

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
AUGUST 14, 2017, 7:52 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:00 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 Carmela Sutor 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		
Deputy Clerk Sutor	X		
Attorney Paul Rizzo, Esq.	X		
Engineer Miller	X		

Flag Salute and Invocation: was led by Councilman Vesce

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.

Authorizing the approval of Council Minutes:

- July 31, 2017 – Agenda
- July 31, 2017 – Public
- July 31, 2017 – Executive

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							

ORDINANCE – SECOND READING BY TITLE – Ordinance 2084 was read by Carmela Sutor by title. 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 no comments were made.

ORDINANCE 2084

AN ORDINANCE AMENDING ORDINANCE 2077 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 ADJUST THE SOCIAL SERVICE DIRECTOR'S SALARY RANGE AND ADD DEPUTY CLERK TITLE

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							

ORDINANCE – FIRST READING BY TITLE – was read by Carmela Sutor for the following Ordinance 2085. Mayor Anesh set the public hearing for September 5th at approximately 7:00 p.m.

ORDINANCE 2085

AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 504 OF THE BOROUGH CODE, ENTITLED “AFFORDABLE HOUSING” TO ADDRESS THE REQUIREMENTS OF THE NEW JERSEY FAIR HOUSING ACT AND THE NEW JERSEY UNIFORM HOUSING AFFORDABILITY CONTROLS AS THEY PERTAIN TO COMPLIANCE WITH MUNICIPAL AFFORDABLE HOUSING OBLIGATIONS

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

ORDINANCE – FIRST READING BY TITLE – was read by Carmela Sutor for the following Ordinance 2086. Mayor Anesh set the public hearing for September 5th at approximately 7:00 p.m.

ORDINANCE 2086

AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE VII, ENTITLED “ZONE DISTRICT REGULATIONS,” OF THE BOROUGH OF SOUTH PLAINFIELD ZONING ORDINANCE, ESTABLISHING THE REQUIREMENTS FOR AN AFFORDABLE HOUSING OVERLAY ZONE DISTRICT IN ACCORDANCE WITH THE ADOPTED HOUSING PLAN ELEMENT AND FAIR SHARE PLAN OF THE BOROUGH OF SOUTH PLAINFIELD

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

ORDINANCE – FIRST READING BY TITLE – was read by Carmela Sutor for the following Ordinance 2087. Mayor Anesh set the public hearing for September 5th at approximately 7:00 p.m.

ORDINANCE 2087

AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, AND STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 540, ENTITLED “ZONING,” OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD

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

ORDINANCE – FIRST READING BY TITLE – was read by Carmela Sutor for the following Ordinance 2088. Mayor Anesh set the public hearing for September 5th at approximately 7:00 p.m.

ORDINANCE 2088

AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 540-51, ENTITLED “MUD MIXED-USE DEVELOPMENT,” OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD

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

ORDINANCE – FIRST READING BY TITLE – was read by Carmela Sutor for the following Ordinance 2089. Mayor Anesh set the public hearing for September 5th at approximately 7:00 p.m.

ORDINANCE 2089

AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 373 ENTITLED “SMOKING” OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD

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:

Mayor Anesh called for a motion to approve Resolution #17-318.

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

Mayor Anesh asked the Council if there were any questions or comments on Resolutions 17-308 through 17-317 and 17-319 through 17-325, (#17-315 has been tabled). There were no questions or comments; however, Glenn Cullen asked if there were any questions on the 2017 Best Practices Inventory. There were no questions on the Best Practices Inventory.

Mayor Anesh called for a motion to approve Resolutions 17-308 through 17-317 and 17-319 through 17-325.

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:	5	0			
Mayor Anesh – TIE ONLY							

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Planning Board Minutes – July 11th and 27th, 2017
- Environmental Commission Minutes – June 14, 2017
- Environmental Monthly Report – July, 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:	5	0			
Mayor Anesh – TIE ONLY							

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

Current Fund	7-01	\$ 499,165.20
Current Fund	6-01	1,536.00
Pool Utility	6-26	0.00
Pool Utility	7-26	9,670.04
Sewer Utility	6-07	0.00
Sewer Utility	7-07	11,968.54
Sewer Utility Capital	C-08	0.00
General Capital	C-04	52,087.66
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	14,942.01
Dog Trust	T-12	90.00
Treasurers Trust	T-13	26,297.13
Recreation Trust	T-14	16,286.86
COAH		0.00
TOTAL ALL FUNDS		\$ 632,043.44

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:	5	0			
Mayor Anesh – TIE ONLY							

COUNCIL REPORTS:

Borough Attorney Rizzo, Esq. – reported progress

Administrator Cullen – Congratulated Carmela. Amy was expected to miss the September 5th meeting but she had an emergent family matter which prohibited her from being here tonight so you won't see Amy until probably the middle of September and am very pleased to see Carmela here tonight and thank you. Everyone should have received their tax bills. They are blue this year and we have extended the grace period until August 31, 2017. We adopted the municipal budget earlier this year probably earlier than any other year and the delay was due to the change in the State funding. During the time of the State Budget adoption is when they finalized the change in the school funding formula, which impacted every municipality throughout the state, including South Plainfield. The Board of Education only received about \$2,500.00 more but nevertheless, even if we did not get a penny more, the brakes were put on all of

our billing. Mr. Cullen also mentioned that the Mayor sent a letter out regarding all the work that is taking place by Middlesex Water Company and in that letter you mentioned that the water company would be on Sampton Avenue for roughly a month and they are not done yet. When they put in the new mains they have to test the water then have to go back and connect each individual home on Sampton Avenue as well as the side streets. When they are done they will go to the Maple Avenue section and then by the Senior Center and all those streets in there. There is also a delay in which some of the roads are going to be done because as they put in these mains and service locations they want a period of time to go bye for the roads to settle. Until they are done we cannot go in there to work on the roads. Mr. Cullen welcomed Heather Barry who was on tonight's agenda to perform the role of Social Service Director. Marge is retiring. Thank you Marge for all of your service.

Engineer Miller – Updated the Council on the Capital Road jobs. The Contractor is still working on Lane/Ritter/Manning project. They are working on the concrete and should be done shortly and hopefully we can get in there and mill and pave the roads in the next couple of weeks. After that he will move on to the next set of roads in the project. We are looking to get that one done first and then get over to Belmont and get that done also as soon as we can. Mr. Miller had a meeting with the County. They are planning a project to replace the culvert on Walnut Street. It is in the design stage right now and is a rather large culvert. They have it planned for next year to go out to bid and at that point the road will have to be shut down but we should have a detour with the side streets over there so this should not be a problem. We are going out to bid for the leaf bags. We have that coming up shortly and we will have them in place to distribute towards the end of October.

Councilwoman Faustini – Thanked the S.P. Library Board for their continued enhancement/adoption of Willow Park. Thank you for working so well with the recreation department. At the last Council meeting I proposed to putting in an adaptive swing in that area because we do not have any adaptive swings right now and I am pleased to report that the swing is already on order and should be here soon. I have also discussed looking for further locations for this type of equipment in town and feel that socialization and play is all part of that and it is so important for developing social skills in all types of children and would like to make sure that we have equipment for them in other places as well. There will be wrestling & cheer mats delivered to the PAL this week along with some underlayment. The room may be closed for a little bit while they are getting everything ready and putting it down but they will be open in September, just in time for the season. The lights for the Turf field should come around the 1st of September and be installed shortly thereafter so that will also be up and ready to use in the Fall. Today there were some stone dust deliveries to the South Side Dog Park which is great. That project is moving along. Finally, I want to thank ACME Markets. This Saturday ACME ran a fundraiser for our Senior Center. ACME donated \$764.00 worth of products to stock up the Senior Center breakfast program. The Senior Center just lost some of their funding for the breakfast program. The larger chains have decided to give their donations to our national or state level food banks. Tree did a wonderful job and two Senior Center Volunteers Grace McGinnis and Jerry Brown sat there all day long to help with this fundraiser and wanted to thank them. Councilman Bengivenga thank you for taking action to help making our railroad crossings safer and better for the whole community. Thank you Carmela for your work tonight.

Councilman Bengivenga – reported progress

Councilman Vesce – reported progress

Councilman Wolak – reported progress

Council President White – The Labor Day Parade is coming up. Raymour and Flanigan Outlet store is opening soon at Middlesex Mall. Mrs. Grennier I wanted to tell you that I do not have the additional

information regarding the MBC. They are still negotiating a lease for a potential site here in South Plainfield. As soon as I find something out definitively I will let you know.

Mayor Anesh – I wanted to make sure no one had a question on Ordinance #2089 as one a much younger Councilman one of the first things that I had done was restricting smoking in the parks within a certain radius of playground equipment. That has been on the books for a long time. This consultation with our Green Team takes it a step further. Ordinance #2089, which was introduced tonight, will prohibit smoking in all municipal buildings, inside the buildings, also within a 35’ radius of the front entrance of the municipal buildings and also a 25’ radius of any other entrance and furthermore in the parks it will ban smoking completely. I think this is long overdue and I think that smoking is on its way out anyway.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Darleen Cullen of 1457 Fox Place updated the Council with regards to the Public Library. Our Children’s department was very busy in the month of July. We over 1000 children attended 66 programs in July along. Our attendance in our Children’s programs and the adult programs doubled from June to July as well. We also have been receiving a lot of compliments on the swings and thanked Councilwoman Faustini for bringing up the swing project for the adaptive swing. The Board was thrilled to improve on it and moved very quick on it should be here soon. Hopefully we could have a little ceremony on that so that the public knows. Mrs. Cullen also stated that they are getting a tremendous amount of inquiries about the ladies’ room floor in the library that the DPW replaced and thanked Len Miller, DPW Superintendent again. Lastly, Mrs. Cullen stated that the we approved the purchase of a permanent electronic sign for the front of the library building. We are working with a gentleman from town but his business is in Kenilworth. and the electrician is also in town as well that we are working with. We are anticipating that around October 2017.

Corrina Nagy of 214 Schillaci Lane explained that it going to be her 8-year anniversary talking about the train noise and was excited to see in the TAP; Mr. Bengivenga speaking so loudly and passionately about the rails except to her dismay it was not about the noise of the trains but mostly about the undercarriage problem that causes damage to a lot of vehicles and asked for clarification on Resolution #17-315. Councilman Bengivenga stated that approximately 4-5 months ago he was receiving complaints about New Brunswick Avenue crossing, which he does not travel often because he goes on Front Street. Councilman Bengivenga added that he brought this up at a Council meeting and the Borough sent letters to Conrail and as in the past they were not getting any response. He then started going over the New Brunswick crossing for the past month/month and a half and literally had to stop his vehicle on the tracks and go over it very slowly. He feels that someone is going to go over that and is going to damage their car or god forbid do damage to something else and what really upset him was that someone was stopped on the tracks because you need to go over very slow and heard gates and were getting nervous, what happens if they get stuck. Councilman Bengivenga then proposed to the Council that they pass a resolution about the safety of the crossing and after an article went out in TAP and on Facebook, Conrail’s legal department contacted him stating that they would like to have a meeting and try to figure out how to try to rectify the safety concerns with the rail. Councilman Bengivenga further stated that he informed Conrail that there was a resolution on for this meeting but if they confirm a meeting he would postpone the resolution. He heard from them right before this meeting and they will meet with him this week and at the meeting he will bring up Ms. Nagy’s concerns as well. Ms. Nagy emphasized that if he is

going to discuss with them fixing that specific street, to make it compliant to a quiet zone, it is a small area. Councilman Bengivenga stated that this whole meeting is going to address all the crossings.

Debbie Boyle of Van Fleet Avenue stated that a few years ago Bobby Capparelli, Supervisor of DPW and her did a fundraiser for an electronic sign for the front of Borough Hall and raised thousands of dollars for that. There was an ordinance and asked where the donations for this were. Glenn Cullen responded that those funds are still in our Trust Fund and what we are looking at is if we are going to put it up at the PAL verses having them doubled up with the Library. Mrs. Boyle also added that baby time on Friday's at the Library are packed as well. It is educational for them as well. They do sing-alongs and have playtime. Miss Mia does a great job. Mrs. Boyle also added that as a member of the Green Team of the Borough, thank you for doing the resolutions as they met 3 weeks ago and it is important to continue the application for sustainability. That was a big part of it also is Mayor's Wellness and the different programs we do there and for many of the events we invite the Borough employees to be a part of that which is documented through press releases and inviting the Borough to attend.

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

At 8:33 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 8:44 p.m., Mayor Anesh called the public meeting back to order saying the results of this evenings Executive Session has not resulted in any further business or action needed this evening.

ADJOURNMENT:

With no further comments, Mayor Anesh called for a motion to adjourn. Council President White made a motion at 8:44 p.m., seconded by Councilwoman Faustini and unanimously carried. The meeting was adjourned.

Respectfully Submitted By:

Carmela A. Sutor, Deputy Clerk