

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
FEBRUARY 4, 2013, 7:00 P.M.  
AGENDA 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 Barletta	X		
Councilman Bengivenga	X		
Councilman Diana	X		
Councilman McConville	X		
Councilman White	X		
Council President Rusnak		X	
Mayor Anesh	X		
<b>ALSO PRESENT</b>			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Rizzo	X		
Engineer Miller	X		

**Review of Agenda Items:** Clerk Antonides reviewed all the items on the agenda for this evening. Mayor Anesh asked if the Council has any comments on the agenda this evening.

Councilman Diana advised that pertaining to resolution #13-52 at Councilman Bengivenga's request at the last meeting, he did reach out to the County and inquired about the 2% increase in the proposed contract. The County assured Councilman Diana that the 2% increase is across the board throughout all the municipalities in the County that hold similar contracts. After further investigating Councilman Diana said that it appears to be a good rate for South Plainfield and recommends that we approve it.

Councilman Diana inquired about resolution #13-64 asking if we are purchasing a new dump truck or a used one. Engineer Miller advised that it is a used one. Councilman Diana asked if this dump truck is in addition to what we have already. Engineer Miller said no, we do not have a tandem dump truck in the fleet.

**Exec #13-32** Authorize the entering into Executive Session in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231 for the following item(s):

- o Potential Litigation – Liquid Assets

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

**PUBLIC COMMENT:** Mayor Anesh opened the floor for public comments.

Mr. Robert Smith of 110 Hill Hollow Road said that he finds objection with resolution #13-53 as the shed in question is located closer to his property and is very unhappy about that. Mr. Smith said he believes the shed is less than 4' from his property line. Also when the applicant obtained a variance the property owner was required to send notice to all adjacent properties, but Mr. Smith said he never received such notice. If he had, he would have objected to it. Mr. Smith read a paragraph from a letter expressing his concerns for water problems in his area that he believes is linked to a manhole issue. To conclude, Mr. Smith said he strongly objects to the location of this shed. Mayor Anesh read a letter from the property owner of which indicated that the variance was granted in 2010. Councilman Barletta suggested that the Council table this resolution so that they can look into this matter. Councilman Barletta made a motion to table resolution #13-53, seconded by Councilman McConville and all were in favor by a unanimous voice vote.

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

**ADJOURN AGENDA MEETING:** With no further comments, Mayor Anesh asked for a motion to adjourn from the Agenda Meeting. Councilman Bengivenga made a motion to adjourn from the Agenda Meeting at 7:18 p.m., seconded by Councilman McConville unanimously carried by an all in favor.

Respectfully Submitted By:

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Amy Antonides, RMC/CMC