

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
OCTOBER 16, 2017 7:02 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 Dean	X		
Councilwoman Faustini	X		
Councilman Vesce	X		
Councilman Wolak	X		
Council President White	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo Esq.	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.

Proclamations: 2017 Mischief Night & Halloween

The aforementioned proclamation was read in full by Mayor Anesh.

Authorizing the Approval of Council Minutes:

October 2, 2017 – Agenda

October 2, 2017 - Public

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White	x		X				
		Vote:	6	0			
Mayor Anesh – TIE ONLY							

ORDINANCE – SECOND READING BY TITLE – was read by Clerk Antonides for the following Ordinance 2092. Mayor Anesh asked for council comments and no comments were made. Mayor Anesh then opened the floor for public hearing and with not comments from the public, closed the floor.

ORDINANCE NO. 2092

A CAPITAL ORDINANCE AUTHORIZING THE “ACQUISITION OF AIRPACKS, MASKS, BOTTLES AND OTHER FIRE BREATHING APPARATUS” AT A COST NOT TO EXCEED \$212,000.00, IN THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY as follows:

Section 1. The aforementioned assets be funded by an \$192,473.00 from the U.S. Department of Homeland Security and \$19,527.00 from existing funds in the Capital Improvement Funds. The funding requirements shall be identified by asset as follows:

Fire Breathing Apparatus	\$212,000.00
Totals	<u>\$212,000.00</u>

Section 2. That the improvements described in Section 1 hereof shall be authorized as Capital Improvements for the Borough of South Plainfield in the County of Middlesex, New Jersey.

Section 3. It is hereby determined and declared by this Mayor and Borough Council as follows:

- A. That the maximum estimated amount of money to be raised from all sources for the purposes stated in Section 1, hereof, is \$212,000.00.
- B. That the cost for the equipment shall be \$19,527.00 from the Capital Improvement Fund and \$192,473.00 from Homeland Security Grants.
- C. The estimated useful life of said improvements is hereby determined to be five (5) years.

Section 4. That the total amount of the appropriation to be expended for Architectural and inspection costs, legal costs, advertisement of ordinance and other expenses as provided in Section 48:2-20 of the Revised Statutes, is not to exceed \$1,000.00.

Section 5. This ordinance shall take effect after final passage and publication in accordance with the law.

Introduction of Ordinance #2092: October 2, 2017

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

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ORDINANCE – SECOND READING BY TITLE – was read by Clerk Antonides for the following Ordinance 2094. Mayor Anesh asked for council comments and no comments were made. Mayor Anesh then opened the floor for public hearing and with not comments from the public, closed the floor.

ORDINANCE 2094

AN ORDINANCE REPEALING ORDINANCE 2090 AND REPLACING WITH ORDINANCE 2094 APPROVING A MASTER LICENSE AGREEMENT (“MLA”) WITH NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS FOR THE INSTALLATION OF SMALL CELL EQUIPMENT IN PUBLIC RIGHTS-OF-WAY

The ordinance #2094 read by title upon first reading herewith has been introduced at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on October 2, 2017. In summary, this ordinance repeals Ordinance 2090 in its entirety to now amend the name to be New York SMSA Limited Partnership D/B/A Verizon Wireless. The nature of this ordinance approves a master license agreement with New York SMSA Limited Partnership D/B/A Verizon Wireless for the installation of small cell equipment in public rights-of-way within the Borough of South Plainfield. The public hearing where further consideration will be made will be held on October 16, 2017 at approximately 7:00 p.m. at the Municipal Building located at 2480 Plainfield Avenue, South Plainfield, NJ. A full complete copy of this ordinance shall be provided, free of charge prior to adoption, to all those who request said copy at the Borough Clerk’s office during normal business hours of 8 a.m. to 4 p.m., or emailed upon request. A copy is also located on the municipal website and may be freely viewed and printed.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Dean	x		X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak		x	X				
Council President White			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

ORDINANCE – FIRST READING BY TITLE – was read by Clerk Antonides for the following Ordinance 2093. Mayor Anesh set the public hearing for November 6, 2017 at approximately 7:00 p.m.

ORDINANCE 2093

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2016 THROUGH 2020 FOR SUPERIOR OFFICERS

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

SECTION 1. The rates of compensation for each employee of the Borough of South Plainfield shall be on an annual basis as follows except where indicated. Such rates of pay shall be effective on January 1st of the years shown.

Borough of South Plainfield					
Salary Ordinance					
PBA 100					
Superior Officers & Police Chief					
	Superior Officers				
POSITION	2016	2017	2018	2019	2020
Sergeant	123,409	125,877	128,709	131,605	134,896
Lieutenant	138,218	140,983	144,155	147,398	151,083
Captain	154,803	157,899	161,452	165,085	169,212
Chief	173,399	176,867	180,846	184,916	189,538

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

SECTION 3. EFFECTIVE DATE- This ordinance shall become effective after publication in accordance with the law

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini							x
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS

RESOLUTION No. 17-378 ACCEPTING THE BY-LAWS OF THE SOUTH PLAINFIELD MUNICIPAL ALLIANCE

WHEREAS, the Borough of South Plainfield, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Borough of South Plainfield further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuse in our community; and

WHEREAS, the Borough of South Plainfield has accepted the By-Laws of the South Plainfield Municipal Alliance attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Borough hereby accepts the attached By-Laws of the South Plainfield Municipal Alliance.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini		x	X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 17-379
AUTHORIZING THE PURCHASE OF PUMP STATION ALARMS FROM PUMPING SERVICE INC.
FOR FOUR SANITARY SEWER PUMP STATIONS IN AN AMOUNT NOT TO EXCEED \$14,575.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of pump station alarms from Pumping Service Inc. for four sanitary sewer pump stations in an amount not to exceed \$14,575.00; 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. Len Miller, DPW Superintendent

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini		x	X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 17-380
AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF SCOTT EQUIPMENT AND GEAR
FROM NJ FIRE EQUIPMENT CO. FOR THE FIRE DEPARTMENT IN AN AMOUNT NOT TO
EXCEED \$211,616.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ state contract purchase of SCOTT equipment and gear for the Fire Department in an amount not to exceed \$211,616.00 pursuant to state contract number A80961 T07090; 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 Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini		x	X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 17-381

AUTHORIZING A ONE YEAR RENEWAL OF THE SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY (PUMA) FOR SOLID WASTE TYPE 13 AND TYPE 23 SERVICES FOR THE YEAR 2017 AT THE SAME RATE AS 2016

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that they hereby authorizes a one year renewal of the Shared Service Agreement between the Borough of South Plainfield and the Plainfield Municipal Utilities Authority (PUMA) for Solid Waste Type 13 and Type 23 services for the 2017 year at the same rate as in 2016.

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

1. DPW
2. Glenn Cullen, Chief Financial Officer
3. Len Miller, DPW Superintendent

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga							x
Councilman Dean		x	x				
Councilwoman Faustini			x				
Councilman Vesce			x				
Councilman Wolak	x		x				
Council President White							x
		VOTE:	4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 2017-382

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FERRO CORPORATION AND NJDEP WETLAND AND FLOOD HAZARD PERMIT APPLICATION FOR ACCESS TO APGAR DRIVE.

WHEREAS, the Borough is the owner of property known as Apgar Drive;

WHEREAS, Ferro Corporation is undertaking certain environmental activities at and around the property as approved by the New Jersey Department of Environmental Protection; and

WHEREAS, in order to perform the environmental work, Ferro Corporation requires the Borough’s consent to access the property known as Apgar Drive to facilitate remediation of stream sediments; and

WHEREAS, the work to be performed by Ferro Corporation will be of benefit to the Borough and will not interfere or otherwise damage property of the Borough, Ferro Corporation having agreed to indemnify, defend and hold harmless the Borough from any and all claims related to its work, and to restore any area disturbed by their work; and

WHEREAS, the work will be performed at no cost to the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Mayor is hereby authorized to execute an Agreement to provide Ferro Corporation access to property known as Apgar Drive, a copy of which Agreement is attached hereto; and to execute an NJDEP Wetland and Flood Hazard Permit Application.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini		x	X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White			X				
VOTE:			6	0			
Mayor Anesh – TIE ONLY							

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Environmental Commission Minutes – August 9, 2017
- Zoning Board of Adjustment Minutes – September 19, 2017
- Recycling Monthly Report – August, 2017
- Planning Board Minutes – September 12, 2017

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak		x	X				
Council President White	x		X				
VOTE:			6	0			
Mayor Anesh – TIE ONLY							

PAYMENT OF BILLS

Current Fund	7-01	143,333.02
Current Fund	6-01	0.00
Pool Utility	6-26	0.00
Pool Utility	7-26	1,364.07
Sewer Utility	6-07	0.00
Sewer Utility	7-07	45,404.23
Sewer Utility Capital	C-08	0.00
General Capital	C-04	450,065.60
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	33,036.48
Dog Trust	T-12	37.80
Treasurers Trust	T-13	14,468.99
Recreation Trust	T-14	1,110.18
TOTAL ALL FUNDS		\$688,820.37

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Dean		x	X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White	x		X				
VOTE:			6	0			
Mayor Anesh – TIE ONLY							

COUNCIL REPORTS:

Borough Attorney Rizzo Esq. – reported progress.

Administrator Cullen – pointed out that ordinance 2092 that was adopted this evening for air packs will be paid 90% by a FEMA grant. Also the resolution regarding PUMA is for as-needed over flow services only. The added and omitted bills are in the process of going out. Mr. Cullen concluded by congratulating Councilman Bengivenga on his upcoming marriage.

Engineer Miller – advised that the work on Rio Street is now complete and the drainage work on Belmont is done and the concrete work should begin this week. The milling and paving should begin next week. Councilman Bengivenga said he spoke to Lt. DeLair regarding the issues on Garden Drive and it issue was determined to install speed humps.

Clerk Antonides – Clerk Antonides reminded everyone of the poll worker training class scheduled on Tuesday, October 17th at 7:00 p.m. at the Senior Center.

Councilman Dean – inquired what the speed report outcome was on Garden Drive. Councilman Bengivenga said the average was 25-30 mph so it was not a speeding issue but more of a volume issue instead. Councilman Dean mentioned his concerns regarding posting signs or a rail fence barricade up at Veteran’s Park to prevent vehicles from accelerating forward by accident. Mr. Cullen advised that we will begin with posting signage first. Mr. Miller said the signs will go up tomorrow.

Councilman Dean on behalf of Montgomery Township thanked the South Plainfield Police Department for the use of their K9’s in regards to a missing child. To conclude Councilman Dean suggested that the Council spit up their attendance on Veteran’s Day to go to the different schools.

Councilwoman Faustini – said that the dog park is looking good and should be ready by this weekend. Three adaptive swings from the Elks have been delivered and will be installed. The lights are finally up and running at the Pal. Councilwoman Faustini concluded by wishing Councilman Dean a happy birthday.

Councilman Bengivenga – Regarding the crossing at New Brunswick Avenue Conrail has advised they will begin to repair it around the 23rd weather permitting.

Councilman Vesce – updated the status of the Do Not Block requests. We were able to accommodate one of the requests which has been taken care of.

Councilman Wolak – said he is very happy that speed humps will be put in on Garden Drive. The DPW is distributing 1,000 flags along with leaf bags to residents that were donated on a first come first serve basis. They were donated by the American Legion and Elks.

Council President White – reported progress.

Mayor Anesh – reported on the success of the recent Mayor’s Wellness Health Fair, the Fire Department Open House and the Library Fall Festival. It was a busy day in South Plainfield that we refer to as “Super Saturday”. One of the highlights was the K9 demo.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Debbie Boyle of Van Fleet reminded everyone of various events forthcoming throughout South Plainfield from October through December. Such events are posted on the Borough website.

Darlene Cullen of Fox Place thanked the Mayor and Council for attending the Library’s Fall Festival saying next year we are going to look for a Tin Man. Mrs. Cullen advised that the Library will be having a protective guard rail installed at Willow Park within the next couple weeks

Mr. Ben Macowski of 605 Maple Avenue thanked the Council for making the health fair possible and was pleased to hear that South Plainfield has the second lowest taxes in the county. To conclude he expressed how taxes do impact renters.

Mr. Tom Turner of 313 West 9th Street asked why he is discriminated against regarding salary in his capacity as a computer instructor at the Senior Center. Mr. Cullen said he doesn’t recall Mr. Turner ever coming to him about this matter and it’s the first he’s hearing of it. Mr. Turner said all he’s heard is one excuse after another and wants to know what the Council is going to do about it. Councilman Bengivenga said he needs to schedule an appointment for a meeting with the liaison(s) to the Senior Center.

Ms. Libby Barkowski of 452 Jones Street inquired about the By-Laws of the Municipal Alliance. Mayor Anesh explained.

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

At 7:47 p.m. Mayor Anesh called for a recess from the public portion of the meeting to go into Executive Session advising that everyone is welcome to stay if they choose.

Upon return from Executive Session at 8:16 p.m., Mayor Anesh called the public meeting back to order saying the results of this evenings Executive Session resulted in no new additional items and called for a motion to adjourn.

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 8:17 p.m., seconded by Councilman Wolak and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk