Mart may not be located in a zone district which allows residential uses.
3. Lot Area, Frontage and Coverage Requirements

Minimum lot area, lot frontage and lot coverage shall be as follows:

	Minimum Lot Size	Minimum Lot Frontage	Maximum Building Coverage
Automotive Gasoline Station	30,000 sq ft	150 feet	10% Buildings; 30% Building & Canopy
Automotive Service Station	40,000 sq ft	200 feet	10% Buildings; 30% Building & Canopy
Automotive Gasoline Station Mini-Mart	65,000 sq ft	300 feet	10% Buildings; 25% Building & Canopy

4. Permitted Accessory Uses for Automotive Gasoline Stations and Automotive Service Stations: The retail sale of pre-packaged food, beverages and other non-automotive related items, including vending machines, is limited to a maximum floor area of two hundred (200) square feet of display area.

B. Zoning standards for an Automotive Gasoline Station Mini-Mart.

The following zoning standards shall apply to an Automotive Gasoline Station, Automotive Service Station and Automotive Gasoline Station Mini-Mart. A variation or deviation from the zoning standards in this subsection shall be addressed by the Board of proper jurisdiction as a bulk variance.

1. Off-street Parking.

a. Off-street parking for automotive gasoline station mini-mart: Parking shall be provided onsite for the retail use at one (1) space per two hundred (200) square feet of retail space and one space for each employee on maximum shift; pump locations are not counted as parking spaces.

b. Off-street Parking for Automotive Service Stations: There shall be four (4) parking spaces for each repair bay plus one (1) space for each employee on maximum shift. In addition, on-site parking shall be provided for any accessory retail use as permitted in §1001.A.4 at one (1) space per two hundred (200) square feet of retail space

c. Off-street parking of Automotive Gasoline Stations: There shall be one (1) parking space plus one space for each employee on maximum shift. In addition, on-site parking shall be provided for any accessory retail use as permitted in §1001.A.4 at one (1) space per two hundred (200) square feet of retail space

2. Landscaping. For an Automotive Gasoline Station, Automotive Service Station and Automotive Gasoline Station Mini-Mart site there shall be provided a minimum five-foot wide curbed and landscaped area in the front yard of all site pavement areas. The width of the landscaped area shall be measured from the street property line to the interior curb. All areas of the site that are not paved or on which a building is located shall be landscaped.

3. Outdoor display. Outdoor display of products for sale or rental, including convenience household, beverages and food items at a mini-mart shall not be permitted.

4. Canopies. A cantilevered cover or canopy may be permitted to within 25 feet of the front property line. The canopy shall comply with the maximum height requirement and the required minimum side and rear yard setbacks of the applicable zone district. Any kiosk located beneath a canopy shall be located no closer than fifty (50) feet from any front property line.

5. Curb Cuts and Driveways.

- a. On a corner lot, a driveway shall be at least twenty-five (25) feet from the street intersection as measured along the property line.
- b. Driveways shall be no less than twenty-five (25) feet and no more than thirty-five (35) feet wide. The driveway shall be flared or slanted at the curb line to facilitate auto ingress and egress.
- c. Curb cuts shall be no less than twenty-five (25) feet from any property line. Where County or State standards apply, the stricter standard shall prevail.
- d. Any two driveways giving access to a single street shall be separated by a curbed island of at least twenty (20) feet.
- e. There shall not be more than two curb cuts providing access to any one street.

6. Signs.

- a. Automotive Gasoline Stations and Automotive Service Stations. The requirements of Section 801 (Signs) of the Zoning Ordinance shall apply to an automotive gasoline station and an automotive service station. Canopy Signs shall be permitted on up to two (2) sides of a canopy, for the purpose of advertising the name of the business only, provided that the sign does not occupy more than one-quarter (1 / 4) of the length of the face of the canopy on which it is located and does not extend above or below the face of the canopy.
- b. Automotive Gasoline Station Mini-Marts.
 - (1) One (1) free-standing site identification sign. The maximum sign area shall not exceed eighty (80) square feet;
 - (2) The maximum height of the free-standing site identification sign shall not exceed 15 feet;
 - (3) The minimum setback of the free-standing sign from the property line shall comply with Section 801 (Signs) of the Zoning Ordinance;
 - (4) Façade and building-mounted signs shall comply with Section 801 (Signs) of the Zoning Ordinance.
 - (5) Canopy Signs. Signs shall be permitted on up to two (2) sides of a canopy, for the purpose of advertising the name of the business only, provided that the sign does not occupy more than one-quarter (1 / 4) of the length of the face of the canopy on which it is located and does not extend above or below the face of the canopy.

7. Lighting. All lighting shall be so designed, arranged and installed as to reflect all light down and away from adjoining properties and streets and highways. No string of multiple lights shall be permitted. Lighting under a canopy shall be recessed and directed downward. The proposed development shall comply with all Borough lighting standards.

8. Pavement. All parking, access and driveway areas shall be paved with a permanent surface such as concrete or macadam in accordance with zoning standards and requirements.

9. Location of Pumps. All pump islands shall be a minimum of twenty-five (25) feet from any property line.

10. All lifts, lubrication equipment, service pits and automotive related goods for sale shall be enclosed within the principal site station building.

11. The rental or exchange of twenty-pound or less propane gas cylinders, such as those used for outdoor cooking appliances, is a permitted accessory use for Automotive Gasoline Stations, Automotive Service Stations and Automotive Gasoline Station Mini-marts subject to the following standards:

- a. The storage area for propane gas cylinders shall be fenced and shall meet the requirements of NFPA Section 58 as interpreted by the Fire Subcode Official and the Fire Official of the appropriate district. Bollards shall be installed to protect the storage cabinets, tanks and equipment from vehicular impact.
- b. The storage area for propane gas cylinders shall comply with all minimum setback requirements of the applicable zone district.
- c. The storage area for propane gas cylinders shall be located within the front yard of any lot and shall be a minimum distance of 50 feet from any street right-of-way line.
- d. Storage cabinets shall be appropriately screened with fencing, walls, or vegetation. With the exception of brick or masonry walls, screening plantings and fences shall not be located closer than 5 feet from propane cylinder storage cabinets.
- e. Filling of propane gas cylinders from an on-site propane tank shall not be permitted.

12. Trash and Garbage. A solid waste enclosure area shall be provided for the temporary storage of trash, garbage, tires, and unusable automotive parts. Except for tires, all trash shall be stored in tight containers. The enclosed area shall be so designed that the trash shall not be seen from a public street or from adjoining properties. Adequate trash receptacles shall be provided adjacent to parking areas for Automotive Gasoline Station Mini-marts.

13. Screening. The site shall be screened by a minimum six (6) feet high solid evergreen planting or combination of solid evergreen planting and fence on all sides except within the required front yard setback. Such screening shall not extend into the required sight triangle for any access drive.

C. Prohibited Activities and Uses.

1. The sale or rental of cars, trucks, trailers, boats or any other vehicles on the premises of an automotive gasoline or automotive site station shall be prohibited.
2. The storage of cars, trucks, trailers, boats or any other vehicle not being serviced or repaired on the premises of an automotive gasoline station or automotive site station shall be prohibited.
3. Storage of any vehicle requiring body work, or which is inoperable because of major repairs required, shall not be permitted.
4. The storage of inoperable vehicles, classified as junk cars or those not currently registered with the State of New Jersey shall not be permitted.
5. Drive-thru windows shall not be permitted in an Automotive Gasoline Station Mini-Mart.”

