

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
SEPTEMBER 4, 2018, 2018 7:03 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 Clerk Antonides as follows:

COUNCIL	Present	Absent	Late
Councilman Dean	X		
Councilwoman Faustini	X		
Councilman Vesce	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. Ms. Carol Cristatos said she's very happy to see the vacant foreclosed property ordinance on tonight's meeting. She advised that such a house exists right by her and is very frustrated that the owners can't be reached or are non-responsive. Mr. Rizzo took her phone number and said he will contact her for more details on this. With no further comments from the public, Mayor Anesh closed the floor.

Authorizing the Approval of Council Minutes:

- August 13, 2018 – Agenda
- August 13, 2018 – Public
- August 13, 2018 – Executive

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

The following Ordinance 2116 was read by Clerk Antonides by title on second reading. Mayor Anesh opened the floor for public comment and with no comments from the public closed the floor. Mayor Anesh asked the Council if they had any comments but no comments were made.

**ORDINANCE NO. 2116
AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF
SOUTH PLAINFIELD TO ADD CHAPTER 334 TITLED
“VACANT AND ABANDONED RESIDENTIAL PROPERTIES”.**

BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Code of the Borough be amended to add Chapter 334 titled “Vacant and Abandoned Residential Properties” as follows:

SECTION 334-1 – PURPOSE.

{A0961100.1}

The purpose of this Article is to protect the public health, safety, morals and welfare by establishing minimum standards governing the maintenance, appearance and condition of vacant and abandoned properties by establishing standards governing facilities and conditions of said facilities and fixing penalties for the violation of this Article.

SECTION 334-2 – DEFINITIONS.

As used in this Article, the following terms shall have the meanings indicated:

Enforcement Officer: The Borough Enforcement Officer shall be the Property Maintenance Official who shall be responsible for the enforcement of provisions of this Article. Nothing herein shall preclude any Borough employee engaged in the enforcement of laws and ordinances from enforcing the provisions hereof.

Exterior of Premises: Those portions of a residential structure or accessory structure on residential property which are exposed to public view and the surrounding open space.

Nuisances and Hazards: The following shall be considered nuisances and hazards for the purposes of this Article:

- A. Any residential structure or accessory structure in disrepair by reason of deteriorating conditions or storm damage;
- B. Out of service swimming pools in disrepair by reason of deteriorating conditions or storm damage;
- C. Dead, rotting or diseased trees;
- D. Loose or overhanging tree limbs;
- E. Accumulated junk, litter or debris;
- F. Accumulated hazardous, noxious, or unhealthy substances or materials;
- G. Overgrown or neglected lawns, bushes, trees, shrubbery and landscaping;
- H. Accumulation of newspapers, circulars, flyers or mail on the property; or
- I. Sidewalks in disrepair by reason of deteriorating conditions or damage.

Responsible Party: The title owner of a vacant and abandoned property or a creditor responsible for the maintenance of a property pursuant to N.J.S.A. 46:10B-51.

Street Address: An address at which a natural person who is the responsible person or an authorized agent actually resides or actively uses for business purposes, and shall include a street name or rural delivery route.

Vacant and Abandoned Residential Property: Any improved residential property which is not typically occupied by a title owner, title owner's family member, title owner's relative or a tenant of the title owner, and at which at least two of the following conditions exist at the property:

- A. Overgrown or neglected vegetation;
- B. Accumulation of newspapers, circulars, flyers or mail on the property;
- C. Disconnected gas, electric or water utility services to the property;
- D. Accumulation of hazardous, noxious or unhealthy substances or materials on the property;
- E. Accumulation of junk, litter, trash or debris on the property;
- F. Absence of window treatments, such as blinds, curtains or shutters;
- G. Absence of furnishings and personal items;
- H. Statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
- I. Windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepared;
- J. Doors to the property that are smashed through, broken off, unhinged or continuously unlocked;
- K. A risk to the health, safety or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or physical destruction or deterioration of the property;
- L. An uncorrected violation of a municipal building, housing or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- M. The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected and in danger of freezing;
- N. A written statement written by mortgagee expressing their clear intent of all mortgagors to abandon the property; and
- O. Any other reasonable indicia of abandonment.

Yard: An open space extending between the closest point of any building and a lot line or street line, excluding those portions of the
{A0961100.1}

yard that are critical areas subject to conservation restrictions.

SECTION 334-3 – REGISTRATION OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES.

A. Registration. The responsible party for a vacant and abandoned residential property shall file a Certificate of Registration with the Borough Clerk within 30 days after receipt of notice pursuant to Section 334-6, that the property has been determined to be vacant and abandoned, or within 30 days after the responsible party assumes ownership of responsibility for a property already determined to be vacant and abandoned, whichever is later. A Certificate of Registration shall remain valid for one year from the date of issuance and shall be renewed on an annual basis if the property remains vacant and abandoned.

B. Form of Certificate of Registration. The Certificate of Registration shall be filed on forms prescribed by the Borough Clerk, and shall contain:

1. The name, street address and telephone number of the person who resides or maintains an office within the State and who is either the responsible party or an authorized agent designated by the responsible party to receive notices and complaints of property maintenance and code violations on behalf of the responsible party;
2. The name, street address and telephone number of the person responsible for maintaining the property, if different; and
3. A certificate from a licensed insurance provider evidencing that liability insurance coverage on a vacant and abandoned residential property as required by Section 334-4.

C. Certificate of Registration Amendments. A responsible party for a vacant and abandoned residential property shall file an Amended Certificate of Registration within 30 days after any change in the information required to be included thereon.

D. Certificate of Registration Fees. The following fees for a Certificate of Registration shall be paid by the responsible party:

1. For the initial Registration Fee - \$350.00;
2. For annual renewals of the Registration Fee where there are no outstanding property maintenance or code violations at the time of renewal - \$350.00;
3. For annual renewal of the Registration Fee where there are outstanding property maintenance or code violations at the time of renewal - \$1,000.00.

SECTION 334-4 – SECURITY; NOTIFICATION; LIABILITY INSURANCE.

Within 30 days after the property has been determined to be vacant and abandoned and until the property is reoccupied, the responsible party for a vacant and abandoned residential property shall:

- A. Enclose and secure the property against unauthorized entry;
- B. Post a sign affixed to the outside of the property and visible to the public indicating the name, address and telephone number of the responsible party, and the authorized agent designated by the responsible party for the purposes of receiving service of process, and the person responsible for maintaining the property if different from the responsible party or authorized agent; and
- C. Acquire and otherwise maintain liability insurance by procuring a vacancy policy, covering any damage to any person or any property caused by any physical condition of the property.

SECTION 334-5 – MAINTENANCE STANDARDS FOR VACANT AND ABANDONED RESIDENTIAL PROPERTIES.

Vacant and abandoned residential properties shall be maintained in accordance with the following standards:

- A. The property shall be kept free of all nuisances and hazards, litter and debris;
- B. The property shall be kept free of accumulations of water, vegetation or other matter which might serve as a source of food or as a harboring or breeding place of infestation;
- C. Grass in the yard area shall be cut and maintained so as to prevent the grass from growing to seed or exceeding 12 inches in height;
- D. The exterior of every structure or accessory structure or other improvement on the premises shall be kept in good repair and all exposed surfaces shall be protected against weathering or deterioration by a protective coating appropriate for the particular material involved as needed;
- E. The exterior of the buildings shall be free of loose material that may create a hazard by falling on persons utilizing the premises;
- F. All exterior walls, roofs, windows, window frames, doors, door frames, sky lights, foundations and other parts of the structure shall be maintained to keep water from entering the structure and to prevent excessive drafts or heat loss during cold or inclement weather, and to provide a barrier against infestation. Damaged or badly worn materials shall be repaired or replaced and

places showing signs of rot, leakage or deterioration or corrosion shall be treated or restored to prevent weathering or seepage;

G. Leaders and drain pipes shall be securely fastened to the building and maintained in good condition free of leaks and free of obstructions and shall direct stormwater into draining systems or away from the foundation walls of the structure.

SECTION 334-6 – NOTICE OF VACANCY AND ABANDONMENT.

Upon determination of the enforcement officer that a residential property is vacant and abandoned, the enforcement officer shall notify the responsible party by personal services, registered mail or posting of notice in a noticeable place on the property of the determination and the requirements of this Article.

SECTION 334-7 – NOTICE OF VIOLATION.

The enforcement officer upon determination of any violation of the provision of this Article, or any other applicable ordinances, statute or regulations, shall serve a notice of such violation on a responsible party by personal service, registered mail or posting of notice in a noticeable place on the property. The notice shall advised the responsible party of the violation and the obligation to remedy the same within ten days from the date of the notice. If the violation is not remedied to the satisfaction of the enforcement officer within said ten days, the enforcement officer may issue a summons to the responsible party and request the Governing Body to adopt a resolution authorizing the municipality to abate the violation and place the property in compliance with the provisions of this Article and any other applicable ordinances, statutes or regulations at the responsible party’s sole cost and expense and impose a lien on the property for all costs and fees associated therewith.

SECTION 334-8 – ABATEMENT BY MUNICIPALITY; COSTS AS LIEN.

Upon adoption of a resolution by the Governing Body, the municipality may abate any nuisance, hazard or violation and place the property in compliance with the provisions of this Article and any other applicable ordinances, statutes or regulations. The enforcement officer shall certify the costs thereof to the Governing Body. The Governing Body shall review the certificate of costs and, if found acceptable, authorize a lien to be placed against the property. The amount of the lien shall be added to the taxes to be assessed and levied upon the property. The amount of the lien shall also bear interest at the same rate as taxes and be collected in the same manner as any other taxes assessed and levied upon the property.

SECTION 334-9 – VIOLATIONS AND PENALTIES.

Any person or entity that violates any provision of this Article shall, upon conviction thereof, be punished by a fine of not less than \$500.00 or more than \$2,000.00. Each day that a violation continues shall constitute an additional, separate and distinct offense. Any penalty imposed pursuant to this Section shall be recoverable by a summary proceeding under the Penalty Enforcement Law (N.J.S.A. 2A:58-10, et seq.). The Superior Court, Law Division, or the Municipal Court of the Borough shall have jurisdiction to enforce such penalty.

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

The following Ordinance 2117 was read by Clerk Antonides by title on second reading. Mayor Anesh opened the floor for public comment and with no comments from the public closed the floor. Mayor Anesh asked the Council if they had any comments. Council President Bengivenga thanked Amy for bringing this to our attention and Mr. Rizzo for his assistance in putting this ordinance together. This will be another means to help beautify the town.

BOND ORDINANCE 2117

BOND ORDINANCE AMENDING SECTION 3(A) OF BOND ORDINANCE NUMBERED 2103 OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, FINALLY ADOPTED FEBRUARY 5, 2018, IN ORDER TO REVISE THE 2018 ROAD LIST REFERENCED IN SECTION 3(A) TO INCLUDE ADDITIONAL ROADS AND SIDEWALKS

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section One. Section 3(a) of Bond Ordinance numbered 2103 of the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough"), finally adopted February 5, 2018, is hereby amended in order to revise the 2018 road list referenced in Section 3(a) to include Geary Drive, Lee Place, Robert Place and sidewalks on Park Avenue near East Fairview Drive.

Section Two. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section Three. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

RESOLUTIONS

RESOLUTION: 18-325

AUTHORIZING A FIRE INSPECTION FEE REFUND IN THE AMOUNT OF \$287.00 TO AAA STORAGE DEPOT IN SOUTH PLAINFIELD

WHEREAS, the Fire Official confirms that the owner will now be billed from the State only and thus the applicant has requested a refund of their \$287.00 for a fire inspection 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 \$287.00 to the following:

AAA Storage Depot
1500 Jersey Street
South Plainfield, NJ 07728
Attn: Donna Clark

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 Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman White	x		X				
Councilman Wolak		x	X				
Council President Bengivenga			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION: 18-326

AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1,714.37 FOR ROBERT WALDROP OF 101 WELLS DRIVE.

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

Block: 92 Lot: 8
 Robert Waldrop
 101 Wells Drive
 South Plainfield, NJ 07080
 \$1,714.37

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 Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman White	x		X				
Councilman Wolak		x	X				
Council President Bengivenga			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION: 18-327

AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$2,088.36 FOR RONALD & DIANE JANUS OF 133 CAMDEN AVENUE.

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

Block: 426 Lot: 8.01
 Ronald & Diane Janus
 133 Camden Avenue
 South Plainfield, NJ 07080
 \$2,088.36

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 Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman White	x		X				
Councilman Wolak		x	X				
Council President Bengivenga			X				
VOTE:			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION No. 2018-328

AUTHORIZING A ONE YEAR EXTENSION FOR SCHOOL CROSSING GUARD SERVICES WITH DMS SYSTEMS FOR THE 2018-2019 SCHOOL YEAR IN AN AMOUNT NOT TO EXCEED AN HOURLY RATE OF \$15.90

WHEREAS, a need has been determined for School Crossing Guard services for the 2018 – 2019 school year; and

WHEREAS, sealed bids for School Crossing Guard Services were received and publicly opened on June 21, 2016 at 10:00 a.m.; and

WHEREAS, DMS Systems, Inc., 50 Lewis Avenue, Jersey City, New Jersey 07306 was determined to be the lowest qualified bidder, in the amount of \$15.90 per guard per hour for a one year term to expire June 30, 2019; and

WHEREAS, in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11-15, said agreement may be extended for two (2) one-year terms and it is the Borough’s and DMS System’s desire to extend said contract for the second and final one-year extension term to expire June 30, 2019; and

WHEREAS, the Borough reserves the right to adjust locations and/or personnel as needed; and

WHEREAS, funds for said purpose will be made available in the CY 2018 and CY 2019 budgets;

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby granted to extend the existing contract for the second and final one-year extension period for 2018-2019 for Crossing Guard Services for the Borough of South Plainfield to DMS Systems, Inc., 50 Lewis Avenue, Jersey City, New Jersey 07306. at an hourly rate of \$15.90 per guard per hour for the period August 15, 2018 through June 30, 2019.

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

RESOLUTION 18-329

AUTHORIZING THE PART-TIME HIRING OF KEVIN FARREL, JAKE HOFFMAN, JUSTIN MARKS AND NICK PEZZOLLA FOR THE DPW AT THE HOURLY RATE OF \$13.29 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 it hereby authorizes the Borough to hire Kevin Farrel, Jake Hoffman, Justin Marks and Nick Pezzolla on a part-time basis without benefits for the DPW effective at the hourly rate of \$13.29 pursuant to the salary ordinance for such.

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. Len Miller, DPW Superintendent

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

RESOLUTION 18-330
AUTHORIZING THE PART-TIME HIRING OF JAKE SMITHLINE AT THE HOURLY RATE OF \$12.73, WITH NO
BENEFITS,
FOR THE POSITION OF GROUNDSKEEPER

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 authorizes the Borough to hire Jake Smithline on a part-time basis without benefits in the position of Groundskeeper, effective September 5, 2018 at the hourly rate of \$12.73:

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. Alice Tempel, Recycling/Environmental Specialist
6. Len Miller, DPW Superintendent

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

RESOLUTION 18-331
AUTHORIZING THE REFUND OF A SENIOR CENTER SECURITY DEPOSIT IN THE AMOUNT OF \$100.00 TO
MARILYN EDGERTON OF 2023 SOUTH CENTRAL AVE.

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the following refund(s) to senior(s):

Marilyn Edgerton
 2023 South Central Avenue
 South Plainfield, NJ 07080
 \$100.00 – security deposit

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of South Plainfield that the Finance Office hereby has approval to release the aforementioned refund(s).

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman White	x		X				
Councilman Wolak		x	X				

Council President Bengivenga			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION NO. 18-332

AUTHORIZING THE EXTRAORDINARY UNSPECIFIABLE SERVICES (EUS) FROM TACTICAL PUBLIC SAFETY FOR ANNUAL MAINTENANCE SERVICES FOR THE POLICE DEPARTMENT IN THE AMOUNT NOT TO EXCEED \$42,672.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the extraordinary unspecifiable services (EUS) from Tactical Public Safety, a NJ state contract vendor, for annual maintenance services for the Police Department in an amount not to exceed \$42,672.00; 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. James Parker, Police Chief

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

RESOLUTION 18-333

AUTHORIZING A NJ STATE CONTRACT PURCHASE FOR PROTECTIVE FIRE UNIFORMS FROM SKYLAND AREA FIRE EQUIPMENT & TRAINING IN AN AMOUNT NOT TO EXCEED \$22,969.25

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes a NJ State Contract (80948) purchase for fire protective uniforms from Skyland Area Fire Equipment & Training in an amount not to exceed \$22,969.25; 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 Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman White	x		X				
Councilman Wolak		x	X				
Council President Bengivenga			X				
		VOTE:	6	0			

Mayor Anesh – TIE ONLY				
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**RESOLUTION 2018-334
AUTHORIZING THE SERVICES OF T&M FOR ENGINEERING SERVICES ASSOCIATED WITH GAS LINE
INSTALLATION FOR PSE&G**

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates for engineering services associated with gas line installation for PSE&G of which all engineering fees will be paid for by PSE&G through an engineering escrow account.

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

1. Municipal Clerk
2. Chief Financial Officer
3. Len Miller, DPW Superintendent
4. T&M Associates

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

**RESOLUTION 2018-335
AUTHORIZING THE SERVICES OF RJR ENGINEERING CO. FOR AN ENGINEERING EVALUATION OF THE
COMMUNITY POOL IN AN AMOUNT NOT TO EXCEED \$2,575.00**

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for the services of RJR Engineering Co. for an engineering evaluation of the community pool in an amount not to exceed \$2,575.00.

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

1. Municipal Clerk
2. Chief Financial Officer
3. Kevin Hughes, Recreation Director
4. RJR Engineering Co.

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

**RESOLUTION: 18-336
AUTHORIZING THE REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$4,418.10. PERTAINING TO
100 SYLVANIA PLACE IN SOUTH PLAINFIELD**

WHEREAS, the following list of taxpayers have filed appeals with the Tax Court of New Jersey and have received judgments reducing their assessments:

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be refunded.

OWNER/ADDRESS

Del Beni, Angelo Jr.
South Plainfield, NJ 07080

BLOCK

308

LOT

40

YEAR

2016
2015

AMOUNT

\$2,150.69
\$2,267.41

100 Sylvania Boulevard

Make check payable to:

Blau & Blau, attorneys for Plaintiff
223-B Mountain Avenue
Springfield, NJ 07081

Total **\$4,418.10**

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 Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman White	x		X				
Councilman Wolak		x	X				
Council President Bengivenga			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION #2018-337

AUTHORIZING THE APPROVAL AND RENEWAL OF LIQUOR LICENSES FOR 2018 - 2019 AND AUTHORIZING THE MUNICIPAL CLERK TO ISSUE 2018-2019 LIQUOR LICENSES TO ALL LICENSEES THAT HAVE MET ALL STATE AND BOROUGH REQUIREMENTS AND HAVE PAID ALL APPROPRIATE FEES.

WHEREAS, applications for renewal of Liquor Licenses for the year 2018-2019 have been submitted; and

WHEREAS, no objections to said renewals have been filed; and

WHEREAS, the proper Borough fees have been paid by all applicants and the renewal retail licensee tax clearance certificate has been issued.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of the Borough of South Plainfield that the following licensees be granted renewals of their liquor licenses for the year commencing July 1, 2018 and expiring June 30, 2019:

License #	Type	License Name	Trade Name
1222-33-014-003	Plenary Retail Consumption	SGS Associates Inc	Sal's Spirit Shoppe

BE IT FURTHER RESOLVED that the Municipal Clerk is authorized to issue 2018-2019 liquor licenses to the above-named licensees.

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

RESOLUTION 2018-338

AUTHORIZING THE CANCELATION OF OUTSTANDING PAYROLL CHECKS TOTALING \$2,618.36 NOW STALE DATED

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield that based upon the recommendation of the Borough Auditor the below list of checks issued from Borough bank accounts have been outstanding for more than one year and as such, are now stale-dated;

Check #	Dollar Amount
221902	68.86
222635	88.09
223465	45.93
225221	5.22
225231	1.66
225551	35.00
227063	49.16
227813	94.68
229949	27.09
230576	34.06
226138	297.98
226820	249.68
228201	515.89
231118	264.85
233192	27.09
227814	195.65
231202	27.55
231272	22.96
231455	10.31
228952	255.27
230750	220.58
231176	80.80
TOTAL:	2618.36

BE IT FURTHER RESOLVED that the attached list of stale-dated checks be hereby canceled and that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer

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

RESOLUTION 2018-339

AUTHORIZING THE PROVISIONAL PROMOTIONS OF KYLE SCHROEDER TO HEAVY EQUIPMENT OPERATOR (\$66,268.80) AND SAL ESPOSITO TO MOTOR BROOM OPERATOR (\$62,732.80) FOR THE DPW

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey, that:

WHEREAS, a need exists to supplement the workforce of the Department of Public Works; and

WHEREAS, at the recommended by the Administrator and the Superintendent of Public Works the following employees be promoted on a provisional basis at the DPW;

Kyle Schroeder Heavy Equipment Operator \$66,268.80 annual salary
 {A0961100.1}

Sal Esposito

Motor Broom Operator

\$62,732.80 annual salary

NOW THEREFORE BE IT RESOLVED by the South Plainfield Borough Council that the aforementioned employees be promoted accordingly for the Department of Public Works with a salary pursuant to the current salary ordinance;

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

1. Glenn Cullen, CFO/Administrator
2. Amy Antonides, Municipal Clerk
3. Len Miller, DPW Supervisor
4. Anne Daley, Benefits
5. Carmela Sutor, Payroll

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

RESOLUTION 18-440

AUTHORIZING AWARD OF BID TO PABCO INDUSTRIES, LLC FOR BIODEGRADABLE AND RECYCLABLE LEAF BAGS FOR THE BOROUGH OF SOUTH PLAINFIELD IN AN AMOUNT NOT TO EXCEED \$22,393.80

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:11 any expenditure of public funds in excess of \$17,500 requires the advertisement for proposals for delivery of said goods or services; and

WHEREAS, a need has been determined to provide biodegradable and recyclable leaf bags for the Borough of South Plainfield citizens; and

WHEREAS, bids were solicited and opened on Tuesday, August 28, 2018 at 10:00 a.m. and the following one and only company submitted a bid:

- Pabco Industries, LLC \$ 22,393.80 (\$0.377/unit)

WHEREAS, the bids have been reviewed by the Borough Engineer, and the Borough Attorney, and it is their recommendation that the bid from Pabco Industries, LLC. for biodegradable and recyclable leaf bags in the amount of \$22,393.80 (\$0.377 per bag) be accepted and an unit price contract be awarded; and

WHEREAS, funds for said purpose have been certified by the Chief Financial Officer and are available in the 2018 current budget account;

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given to award a unit price contract to Pabco Industries, LLC for biodegradable and recyclable leaf bags at a cost not to exceed \$22,393.80 (\$0.377 per bag).

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute the necessary agreement with Pabco Industries, LLC., the lowest responsible bidder for the services described.

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

RESOLUTION 2018- 441
AUTHORIZING THE MAYOR AND ADMINIISTRATOR TO EXECUTE AN
AMENDMENT TO THE AGREEMENT WITH MUNICIPAL CARDS, LLC.

WHEREAS, Municipal Cards, LLC and the Borough entered into a Master Service Agreement for an estate card tax savings program on or about November 29, 2017; and

WHEREAS, the term of the agreement was to commence on January 15, 2018 and continue for two years; and

WHEREAS, the parties desire to extend the term of the agreement by one year;

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 and Administrator are hereby authorized to execute an Amendment to the Agreement with Municipal Cards, LLC, a copy of which Amendment is attached hereto.

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

RESOLUTION 18-443
AUTHORIZING THE SERVICES OF EDISON HEATING & COOLING FOR VENTILATION AND HEATING IN THE
MECHANICS BAY OF THE DPW
IN AN AMOUNT NOT TO EXCEED \$6,840.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Edison Heating and Cooling for ventilation and heating in the Mechanics Bay of the DPW in an amount not to exceed \$6,840.00; 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

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

RESOLUTION 18-444
AUTHORIZING THE SERVICES OF SEAMLESSDOCS TO PROVIDE A SUBSCRIPTION FOR ELECTRONIC
UNLIMITED FORMS, SUBMISSIONS, AND SIGNATURE APPLICATIONS IN AN AMOUNT NOT TO EXCEED
\$5,500.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of SeamlessDocs to provide a subscription for electronic unlimited forms, submissions, and signature applications in an amount not to exceed \$5,500.00; 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. John Abbruzzese, IT

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

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Public Celebrations Minutes – July 12, 2018

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

PAYMENT OF BILLS

Current Fund	8-01	258,689.56
Current Fund	7-01	5,348.58
Pool Utility	7-26	0.00
Pool Utility	8-26	3,971.15
Sewer Utility	7-07	0.00
Sewer Utility	8-07	31,866.33
Sewer Utility Capital	C-08	0.00
General Capital	C-04	572,620.42
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	906.67
Dog Trust	T-12	0.00
Treasurers Trust	T-13	43,933.52
Recreation Trust	T-14	9,605.47
TOTAL ALL FUNDS		\$ 926,941.70

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

COUNCIL REPORTS:

Borough Attorney Rizzo Esq. – advised that the Property Maintenance Officer has brought to his attention a situation pertaining to a dilapidated pool. Ultimately, they did put up a fence but we do not have an ordinance in place regarding pools that have become a safety hazard and asked the Council if they would like him to prepare such an ordinance. It would give the governing body the ability to address these types of issues should they choose to. Council President Bengivenga asked if the UCC governs this. Mr. Rizzo said it imposes fines but what happens when the fines are not working. Mayor Anesh thought it is a good idea especially if there is a safety

issue at hand. The governing body should have a tool in place for these types of situations and hopefully there are few. Mr. Rizzo said he will prepare a draft ordinance.

Administrator Cullen – reported that since John has taken over the property maintenance work around May 2nd there has been 269 calls of which 238 have been resolved. 31 are still being working on. Our recent note sale was awarded to TD Bank at 2.14%. To conclude, Mr. Cullen said he received a call from NJDOT who wants to meet with Mayor Anesh and maybe a couple other council members to discuss county road 531 bridge. It was suggested to meet sometime in September or October.

Engineer Miller –we’ve finished all the paving around the schools and just today we have finished Durham Avenue. We still have a couple speed humps to install. Orchard Road storm sewers have been installed. The concrete work will begin next week with paving to follow. The road jobs are ongoing and we are making good progress.

Clerk Antonides – reported progress.

Councilman Vesce – reported that the work on Woodland and Oaktree is slated right now to be completed the end of October. There are delays due to the force main. Mayor Anesh asked Mr. Cullen to put out an update to all residents regarding the status of this project.

Councilman Wolak – said that despite the heat, we had a great parade and fireworks on Labor Day. Councilman Wolak thanked all those who participated and then went on to remind everyone to make sure their car doors are locked due to an increase in car thefts of late.

Councilman White – thanked the council for renewing the seamless docs agreement. In October the building department will be getting a new software system which we’re looking forward too.

Councilman Dean – advised that some recycling issues still exist. All of the southside was completely missed. Alice has been working on it. We are not sure if a truck broke down again or not. One of the issues that came up is that the company is only picking up the blue recycling cans. If there is a can that is put out that is not blue or does not have a recycling sticker on it, it will not be picked up. Apparently, a lot of residents are putting cans out for recycling with no markings. That is why they are not being picked up. Alice has recycling stickers for those interested.

Councilwoman Faustini – Congratulated the Public Celebrations Committee for all their work on putting the Labor Day Parade together. On another note, the Library will be honoring Spanish Heritage Month with a live dance at the Senior Center with food from local restaurants also. The Friends of the Library will be hosting a bake and book sale the same day; September 22nd. A new digital sign will be installed at the Senior Center next week. Happy first day of school tomorrow to all teachers and students.

Council President Bengivenga – thanked everyone who put the Labor Day Parade together. It was a great time. Council President Bengivenga said he walked in it and assisted the Elks Club with pushing their car through the heat.

Mayor Anesh – said it was indeed a great Labor Day in South Plainfield and thanked all the emergency services who participated with it. Mayor Anesh and Mr. Cullen both thanked particularly Anne Daley for filming the whole parade and firework show for Facebook and went on to thank everyone else who participated.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Suzanne Lepore of Bullard Placed questioned the timing of the traffic light on Park Avenue. Mr. Miller explained.

Mr. Jeff Seider of Donohue Avenue questioned why the striping is off center on Cedarbrook. Mr. Miller explained all the variables including the methodology of traffic calming.

Debbie Boyle of Van Fleet said she’s in favor of having a pool safety ordinance in place and then invited everyone to the Josh Field ribbon cutting ceremony at 6:30 p.m. this Friday. Ms. Boyle then read a prepared statement thanking all those who participated in putting together, sponsoring and volunteering their time with this year’s Labor Day Parade.

With no further comments from the public, Mayor Anesh closed the floor and advised that we are now going into Executive Session and all are welcome to stay if they so choose.

ADJOURNMENT

Upon return from Executive Session and 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 8:59 p.m., seconded by Council President Bengivenga and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk