

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
OCTOBER 17, 2016 7:14 P.M.  
PUBLIC MEETING**

**CALL TO ORDER:** Mayor Anesh called the meeting to order at 7:14 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
VACANT			
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 Paul Rizzo	X		
Engineer Miller	X		

**Flag Salute:** was led by Mayor Anesh and Councilman Rusnak led the invocation.

Mayor Anesh read the following resolution in full and then called for nominations for a new council member to fill Councilman Barletta's vacancy.

**RESOLUTION 16-321A  
ACCEPTING THE NOMINATION OF THREE CANDIDATES TO FILL THE UNEXPIRED VACANCY  
OF COUNCILMAN BARLETTA TO DECEMBER 31, 2017 AND AUTHORIZING THE APPOINTMENT  
OF A NEW BOROUGH COUNCIL MEMBER**

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that they hereby accept the nomination of three candidates by the South Plainfield Republican Organization to fill the unexpired vacancy of Councilman Barletta to December 31, 2017:

1. Kenneth Bonanno
2. Christine "Faustini" Noonan
3. Cindy Eichler

**BE IT FURTHER RESOLVED** by the Borough Council of the Borough of South Plainfield that upon review of the three aforementioned nominations, that Christine "Faustini" Noonan hereby appointed as Borough Council member to fill the unexpired term of Councilman Alex Barletta to December 31, 2017.

Council President Bengivenga made a motion to nominate Councilwoman Faustini, seconded by Councilman Wolak and unanimously approved by a roll call vote.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Vacant							
Councilman Richkus			X				
Councilman Rusnak			X				
Councilman White			X				
Councilman Wolak		x	X				
Council President Bengivenga	x		X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

Mayor Anesh asked nominated Councilwoman Faustini to come forward with her family to be sworn into office. Mayor Anesh administered the Oath of Office. Everyone extended a round of applause and photographs were taken by friends and media present. Councilwoman Faustini took her seat at the dais.

Mayor Anesh and each Councilmember extended to their best wishes to newly appointed Councilwoman Faustini. Mayor Anesh advised that Councilwoman Faustini will need to step down from the Library Board and Cultural Arts Commission so we will look to replace those seats in the future.

**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.

**Proclamation** – 2016 Mischief Night & Halloween – was read in full by Mayor Anesh with emphasis that this year’s trick or treating hours will be between 3:00 p.m. to 7:00 p.m. on October 31<sup>st</sup>. The curfew for mischief night will be 7:00 p.m.

**Authorizing the Approval of Council Minutes:**

October 3, 2016 – Agenda  
October 3, 2016 - Public

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					X		
Councilman Richkus			X				
Councilman Rusnak		x	X				
Councilman White	x		X				
Councilman Wolak			X				
Council President Bengivenga			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**ORDINANCE – FIRST READING BY TITLE** was read by Clerk Antonides. Mayor Anesh set the public hearing for November 14, 2016 at approximately 7:00 p.m. for the following ordinance:

**ORDINANCE NO.2065  
AN ORDINANCE ESTABLISHING PROCEDURE FOR TAKING  
ACTION REGARDING UNSAFE PROPERTIES WITHIN THE BOROUGH.**

**WHEREAS**, State statute, N.J.S.A. 40:48-2.5, provides that a municipality is authorized to adopt an ordinance relating to buildings within the municipality which are unfit for human habitation or occupancy or use; and

**WHEREAS**, such ordinance is necessary for the Borough to address any issue with buildings where in the Construction Official has determined that a building is unfit for human habitation or occupancy or use; and

**WHEREAS**, the Governing Body of the Borough of South Plainfield has determined that such an ordinance is necessary and appropriate;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that upon the adoption of a resolution by the Governing Body finding that building conditions are such that a building is so old, dilapidated, or has become so out of repair to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, or occupancy, or use, is inimical to the welfare, and dangerous and injurious to the health and safety of people, and that a public necessity exists for the repair, closing or demolition of such building or buildings, or part thereof, the Construction Official of the Borough is designated or appointed to exercise the powers proscribed hereinafter.

1. Whenever a petition is filed with the Construction Official by a public authority or by at least five residents of the municipality charging that any building is unfit for human habitation or occupancy or use, or whenever it appears to the Construction Official (on his own motion) that any building is unfit for human habitation or occupancy or use, the Construction Official shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such building a complaint stating the charges in that respect, and containing a notice that a hearing will be held before the Construction Official (or his designated agent) at a place therein fixed not less than 7 days nor more than 30 days after the serving of said

complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in the courts shall not be controlling in hearings before the Construction Official.

2. That if, after such notice and hearing, the Construction Official determines that the building under consideration is unfit for human habitation or occupancy or use, he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof and parties in interest an order:

a. Requiring the repair, alteration or improvement of the said building to be made by the owner, within a reasonable time, which time shall be set forth in the order or at the option of the owner to vacate or have said building vacated and closed within the time set forth in the order; and

b. If the building is in such a condition as to make it dangerous to the health and safety of persons on or near the premises, and the owner fails to repair, alter or improve said building within the time specified in the order, then the owner shall be required to remove or demolish said building with a reasonable time as specified in the said order of removal.

3. That, if the owner fails to comply with an order to repair, alter or improve or, at the option of the owner, to vacate and close the building, the Construction Official may cause such building to be repaired, altered or improved, or to be vacated and closed; and the Construction Official may cause to be posted on the main entrance of any building so closed a placard with the following words: "This building is unfit for human habitation or occupancy or use; the use or occupation of this building is prohibited and unlawful."

4. That, if the owner fails to comply with an order to remove or demolish the building, the Construction Official may cause such building to be removed or demolished or may contract for the removal or demolition thereof after advertisement for, and receipt of, bids therefor.

5. That the amount of:

a. The cost of the filing of legal papers, expert witnesses' fees, search fees and advertising charges incurred in the course of any proceeding taken under this act determined in favor of the municipality, and

b. The cost of such repairs, alterations or improvements, or vacating and closing, or removal or demolition if any, or the amount of the balance thereof remaining after deduction of the sum, if any, realized from the sale of materials derived from such building or from any contract for removal or demolition thereof, shall be a municipal lien against the real property upon which such cost was incurred. If the building is removed or demolished by the Construction Official, he shall sell the materials of such building. There shall be credited against the cost of the removal or demolition thereof, including the clearance and, if necessary, leveling of the site, the proceeds of any sale of such materials or any sum derived from any contract for the removal or demolition of the building. If there are no such credits or if the sum total of such costs exceed the total of such credits, a detailed statement of the aforesaid costs and the amount so due shall be filed with the Borough Tax Assessor or other custodian of the records of tax liens, and a copy thereof shall be forthwith forwarded to the owner by registered mail. If the total of the credits exceed such costs, the balance remaining shall be deposited in the Superior Court by the Construction Official, shall be secured in such manner as may be directed by such court, and shall be disbursed according to the order or judgment of the court to the persons found to be entitled thereto by final order or judgment of such court. Any owner or party in interest may, within 30 days from the date of the filing of the lien certificate, proceed in a summary manner in the Superior Court to contest the reasonableness of the amount or the accuracy of the costs set forth in the municipal lien certificate.

If an actual and immediate danger to life is posed by the threatened collapse of any fire-damaged or other structurally unsafe building, the Construction Official may, after taking such measures as may be necessary to make such building temporarily safe, seek a judgment in summary proceedings for the demolition thereof.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

**Introduction of Ordinance #2065: October 17, 2016**

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					X		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White	x		X				
Councilman Wolak			X				
Council President Bengivenga			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTIONS**

**RESOLUTION 2016-321**

**AUTHORIZING THE REFUND AND CANCELLATION OF TAXES PERTAINING TO 111 FLORENCE PLACE IN SOUTH PLAINFIELD**

**WHEREAS**, property known as Lot 2, in Township Block 172, more commonly known as **111 Florence Place** in **South Plainfield, NJ** is owned by **Robert F. Vedutis**;

AND, WHEREAS, a house fire occurred in May 2016 at this property, causing the Tax Assessor to reduce the assessed value from \$98,100 to \$67,100;

AND, WHEREAS, the Tax Bills for the four quarters of Calendar Year 2016 were generated from the 2015 Assessor's Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with a tax bill based on the original assessment *prior* to the fire, while the assessment has since been reduced;

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel and refund taxes for the 2<sup>nd</sup> and 3<sup>rd</sup> quarters of 2016 in the amount of **\$645.86**; and

**BE IT FURTHER RESOLVED**, that the tax collector be, and she hereby is, authorized and directed to cancel taxes for the 4<sup>th</sup> quarter of 2016 in the amount of \$519.52, as well as, the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2017 in the amount of \$898.53.

**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 in the amount of **\$645.86** as mentioned above.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					X		
Councilman Richkus	x		X				
Councilman Rusnak		x	X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 16-322**

**AUTHORIZING THE CONTRACT RENEWAL OF “NIXLE” TO PROVIDE A NOTIFICATION PLATFORM THAT STREAMLINES EMERGENCY NOTIFICATION SERVICES IN AN AMOUNT NOT TO EXCEED \$1,745.85**

**WHEREAS**, Nixle is an online public safety broadcast system that leverages the power of the Internet to deliver timely and critical public safety information via email or text message. Subscribers can choose the information they want to receive, for the locations they want; and

**WHEREAS**, when an incident occurs, police can log onto a secure Web site to enter a message and will have the capability to send it to either the entire community or a specific area within the community. Any type of notice can

be sent to thousands of people within minutes, notifying them of a problem occurring in their area. These notices can range from missing or wanted individuals, to traffic delays, to natural disasters;

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the renewal of a contract with Nixle to provide a notification platform that streamlines emergency notification services in an amount not to exceed \$1,745.85 for the 2017 year.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. James Parker, Chief of Police

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2016-323  
ACCEPTING THE RESIGNATION OF ADELINE GEBAUER  
AS PART-TIME BUILDING DEPARTMENT CLERK**

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

It hereby accepts the resignation of Adeline Gebauer as part-time Building Department Clerk effective October 21, 2016.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Amy Antonides, Municipal Clerk
2. Anne Daley, Benefits
3. Carmela Sutor, Payroll

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2016-324  
ACCEPTING THE RESIGNATION OF MELISSA FRAZER  
AS A MEMBER OF THE CULTURAL ARTS COMMISSION**

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

It hereby accepts the resignation of Melissa Frazer as a volunteer member of the Cultural Arts Commission effective October 7, 2016.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Amy Antonides, Municipal Clerk
2. Cultural Arts Commission

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 16-325**

**AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE A SHARED SERVICE CONTRACT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF SOUTH PLAINFIELD FOR CFC RECOVERY PROGRAM**

**WHEREAS**, Middlesex County is proactive in addressing environmental issues such as the depletion of the ozone layer; and

**WHEREAS**, chlorofluorocarbons (CFCs) are one of the manmade chemicals that are known to cause ozone depletion; and

**WHEREAS**, effective November 17, 2007 recycling of white goods including those that contain CFCs is mandatory in Middlesex County; and

**WHEREAS**, the County is seeking to provide a financial incentive that will assist municipalities in properly capturing CFCs from residentially discarded appliances that they collect curbside or at their drop-off centers; and

**WHEREAS**, the County and Borough of South Plainfield are authorized to enter into this Agreement pursuant to N.J.S.A. 40A:11-5(2);

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that based upon the recommendation of the South Plainfield Recycling Coordinator, that it hereby authorizes the Mayor and Municipal Clerk to execute the Agreement with Middlesex County to implement this Program with the Borough of South Plainfield pursuant to the terms and conditions in accordance with the Agreement

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

1. Alice Tempel, Recycling Coordinator
2. Len Miller, DPW Supervisor
3. Chief Financial Officer
4. Municipal Clerk
5. County of Middlesex

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

RESOLUTION 2016-327  
**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH  
PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, IN OPPOSITION TO  
THE LEGISLATURES PROPOSED INCREASE IN THE GAS TAX**

**WHEREAS**, the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey (the “Borough”) recognizes that the New Jersey Legislature has announced plans to raise the gas tax by \$0.23 per gallon; and

**WHEREAS**, the Borough recognizes that this is an increase of more than 150% of the current tax on the residents of the Borough of South Plainfield and the residents of New Jersey; and

**WHEREAS**, the Borough is concerned as such an increase could have detrimental effect on the residents of New Jersey and the residents of the Borough of South Plainfield and would raise New Jersey’s gas tax to the seventh highest in the nation; and

**WHEREAS**, such an increase in the gas tax would be economically damaging on the residents of the State of New Jersey and residents of the Borough of South Plainfield; and

**WHEREAS**, AAA has estimated that this tax hike will cost the average driver about \$170.00 more per year; and

**WHEREAS**, the proposed gas tax increase would severely affect thousands of residents of the Borough of South Plainfield and the residents of the State of New Jersey, the Mayor and Borough Council of the Borough of South Plainfield hereby oppose any proposed increase in the gas tax by the New Jersey Legislature as it would substantially negatively impact the residents of the State of New Jersey and the residents of the Borough of South Plainfield.

**NOW, THEREFORE, BE IT RESOLVED** this 17<sup>th</sup> day of October, 2016 by the Mayor and Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey as follows:

1. The Mayor and Borough Council hereby oppose any increase in the gas tax by the New Jersey Legislature as it would have a severe negative economic impact on the residents of the State of New Jersey and the residents of the Borough of South Plainfield.
2. Upon adoption of this Resolution, the Borough Clerk is authorized and directed to forward a certified copy of said Resolution to the following:
  - a. Honorable Chris Christie, Governor of the State of New Jersey
  - b. Honorable Stephen Sweeney, Senate President of the New Jersey Senate
  - c. Honorable Vincent Prieto, Speaker of the New Jersey State Assembly
  - d. Honorable Charles A. Richman, Commissioner of New Jersey Department of Community Affairs
  - e. Honorable Middlesex County Freeholders
  - f. Honorable Senator Patrick J. Diegnan, Jr., Legislative District 18
  - g. Honorable Assemblyman Robert J. Karabinchak, Legislative District 18
  - h. Honorable Assemblywoman Nancy J. Pinkin, Legislative District 18

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION: 2016-328**  
**AUTHORIZING THE DESIGNATION OF VARIOUS STOP SIGNS**  
**PURSUANT TO THE RECOMMENDATION OF TRAFFIC SAFETY DIVISION**

**WHEREAS**, a need for stop signs has been determined by the Traffic Safety Division of the South Plainfield Police Department of the Borough of South Plainfield on the following street intersections:

1. Clover Lane at the intersection of Famularo Drive
2. Clover Lane at the intersection of Yurgel Drive
3. Shadyside Place at the intersection of Regency Place
4. Hollywood Court at the intersection of Hollywood Avenue

**WHEREAS**, State of New Jersey Department of Transportation will be forwarded a copy of this Resolution;

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Traffic Safety Division of the South Plainfield Police Department is hereby authorized to designate the aforementioned stop signs.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

1. Municipal Clerk
2. Traffic Safety Division
3. Len Miller, DPW

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION: 2016-329**  
**AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1,582.47 FOR DEVANG**  
**PATEL OF 116 TEEPLE PLACE.**

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

Block: 254 Lot: 20 Qual: C0001  
 Devang Patel  
 116 Teeple Place  
 South Plainfield, NJ 07080  
 \$1,582.47

**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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 16-330**  
**AUTHORIZING THE USE OF SOMERSET COUNTY CO-OP TO PURCHASE STREET**  
**SWEEPING DISPOSAL SERVICES FROM THE VENDOR**  
**DEER CARCASS REMOVAL SERVICE LLC**

**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 use of Somerset County co-op to purchase street sweeping disposal services from the vendor Deer Carcass Removal Service LLC of PO Box 328, Cream Ridge, NJ 08514 under their contract #CC-0067-16 and Co-operative pricing bid #2-SOCCP; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Len Miller, DPW
4. NJ State Treasury Department

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					X		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 16-331**  
**AUTHORIZING THE PART-TIME HIRING OF KIMBERLY M. POGGIO FOR THE SENIOR CENTER**  
**AT AN HOURLY RATE OF \$12.80 EFFECTIVE OCTOBER 24, 2016**

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that based upon the recommendation of the Borough Administrator it hereby confirms the part-time hiring of Kimberly M. Poggio for the Senior Center with no benefits at an hourly rate of \$12.80 effective October 24, 2016;

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Anne Daley, Benefits
4. Carmela Sutor, Payroll
5. Tree Olano, Senior Center

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION: 2016-332**  
**AUTHORIZING THE PUBLIC AUCTION BY THE POLICE DEPARTMENT**  
**OF TWO ABANDONED VEHICLES**

**WHEREAS**, the South Plainfield Police Department in accordance with R.S. 39:10A-1, are in possession of abandoned vehicles due to the failure of the owners claiming such and are now desires of conducting a public auction on November 4, 2016 at 11:00 a.m. at 2480 Plainfield Avenue, South Plainfield, New Jersey for the following abandoned vehicles:

YEAR	MAKE	MODEL	VIN#	STATUS	MIN. BID
2011	Nissan	Sentra	3N1AB6AP6BL655639	Fair	\$4,000.00
2000	Volvo	C70	YV1NC56D1YJ013862	Fair	\$3,000.00
2000	Nissan	Maxima	JN1CA31D0YT708338	Fair	\$1,800.00
2001	Isuzu	Rodeo	4S2DM58W714318207	Fair	\$1,000.00

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the South Plainfield Police Department are hereby authorized to publicly advertise and auction the aforementioned vehicles deemed to be abandoned by their owner(s).

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2016-334**  
**AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ADMINISTER**  
**THE BOROUGH’S VENDOR ACCOUNTS**  
**IN WHICH NO ONE AGGREGATE, SINGLE IN CHARACTER, IS TO EXCEED**  
**THE BOROUGH’S BID THRESHOLD PURSUANT TO N.J.S.A. 40A:11-7 & N.J.A.C. 5:34-8.2**

**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 Chief Financial Officer to administer the Borough’s vendor accounts pursuant to N.J.S.A. 40A:11-7 and N.J.A.C. 5:34-8.2 in which no one aggregate, single in character, is to exceed the Borough’s bid threshold of \$17,500.00 with no appointed QPA, or \$40,000.00 with an appointed QPA, otherwise the bidding process will need to comply with New Jersey Statute; and

**BE IT FURTHER RESOLVED** that for the 2016 year, specifically for the following vendors one aggregate, single in character, is not to exceed the Borough’s bid threshold of \$17,500.00:

- Joy Automotive
- Action Electric
- Todd Harris Co.

**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. NJ Department of Treasury

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 16-335**  
**AUTHORIZING THE APPOINTMENT OF MIGUEL BENITEZ AS A VOLUNTEER**  
**FIREFIGHTER FOR THE SOUTH PLAINFIELD VOLUNTEER FIRE DEPARTMENT**

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the appointment of:

**Miguel Benitez**  
**900 South Avenue**  
**Plainfield, NJ**

As a Volunteer Firefighter for the South Plainfield Volunteer Fire Department as recommended by Fire Chief Scalera.

**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. Fire Chief Scalera
4. Anne Daley, Benefits
5. Carmela Sutor, Payroll

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					X		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2016-336**  
**AUTHORIZING THE STATE CONTRACT PURCHASE OF SCBA EQUIPMENT FOR THE FIRE**  
**DEPARTMENT FOR THE NEW FIRE TRUCK FROM NJ FIRE EQUIPMENT CO.**  
**IN AN AMOUNT NOT TO EXCEED \$56,652.60**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the New Jersey State Contact purchase of SCBA Equipment for the Fire Department from NJ Fire Equipment Company of Green Brook, in an amount not to exceed \$56,652.60 pursuant to NJ State Contract #A80961, T0790; that will be billed against the capital line item C-04-55-941-000-901; and

**NOW THEREFORE, BE IT FURTHER RESOLVED** that a copy of this resolution shall be forwarded to the following:

1. Glenn Cullen, CFO/BA
2. Amy Antonides, Clerk
3. Fire Chief

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2016-337**  
**AUTHORIZING THE STATE CONTRACT PURCHASE OF UPGRADES TO THE RADIO SYSTEM FOR**  
**THE FIRE DEPARTMENT FROM MOTOROLA SOLUTIONS**  
**IN AN AMOUNT NOT TO EXCEED \$50,849.43**

**E IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the New Jersey State Contract purchase of upgrades to the radio system for the Fire Department from Motorola Solutions of Burlington, NJ, in an amount not to exceed \$50,849.43 pursuant to NJ State Contract #83909 and #83918-T-0109; that will be billed against the capital line item C-04-55-941-000-902; and

**NOW THEREFORE, BE IT FURTHER RESOLVED** that a copy of this resolution shall be forwarded to the following:

1. Glenn Cullen, CFO/BA
2. Amy Antonides, Clerk
3. Fire Chief

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 16-338**  
**AUTHORIZING THE PART-TIME HIRING OF LINDA SISK FOR THE SENIOR CENTER AT AN**  
**HOURLY RATE OF \$12.80 EFFECTIVE OCTOBER 18, 2016**

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that based upon the recommendation of the Borough Administrator it hereby confirms the part-time hiring of Linda Sisk for the Senior Center with no benefits at an hourly rate of \$12.80 effective October 18, 2016;

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Anne Daley, Benefits
4. Carmela Sutor, Payroll
5. Tree Olano, Senior Center

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini							
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			x				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2016-339**  
**AUTHORIZING THE TEMPORARY APPOINTMENT OF YOLANDA DIAZ AS ACTING DEPUTY**  
**COURT ADMINISTRATOR**

**WHEREAS**, the present Court Administrator as well as the Deputy Court Administrator are temporarily absent due to medical reasons, and as such, a need exists to maintain an Acting Deputy Court Administrator to fill in for the absence of both the Court Administrator and the Deputy Court Administrator;

**NOW THEREFORE, BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for the temporary appointment of Yolanda Diaz as “Acting” Deputy Court Administrator, until such time as the aforementioned offices have returned to full active duty, with an additional hourly rate of \$5.00 and that Resolutions 2015-78 and 2015-94 shall be rescinded in full; and

**BE IT FURTHER RESOLVED** that said appointment is effective immediately and that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. Yolanda Diaz, Municipal Court
4. Carmela Sutor, Payroll

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini					x		
Councilman Richkus	x		X				
Councilman Rusnak			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:**

- Zoning Board Minutes – September 6<sup>th</sup> & 20<sup>th</sup>, 2016
- Business Economic Development Advisory Group Minutes – June 1, 2016 & September 14, 2016
- Environmental Commission Minutes – August 10, 2016
- Environmental Commission Monthly Report – September, 2016
- Recycling Monthly Report – September, 2016

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Vacant					X		
Councilman Richkus			X				
Councilman Rusnak			X				
Councilman White	x		X				
Councilman Wolak			X				
Council President Bengivenga		x	X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

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

Current Fund	5-01	0.00
Current Fund	6-01	217,359.62
Pool Utility	6-26	3,590.00
Pool Utility	5-26	0.00
Sewer Utility	6-07	2,128.54
Sewer Utility	5-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	22,669.39
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	46,028.99
Dog Trust	T-12	49.40
Treasurers Trust	T-13	18,754.80
Recreation Trust	T-14	0.00

COAH		0.00
<b>TOTAL ALL FUNDS</b>		<b>\$310,580.74</b>

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
<b>Councilwoman Faustini</b>					<b>X</b>		
<b>Councilman Richkus</b>			<b>X</b>				
<b>Councilman Rusnak</b>			<b>X</b>				
<b>Councilman White</b>	<b>x</b>		<b>X</b>				
<b>Councilman Wolak</b>		<b>x</b>	<b>X</b>				
<b>Council President Bengivenga</b>			<b>X</b>				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**COUNCIL REPORTS:**

Borough Attorney Rizzo Esq. – reported progress

Administrator Cullen – reported that the added and omitted bills will be going out fairly soon. We are expecting the Borough’s ratable base to increase again this year. Mr. Cullen congratulated Councilwoman Faustini and wished former Councilman Barletta well.

Engineer Miller – reported that he has not yet received any responses to this requests from the DOT or from the County regarding the county’s plans on installing a traffic signal at North Clinton and Sampton Avenues. The Borough has not seen any agreement in this regard as a third of it is in our jurisdiction. Mr. Miller advised that he has requested a traffic study to see how this signal will effect South Plainfield . Mr. Miller said he will issue a second request in this regard.

Clerk Antonides – advised that there will be a training session for election poll worker training at the Senior Center tomorrow at 7:00 p.m. and then Clerk Antonides welcomed Councilwoman Faustini aboard and said she looks forward to working with her.

Councilman Wolak – advised that this past Saturday was a very busy one in the Borough with the ribbon cutting ceremony at Willow Park, the Fire Department’s open house, the Mayor’s fall health fair, and the library’s fall festival. The Cultural Arts Commission will be hosting a line dancing event at the Senior Center and light refreshments will be served. All are welcome to attend.

Councilman White – welcomed Councilwoman Faustini to the team and then before reporting progress noted that ShopRite is expected to be opening their doors to the public on November 2<sup>nd</sup>.

Councilman Rusnak – Councilman Rusnak clarified that the Board of Education’s \$29 million referendum question on the ballot in the forthcoming election has nothing to do with this borough council. It is strictly a Board of Education matter.

Councilman Richkus - reported progress.

Councilwoman Faustini – reported on the fall festival event at the library this past Saturday and went on to say she looks forward to many more events like this and then reported progress.

Council President Bengivenga – congratulated the new fire fighter we appointed this evening and then went on to thank the governing body for their support this evening for new fire equipment.

Mayor Anesh – said that this past Saturday was indeed a very busy day and encouraged everyone to check-out the Borough’s Facebook page where you can see the Fire Department’s demonstrations. They were very impressive and worth seeing. As for the Mayor’s wellness fair, it may have been the best turn out yet and we will be kicking off another walking challenge.

**COMMENTS FROM THE PUBLIC:**

Mayor Anesh opened the floor for public comment.

Linda Hansen, South Plainfield Librarian, thanked the Council for their support at the recent library fall festival event and congratulated Councilwoman Faustini on her appointment this evening.

Debbie Boyle of Van Fleet congratulated Councilwoman Faustini and then thanked everyone for their attendance at this past Saturday's health fair. Mrs. Boyle confirmed that the Mayor and Council are not involved at all with the \$29 million referendum question that will be on November's ballot. Mrs. Boyle went on to report on various events taking place throughout South Plainfield in the coming days.

April Bengivenga, thanked Councilwoman Faustini for accepting the nomination to Council and went on to say that she will be a real asset.

Darleen Cullen, 1457 Fox Place, congratulated Christine Faustini for her appointment tonight. She has made history for this board by being one of the very few females to serve on Council. She will be well missed on the library board.

Mr. Faustini congratulated his wife Christine saying she really puts her heart and soul into what she does.

Mr. Jon Dean congratulated Councilwoman Faustini. Mr. Dean mentioned that Mr. Jeff Seider was concerned because he called DPW to schedule a pick-up but was told that there will be no more bulk pick-ups until December and asked what happened to pick-up on demand. Mr. Miller explained that during leaf season we typically stop the bulk pick-ups temporarily as the trucks are needed for leaf pick-up, but then we resume right back to the bulk pick-ups. In fact, it was just decided that we will fulfilling the list of bulk pick-ups for one more week or maybe two. Mr. Den then stated that he feels it unfair for anyone to assume he supports the gas tax because he is a part of a team. Mr. Dean said he owns a business and has many trucks on the road each day and knows what it will cost him thus he does not support the gas tax. Councilman Rusnak said that usually when you run as a team, you do things as a team and asked if he wants to denounce that he is against it he will be more than happy to hear it. Mr. Dean said he does not support it, yet something does need to be done with our roads.

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

At 7:55 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 8:42 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 8:42 p.m., seconded by Councilman Rusnak and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC - Municipal Clerk