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

Introduction of Ordinance #1990: June 10, 2013

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

BUDGET RESOLUTIONS

#13-180 Authorizing the adoption of an amendment of the 2013 Municipal Budget

Councilman Diana said that he has made his position very clear on his concerns for how we borrow and spend with bonding and tax appeals. He said he fears some financial com-upping’s in the form of tax appeals and interest on bonds that may not be such a problem at this point but could be down the road from now. Councilman Diana said in his review of the budget he has seen the budget since 2009 go up some \$2 million borrowing consistently around \$1.3 million per year. Borrowing from surplus, borrowing from sewer. It becomes a concern at some point – meaning do we look good here in 2013 but will we find ourselves in a fiscal jam later on. Could that be avoided if we are more prudent? Councilman Diana said he cannot support the budget for these reasons.

Mayor Anesh explained that when you look at a budget with a \$19.00 increase for the year, and then you look at the state of the economy and the State of New Jersey with a declining ratable base that we have had. We have heard of the issues with Tax Appeals and we have dealt with them. As far as borrowing, you can check with our Chief Financial Officer, borrowing has been down each year, probably for the past three to four years. So a borrowing problem, Mayor Anesh said no, he doesn’t think so and apparently S&P doesn’t think so either as they have confirmed our spending is lower this year than it was last year. Mayor Anesh said in his household it is considered a good thing to spend less in the present year than the year before and is on the right trajectory. As far as tax appeals go, you can look historically and see that tax appeals were not even budgeted for. This administration budgets for them in the last several years. Mayor Anesh said you don’t have to take it from him, just ask our Chief Financial Officer. We also have added and omitted on the tax rolls which were historically how this Borough dealt with the tax appeals. We are not relying solely on what was thought to be tried and true from former Mayors, Administrators and CFO’s of not this party, but parties before us. We are doing that and more as evidenced by the fact that we budget for our tax appeals. The environment is getting better. Spending and borrowing are going down. We are looking at a very minor increase. The only reason there is an increase at all is become certain ratables are down. By every measure imaginable the Borough is doing a fantastic job. Mayor Anesh said you don’t have to take that from him, but you can take a look at the S&P. This is about as good as budgets get especially when you look at an increase from the County, the State and the local schools.

Council President Rusnak advised of the serious of events that lead us to today’s budget hearing. The April 15th introduced budget called for a modest increase in the budget. Since then, we have had meetings with the Department Heads on May 8th and 9th of which has led to the amendment resolution on tonight’s agenda (#13-180).. Council President Rusnak discussed some of the highlights of the proposed 2013 Budget. Spending has been reduced by \$125,575.00 *LESS* (emphasis was added) than it was in 2012. The overall amount to be raised by taxes is \$1,461.00 *LESS* (emphasis was added) than it was in 2012. Since the April 15th introduction of the budget, we have cut an additional \$185,000.00 in spending. Revenue enhancements of approximately \$95,000.00 have been identified. The municipal portion of taxes is still \$79.00 *LESS* (emphasis was added) per home than it was in 2009. Taxes are lower than they were in 2009 despite \$27,647,000.00 reduction in the ratable base. There was a lot of sweat equity and hard work that went into this budget and I want to tip my hat off to Glenn Cullen, Councilmen Bengivenga and Barletta.

Council President Rusnak reminded the audience that about a year ago he was meeting with the board of

education asking for then to consider giving back their fair share of their budget to offset the tax appeals. It got a little heated there for a while but Council President Rusnak said he was looking out for the tax payers with his request. This year, he was invited, along with Glenn Cullen, to meet with their finance committee to review their budget to tell us how they got to where they are. Overall Mr. Cullen and I were not too happy with what we saw as far as the school budget is concerned but there is nothing we can do about that. They were kind enough to at least invite us and open up communications. At the end of that meeting Council President Rusnak asked again if they considered our request of them to pay their fair share of the tax appeals. Whereas they were not willing to send money back to the Borough in this regard for their portion of the tax appeals, they did however, agree to cut their budget by \$159,000.00. They said they could not give us that money to support our budget but were willing to cut theirs to compensate for the tax appeals. That in turn, will benefit our taxpayers in that they will now pay less than they originally were going to. If they were to include that money in their budget, our portion would have been \$5.86 for the year. Council President Rusnak commended Debbie Boyle for spear heading this. So even though you are not seeing this benefit directly from our budget, it will still be a realized savings to the tax payer which is what is most important. For all those involved in this budget, thank you. You all did a tremendous job.

Councilman Diana said he did receive some documents from our CFO that he was able to look at and form his own opinion. They were from 2009 to 2012. Councilman Diana reiterated his driving factor for of voting no on the budget this evening. Councilman Diana said the Mayor's argument regarding the S&P he feels that American Express would gladly give him a credit to use on his card but it certainly doesn't mean he should spend that money. We are all in it for South Plainfield and we have a difference of opinion here tonight. We are trying to move the Borough forward but we just don't see eye to eye.

Mayor Anesh said that not that he is in the habit of defending S&P but they have come under some scrutiny over the years and one of the things they have been doing is looking at the financial records of companies and municipalities a heck of a lot harder than they ever did. Regarding this scenario with American Express, try missing a couple payments on your credit card bill and call them up and see if they will extend your credit, it is not likely they will. Your credit and your financial position does have an impact. Try telling American Express or your bank that you lost your job or your salary is a 1/3 of what it was and see if they will increase your credit line. Again, it is not likely they will. Instead of this type of hypothetical with a credit card company, Mayor Anesh said he wished that Councilman Diana would have taken the time to speak to our Council President and actually get involved with the budget process. Speaking of that, Mayor Anesh said that Councilman Diana did not ask any questions. He got some documents, he looked at them, maybe he had some help looking at them and formulated some opinion. Mayor Anesh said Councilman Diana didn't ask him any questions, didn't ask the Council President any questions and didn't ask the CFO any questions. Maybe Councilman Diana formed opinions and maybe he looked at some documents, but they were kept to himself until 7:59 p.m. this evening on the eve we are about to adopt probably one of the most important of things we do as Councilmen. The other thing, Councilman Diana used 2009 as his starting point. Ironically during 2009-2010 Mayor Anesh said he constantly brought this issue up while sitting in the audience. Mayor Anesh asked Councilman Diana if he remembers what happened in 2009. In 2009 we switched from a fiscal year to a calendar year. We essentially had a 6 month transitional budget. Do you know what the Mayor and Council did on that 6 month transitional budget? They used a full 12 months of State Aid and crammed it into a 6 month budget and then three years later we are asking where is the surplus. Where was the fiscal responsibility in 2009? You took a full year of State Aid and spent it in six months! (*emphasis was added*) You did not look out into the future and ask where is the Borough going to be in a year from now or in two or three years from now. Mayor Anesh said do not, and repeated do not, use 2009 as your starting point to determine if the Borough is on the right track of fiscal responsibility when that is the worst year you could possibly look at in recent memory to make sure the residents of this Borough are on the right path. That we will never agree on (*emphasis was added*).

Councilman Diana said he is not going to sit here and try to defend the actions of a former Mayor and Council as in 2009 he was fresh out of college starting a new job. Mayor Anesh said that is fine. Time is what will judge the fiscal responsibility of our Borough and in 2009 there was no fiscal responsibility.

Councilman Barletta said that he concurs with both Mayor Anesh and Council President Rusnak and wants to thank all those who worked so hard to help put this budget together. Particularly Council President Rusnak and CFO Glenn Cullen did an outstanding job.

Councilman Bengivenga said he has sat on Council for about 7 years and has learned to ask questions. Councilman Bengivenga suggested that Councilman Diana get answers to his questions first before forming his opinions.

Councilman White said to bring a practical example as to what happens with our budget, look at our homes. Councilman White said he has a mortgage; he refinances that mortgage to get a lower rate. He didn't have the full amount of money to pay for a house outright, but will not throw money away and rent. He choose to borrow because he has a good credit rating. He refinanced and obtained a lower interest rate and has made significant payments on it to pay it off as soon as possible. That is being fiscally responsible. So you can borrow and be fiscally responsible.

Mayor Anesh said put aside the real world theories. It is finance 101. When you have an asset that is going to last five to ten or more years it is not taboo to borrow it to spread it out over the life of the asset. It is actually sound financial policy. Borrowing is not a bad word when you are fiscally responsible. There are some very critical things purchased with borrowed money i.e. police vehicles. If you are here tonight saying you do not want to borrow for those police cars then that leaves only two options; increase this budget more and instead of going up only \$19.00 it will be higher. So either you are against the items to be borrowed or you are against borrowing. There are very important things that are purchased through borrowing to run the municipal operations. By not borrowing you are not going to see this budget go down, but you will see it go up.

Mayor Anesh opened the floor for public comment. There were no comments from the public.

At this time, Mayor Anesh asked Clerk Antonides to call the roll to adopt the budget amendment.

Adoption of budget amendment resolution #13-1980: June 10, 2013

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga			x				
Councilman Diana				x			
Councilman McConville			x				
Councilman White	x		x				
Council President Rusnak		x	x				
		VOTE:	5	1			
Mayor Anesh – TIE ONLY							

**RESOLUTION 2013-197
AUTHORIZING THE ADOPTION OF THE 2013 MUNICIPAL BUDGET**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it hereby approves and confirms the adoption of the 2013 Municipal Budget in the amount of \$26,815,202.20.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta		x	x				
Councilman Bengivenga			x				
Councilman Diana				x			
Councilman McConville			x				
Councilman White	x		x				
Council President Rusnak			x				
		VOTE:	5	1			
Mayor Anesh – TIE ONLY							

RESOLUTIONS:

RESOLUTION 2013-198

**OPPOSING THE TASK FORCE ON THE CLOSURE OF STATE DEVELOPMENTAL CENTERS
RECOMMENDATION THAT THE WOODBRIDGE DEVELOPMENTAL CENTER BE SHUT DOWN BY
2017**

WHEREAS, in an effort to reduce New Jersey’s reliance on institutional care, the Task Force on the Closure of State Developmental Centers was created by the State Legislature and charged with reviewing certain criteria of each of the state-operated facilities including but not limited to the local economic impact of losing a center; the ability of a community to provide or develop services for those leaving who wanted to leave or didn’t oppose moving outside the region; the state’s ability to maintain operations, and projected repair and maintenance of each center; and

WHEREAS, among the seven state-operated facilities for this purpose is the Woodbridge Development Center (hereafter referred to as WDC), a residential facility, established in 1965 for persons with developmental disabilities and located on 68-acres in the Avenel section of Woodbridge Township; and

WHEREAS, in July (2012), the Task Force recommended WDC (and North Jersey Developmental Center in Passaic County to be shuttered by 2017; and

WHEREAS, while indicating that no one piece of information or experience was a determining factor in which of the seven state-operated facilities would be recommended for closure, there are other factors that should have been considered before making their decision. These factors include the rights (federal laws requires government to meet the needs of the individual) of the clients at WDC to have treating professionals make judgments about how their needs are best met and that transferring clients from long-term institutional care to community housing has its own set of problems including higher rates of mortality and an increased likelihood of abuse in a community; and

WHEREAS, Governing Body of the Borough of South Plainfield, in the County of Middlesex, is deeply concerned by not only the recommendation by the Task Force to displace WDC clients but the wide-reaching economic effect with the loss of approximately 1,600 jobs.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of South Plainfield do hereby express their disagreement with the finds and conclusion of the Task Force on the Closure of Development Centers and oppose the closing of the WDC as it is a vital and valuable resource that should be kept in operation for the benefit of its clients and employees; and

BE IT FURTHER RESOLVED by the Governing Body of the Borough of South Plainfield that certified copies of this Resolution be forwarded to the 18th District Honorable Governor Chris Christie, Honorable Senator Barbara Buono, Honorable Assemblyman Peter J. Barnes III, and Honorable Assemblyman Patrick J. Diegnan Jr.

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

RESOLUTION 2013-199
AUTHORIZING AWARD OF BID TO NEUMANN CONSTRUCTION FOR HOUSING
REHABILITATION PROJECT FOR CIANCITTO OF 136 BAKER AVENUE IN AN
AMOUNT NOT TO EXCEED \$11,025.00

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

Authorization is hereby given award a contract to Neumann Construction for housing rehabilitation project for Ciancitto of 136 Baker Avenue of in an amount not to exceed \$11,025.00

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

RESOLUTION 2013-200
ACCEPTING THE RESIGNATION OF SUE GOULET FROM THE
LIBRARY BOARD OF TRUSTEES

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

It hereby accepts the resignation of Ms. Sue Goulet from the appointed position of Library Board Trustee effective June 10, 2013.

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

1. Darlene Cullen, Library Board President
2. Linda Hansen, Library Director
3. Amy Antonides, Municipal Clerk

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

RESOLUTION # 13-201
ACKNOWLEDGING MAYOR’S APPOINTMENTS OF ROBERT RICHKUS TO THE PLANNING
BOARD AS ALTERNATE I TO FILL THE UNEXPIRED TERM OF ANTHONY CATALDO (12/31/14)
AND PROMOTING JOE WOLAK FROM ALTERNATE I TO A FULL CLASS IV MEMBER

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT IT HEREBY ACKNOWLEDGES THE MAYOR’S APPOINTMENTS AS FOLLOWS:

- **Robert Richkus** – Planning Board Alternate I Member to fill the unexpired term of Anthony Cataldo of 12/31/2014.
- Promoting **Joe Wolak** from Alternate I to a full Class IV member with existing expiration date of 12/31/2013.

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

1. Amy Antonides, Municipal Clerk
2. Planning Board

**RESOLUTION 13-202
AUTHORIZING THE PURCHASE OF CARPETING FOR THE POLICE DEPARTMENT FROM
FLOORING AMERICA
IN AN AMOUNT NOT TO EXCEED \$13,879.58**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes a the purchase of carpeting for the Police Department from Flooring America of 6051 Hadley Road in South Plainfield, NJ in an amount not to exceed \$13,879.58.

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. James Parker, Police Chief

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

**RESOLUTION 2013-203
AUTHORIZING THE HIRING OF JOSEPH SKWIAT AS A PART-TIME GROUNDSKEEPER AT THE
RECYCLING COMPLEX FOR AN HOURLY RATE OF \$11.59
WITH AN EFFECTIVE DATE OF JUNE 11, 2013**

WHEREAS, a need exists to supplement the workforce of the Recycling Center; and

WHEREAS, Mr. Joseph Skwiat of 210 Schillaci Lane of South Plainfield, NJ has been interviewed and it is the recommendation of both the Recycling Coordinator and Borough Administrator to hire him, and

NOW THEREFORE BE IT RESOLVED by the South Plainfield Borough Council that Joseph Skwiat is hereby hired as a part-time Groundskeeper for the Recycling Center at an hourly rate of \$11.59 (no benefits) with an effective date of June 11, 2013.

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

1. Municipal Clerk
2. Alice Temple, Recycling Coordinator
3. Marie Dudek, Payroll

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

**RESOLUTION 13-205
AUTHORIZING THE HIRING OF 2013 SEASONAL HELP FOR THE SOUTH PLAINFIELD
RECREATION DEPARTMENT – PARKS PERSONNEL**

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of the Director of Recreation, authorization is hereby given for employing the following people for seasonal work at the South Plainfield Recreation Department. Dates of hire are June 24, 2013 to July 26, 2013:

Head Counselor(Teacher Cert. req) 22.43/hr

Megan Boyle
Lyndsey Murtagh
John Padavano
Frank Wrublewski

Senior Counselor II 12.34

Aimee Maiorino
Tim Moskal
Alyssa Sutherland
Jayme Bishop
Christina Monticchio
Nichole Wrublewski

Senior Counselor 10.09/hr

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Junior Counselor III 8.97/hr.

Junior Counselor II 8.41/hr.

Ryan Temple
Dylan Dorey
Moriah Garcia

Junior Counselor I 8.02/hr

Jared Aronowitz
Lyndsay Celentano
Rebecca Moskal
Naomi Nieves
Jacob Rotella
Taylor Brinks
Nicole Bythell

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

**RESOLUTION 13-206
AUTHORIZING THE HIRING OF 2013 ADDITIONAL
COMMUNITY POOL PERSONNEL**

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of the Director of Recreation, authorization is hereby given for employing the following people for seasonal work at the South Plainfield Community Pool. Dates of hire are May 204, 2013 to September 2, 2013:

Lifeguard I 9.82/hr

Christopher Kuberiet

Bryce Uzzolino

Concession I 8.49/hr.

Haley Hlavka

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

**RESOLUTION 2013-207
AUTHORIZING A 30 DAY EXTENSION OF EXISTING CONTRACT FOR STREET SWEEPING
SERVICES WITH STILO PAVING & EXCAVATING**

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for Stilo Paving and Excavating and the Borough of South Plainfield to extend their existing street sweeping contract by 30 days in order to prepare and bid out for a new contract term.

BE IT FURTHER RESOLVED that the Clerk has authorization to advertise for said bid and that copies of this Resolution shall be forwarded as follows:

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

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

RESOLUTION 2013-208
AUTHORIZING T&M ASSOCIATES TO PREPARE AS WELL AS TO ADMINISTER BIDS FOR STREET SWEEPING SERVICES FOR THE BOROUGH OF SOUTH PLAINFIELD

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates to prepare as well as to administer bids for Street Sweeping Services for the Borough of South Plainfield.

BE IT FURTHER RESOLVED that the Clerk has authorization to advertise for said bid and that copies of this Resolution shall be forwarded as follows:

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

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

ACCEPTANCE OF CORRESPONDENCE

- Recycling Monthly Report – April, 2013
- Environmental Commission Minutes – April 10, 2013
- Board of Adjustment Minutes – April 16, 2013
- PARSA Minutes – May 2, 2013
- Code Enforcement Monthly Report – May, 2013

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

**SOUTH PLAINFIELD BOROUGH
APPROVAL OF BILLS AND CLAIMS**

Current Fund	2-01	3,392.45
Current Fund	3-01	409,553.98
Pool Utility	2-26	0.00
Pool Utility	3-26	11,476.68
Sewer Utility	2-07	0.00
Sewer Utility	3-07	39,855.92
Sewer Utility Capital	C-08	0.00
General Capital	C-04	83,687.77
Election Account	E-18	14,575.00
Grant Fund	G-02	18,025.21
Dog Trust	T-12	3,892.73
Treasurers Trust	T-13	16,705.88
Recreation Trust	T-14	7,066.93
TOTAL ALL FUNDS		\$608,232.58

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo, Esq. – gave a brief update on the status of some recent memorandums received from the State regarding the COAH program and monies that are already committed to COAH projects. The bottom line is it appears we are back to square one.

Administrator Cullen – advised that we are due to renew our contract with our COAH Administrator; AHA which we will be doing at our next council meeting. Mr. Cullen also reported that it has been brought to his attention that the high school has an urgent need to repair their gymnasium floor due to water damage and is requesting for us to waive permit fees in this regard. After brief discussion, Council President Rusnak said that in light of the fact that they showed cooperation with us regarding the decrease of their budget for tax appeals he would be inclined to return the favor and agree. The rest of the Council also agreed. Mr. Cullen said we will put a resolution on the next agenda to waive said permit fees.

Engineer Miller – was absent this evening.

Clerk Antonides – advised that today she received and distributed the 2012 Audit of which is posted both by Summary and in full on the Borough’s website. July 15th is the date slated for the signing of the Group Affidavit and the Corrective Action plan to appear on the Council’s agenda.

Councilman Diana – reported that he attended the grand opening for My World Child Care Center on Sunday. It is a diverse group moving into South Plainfield. Councilman Diana complemented Progressive saying it is nice to have something that is not so terrible to look at from 287. To conclude Councilman Diana said at risk of exceeding our daily limit of fun at a Council meeting he was just wondering who would like to draft a resolution in opposition of the special senatorial elections. Is that something the Council would like him to put together as we have made our position known regarding elections and the amount of money that is spent on them and cannot in any way shape or form wrap his head around this decision to have these elections and is just baffling.

Councilman Barletta – welcomed Progressive Insurance to South Plainfield. They are going to be a good fit in the South Plainfield community. Also he attended the My World Day Care's grand opening. It is a great place for anyone interested in child care.

Councilman Bengivenga – advised that on June 1st he too attended the Progressive grand opening and then attended the Boyle Memorial Foundation golf outing. It was a great time. To conclude, Councilman Bengivenga reminded everyone that this Friday is Flag day and then wished all the fathers a very Happy Father's Day.

Councilman McConville – reported that he attended a ceremony at the American Legion for their newly elected officers and also attended the our Lady of Czestochowa's fair which was a good time. To conclude, Councilman McConville thanked Council President Rusnak for the fine job he did on the budget.

Councilman White – thanked Sue Goulet for all her time and dedication. She has decided to step down from the Library Board of Trustees and will be missed. To conclude, Councilman White reminded everyone of the Relay for Life to be held later this week.

Council President Rusnak – reported progress.

Mayor Anesh – said we owe a debt of gratitude to Sue Goulet for her service to the Library. Mayor Anesh also congratulated Mr. Rich Richkus for his appointment this evening to the Planning Board. Mr. Cataldo had to step down from the Planning Board and we thank him for his service and wish him the best. Mayor Anesh thanked Amy for a successful Primary Election.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Libby from the Observer asked what the status of Liquid Assets is. Mr. Rizzo said it is in litigation.

Mr. Leon Gwiazdowski of 2309 Selene Avenue expressed concerns regarding the property maintenance of a neighbor's property who appears to have just left the home vacant. Mr. Gwiazdowski passed around photographs for the Council to look at. There is no gas or electric. Someone is going in and out of it. There is drinking and partying going on. Grass cutting is an issue and suggests the Council make the ordinance stricter. Mayor Anesh said he will look into it.

Debbie Boyle of Van Fleet advised that the Relay for Life is this Friday from 6:00 p.m. to 12 midnight. The entrance fee is \$10.00.

Mr. Bobby Richkus of Famularo Drive reminded the Council that graduation will be held next week at the community pool.

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

ADJOURNMENT – at 8:35 p.m. Mayor Anesh called for an adjournment from the public portion of the meeting to go into Executive Session. At 9:07 p.m. Mayor Anesh called the public portion of the meeting back to order to take action on the following resolution:

RESOLUTION 2013-204

AUTHORIZING THE SWITCH OF HEALTH BENEFIT PROVIDER FROM QUALCARE TO HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY AND AUTHORIZING THE MAYOR AND MUNICIPAL CLERK AND/OR ADMINISTRATOR TO EXECUTE SAME

WHEREAS, it has been determined to be in the best interest of the Borough of South Plainfield and it's public employees to switch their health benefits provider from Qualcare to Horizon Blue Cross and Blue Shield of New Jersey; and

WHEREAS, the Borough Administrator has reviewed the health plan of Horizon Blue Cross and Blue Shield of New Jersey and is hereby recommending the switch to them from Qualcare with the premise being in the best interest of the Borough and it's public employees;

NOW THEREFORE BE IT RESOLVED by the South Plainfield Borough Council that they hereby authorize the switch of health care providers from Qualcare to Horizon Blue Cross Blue Shield of New Jersey and furthermore hereby authorize the Mayor, the Municipal Clerk and/or the Borough Administrator to execute same; and

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

1. Municipal Clerk
2. Glenn Cullen, Borough Administrator

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

ADJOURNMENT

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Councilman Bengivenga made a motion to adjourn at 9:08 p.m., seconded by Councilman White and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides

Amy Antonides, RMC/CMC - Municipal Clerk