

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
SEPTEMBER 12, 2016 7:14 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 Barletta	X		
Councilman Richkus			Arrived at 7:18 pm
Councilman Rusnak	X		
Councilman White	X		
Councilman Wolak	X		
Council President Bengivenga	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 Wolak led the invocation.

Public Comment: Mayor Anesh opened the floor for public comment on agenda items only.

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

Presentation – Honoring those receiving Life Saving Awards – Mayor Anesh turned the floor over to Fire Chief Scalera. Chief Sclera read a brief on each lifesaving situation and called each honoree forward and presented them with a crystal trophy. Everyone extended a round of applause and photographs were taken by the media and family members present.

Presentation – Honoring those receiving recognition for 50 Years of Volunteerism on the Fire Department; Chief Sclera read a brief on each of the two gentlemen being honored and called each one forward and presented them with a crystal trophy. Everyone extended a round of applause and photographs were taken by the media and family members present.

Mayor Anesh as well as each Council member gave a heartfelt thank you to all the firemen and all others for all their bravery, dedication and years of volunteer service to our community saying how they run into danger while others run away. Everyone extended another round of applause.

Presentation – Sea of Blue - Mayor Anesh called Ms. Georganne Cochrane forward who read a prepared statement about the Sea of Blue Program and thanking everyone who helped make it possible. Ms. Cochrane than presented Police Chief Parker with a donation check for \$3,026.00 for the Police Department. Chief Parker thanked the Sea of Blue for their generosity. Everyone extended a round of applause and photographs were taken by the media present.

Mayor Anesh called for a brief recess at 7:31 p.m.
Mayor Anesh called the meeting back to order at 7:36 p.m.

Presentation – Public Celebration Committee – Mayor Anesh read a Certificate of Appreciation in full. Councilman Wolak read the names of all the members serving on the Public Celebrations Committee and called them forward to receive their certificate. Everyone extended a round of applause and photographs were taken by the media present.

Proclamation - Italian Heritage & Culture Month – October, 2016 – was read in full by Mayor Anesh. Mayor Anesh called UNICO members present to receive the proclamation. Everyone extended a round of applause and photographs were taken by the media present.

Authorizing the Approval of Council Minutes:

September 12, 2016 – Agenda
September 12, 2016 - Public

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

ORDINANCE – SECOND READING BY TITLE:- Was read by Clerk Antonides by title for the following ordinances:

ORDINANCE 2063

AN ORDINANCE AMENDING ORDINANCE 2015 AND 2043 THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2015 THROUGH 2018 FOR NON-UNION PROFESSIONALS AND GOVERNING BODY TO ADD THE POSITION OF EXECUTIVE DIRECTOR OFFICE ON AGING

Mayor Anesh opened the floor for public comment. With no comments made, closed the floor. Mayor Anesh asked if the Council had any comments, but there were no comments made from Council.

The ordinance #2063 read by title upon second reading herewith has been adopted at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on September 26, 2016, and the 20 day period of limitation within which a suit, action or the validity of such ordinance can be commenced, has begun to run from the date of the publication of this notice.

Adoption of Ordinance #2063: September 26, 2016

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

ORDINANCE 2064

AN ORDINANCE AMENDING ORDINANCE 2022 PROVIDING FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2016 THROUGH 2018 TO NOW INCLUDE THE POSITIONS OF CASHIER AND TECHNICAL ASSISTANT TO THE BUILDING OFFICIAL

Mayor Anesh opened the floor for public comment. With no comments made, closed the floor. Mayor Anesh asked if the Council had any comments, but there were no comments made from Council.

The ordinance #2064 read by title upon second reading herewith has been adopted at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on September 26, 2016, and the 20 day period of limitation within which a suit, action or the validity of such ordinance can be commenced, has begun to run from the date of the publication of this notice.

Adoption of Ordinance #2064: September 26, 2016

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

RESOLUTIONS

**RESOLUTION 2016-297
ADOPTING THE RECOMMENDATION OF THE PLANNING BOARD OF THE
BOROUGH OF SOUTH PLAINFIELD TO REMOVE THE
DEED RESTRICTION WHICH PROHIBITS THE ERECTION
OF STRUCTURES ON LOT 3, BLOCK 318.**

WHEREAS, Daniel Chin residing at 408 Hamilton Boulevard in the Borough of South Plainfield requested that the Borough Council remove a deed restriction affecting property which he owns and is located at 303 New Market Avenue, also known as Lot 2, Block 519; and

WHEREAS, the subject property had previously consisted of multiple lots, what had been known as Lots 20-23, Block 519 (subsequently known as Lot 2, Block 318), having been acquired by predecessors in title, David and Amelia Dorosh from the Borough of South Plainfield in 1947, and what had been known as Lot 3, Block 318 having been acquired by David Dorosh from the Borough of South Plainfield by Deed dated December 26, 1972; and

WHEREAS, at the time Mr. Dorosh acquired Lot, 3, Block 318 in 1972, it was sold with a restriction which prohibited the erection of any structures on said lot; and

WHEREAS, Mr. Chin purchased the property in or around 2014 with the intent to subdivide the property, being aware of the deed restriction at the time of purchase; and

WHEREAS, on September 25, 2015, the Borough Council referred the matter to the Planning Board for investigation and recommendation; and

WHEREAS, the Board received advice from the Board Planner and Board Engineer concerning the request; and

WHEREAS, the Board was not able to determine or locate any information regarding why the deed restriction was included in the Deed of 1972, and no further information has been obtained concerning same; and

WHEREAS, the Board advised Mr. Chin that it believed any proposed subdivision would create non-conforming lots and that he would, therefore, have a heavy burden to be granted variances for lot area and lot width if he proceeds with an application for subdivision; and

WHEREAS, notwithstanding its opinion concerning subdivision, the Board found no reason to continue the restriction against the erection of a structure upon the property; and

WHEREAS, on February 23, 2016, the Planning Board recommended to the Borough Council that it positively consider Mr. Chin’s request for a removal of the restriction with the added advice that it was not in any way endorsing a subdivision of the property; that its vote does not grant any such relief to Mr. Chin or remove any obligations to fully comply with the Municipal Land Use Law and ordinances of the Borough of South Plainfield; and that if the Council determines to remove the deed restriction and does not further restrict subdivision, Mr. Chin

would still be required to file an application for minor subdivision and lot area/width variances, and meet the heavy burden of obtaining such relief;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that it hereby adopts the recommendation of the Planning Board of the Borough of South Plainfield to remove the restriction which prohibits the erection of structures on Lot 3, Block 318, with the understanding and direction that this Resolution is not an endorsement of subdivision of the property, and that Mr. Chin or any subsequent owner would be required to comply with Municipal Land Use Law and the ordinances of the Borough of South Plainfield, and file an application for minor subdivision and any required variances to the Borough Planning Board if so desired.

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

**RESOLUTION 16-298
AUTHORIZING A REFUND TO GOLD MEDAL SERVICE
FOR A BUILDING PERMIT FEE IN THE AMOUNT
OF \$60.00 FOR WORK THAT WAS NOT DONE AT 303 OAK TREE ROAD**

WHEREAS, the Construction Official confirms that work did not take place at 303 Oak Tree Road in South Plainfield as originally planned and thus the applicant has requested a refund of their \$60.00 permit fee;

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 \$60.00 to the following:

Gold Medal Service
11 Cotters Lane
East Brunswick, NJ 08816

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

**RESOLUTION 2016-299
APPOINTING TREE OLANO TO THE FULL-TIME POSITION
OF EXECUTIVE DIRECTOR OF THE OFFICE ON
AGING WITH BENEFITS AT AN ANNUAL SALARY
OF \$46,000.00 EFFECTIVE 9/27/16**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the full-time appointment of Tree Olano to the position of Executive Director of the Office on Aging with benefits at an annual salary of \$46,000.00 effective September 27, 2016;

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. Carmela Sutor, Payroll
4. Anne Daley, Benefits
5. Tree Olano, Senior Center

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

RESOLUTION 16-300
AUTHORIZING A STATE CONTRACT PURCHASE WITH DELL INC. FOR SONICWALL SOFTWARE
AND SERVICE AGREEMENT IN AN AMOUNT NOT TO EXCEED \$6,316.40

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes a NJ State Contract purchase with Dell Inc. of Pittsburg, PA for SonicWall Software and a service agreement in an amount not to exceed \$6,316.40 pursuant to NJ State Contract Number 70256 WSCA/NASPRO to be applied to the municipal current fund budget.

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. Borough IT Department

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

RESOLUTION 2016-301
AUTHORIZING THE FULL-TIME HIRING OF THREE POLICE
DISPATCH/911 OPERATORS AT THE ANNUAL SALARY OF
\$43,476.00 WITH BENEFITS EFFECTIVE 9/27/16
THAT WILL BE UNDER THE AFSCME UNION CONTRACT

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the full-time with benefits hiring of:

- Michele Arancio
- Leslie Samayoa
- Michael Canavan

as Tele-Communicator Operators for the Police Department with an effective date of September 27, 2016 that will be under the AFSCME Union Contract; and

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, Chief of Police
4. Carmela Sutor, Payroll
5. Anne Daley, Benefits

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

**RESOLUTION 2016-302
AUTHORIZING THE POLICE DEPARTMENT TO ESTABLISH A
SAFE EXCHANGE ZONE IN THE MUNICIPAL CENTER PARKING LOT**

WHEREAS, the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey desire to create a Safe Exchange Zone for residents to use when selling or purchasing items through on-line resources; and

WHEREAS, the Chief of Police has recommended that the parking area directly in front of the rear entrance to the Municipal Building be dedicated as the Safe Exchange Zone;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey the Chief of Police is hereby authorized to designate a Safe Exchange Zone to be appropriately signed in the Municipal Center parking lot for the exchange of items sold, purchased or traded through on-line resources.

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

**RESOLUTION: 2016-303
AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1,161.05 FOR KUNAL
VIJAN OF 631 ENGLISH COURT.**

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

Block: 528 Lot: 43 Qual: C0631
Corelogic Refunds
1 Corelogic Way
Westlake, TX 76262
\$1,161.05

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 Barletta			X				
Councilman Richkus			X				
Councilman Rusnak		x	X				
Councilman White	x		X				
Councilman Wolak			X				
Council President Bengivenga			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 2016-304
APPOINTING JEAN SHERWOOD TO THE POSITION OF TECHNICAL ASSISTANT
TO THE CONSTRUCTION OFFICIAL AT AN ANNUAL SALARY
OF \$60,229.00 WITH BENEFITS EFFECTIVE 9/27/16

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the full-time appointment of Tree Olano to the position of Technical Assistant to the Construction Official with benefits at an annual salary of \$60,229.00 effective September 27, 2016;

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. Carmela Sutor, Payroll
4. Anne Daley, Benefits
5. Jean Sherwood

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

RESOLUTION 16-305
AUTHORIZING THE CAPITAL PURCHASE OF 18 SETS OF GEAR
FOR THE FIRE DEPARTMENT FROM SKYLANDS AREA
FIRE EQUIPMENT & TRAINING LLC
IN AN AMOUNT NOT TO EXCEED \$49,320.36

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the capital purchase of 18 sets of gear for the Fire Department from Skylands Area Fire Equipment & Training LLC in an amount not to exceed \$49,320.36; and

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. Tom Scalera, Fire Chief

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

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Recycling Monthly Report – August, 2016

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

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

Current Fund	5-01	0.00
Current Fund	6-01	137,240.44
Pool Utility	6-26	1,981.94
Pool Utility	5-26	0.00
Sewer Utility	6-07	5,180.83
Sewer Utility	5-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	27,781.51
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	507.00
Dog Trust	T-12	4,173.33
Treasurers Trust	T-13	6,490.11
Recreation Trust	T-14	5,222.47
COAH		0.00
TOTAL ALL FUNDS		\$188,577.63

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

COUNCIL REPORTS:

Borough Attorney Robertson Esq. – reported progress

Administrator Cullen – was absent this evening

Engineer Miller – advised that he received a letter from the County Engineer addressed to Todd Hirt from the DOT requesting to set-up a diagnostic team meeting between South Plainfield and Piscataway to discuss quiet zones.

Clerk Antonides – reported progress.

Councilman Wolak – reported progress.

Councilman White – briefly advised that a new plumbing group will be coming to South Plainfield shortly and went on to report progress.

Councilman Rusnak – reported progress.

Councilman Richkus - explained that he voted no this evening on resolution 2016-297 because he feels we are way too overdeveloped as it is and can't see lifting a deed restriction that prevents subdivision.

Councilman Barletta – congratulated Council President Bengivenga and Pricilla for their recent engagement and then went on to say that this evening will be his last council meeting as he will be resigning. Councilman Barletta explained that it has been a long time plan for he and his family to move to Lavallette. It is bitter sweet as South Plainfield has been his home for some 49 years. Councilman Barletta thanked Amy Antonides, Glenn Cullen, Len Miller, Paul Rizzo, and Chief Parker for all they do for the Borough. Councilman Barletta told Mayor Anesh and the Borough Council that it has been both an honor and a privilege to serve with you for the past six years. Though Councilman Barletta said he will miss South Plainfield very much, he will be back from time to time to say hello. Councilman Rusnak said it has been an absolute pleasure serving with Councilman Barletta for the past six years. Mayor Anesh said that though Councilman Barletta refers to himself as “angry Barletta” he doesn't believe Councilman Barletta is angry, but just passionate. Councilman White said he saw Councilman Barlettas passion and dedication. Councilman Wolak thanked Councilman Barletta learning a lot from him and it seems like the end of an era.

Council President Bengivenga – Council President Bengivenga commented saying that he has had Councilman Barletta as a running mate some ten years ago. He will be sorely missed.

Mayor Anesh – announced that October 15th will be the library dedication to Willow Park at 9:00 a.m. It will also be the open house for the Fire Department and the Fall Health Fair at the Senior Center. A lot will be going on that day.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Suzanne Lepore, Bullard Place, announced that the Cultural Arts Commission will have line dancing at the Senior Center on October 22nd, and there will be a book presentation at 2 p.m. on October 30th at the Library. The Halloween window decorating contest will also be taking place with painting beginning on October 23rd.

A resident from St. James Place thanked the Council for recognizing UNICO this evening and advised them that soon it will be their 50th anniversary as they have been in South Plainfield for 46 years now. He went on to inquire how much quiet zones will cost. Mayor Anesh said that though the true cost is still highly uncertain, it appears at a minimum it will cost some \$3 million.

April Bengivenga, Woodland Avenue, thanked Councilman Barletta for his years of service on Council and said that Lavallette is going to have a wonderful citizen.

Debbie Boyle of Van Fleet reported on various events and dates throughout the town in the coming days.

Chief James Parker thanked Councilman Barletta for his time served on Council in South Plainfield and wished him the best.

Mr. Jon Dean of 3321 Evergreen Lane congratulated Councilman Barletta then went on to inquire as to how to get the Building Department to accept credit cards. Mayor Anesh said we will have to look into that. Mr. Dean asked where the parcel regarding resolution #16-297 was located. Council President Bengivenga explained.

Nancy Grennier, from The Observer, asked what the status is for an October 27th Debate? Councilman Rusnak responded by saying whatever date and time she wishes, that he and his running mate, Stephanie Bartfalvi, will be there.

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 White made a motion to adjourn at 8:12 p.m., seconded by Councilman Rusnak and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk