

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
JUNE 27, 2016 7:05 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:05 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	X		
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 Bill Robertson	X		
Engineer Miller	X		

Flag Salute: was led by Mayor Anesh and Councilman Rusnak led the invocation calling for a moment of silence in memory of Ed Kabala.

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:

June 13, 2016 – Agenda
June 13, 2016 - Public
June 13, 2016 - Executive

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

ORDINANCE – SECOND READING BY TITLE:

BOND ORDINANCE 2057

ORDINANCE REAPPROPRIATING \$56,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY- was read by title by Clerk Antonides by title on second reading. Mayor Anesh opened the floor for public hearing. With no comments made, closed the floor. Mayor Anesh asked the Council if they had any comments, but no comments were made.

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 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$56,000 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") are no longer necessary for the various purposes for which the obligations previously were authorized:

Ordinance Number	Improvement Description and <u>Date of Adoption</u>	Amount to be <u>Reappropriated</u>
Section 3(b) of Bond Ordinance #1966	The installation of a barn roof, including all work and materials necessary therefor and incidental thereto, finally adopted June 18, 2012.	\$3,365.00
Section 3(c) of Bond Ordinance #1966	The acquisition of a striping machine, including all related costs and expenditures incidental thereto, finally adopted June 18, 2012.	\$1,680.00
Section 3(e) of Bond Ordinance #1985	The acquisition of generators for the rescue squad, including all related costs and expenditures incidental thereto, finally adopted finally adopted March 18, 2013.	\$20,000.00
Section 3(d) of Bond Ordinance #2001	The acquisition of a generator for the High School, including all related costs and expenditures incidental thereto, finally adopted May 5, 2014.	\$25,000.00
Section 3(b) of Bond Ordinance #2023	The acquisition of a street sweeper, including all related costs and expenditures incidental thereto, finally adopted July 13, 2015.	\$5,955.00
Total:		\$56,000.00

Section 2. The \$56,000 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby reappropriated to provide for various capital improvements, including, but not limited to, the acquisition of a sport utility vehicle for the Police Department, improvements to PAL Recreation Center, including but not limited to landscaping, planting trees and various external improvements, and improvements to PAL Recreation Center bathrooms, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

Section 3. 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 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 4. This 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 Barletta			X				
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

ORDINANCE No. 2058

AN ORDINANCE THAT AMENDS ORDINANCE 2031 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 PART-TIME AND SEASONAL HELP was read by title

by Clerk Antonides by title on second reading. Mayor Anesh opened the floor for public hearing. With no comments made, closed the floor. Mayor Anesh asked the Council if they had any comments, but no comments were made.

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.\, * unless otherwise indicated.

POSITION (RET)	2016	2017	2018
Clerk	\$ 15.62	\$ 15.91	\$ 16.22
PT Building Inspector	\$ 38.74	\$ 39.48	\$ 40.23
PT Plumbing Sub-Code	\$ 35.51	\$ 36.19	\$ 36.87
Public Safety Telecommunicator	\$20.00 - \$35.00	\$20.38 - \$35.65	\$20.76 - \$36.34
Building Maintenance Worker	\$ 21,887.61	\$ 22,303.48	\$ 22,727.24
Recreation Housekeeper	\$ 12,186.20	\$ 12,417.74	\$ 12,653.68
Recreation Attendant I	\$ 12.80	\$ 13.05	\$ 13.29
Recreation Attendant II	\$ 14.58	\$ 14.86	\$ 15.14
Recreation Attendant III	\$ 16.33	\$ 16.64	\$ 16.96
Recreation Attendant IV	\$ 17.49	\$ 17.82	\$ 18.16
Effective 1/1/15 for above			
Clean Neighborhood Program Aid	2015=\$14.00	\$ 14.54	\$ 14.81
	2016=\$14.26		

SECTION 2. INCONSISTENCY – All ordinance or parts of ordinances 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 Barletta		x	X				
Councilman Richkus			X				
Councilman Rusnak			X				
Councilman White	x		X				
Councilman Wolak			X				
Council President Bengivenga			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

ORDINANCE 2059

ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD ESTABLISHING CHAPTER 70 “THIRD PARTY PAYROLL DISBURSEMENT” was read by title by Clerk Antonides by title on second reading. Mayor Anesh opened the floor for public hearing. With no comments made, closed the floor. Mayor Anesh asked the Council if they had any comments, but no comments were made.

WHEREAS, the Local Finance Board of the State of New Jersey adopted formal rules regarding “Electronic Disbursement Controls for Payroll Purposes” in order to provide formal authority for local governments to hire third party payroll services/disbursing services to disburse funds to payroll agencies; and

WHEREAS, in order to have a payroll service provide disbursement services, the Borough Council of the Borough of South Plainfield must formally approve the principle of a third party having access to Borough funds, formally assigning responsibility to an official to oversee the process by enacting an ordinance, and approving all contracts or extensions.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that Chapter 70 entitled “Third Party Payroll Disbursement” is hereby established in the Borough Code:

CHAPTER 70 “THIRD PARTY PAYROLL DISBURSEMENT”

§70-1. PURPOSES; DEFINITIONS.

A. The purpose and intent of these regulations is to abide by the requirements of N.J.S.A. 52:27D-20.1 and N.J.A.C. 5:30-17.1 et seq., governing electronic disbursement controls for payroll purposes.

B. Definitions. As used in this chapter, the following terms shall have the meanings indicated: “Approval Officer”
Person(s) responsible for authorizing and supervising the activities of the payroll service.
Third party payroll service organization – Borough of South Plainfield

§70-2. AUTHORIZATION.

A. The Borough is authorized to use a payroll service to prepare payment documentation, take possession of Borough funds, and make such disbursements itself on behalf of the Borough.

B. The following payroll service providers shall be required to comply with these regulations:

(1) Payroll service providers who use their own customized programming process to execute disbursements for the Borough.

(2) Payroll service providers who use a third party processor to execute disbursements for the Borough.

§70-3. BOROUGH REQUIREMENTS.

A. The appointment of a payroll service shall be pursuant to the Local Public Contracts Law, see N.J.S.A. 40A:11-1 et seq. and shall require the contractor to do the following, not by way of limitation: data collection, agency report preparation, calculation of withholding, direct deposit of payroll disbursements, and/or transfer of Borough funds to contractor’s account for subsequent disbursement of payment.

B. Any renewal or extension of a contract under these regulations shall be by resolution.

C. The Chief Financial Officer is hereby appointed the approval officer and is responsible for authorizing and supervising the activities of the payroll service and shall further be charged with the reconciliation and analysis of all general ledger accounts affected by the activities of the disbursing organization. ‘]

D. If required by the contract between the Borough and the payroll service, the payroll service is permitted to hold Borough funds pending transmittal to a payee.

§70-4. PAYROLL SERVICE REQUIREMENTS.

A. A payroll service must meet all of the following requirements:

(1) Report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty or gross incompetence on the part of the approval officer;

(2) Report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the services provided to the Borough.

B. A payroll service must meet the requirements of N.J.A.C. 5:30-17.5. requiring that the approval officer be assured that the servicer has tis own internal controls and appropriately guard against theft and other adverse conditions.

C. All contracts entered into pursuant to these regulations and the laws authorizing the same shall comply with the requirements of N.J.A.C. 5:30-17.6, which sets out a seres of mandatory contractual terms and conditions.

§70-5 ESTABLISHMENT OF SERVICE.

Upon the adoption of these regulation, the Borough Manager, with the assistance of the Chief Financial Officer and Borough Attorney, as necessary, is hereby authorized and directed to enter into a contract for payroll services in accordance with all local public contracting laws and N.J.A.C. 5:30-17. Appointment of the payroll service shall be by separate resolution of the Borough.

BE IT ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

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

RESOLUTIONS

**RESOLUTION #16-206
AUTHORIZING THE RELEASE OF A PERFORMANCE BOND POSTED BY GRASSO FOR
PUBLIC IMPROVEMENTS TO BLOCK 398, LOT 2.1, 201 ST. JOHN PLACE, AND ACCEPTANCE OF
THE MAINTENANCE BONDS
IN THE AMOUNT OF \$5,058.22**

WHEREAS, the Borough of South Plainfield is in possession of a Performance Bond from Grasso for the improvements located at Block 398, Lot 2.1; and

WHEREAS, Grasso has submitted the Maintenance Bond in the amount of \$5,058.22; and

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

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of South Plainfield, that the Borough Clerk is hereby authorized to accept the aforementioned Maintenance Bond and release the Performance Bond held for the Public Improvements located at Block 398 Lot 2.1.

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							

**RESOLUTION #2016-207
AUTHORIZING THE APPROVAL AND RENEWAL OF LIQUOR LICENSES FOR 2016 - 2017 AND
AUTHORIZING THE MUNICIPAL CLERK TO ISSUE 2016--2017 LIQUOR LICENSES TO ALL
LICENSEES THAT HAVE MET ALL STATE AND BOROUGH REQUIREMENTS
AND HAVE PAID ALL APPROPRIATE FEES. (PART 2)**

WHEREAS, applications for renewal of Liquor Licenses for the year 2016-2017 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, 2016 and expiring June 30, 2017:

	License #	Type	License Name	Trade Name
1	1222-31-026-001	Club License	Memorial Post 6763 VFW Inc.	VFW
2	1222-33-013-008	Plenary Consumption License	Red Robin International Inc.	Red Robin
3	1222-33-018-004	Plenary Consumption License	Normans Bar & Grill Inc.	KC's Korner
4	1222-32-009-005	Plenary Consumption License	SRI Liquors Inc.	SRI Liquors
5	1222-31-023-001	Club License	Italian American Progressive League	Italian American Club
6	1222-33-005-007	Plenary Consumption License	Konbrothers, Inc.	Park Avenue Diner
7	1222-33-003-007	Plenary Consumption License	Ignite Restaurants	Joe's Crab Shack Brick House Tavern & Tap
8	1222-33-017-003	Plenary Consumption License	ZZZ Corp.	Flanagans
9	1222-31-022-002	Club License	South Plainfield Lodge 2298 BPOE	Elks Club
10	1222-31-028-001	Club License	South Plainfield Columbia Club	Knights of Columbus

BE IT FURTHER RESOLVED that the Municipal Clerk is authorized to issue 2016-2017 liquor licenses to the above named licensees.

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							

RESOLUTION 2016-208

RESOLUTION AUTHORIZING SETTLEMENT OF 2011, 2012, 2013, 2014 and 2015 TAX APPEALS FILED BY ALFIERI BY NBTY AND ALFIERI-600 HADLEY ROAD ASSOCIATES, FOR THE PROPERTY KNOWN AS 600 HADLEY ROAD AND IDENTIFIED AS BLOCK 528.01, LOT 45.06, ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS

WHEREAS, Alfieri By NBTY and Alfieri-600 Hadley Road Associates (hereinafter referred to as "Taxpayer") are the tenant-taxpayer and owner of the property known as 600 Hadley Road and identified as Block 528.01, Lot 45.06, on the Borough of South Plainfield's Tax Assessment Maps ("Property"); and

WHEREAS, the assessed value of the Property was set at \$829,000 for all years under appeal; and

WHEREAS, Taxpayer filed appeals of the 2011, 2012, 2013, 2014 and 2015 tax assessments in the Tax Court of the State of New Jersey under docket numbers 011748-2011, 011504-2012, 011861-2013, 013475-2014 and 009945-2015; and

WHEREAS, a proposed settlement of the aforesaid tax appeals was negotiated between Taxpayer and the Borough Tax Assessor and Borough Tax Attorney as set forth in the Stipulation of Settlement annexed hereto; and

WHEREAS, the Borough Appraiser, Russ Sterling, MAI, opined that the Borough was not able to defend the assessments for the tax years under appeal and recommended that the settlement be approved and therefore, this proposed settlement is reasonable and reflects the correct market values for the Property which was over assessed for all years under appeal; and

WHEREAS, pursuant to the proposed Stipulation of Settlement annexed hereto, the aforesaid tax appeals are to be resolved as follows:

- The 2011 original assessment in the amount of \$829,000 shall be reduced to \$744,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2011;
- The 2012 original assessment in the amount of \$829,000 shall be affirmed and remain unchanged;
- The 2013 original assessment in the amount of \$829,000 shall be affirmed and remain unchanged;
- The 2014 original assessment in the amount of \$829,000 shall be reduced to \$744,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2014;
- The 2015 original assessment in the amount of \$829,000 shall be affirmed and remain unchanged;
- Taxpayer has agreed to waive statutory interest provided the subject refunds are paid within sixty (60) days from the date of the entry of Judgment;
- Refunds regarding over payments shall be made payable to “Alfieri by NBTY, Alfieri-600 Hadley Road Associates and Zipp, Tannenbaum & Caccavelli, LLC, as attorneys”, and forwarded to Paul Tannenbaum, Esq., Zipp, Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, NJ 08837 within 60 days from the date of the entry of Judgment; and
- The taxpayer has agreed that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) are waived and shall not be applicable to this case.

WHEREAS, the Borough of South Plainfield Tax Assessor agrees that it is in the best interests of the Borough of South Plainfield to resolve the aforesaid tax appeals pursuant to the terms and conditions set forth above and in the Stipulation of Settlement annexed hereto based on market conditions as well as the uncertainty and costs associated with continued litigation; and

WHEREAS, the aforesaid settlement is based on the specific and identifiable facts and circumstances pertaining to the Property and has no general application to other properties within the Borough of South Plainfield; and

WHEREAS, the Mayor and Borough Council of South Plainfield having reviewed and considered the pending tax appeals and the proposed settlement thereof agree and confirm it is in the best interests of the Borough of South Plainfield to resolve the tax appeals as set forth herein and in the Stipulation of Settlement attached hereto; and

WHEREAS, the Mayor and Borough Council make this settlement with the Taxpayer without prejudice to its dealing with any other South Plainfield taxpayer’s request for tax assessment reduction; and

WHEREAS, the Mayor and Borough Council leave the allocation between land and improvements of the aforesaid tax assessment reductions to the Borough Tax Assessor’s discretion with the direction that same be set so as to be most beneficial to the Borough.

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

1. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$744,000 total tax assessment for the 2011 tax year for Block 528.01, Lot 45.06 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
2. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$744,000 total tax assessment for the 2014 tax year for Block 528.01, Lot 45.06 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
3. The Borough Attorney is authorized to execute on behalf of the Borough of South Plainfield the attached Stipulation of Settlement pertaining to the tax appeals filed by Alfieri by NBTY, Tenant-Taxpayer and

Alfieri – 600 Hadley Road Associates under Docket Nos.: 011748-2011, 011504-2012, 011861-2013, 013475-2014 and 009945-2015, for the property known as 600 Hadley Road and identified as Block 528.01, Lot 45.06, on the Borough of South Plainfield Tax Assessment Maps which reduces the 2011 total tax assessment on the Property from \$829,000 to \$744,000; which affirms the 2012 and 2013 total tax assessments on the Property at \$829,000; which reduces the 2014 total tax assessment on the Property from \$829,000 to \$744,000; which affirms the 2015 total tax assessment on the Property at \$829,000; which further provides that Taxpayer agrees to waive statutory interest on any refund or overpayment due provided the refund check is paid within sixty (60) days from the issuance of Judgment; which further provides that any refunds shall be made payable to “Alfieri by NBTY, Alfieri-600 Hadley Road Associates and Zipp, Tannenbaum & Caccavelli, LLC, as attorneys,” and forwarded to Paul Tannenbaum, Esq., Zipp, Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, NJ 08837 within 60 days from the date of the entry of Judgment; and which provides that taxpayer has agreed to waive the provisions of N.J.S.A. 54:51A-8 (Freeze Act).

4. This settlement shall be without prejudice to the Borough’s dealings with any other taxpayer’s request or appeal for a tax assessment reduction.

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							

RESOLUTION 2016-209
AUTHORIZING THIRD PARTY PAYROLL DISBURSEMENTS AND
APPOINTING A PAYROLL APPROVAL OFFICER

WHEREAS, N.J.A.C. 5:30-1, ENTITLED “Electronic Disbursement Controls for Payroll Purposes,” sets forth standards for local governments to follow when contracting with an organization to make disbursements on behalf of the local unit, as permitted by N.J.S.A. 52:27D-20.1; and

WHEREAS, the Borough Council of the Borough of South Plainfield must formally approve a payroll service provider access to Borough funds, assign responsibility to an official to oversee the process, and enact policies regulating payroll disbursements by payroll service providers;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey as follows:

1. ADP, Inc. is authorized to prepare any necessary payment documentation and make payroll and payroll agency disbursements on behalf of the Borough by executing such disbursements from the Borough’s designated bank accounts, or by taking possession of Borough funds to make such disbursements and to hold those funds pending transmittal.
2. ADP, Inc. shall use its own customized programming process to execute disbursements for the Borough.
3. The Chief Financial Officer is hereby appointed the approval officer and shall be responsible for authorizing and supervising the activities of the payroll service with respect to the disbursement of Borough funds, and shall further be charged with the reconciliation and analysis of all Borough general ledger accounts affected by the activities of the disbursing organization.
4. ADP Inc. shall be required to report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty or gross incompetence on the part of any approval officer.
5. ADP Inc. shall report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the service provided to the Township.

6. ADP Inc. shall comply with the requirements of N.J.A.C. 5:30-17.5 by providing documentation on an annual basis that ADP, Inc. has its own internal controls and appropriately safeguards against theft and other adverse conditions.

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							

RESOLUTION 16-210
AUTHORIZING THE BOROUGH OF SOUTH PLAINFIELD TO EXECUTE A SUBORDINATION AGREEMENT TO ALLOW A COAH REHABILITATION APPLICANT TO REFINANCE THEIR MORTGAGE TO SECURE A LOWER INTEREST RATE

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the Mayor or Administrator to execute a Subordination Agreement for Sandra Connelly located at 910 Arlington Avenue in South Plainfield, New Jersey, (a COAH rehabilitation applicant) to refinance their mortgage to secure a lower interest;

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. Maureen Fullaway, Affordable Housing Administrator

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							

RESOLUTION 2016-2011
RESCINDING RESOLUTION #2016-100 THAT AUTHORIZED THE TRANSFER OF 2015 CDBG FUNDS IN THE AMOUNT OF \$24,823.00 AND AUTHORIZED THE REQUEST OF SAID FUNDS FROM THE COUNTY OF MIDDLESEX TO BE USED FOR A NEW DIGITAL SIGN AT THE SENIOR CENTER

WHEREAS, the County reports the following balances in the 2015 Community Development Block Grant program in the following amounts:

CD1546 \$28,000.00 Senior Van

WHEREAS, one of this amount is surplus and is not needed for the original purpose; and

WHEREAS, funds are needed for a new digital sign at the Senior Center;

WHEREAS on March 7, 2016 it was authorized by Resolution 2016-100 by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey approving the transfer of County grant funds in the amount of \$24,823.00 from 2015 CD1546 Senior Center Improvements for a new van and hereby changes the use of purchase to a new digital sign for the Senior Center and as such authorizes the request of said funds from the County of Middlesex.

NOW THEREFORE BE IT RESOLVED that the aforementioned Resolution #2016-100 be and is hereby rescinded and repealed from record.

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							

**RESOLUTION 2016-212
AUTHORIZING THE TRANSFER OF 2015 CDBG FUNDS IN THE AMOUNT OF \$24,823.00 AND
AUTHORIZING THE REQUEST OF SAID FUNDS
FROM THE COUNTY OF MIDDLESEX TO BE USED FOR
ADA RAMPS THROUGHOUT THE BOROUGH**

WHEREAS, the County reports the following balances in the 2015 Community Development Block Grant program in the following amounts:

CD1546 \$24,823.00 Senior Van

WHEREAS, one of these amounts are surplus and is not needed for the original purpose; and

WHEREAS, funds are needed for the installation of ADA Ramps;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that it hereby approves the transfer of County grant funds in the amount of \$24,823.00 from CD1546 Senior Center Van and hereby changes the use of purchase to ADA Ramps and as such authorizes the request of said funds from the County of Middlesex.

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							

**RESOLUTION 2016-213
AUTHORIZING THE TRANSFER OF 2012 CDBG FUNDS IN THE AMOUNT OF \$11,138.44 AND
AUTHORIZING THE REQUEST OF SAID FUNDS
FROM THE COUNTY OF MIDDLESEX TO BE USED FOR
ADA RAMPS THROUGHOUT THE BOROUGH**

WHEREAS, the County reports the following balances in the 2015 Community Development Block Grant program in the following amounts:

CD1251 \$11,138.44 Senior Center Improvements

WHEREAS, one of these amounts are surplus and is not needed for the original purpose; and

WHEREAS, funds are needed for the installation of ADA Ramps;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that it hereby approves the transfer of County grant funds in the amount of \$11,138.44 from CD1251 Senior Center Improvements and hereby changes the use of purchase to ADA Ramps and as such authorizes the request of said funds from the County of Middlesex.

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							

**RESOLUTION 2016-214
AUTHORIZING THE TRANSFER OF 2015 CDBG FUNDS IN THE AMOUNT OF \$5,000.00 AND
AUTHORIZING THE REQUEST OF SAID FUNDS
FROM THE COUNTY OF MIDDLESEX TO BE USED FOR
ADA RAMPS THROUGHOUT THE BOROUGH**

WHEREAS, the County reports the following balances in the 2015 Community Development Block Grant program in the following amounts:

CD1545 \$5,000.00 Senior Meals on Wheels Vehicle

WHEREAS, one of these amounts are surplus and is not needed for the original purpose; and

WHEREAS, funds are needed for the installation of ADA Ramps;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that it hereby approves the transfer of County grant funds in the amount of \$5,000.00 from CD1545 Senior Meals on Wheels Vehicle and hereby changes the use of purchase to ADA Ramps and as such authorizes the request of said funds from the County of Middlesex.

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							

**RESOLUTION 16-215
APPROVING AGREEMENT WITH MIDDLESEX WATER COMPANY.**

WHEREAS, Middlesex Water Company has installed a raw water pipeline in Murray Avenue and Eleanor Street;

WHEREAS, repairs were necessary to said roads as a result of such installation, and additional repairs remain necessary; and

WHEREAS, Middlesex Water Company has offered the Borough the sum of \$20,000.00 in lieu of making additional repairs to said roads; and

WHEREAS, the offered amount is sufficient to cover the costs of any additional repairs; and

WHEREAS, the offer of payment by Middlesex Water Company would be made with the understanding that it is in final satisfaction and resolution of any further obligation of Middlesex Water Company arising from the installation of the pipeline in said streets; and

WHEREAS, the parties agree that the Borough may utilize the funds to repair any roads within the Borough as the Borough deems necessary;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Borough shall accept payment of \$20,000.00 by Middlesex Water Company in lieu of making any additional road repairs to Murray Avenue and Eleanor Street which may be necessitated by the installation of a raw water pipeline, and agrees that such payment will be in final satisfaction of any obligation of Middlesex Water Company with regard to such installation.

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

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							

RESOLUTION: 2016-216
AUTHORIZING A REFUND OF SEWER OVERPAYMENT IN THE AMOUNT OF \$183.66 FOR BARBARA SMOROL OF 3307 EVERGREEN LANE

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

Block:222 Lot: 51
 Barbara Smorol
 7 Mary Ellen Drive
 Edison, NJ 08820
 \$183.66

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

RESOLUTION 2016-218
AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND PYROTECNICO FOR A FIREWORK DISPLAY TO BE HELD ON LABOR DAY, 2015 IN AN AMOUNT NOT TO EXCEED \$14,500.00

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for Pyrotecnico to perform a firework display to be held on Labor Day; September, 2015 in an amount not to exceed \$14,500.00; and

BE IT FURTHER RESOLVED that the Mayor has authorization to execute said contract for same and be it further resolved that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. Pyrotecnico
4. Celebrations Committee

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							

Resolution 2016-219 was tabled until the July 11, 2016 meeting.

**RESOLUTION 2016-220
AUTHORIZING THE HIRING OF ADDITIONAL
2016 COMMUNITY POOL PERSONNEL**

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of the Director of Recreation, authorization is hereby given for employing the following additional people for seasonal work at the South Plainfield Community Pool Utility. Dates of hire are May 20, 2016 to September 5, 2016:

Lifeguard I 10.20/hr
Ming Cheung

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							

**RESOLUTION 2016-221
AUTHORIZING THE HIRING OF ADDITIONAL
2016 SUMMER RECREATION PARK PERSONNEL**

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of the Director of Recreation, authorization is hereby given for employing the following additional people for seasonal work at the South Plainfield Community Pool Utility. Dates of hire are May 20, 2016 to September 5, 2016:

Junior Counselor I 8.49/hr

Nicole Sottiriou							
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							

RESOLUTION 2016-222
AUTHORIZING THE TRANSFER OF 2014 CDBG FUNDS IN THE AMOUNT OF \$15,500.00 AND
AUTHORIZES THE REQUEST OF SAID FUNDS
FROM THE COUNTY OF MIDDLESEX TO BE USED FOR
ADA RAMPS THROUGHOUT THE BOROUGH

WHEREAS, the County reports the following balances in the 2014 Community Development Block Grant program in the following amounts:

CD1451 \$15,500.00 Senior Center Improvements

WHEREAS, one of these amounts are surplus and are not needed for their original purpose; and

WHEREAS, funds are needed for the Installation of ADA RAMPS;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that it hereby approves the transfer of County grant funds in the amount of \$15,500.00 from CD1451 Senior Center Improvements and hereby changes the use of purchase to “ADA RAMPS” and as such authorizes the request of said funds from the County of Middlesex.

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							

RESOLUTION No. 16-223
AUTHORIZING THE TEMPORARY APPOINTMENT OF TOM MACHOR AND GARY AUMACH TO
FILL IN AS PLUMBING SUBCODE OFFICIAL IN THE ABSENCE OF VINNY FRANCHINO DURING
HIS SUMMER VACATION TIME AT A RATE OF \$35.51 PER HOUR PURSUANT TO SALARY
ORDINANCE 2031

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that both Tom Machor and Gary Aumach is hereby hired as a temporary part-time, Plumbing Subcode Official for to provide coverage for the regular Plumbing Subcode Official, Vinny Franchino, who will be on summer vacation at a rate of \$35.51 per hour in accordance with Salary Ordinance 2031.

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							

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Recycling Monthly Report – May, 2016

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

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

Current Fund	5-01	0
Current Fund	6-01	188,206.90
Pool Utility	6-26	8,180.50
Pool Utility	5-26	000
Sewer Utility	6-07	617.78
Sewer Utility	5-07	0
Sewer Utility Capital	C-08	0
General Capital	C-04	984.68
Pool Capital	C-27	0
Election Account	E-18	0
Grant Fund	G-02	492.59
Dog Trust	T-12	0
Treasurers Trust	T-13	2,734.00
Recreation Trust	T-14	1,118.67
COAH		0
TOTAL ALL FUNDS		\$202,335.12

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

COUNCIL REPORTS:

Borough Attorney Bill Robertson Esq. – reported progress.

Administrator Cullen – explained that this evening’s ordinance 2057 is just a reallocation to be used for ADA ramps and are not new borrowing. Mr. Cullen congratulated everyone graduating from South Plainfield High School and extended his condolences to Ed Kubala’s family.

Engineer Miller – reported that the Franklin Avenue Road Improvements have begun and we are on pace with that project. The Garabaldi road project will be on the next agenda for consideration.

Clerk Antonides – reported progress.

Councilman Wolak – reported sign-up for hockey have begun.

Councilman White – reported that the Lobster Pub that replaced Bistro 365 is now open and they held their grand opening this past weekend and then went on to report progress.

Councilman Rusnak – reported that the dedication of the Children’s Library and the Media room was held this past Saturday and it was a great success. The Children’s Room was dedicated to Francis Greany and the Media room was dedicated to Natalie Bergen. The new patio in the back of the library is now complete and the Library is also looking into a buy a brick program. Also the sign for Willow Park is now up and the playground work is underway.

Councilman Richkus - was absent this evening

Councilman Barletta – reported progress.

Council President Bengivenga – wished everyone a happy July 4th and reported progress.

Mayor Anesh – advised that the Governor was in town last Thursday to promote his new school funding program. Presently South Plainfield schools receive \$9 million in state aid and with the governors new funding program creating equality to all school districts, our schools could receive some \$20 million in state aid.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Cheryl Nagel-Smiley of East Golf Place who serves as the Mayor’s representative for the Library Board thanked the Mayor and Council for all their support and attendance at the various library events and then went on to particularly commend Councilman Rusnak for always going above and beyond for the library adding that he does what’s best for our community.

Debbie Boyle of Van Fleet said that she was in Trenton this past Saturday showing her support of the governor’s new school funding plan. On another note Ms. Boyle advised that Christmas in July will be held on July 30th this year.

Suzanne Lepore of Bullard Place said that the Christmas in July even will have it’s annual window decorating contest. More details will be provided in the coming days.

Darlene Cullen of 1457 Fox Place thanked everyone for all their help and support with the library dedications this past Saturday, with a special thanks to Councilman Rusnak.

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

At 7:29 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 8:01 p.m., Mayor Anesh called the public meeting back to order.

ADJOURNMENT

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Councilman Richkus made a motion to adjourn at 8:01 p.m., seconded by Councilman Barletta and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk