

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
DECEMBER 2, 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 Bengivenga asked what Ordinance 1995 pertains to and Mr. Cullen explained. Councilman Bengivenga then clarified that the expenditure for resolution 13-372 will be coming out of the trust fund and not from the general fund budget.

Councilman Diana advised that resolution 13-367 is long overdue and has not been done since 1990.

**RESOLUTION #13-362  
AUTHORIZING A CLOSED SESSION MEETING**

**WHEREAS**, the Open Public Meetings Act, P.L. 1975, Chapter 231 and P.L. 2001, C. 404, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Borough Council of the Borough of South Plainfield wishes to go into a closed Executive Session and is of the opinion that such circumstances presently exist which should not be discussed in public, and

**WHEREAS** the Open Public Meetings Act pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12 permits the Borough Council to discuss certain matter(s) in private, and in this case for the purpose of the Borough Council to discuss the below matters all of which requires attorney-client privilege:

- Personnel – Tax Assessor's Office
- Potential Litigation – Bach – 3301 Clark Lane

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield that it will go into an Executive Session for the purpose of Borough Council to discuss the aforementioned matters all of which requires attorney-client privilege in this regard;

**BE IT FURTHER RESOLVED** that the results of such discussion may be revealed at such time as the matter(s) are resolved and/or a contract(s) is signed and/or the negotiations are formally settled. Interested parties may contact the Borough Clerk anytime during normal business hours for periodic updates as to the availability in this regard.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga		x	x				
Councilman Diana			x				
Councilman McConville			x				
Councilman White	x		x				
Council President Rusnak			x				
			<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**PUBLIC COMMENT:** Mayor Anesh opened the floor for public comments.  
With no 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 Barletta made a motion to adjourn from the Agenda Meeting at 7:05 p.m., seconded by Council President Rusnak and unanimously carried by an all in favor.

Respectfully Submitted By:

*Amy Antonides*

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Amy Antonides, RMC/CMC