

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
NOVEMBER 10, 2014 7:04 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:02 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 Bengivenga	X		
Councilman Diana	X		
Councilman Richkus	X		
Councilman Rusnak	X		
Councilman White	X		
Council President Barletta	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		

Flag Salute: was led by Mayor Anesh and Councilman White led the invocation.

Public Hearing Release of Performance Bond Posted Ron Snyder for Public Improvements to Block 364, Lot 4.03 known as 420 Delmore Avenue in South Plainfield – Mayor Anesh opened the floor for public hearing. With no comments from the public, Mayor Anesh closed the floor. Mr. Snyder arrived late and was not present for the public hearing.

Public Comment For Agenda Items Only:

Mayor Anesh opened the floor for public comment.

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

Approve Council Minutes: October 20, 2014 – Agenda
October 20, 2014 - Public

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

ORDINANCE – SECOND READING BY TITLE – was read by Clerk Antonides. Mayor Anesh than asked if the Council had any comments pertaining to this Ordinance. There were no comments from the Council. Mayor Anesh opened the floor for public comment. With no comments from the public, Mayor Anesh closed the floor. The following ordinance was adopted:

ORDINANCE NO. 2006

AN ORDINANCE AMENDING ORDINANCE 1652 THAT PROHIBITS PARKING TEMPORARILY ON CERTAIN STREETS IN THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX FOR SNOW PLOWING, SNOW REMOVAL, AND OTHER EMERGENCIES

BE IT ORDAINED BY THE BOROUGH OF SOUTH PLAINFIELD THAT the parking of vehicles shall be temporarily prohibited on certain streets in the Borough of South Plainfield in the County of Middlesex for snow plowing, snow removal and other emergencies;

Section 1. be amended to include the entire lengths of the following roadways:

ORDINANCE 1652 STREETS:

1. Amboy Ave
2. Cedarbrook Ave
3. Central Ave
4. Chambers St
5. Clinton Ave
6. Cromwell Ave
7. Durham Ave
8. East Crescent Pkwy
9. East Fairview Ave
10. East Golf Ave
11. East Hendricks Blvd
12. Fairmount Ave
13. Field Ave
14. Foster Ave
15. Franklin Ave
16. Front St
17. Garibaldi Ave
18. Grant Ave
19. Hamilton Blvd
20. Joan St
21. Kenyon Ave
22. Lake St
23. Lane Ave
24. Maple Ave
25. Merchants Ave
26. Murray Ave
27. New Brunswick Ave
28. New Market Ave
29. Norwood Ave
30. Oak Tree Ave
31. Oakland Ave
32. Park Ave
33. Plainfield Ave
34. Rahway Ave
35. Randolph Ave
36. Sampton Ave
37. South 9th St
38. South Clinton Ave
39. South Plainfield Ave
40. Sprague Ave
41. Stelton Road
42. Tompkins Ave
43. West 7th St
44. Wexler Pl
45. Woodland Ave

ADDITIONAL STREETS PURSUANT TO THIS AMENDMENT ORDINANCE 2006:

46. May Ave
47. Selene Ave (Dead end South of Maple Ave)
48. Stratford Ave
49. Wickford Ave
50. Sherman Ave
51. West 8th St
52. South 10th St
53. Walnut St
54. Cherry St
55. Spicer Ave (Belmont Ave to Hamilton Blvd)
56. Hancock St (New Market Ave to Amboy Ave)
57. Pomponio Ave
58. Montrose Ave
59. Hillside Ave

- 60. Harvard Ave (Hamilton Blvd to Belmont Ave)
- 61. Jackson Ave (Hamilton Blvd to Belmont Ave)
- 62. Walter St
- 63. Morris Ave (Cederbrook Ave to Chambers Ave)
- 64. Libourel Rd.
- 65. Adams Ave
- 66. Stirling Ave
- 67. W Fairview Ave
- 68. W. Elmwood Ave
- 69. Linden Ave
- 70. Oxford Ave (Sprague Ave to Dolores Ave)
- 71. Meister St.

The aforementioned parking prohibition shall remain in effect after the snow has ceased and until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic. This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

Vote was as amended to include the addition of Meister St.

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

RESOLUTIONS

RESOLUTION 14-308

AUTHORIZING A SOLE SOURCE PROVIDER CONTRACT PURSUANT TO N.J.S.A.40A:11-5(1)(DD) FOR 2015 PROPRIETARY SOFTWARE MAINTENANCE WITH EDMUNDS & ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$22,194.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes a sole source provider contract purchase pursuant to N.J.S.A. 40A:11-5(1)(dd) for 2015 proprietary software maintenance with Edmunds & Associates, Inc. in an amount not to exceed \$22,194.00.

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

- 1. Glenn Cullen, CFO
- 2. Amy Antonides, Municipal Clerk
- 3. John Abbruzzese, IT

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

RESOLUTION #14-309

AUTHORIZING THE RELEASE OF PERFORMANCE BOND POSTED BY RON SNYDER FOR PUBLIC IMPROVEMENTS TO BLOCK 364, LOT 4.03 KNOWN AS 420 DELMORE AVENUE IN SOUTH PLAINFIELD AND ACCEPTANCE OF THE MAINTENANCE BOND IN THE AMOUNT OF \$6,243.00

WHEREAS, the Borough of South Plainfield is in possession of a Performance Bond from Ron Snyder for the improvements located at Block 364, Lot 4.0;3 and

WHEREAS, Ron Snyder has submitted a Maintenance Bond in the amount of \$6,243.00; and

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

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of South Plainfield, that the Borough Clerk is hereby authorized to accept the aforementioned Maintenance Bond and release the Performance Bond held for the Public Improvements located at Block 364, Lot 4.03.

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

RESOLUTION: 2014-310

AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$23,431.55 FOR JSM AT TINGLEY, LLC OF 100 SANTORO DRIVE

WHEREAS, the Tax Collector advises that the following taxpayer and/or their agent have overpaid their taxes and have requested a refund:

Block: 517 Lot: 1
 Payable to:
 JSM at Tingley, LLC
 Attn: Douglas J. Flaim
 1260 Stelton Road
 Piscataway, NJ 08854
 \$23,431.55

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

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

RESOLUTION No. 14-311

AUTHORIZING 2014 APPROPRIATION TRANSFERS IN THE AMOUNT OF \$200,500.00 FOR THE CURRENT FUND AND \$6,000.00 FOR THE POOL UTILITY PURSUANT TO N.J.S.A. 40A:4-58

WHEREAS, in accordance with N.J.S.A. 40A:4-58 permits appropriation transfers during the last two months of the fiscal year and the first three months of the fiscal year, for the purposes specified and in excess of sums appropriated in the Budget; and

WHEREAS, such transfers must be approved by a vote of not less than two-thirds of the full membership of the governing body.

NOW, THEREFORE, BE IT RESOLVED that the attached transfers be approved.

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

RESOLUTION 14-313
AUTHORIZING THE PART-TIME HIRING OF NEIL BUDHAN FOR THE POLICE RECORDS DEPARTMENT FROM MONDAY-FRIDAY FROM 2:30 P.M. TO 4:00 P.M. AT AN HOURLY RATE OF \$12.33 WITH NO BENEFITS

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that the Borough Council hereby confirms the part-time hiring of Neil Budhan for the Police Records Department from Monday to Friday from 2:30 p.m. to 4:00 p.m. at an hourly rate of \$12.33 with no benefits with an effective date of November 12, 2014.

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

1. Glenn Cullen, CFO
2. Marie Dudek, Payroll
3. James Parker, Police Chief
4. Amy Antonides, Municipal Clerk

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

RESOLUTION 14-314
AUTHORIZING THE RENTAL SERVICES OF JESCO FOR A JOHN DEERE WHEEL LOADER FOR THE PURPOSE OF SNOW REMOVAL AS A SHARED SERVICE WITH THE SOUTH PLAINFIELD BOARD OF EDUCATION IN AN AMOUNT NOT TO EXCEED \$8,450.00

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that they hereby authorize the rental services of Jesco South Plainfield, NJ for a John Deere 624K wheel loader for the purpose of snow removal to be shared with the South Plainfield Board of Education of which the Borough's portion of cost is not to exceed \$8,450.00.

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

1. DPW
2. Glenn Cullen, Chief Financial Officer

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

RESOLUTION 2014-315
BOROUGH OF SOUTH PLAINFIELD
COUNTY OF MIDDLESEX

AUTHORIZING INSERTION OF ITEM OF REVENUE FOR BUDGET YEAR 2014 FOR THE CLEAN COMMUNITIES GRANT, SENIOR TRANSPORTATION GRANT, ALCOHOL EDUCATION GRANT, CLICK-IT OR TICKET GRANT, DRUNK DRIVING ENFORCEMENT GRANT AND PURCHASE OF BODY ARMOR GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of South Plainfield in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2014 in the total sum of \$73,694.96 which is now available from the County of Middlesex and is broken down as follows:

Clean Communities Grant	\$40,741.00
Senior Transportation Assistance	\$ 7,183.45
Alcohol Education & Rehabilitation	\$ 5,021.81
Click it or Ticket	\$ 4,000.00
Drunk Driving Enforcement	\$11,946.78
Body Armor	\$ 4,801.92
 Total Grants	 \$73,694.96

BE IT FURTHER RESOLVED, that the like sum of \$73,694.96 is hereby appropriated under the aforementioned Grants;

BE IT FURTHER RESOLVED, that two copies of this Resolution shall be forwarded to the Director of the Division of Local Government Services, and one copy shall be forwarded to the Chief Financial Officer.

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

RESOLUTION 14-316

AMENDING RESOLUTION 2014-301 THAT AUTHORIZED THE REFUND OF A \$100.00 SECURITY DEPOSIT FOR THE ROOM RENTAL AT THE SENIOR CENTER FOR MR. RAY PAYNE TO INDICATE THE REFUND IS TO GO TO MR. RAY WARDRICK INSTEAD

WHEREAS, the Senior Center Director has confirmed that an error occurred with the name of the applicant seeking a refund in the name of Ray Payne who held his event on October 4, 2014 at the Senior Center and as such, requested a \$100.00 security deposit is due back to him;

WHEREAS, the correct name of the applicant in which said security deposit is to be returned is Ray Wardrick and not Ray Payne;

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 refund check(s) in the amount(s) of \$100.00 to Ray Wardrick instead of Ray Payne of 217 Merchants Avenue, South Plainfield, NJ 07080 and thus Resolution 2014-301 is hereby amended accordingly.

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

RESOLUTION #2014-317
AUTHORIZING RENEWAL OF A SHARED SERVICE CONTRACT BETWEEN THE BOROUGH OF
SOUTH PLAINFIELD AND COUNTY OF MIDDLESEX FOR PUBLIC HEALTH SERVICES FOR 2015
IN THE AMOUNT OF \$113,600.17
REPRESENTATIVE OF A 2% INCREASE

WHEREAS, the Borough of South Plainfield and the County of Middlesex previously entered into a Shared Services Agreement for the Middlesex County Health Dept. to provide Municipal Health Services of a technical and professional nature; and

WHEREAS, both the Borough and the County wish to extend this Shared Service Agreement for an additional one (1) year, January 1, 2015 through December 31, 2015; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given for the Mayor and Municipal Clerk to execute the Shared Services Agreement with Middlesex County to provide Municipal Health Services of a technical and professional nature for a one year (1) year period, January 1, 2015 through December 31, 2015 in the amount of \$113,600.17 representative of a 2% increase.

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

CORRESPONDANCE

- Middlesex County Planning Board Minutes – September 9, 2014
- Traffic Safety Advisory Commission Minutes – September 24, 2014
- Environmental Commission Minutes – September 10, 2014
- Recycling Monthly Report – September, 2014
- Environmental Commission Monthly Report – October, 2014
- Code Enforcement Monthly Report – October, 2014

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

SOUTH PLAINFIELD BOROUGH
APPROVAL OF BILLS AND CLAIMS

Current Fund	3-01	0.00
Current Fund	4-01	4,163.26
Pool Utility	4-26	1,000.00
Pool Utility	3-26	0.00
Sewer Utility	4-07	0.00
Sewer Utility	3-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	242,775.69
Pool Capital	C-27	0.00
Election Account	E-18	14,575.00
Grant Fund	G-02	17,954.85

Dog Trust	T-12	12,000.00
Treasurers Trust	T-13	13,287.90
Recreation Trust	T-14	3,229.60
TOTAL ALL FUNDS		\$809,567.31

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

COUNCIL REPORTS:

Borough Attorney Rizzo, Esq. – reported progress

Administrator Cullen – advised that recent rain has delayed the construction on the library expansion but by the end of this week we are hopeful the foundation will be poured, weather permitting. It is anticipated that by the time we meet again part of the prefabrication structure will be installed.

Engineer Miller – reported progress advised that all the road projects are now complete and will be closed out for the year.

Clerk Antonides – reported progress.

Councilman Diana – thanked all the veteran’s for their time served for our country and reported progress.

Councilman Rusnak – reported progress

Councilman Bengivenga – reported progress

Councilman Richkus – reminded everyone that that Cappy dinner is this Saturday at the Pal Building at 6:30 p.m. . The cost is \$15. The Meals on Wheels program ranked #2 in the County this past month, having missed the #1 spot by only two meals.

Councilman White –.welcomed the new Mexican restaurant in town who just had their grand opening. The McDonalds soft opening was a success and their hard opening is scheduled for November 22nd. Councilman White concluded by congratulating the Roosevelt School on the fantastic job that they did with their Veteran’s Day program.

Council President Barletta – thanked the Franklin School for thei exceptional job with their Veteran’s Day ceremony. Council President Barletta concluded by thanking all the Veterans who served for this country.

Mayor Anesh –reported progress.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Former Mayor Butrico requested a waiver for the use of the Senior Center for their upcoming events one of which raising money for the Make a Wish Foundation and the other is for their annual Breakfast with Santa event. Councilman Bengivenga expressed his concerns in that we have revised the fee ordinance for the use of the Senior Center in such a way as to benefit all who use it and added that he is concerned that if we do for one we need to do for all. Setting such a precedent is a concern. Mayor Anesh said he will gladly donate his Mayor’s wedding donation fees for this purpose to cover the cost.

Mrs. Theresa Spisso of 145 Duffy Place proposed a Neighborhood Watch Program in light of recent home invasions that took place. Also Mrs. Spisso suggested on behalf of a fellow neighbor that a street light be installed on the

corner of Perth and Duffy streets. Mrs. Spisso went on to suggest many ideas that such a program can incorporate. The Borough Council was very receptive to Mrs. Spisso's suggestions and advised that they will look into the concepts. Councilman Bengivenga advised that Chief Parker will work with Mrs. Spisso in this regard.

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

ADJOURNMENT

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Councilman Richkus made a motion to adjourn at 8:00 p.m., seconded by Councilman White and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk