

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
JANUARY 4, 2014, 12:00 NOON.
REORGANIZATION MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 12:00 noon. 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 for the 2013 Borough Council:

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		
ALSO PRESENT			
Administrator Cullen	x		
Clerk Antonides	x		
Attorney Rizzo	x		
Engineer Miller	x		
Councilman Elect Richkus	x		

Mayor Anesh led the salute to the flag.

Signing of the National Anthem was conducted by Ms. Taylor Kurilew followed by the invocation administered by Reverend Charles Mingle.

Police Chief James Parker stepped forward to administer the Oath of Office to reelected Councilman Raymond Rusnak while his wife and Councilman McConville's daughter held the Bible. Everyone extended a round of applause and photographs were taken by local media and/or members of the public. At this time Councilman Rusnak expressed his appreciation to everyone for their support.

Honorable former Governor Donald DiFrancesco. stepped forward to administer the Oath of Office to Councilman Elect Robert "Bobby" Richkus while his wife held the Bible and his children and parents were present. Everyone extended a round of applause and photographs were taken by local media and/or members of the public. At this time Councilman Richkus also expressed his appreciation to everyone for their support.

Former Governor Donald DiFrancesco said a few words of congratulations to the reelected and newly elected councilmen and wished the both much success.

At this time outgoing Councilman, Timothy McConville, read a prepared speech expressing his appreciation to the Mayor and Council as well as to the public for all the support he has had for the past two terms of office. Councilman McConville than played a clip of music in good humor.

Mayor Anesh called for a motion to adjourn the 2012 Council. Councilman Barletta made a motion to adjourn from the 2013 Council at 12:25 p.m., seconded by Councilman White, and unanimously carried.

Mayor Anesh called for a brief recess at 12:25 p.m. before calling the 2014 Council to order.

Mayor Anesh called the 2014 Council to order at 12:30 p.m.

The roll call was administered by Clerk Antonides as follows for the 2014 Borough Council:

COUNCIL	Present	Absent	Late
Councilman Bengivenga		x	
Councilman Diana	x		
Councilman Richkus	x		
Councilman Rusnak	x		
Councilman White	x		
Council President Barletta	x		
Mayor Anesh	x		
ALSO PRESENT			
Administrator Cullen	x		
Clerk Antonides	x		
Attorney Paul Rizzo	x		
Engineer Miller	x		

Mayor Anesh presented 2013 outgoing Councilman Timothy McConville with a plaque. Former Councilman McConville thanked the Mayor and Council. Everyone extended a round of applause and photographs were taken by local media and/or members of the public.

**RESOLUTION # 14-01
AUTHORIZING THE APPOINTMENT OF BOROUGH ATTORNEY**

WHEREAS there exists a need for certain legal services for the Borough of South Plainfield for the year 2014, and

WHEREAS the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq) requires that the resolution authorizing the award of the contracts for "Professional Services" without competitive bidding must be publicly advertised; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer, P.C., 15 Mountain Boulevard, Warren, New Jersey 07059
2. This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. Payment will be based on an hourly rate of \$145.00 and health benefits will not be provided as part of the compensation for the position of Borough Attorney.
4. A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-02
AUTHORIZING THE NOMINATION OF THE 2014 COUNCIL PRESIDENT**

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

“Alex Barletta”

is hereby appointed Borough Council President for the year 2014.

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

1. Amy Antonides, Municipal Clerk
2. 2014 Council President – Alex Barletta

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak	x		x				
Councilman White		x	x				
Council President Barletta			x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

At this time, Councilman Rusnak came forward to hold the Bible while Councilman Barletta was sworn in Council President by former Governor Donald DiFrancesco. Council President Barletta said a few words thanking everyone especially Councilman Rusnak. Everyone extended a round of applause and photographs were taken.

Council President Barletta read the list of the 2014 Council Assignments as follows:

2014 COUNCIL COMMITTEE ASSIGNMENTS

By the authority of the 2014 By-Laws of the Borough of South Plainfield, Council President Alex Barletta hereby makes the following Committee assignments for 2014:

ADMINISTRATION, FINANCE & PUBLIC INFORMATION

Chairman: **Ray Rusnak**
Committee Members: **Rob Bengivenga & Alex Barletta**

PUBLIC WORKS

Chairman: **Alex Barletta**
Committee Members: **Ray Rusnak & C.J. Diana**

ECONOMIC DEVELOPMENT

Chairman: **Derryck White**
Committee Members: **Bobby Richkus & C.J. Diana**

HEALTH, WELFARE & ENVIRONMENT

Chairman: **C.J. Diana**
Committee Members: **Bobby Richkus & Derryck White**

PUBLIC SAFETY

Chairman: **Robert Bengivenga**
Committee Members: **Ray Rusnak & Alex Barletta**

RECREATION

Chairman:

Bobby RichkusCommittee Members: **Derryck White & Robert Bengivenga**

Mayor Anesh then read his prepared 2014 annual message. Full copy is available in the office of the Municipal Clerk or with the Mayor's Secretary. It is also posted on the municipal website.

RESOLUTION # 14-03**AUTHORIZING MAYORAL APPOINTMENTS FOR 2014**

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

BOARD	POSITION	NEW TERM TO EXPIRE	2014 APPOINTMENT
Environmental Commission	Planning Board Liaison	12/31/2014	TBD
Environmental Commission	Council Liaison	12/31/2014	C.J. DIANA
Environmental Commission	Alternate II	12/31/2015	TOM WALSH
Environmental Commission	Member	12/31/2016	CHRISTOPHER CIOFFI
Environmental Commission	Member	12/31/2016	DORTHY MIELE
Environmental Commission	Member	12/31/2016	DANIEL MORLEY
Housing & Community Development	Mayor's Representative	12/31/2014	NYBIL GHANEM
Library Board	Mayor's Representative	12/31/2014	FRANK LEMOS
Planning Board	Class II	12/31/2014	MICHAEL PELLEGRINO
Planning Board	Class IV	12/31/2017	PAUL GRZENDA
Planning Board	Class IV	12/31/2017	JOHN MOCHARSKI
Planning Board	Class IV	12/31/2017	PETER SMITH
Planning Board	Class IV	12/31/2017	JOSEPH WOLAK
Planning Board	Alternate II	12/31/2015	STEPHANIE BARTFALVI
Planning Board	Alternate I	12/31/2014 to fill unexp. term	RICHARD HOUGHTON
Recreation Commission	Police Athletic League Liaison	12/31/2014	CHRISTOPHER COLUCCI
Recreation Commission	Member	12/31/2018	WILLIAM DENITZIO
Recreation Commission	Member	12/31/2018	CHRISTINE MARKS & TIM ZIOMBA T ALTERNATE
Traffic Safety Advisory Commission	Council Liaison	12/31/2015	ROBERT BENGIVENGA
Office on Aging Advisory Board	Council Liaison	12/31/2014	ROBERT RICHKUS
Middlesex County TCC	Mayor's Representative	12/31/2014	ROBERT BENGIVENGA
Public Celebrations	Council Liaison	12/31/2014	ROBERT RICHKUS

is hereby appointed for the year 2014.

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

1. Amy Antonides, Municipal Clerk

(NO VOTE TAKEN FOR MAYORAL APPOINTMENTS)

RESOLUTION # 14-04**AUTHORIZING COUNCIL APPOINTMENTS FOR 2014**

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

BOARD	POSITION	NEW TERM TO EXPIRE	2014 APPOINTMENT
Affordable Housing	Member	12/31/2017	CYNTHIA FREUND
Business Advisory Group	Council Liaison	12/31/2014	DERRYCK WHITE
Business Advisory Group	Zoning Representative	12/31/2014	JOHN PABST
Business Advisory Group	Engineering Representative		T&M ASSOCIATES, LEN MILLER

		12/31/2014	
Business Advisory Group	Member	12/31/2016	DAN RATTI
Greenbrook Flood Control Comm.	Class III	12/31/2014	C.J. DIANA
Greenbrook Flood Control Comm.	Alt. I Council Representative	12/31/2014	ROBERT BENGIVENGA
Greenbrook Flood Control Comm.	Alt. II Engineer	12/31/2014	T&M ASSOCIATES, LEN MILLER
Greenbrook Flood Control Comm.	Member	12/31/2014	ALICE TEMPLE
Housing & Community Dev.	Council's Representative	12/31/2014	ROB BENGIVENGA
Office on Aging Advisory Board	Member	12/31/2016	APRIL BENGIVENGA
Office on Aging Advisory Board	Member	12/31/2016	ANGELA BARATTA
Office on Aging Advisory Board	Member	12/31/2016	ELAINE BIRIBIN
Office on Aging Advisory Board	Member	12/31/2016	SANDRA KACZKA
Office on Aging Advisory Board	Member	12/31/2016	OWEN KELLY
Planning Board	Class III	12/31/2014	DERRYCK WHITE
Shared Services Committee	Council Liaison	12/31/2014	ROB BENGIVENGA
Shared Services Committee	Council Liaison	12/31/2014	RAY RUSNAK
Tax Payers Advisory Group	Member	12/31/2014	CYNTHIA FREUND
Tax Payers Advisory Group	Member	12/31/2015	MIKE GREGOV
Tax Payers Advisory Group	Member	12/31/2015	VACANT TBD
Tax Payers Advisory Group	Member	12/31/2015	KENNETH BONNANO
Tax Payers Advisory Group	Member	12/31/2016	FRANK LEMOS
Tax Payers Advisory Group	Member	12/31/2016	DENNIS LITTLE
Tax Payers Advisory Group	Member	12/31/2016	VIRGINIA O'BRIEN
Tax Payers Advisory Group	Member	12/31/2016	RICHARD PETRONE

is hereby appointed for the year 2014.

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

- Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus			X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta	X		X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

Former Governor Donald DiFrancesco administered the Oath of Office for all appointees present. Everyone extended a round of applause and photographs were taken by local media and/or members of the public.

**RESOLUTION # 14-05
AUTHORIZING MAYORAL APPOINTMENTS
WITH ADVICE AND CONSENT OF COUNCIL FOR 2014**

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

BOARD	POSITION	NEW TERM TO EXPIRE	2014 APPOINTMENT
Construction Board of Appeals	Member	12/31/2016	CYNTHIA FREUND
Construction Board of Appeals	Member	12/31/2016	JOSEPH ABBRUZZEE
Construction Board of Appeals	Alternate Fire	12/31/2016	LARRY DELNEGRO
Construction Board of Appeals	Alternate Architect	12/31/2016	STEVE DRUGA
Construction Board of Appeals	Alternate Plumbing	12/31/2016	JAMES FRANCESCHETTI
Cultural Arts Commission	Member	12/31/2016	DANA MILLER

Cultural Arts Commission	Member	12/31/2016	TIM MCCONVILLE
Cultural Arts Commission	Member	12/31/2016	FRANK FURINO
Cultural Arts Commission	Member	12/31/2016	SUZANNE LEPORE
Cultural Arts Commission	Member	12/31/2016	MINDY GERBER
Health Advisory Board	Council Liaison	12/31/2014	C.J. DIANA
Health Advisory Board	Member	12/31/2016	SCOTT CAREY
Health Advisory Board	Member	12/31/2015 to fill Unexp. Term	CATHY SCARPITTO
Health Advisory Board	Member	12/31/2015 to fill Unexp. Term	GARY ROHRER
Housing & Community Develop.	Member	12/31/2016	KENNETH BONANNO
Housing & Community Develop.	Member	12/31/2016	SUSAN GOULET
Library Board	Board of Education Rep.	12/31/2014	Chosen by BOE-TBD
Library Board	Member	12/31/2018	STEPHANIE WOLAK
Property Board of Appeals	Member	12/31/2017	CYNTHIA FREUND
Property Board of Appeals	Member	12/31/2017	JASON RISOLI
Public Celebrations	Member	12/31/2016	KIMBERLY ANESH
Public Celebrations	Member	12/31/2016	DEBBIE LEPORINO
Public Celebrations	Member	12/31/2016	KRISTEN SEMON
Traffic Safety Advisory Comm.	Board of Education Rep.	12/31/2014	Chosen by BOE-TBD
Traffic Safety Advisory Comm.	Public Works Representative	12/31/2014	ROBERT CAPPARELLI
Traffic Safety Advisory Comm.	Police Dept. Representative	12/31/2014	DAVE DELAIR
Traffic Safety Advisory Comm.	Member	12/31/2016	DORIS KIRCHNER
Traffic Safety Advisory Comm.	Member	12/31/2016	KATHLEEN MURANO
Zoning Board of Adjustment	Member	12/31/2017	ROY KAPLAN
Zoning Board of Adjustment	Alternate	12/31/2015	FRANK LEMOS
Youth Guidance Council	Council Liaison	12/31/2014	ROBERT BENGIVENGA
Youth Guidance Council	Council Liaison – Recreation	12/31/2014	ROBERT RICHKUS
Youth Guidance Council	Police Dept. Representative	12/31/2014	LLOYD MCNELLY

is hereby for the year 2014.

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

- Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus			X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta	X		X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

Former Governor Donald DiFrancesco administered the Oath of Office for all appointees present. Everyone extended a round of applause and photographs were taken by local media and/or members of the public.

**RESOLUTION # 14-06
AUTHORIZING THE APPOINTMENT OF BOROUGH PROSECUTORS**

WHEREAS, in conformance with public laws of the state of New Jersey, 1996, c.95, sect. 14, **THOMAS LANZA,ESQ and PAUL GARELICK, ESQ.**, attorneys at law of the State of New Jersey, are hereby appointed **MUNICIPAL PROSECUTORS** for calendar year 2014 under the supervision of the Attorney General or the County Prosecutor who may represent the State, County or Municipality in any matter within the jurisdiction of the Central Municipal Court or any other Municipal Court:

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with Thomas Lanza, Esq., 2416 Plainfield Avenue, South Plainfield, NJ 07080 and Paul Garelick, Esq., 1862 Oak Tree Road, Edison, NJ 08820 to provide Prosecutorial services for calendar year 2014.
2. This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. Salary for this position is determined in the Salary Ordinance. Health Benefit coverage will not be provided as part of the compensation package for the position of Municipal Prosecutor.
4. A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Municipal Court Administrator
- Thomas Lanza, Esq.
- Paul Garelick, Esq.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 14-07
AUTHORIZING THE REAPPOINTMENT OF MUNICIPAL COURT JUDGE**

WHEREAS, in accordance with Chapter 34 of the Code of the Borough of South Plainfield, there shall be a Judge of the Municipal Court who shall be appointed by the Mayor with the advice and consent of the Council and who shall serve for a term of three years from the date of his appointment; and

WHEREAS, the Municipal Court of South Plainfield and the Municipal Judge thereof shall have, possess and exercise all the functions, powers, duties and jurisdiction conferred by the provisions of N.J.S.A. 2B:12-1 et seq. or by any other law; and

WHEREAS, the term of Judge Spencer Robbins expires on December 31, 2013, and

WHEREAS, it is the desire of the governing body to reappoint Judge Spencer Robbins to a three year term as Municipal Court Judge of the Borough of South Plainfield at a salary pursuant to the local salary ordinance;

NOW, THEREFORE, it is hereby resolved by the Mayor with consent of the South Plainfield Borough Council that Judge Spencer Robbins is hereby reappointed Municipal Court Judge for a three (3) year term expiring on December 31, 2016 at a salary as set forth in the current salary ordinance.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-08
AUTHORIZING THE APPOINTMENT OF PUBLIC DEFENDER**

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

The Mayor and Municipal Clerk are hereby authorized to execute an agreement with Edward Santoro to provide Public Defender services for calendar year 2014.

This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

Salary for this position is an annual salary pursuant to the local salary ordinance and shall be identical to the salary received during 2013. Health Benefit coverage will not be provided as part of the compensation package for the position of Municipal Public Defender.

A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Municipal Court Administrator
- Edward Santoro, Esq.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-09
AUTHORIZING APPOINTMENT OF BOROUGH AUDITOR**

WHEREAS there exists a need for the services of a Registered Municipal Auditor to conduct an audit of the Borough of South Plainfield, and

WHEREAS the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of the contracts as “Professional Services” without competitive bidding must be publicly advertised:

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

The Mayor and Municipal Clerk are hereby authorized to execute an agreement with Suplee, Clooney and Company, 308 E. Broad Street, Westfield, NJ 07090, for the period January 1, 2014 through December 31, 2014. The cost shall be the fees indicated in the company’s proposal submission of \$62,700.00 with additional services

based on variable hourly rates per the proposal and health benefits will not be provided as part of the compensation for the position.

1. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
2. A copy of this resolution shall be published in The Observer as required by Law within ten (10) days of its passage.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Suplee, Clooney and Company

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-10
AUTHORIZING APPOINTMENT OF BOROUGH APPRAISERS**

WHEREAS the Borough of South Plainfield requires the services of a licensed appraisal company for the year 2014; and

WHEREAS the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of the contracts as “Professional Services” without competitive bidding must be publicly advertised:

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

1. This Mayor and Municipal Clerk are hereby authorized to execute an agreement with Sterling, DiSanto and Associates, as well as Sockler Realty Services Group Inc.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. The cost shall be the fees indicated in the company’s proposal submission of \$130.00 per hour for Sterling, DiSanto and Associates (same rate as 2013) and \$125.00 per hour for Sockler Realty Services Group Inc. with other variable hourly rates pursuant to their proposal and health benefits will not be provided as part of the compensation for the position for either appraiser.
4. A copy of this resolution shall be published in The Observer as required by law within ten (10) days of its passage.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Sterling DiSanto and Associates
- Sockler Realty Services Group Inc.

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

**RESOLUTION # 14-11
AUTHORIZING THE APPOINTMENT OF CONDEMNATION COUNSEL**

WHEREAS, there exists a need for certain legal services dealing with Condemnation for the year 2014, and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et.seq) requires that the resolution authorizing the award of the contracts for "Professional Services" without competitive bidding must be publicly advertised; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with the legal firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer, P.C. to provide legal services as Condemnation Counsel for the Borough for the year 2014, expiring December 31, 2014.
2. This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. The cost shall be the fees indicated in the company's proposal submission of \$145.00 per hour and health benefits will not be provided as part of the compensation for the position.
4. A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer, P.C.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-12
AUTHORIZING THE APPOINTMENT OF REDEVELOPMENT ATTORNEY**

WHEREAS, there exists a need for certain legal services dealing with Redevelopment for the year 2014, and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et.seq) requires that the resolution authorizing the award of the contracts for "Professional Services" without competitive bidding must be publicly advertised; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with the legal firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer, P.C. to provide legal services as Redevelopment Attorney for the Borough for the year 2014, expiring December 31, 2014.
2. This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. The cost shall be the fees indicated in the company's proposal submission of \$145.00 per Hour and health benefits will not be provided as part of the compensation for the position.
4. A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer, P.C.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-13
AUTHORIZING APPOINTMENT OF BOROUGH BOND COUNSEL**

WHEREAS, there exists a need for the services of Bond Counsel for the Borough of South Plainfield for CY2014, and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et.seq) requires that the resolution authorizing the award of the contracts for "Professional Services" without competitive bidding must be publicly advertised.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with McManimon and Scotland, 1037 Raymond Boulevard, Suite 400, Newark, NJ 07102 for CY2014 at the fees indicated in the company's proposal submission which are all variable hourly rates contingent upon the assignment at hand. Please refer to the proposal for the variable rates. Amount not to exceed \$60,000.00 without Council's authorization.
2. This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. Health Benefits will not be provided as part of the compensation for the position of Bond Counsel.
4. A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- McManimon and Scotland

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-14
AUTHORIZING THE APPOINTMENT OF INSURANCE BROKER**

WHEREAS the Borough of South Plainfield in need of retaining an insurance brokerage and consulting firm that will handle the implementation of the employee benefits as well as negotiation with the various benefit providers for the year 2014; and

WHEREAS the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of the contracts as “Professional Services” without competitive bidding must be publicly advertised:

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with Insurance Buyers’ Council, Inc., 97220 Greenside Drive, Suite 1E, Cockeysville, MD 21030
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. The contract amount shall not exceed the annual retainer fee of \$42,750.00 or the fees indicated in the company’s proposal submission for 2014 and health benefits will not be provided as part of the compensation package for this position.
4. A copy of this resolution shall be published in The Observer as required by law within ten (10) days of its passage.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Insurance Buyers’ Council, Inc.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION # 13-15

AUTHORIZING APPOINTMENT OF BOROUGH ENGINEER

WHEREAS the Borough of South Plainfield in need of retaining an engineering firm to act as Borough Engineer for the year 2014; and

WHEREAS the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of the contracts as “Professional Services” without competitive bidding must be publicly advertised:

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with T & M Associates, 11 Tindall Road, Middletown, NJ 07748, for calendar year 2014.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. The fee schedule for Engineering Services is attached to the 2014 proposal submission that indicates a variable fee structure for 2014 of which indicates that the fees schedule will remain the same as in 2013 and shall not exceed \$250,000.00 in total expenses
4. A copy of this resolution shall be published in The Observer as required by law within ten (10) days of its passage.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- T&M Associates

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-16
AUTHORIZING APPOINTMENT OF ENVIRONMENTAL ENGINEER**

WHEREAS, the Borough of South Plainfield in need of retaining an engineering firm for matters dealing with site assessments, site remediation and brownfields development and for all matters regulated by the New Jersey Department of Environmental Protection, including the Suburban Transit Bus Co. property, for the year 2014; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of the contracts as “Professional Services” without competitive bidding must be publicly advertised:

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with Maser Consulting, PA, 331 Newman Springs Road, Red Bank, NJ 07701 for Environmental Engineering services for 2014 at a cost based on the variable 2014 proposed fee schedule submitted which is the same fee schedule as in 2013 and is not to exceed \$100,000.00 without the consent of the Borough Council.

2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. A copy of this resolution shall be published in The Observer as required by law within ten (10) days of its passage.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Maser Consulting, PA

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-17
AUTHORIZING APPOINTMENT OF BOROUGH PLANNER**

WHEREAS the Borough of South Plainfield in need of retaining a professional planner to review land use and land development, preparation of master plan, housing element and fair share plan for the year 2014; and

WHEREAS the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of the contracts as “Professional Services” without competitive bidding must be publicly advertised:

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with T & M Associates, 11 Tindall Road, Middletown, NJ 07748 to provide Planner services, for calendar year 2014 at the fees established in the company’s 2014 proposal submission which are the same as the 2013 fee schedule; the cost be part of the total engineering cost and shall not exceed \$250,000.00.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. A copy of this resolution shall be published in The Observer as required by law within ten (10) days of its passage.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus	X		X				
Councilman Rusnak		X	X				
Councilman White			X				
Council President Barletta			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION No. 14-17A
AUTHORIZING THE PROFESSIONAL SERVICE APPOINTMENT OF EMIL H. PHILIBOSIAN, ESQ.
AND THE LAW FIRM OF HOAGLAND, LONGO, MORAN, DUNST & DUKAS FOR CONFLICT TAX
APPEALS

WHEREAS, the Borough Attorney and the law firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C., have a potential conflict, and cannot represent the Borough of South Plainfield in connection with certain pending tax appeal cases; and

WHEREAS, Emil H. Philibosian, Esq. and the law firm of Hoagland, Longo, Moran, Dunst & Dukas, have experience in representing municipalities in connection with tax appeals; and

WHEREAS, the Local Public Contracts Law N.J.S.A.. 40A: 11-1, *et seq.*, more specifically N.J.S.A. 40A:11-5, allows for the awarding of a contract for "Professional Services" without public advertising for bids; and

WHEREAS, this contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44-20.4, *et seq.*; and

WHEREAS, this contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, compensation for the professional services shall be at a rate of \$150 per hour for all attorneys, plus reasonable expenses and costs;

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

The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract for Professional Services with Emil H. Philibosian, Esq. and the law firm of Hoagland, Longo, Moran, Dunst & Dukas, to represent the Borough as special counsel for certain tax appeal cases.

The Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law, more specifically N.J.S.A. 40A:11-5, because the services in question are of a specialized, technical and professional nature.

Any modification to the Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.

The Borough of South Plainfield may, upon ten (10) days written notice, and without cause, terminate the Contract.

The Contract shall, for all purposes, be deemed a New Jersey Contract and any provisions of the Contract shall be governed and interpreted according to the Laws of the State of New Jersey.

The contractor shall report directly to the Borough Administrator, who will be the chief contact with the Borough of South Plainfield.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the South Plainfield Municipal Clerk, South Plainfield Borough Municipal Building, 2480 Plainfield Avenue, South Plainfield, New Jersey 07080.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus	x		x				
Councilman Rusnak		x	x				
Councilman White			x				
Council President Barletta			x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-18
AUTHORIZING THE APPOINTMENT OF TAX SEARCH OFFICER**

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

Kimberly Clifford

is hereby appointed Tax Search Officer for the year 2014

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Kimberly Clifford, Tax Search Officer

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-19
AUTHORIZING APPOINTMENT OF PUBLIC AGENCY COMPLIANCE OFFICER**

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

PAUL RIZZO, ESQ. of the law firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer, P.C. is hereby appointed as the Public Agency Compliance Officer for the Borough of South Plainfield for the year 2014

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Paul Rizzo, Esq.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**BY - LAWS
OF THE BOROUGH OF SOUTH PLAINFIELD
RESOLUTION 14-20
FOR THE YEAR 2014**

ARTICLE I

The deliberation of the Council shall be governed by "Robert's Rules of Order", latest edition, except where inconsistent with specific rules contained herein.

ARTICLE II

SECTION 1. The Mayor shall preside over deliberations of the Council and shall conduct the meetings thereof. The Mayor shall also participate in the determinations of Borough affairs to the extent permitted by statute.

SECTION 2. The Mayor shall on all occasions preserve the strictest order and decorum and the Mayor shall cause the removal of all persons who interrupt the orderly proceedings of the Council.

SECTION 3. When two or more Councilpersons shall speak at the same time, the Mayor shall name the one entitled to the floor.

SECTION 4. The Mayor shall decide all questions of order without debate subject to an appeal to the Council, the Mayor may call upon the Council for its opinion upon any question of order.

SECTION 5. The Mayor shall be an ex-officio member of all committees, both standing and special, and shall be informed in advance of all meetings of such committees.

SECTION 6. The Mayor shall serve as liaison between the Governing Body and all boards, committees, agencies or organizations except as herein assigned to a specific council committee for liaison purposes.

SECTION 7. In the absence of the Mayor, or if the Mayor is unable to perform the duties of the Mayor, the Council President or in the Council President's inability to act, the Councilmember having the longest term as such, shall act as Mayor

SECTION 8. In the case of a tie vote on any matter, the Mayor may cast the tie-breaking vote; in the event of a tie vote in the absence of the Mayor, or if the Mayor does not choose to cast the deciding vote, the motion shall be lost (except that in the case of an appeal from a rule of the chair, a tie vote shall sustain the chair); provided however, if, in the opinion of the Mayor, there exists sufficient uncertainty in the minds of the Council or sufficient reason for reconsideration, the Mayor may declare such tie vote to postpone reconsideration, the mayor may declare such tie

vote to postpone consideration of the matter until the next regular, adjourned, or special meeting and the matter under discussion shall thereupon be so postponed and placed upon the agenda for such subsequent meeting for further study and final decision.

ARTICLE III **MUNICIPAL CLERK**

- SECTION 1. The Municipal Clerk shall perform the duties required of the Municipal Clerk by the New Jersey Statutes, these by-laws, custom, and direction of the Mayor and Council.
- SECTION 2. The Municipal Clerk shall keep the minutes of all regular, special or executive meetings of the Borough Council and shall prepare enough copies of such minutes in such manner and form as the Council shall direct at least five days before the next regular meeting after the meeting of which the minutes are a record and shall furnish, or cause to be furnished, to each member of the Council, the Mayor, Borough Attorney, the Borough Administrator, and the Business Advisory Group, a copy of printed or typewritten minutes. If, at the next regular meeting following the meeting of which the minutes are a record, and alterations or corrections are required, the Municipal Clerk shall, within ten days, furnish to each member of the Council, the Mayor, the Borough Attorney, the Borough Administrator, and Business Advisory Group, a corrected copy of such minutes. One Copy of the minutes of each regular or special meeting of the Borough Council as finally adopted and signed by the Municipal Clerk, shall be delivered to the local library to be kept by them for access by the public no later than 14 days after final adoption. Executive meeting minutes shall only be distributed after they have been released by resolution of the Council.
- SECTION 3. At least three days prior to the beginning of each regular, special or executive meeting of the Borough Council, the Municipal Clerk shall furnish or cause to be furnished to each member of the Council, the Mayor, Borough Attorney, Borough Administrator, each department head, and Business Advisory Group an agenda setting forth matters of unfinished business, and copies of communications to be presented to the Council ordinances and resolution to be acted upon or other matters which may properly come to the attention of the Council so far as such may be known to the Clerk. No ordinance or resolution will be added to the agenda of the public meeting without approval of the Council. Prior to each regular public meeting the Municipal Clerk shall furnish or cause to be furnished to each member of the Borough Council, the Mayor, the Borough Administrator, the Borough Attorney, and Business Advisory Group, a copy of the final agenda.
- SECTION 3A. Prior to the start of the regular public meeting, the Municipal Clerk shall furnish or cause to be furnished copies of the agenda and two complete sets of all ordinances and resolutions to be made available for reference by the public at the meeting.

- SECTION 4. When an ordinance is introduced, the Municipal Clerk shall record it in the ordinance book maintained for such purposes and shall assign to the ordinance its proper number shall appear in any advertisement of the ordinance. It shall also be the duty of the Clerk to maintain an index of Borough ordinances.
- SECTION 5. It shall be the duty of the Municipal Clerk, at the beginning of each year and as often thereafter as may be required, to prepare a sheet to be attached to the by-laws listing all Borough officials and showing also all appointments to boards or committees made either by the Mayor, Council President or Mayor and Council.
- SECTION 6. The scheduling of meeting rooms in the Borough Municipal Building shall be under the jurisdiction of the Municipal Clerk. Each board within the Borough shall submit to the Clerk, prior to the beginning of each year, their proposed meeting dates.
- SECTION 7. The Municipal Clerk shall create and maintain a listing of all issues discussed at regular, adjourned, or special meetings which require further action. The items to be tracked shall include: a) issue description; b) action required; c) date of meeting when action was first discussed; d) name of person owning the action item; e) date action is required and f) date action is completed. This listing will be updated and included in the package of information and shall be reviewed by the Municipal Clerk with the Councilmembers at each agenda meeting.

ARTICLE IV

MEETINGS

- SECTION 1. The Council shall hold an annual Reorganization Meeting within first seven (7) days in January, no later than the seventh (7th) day or the next following weekday not a legal holiday, at a time agreed to by the Council.

SECTION 2. REGULAR PUBLIC MEETINGS

Regular public meetings shall be typically held in the Municipal Building on the first (1st) and third (3rd) Monday of each month immediately after the agenda meeting, or as otherwise noted at 7:00 p.m. The schedule of regular public meetings shall be set forth in the resolution to be adopted by the Mayor and Council at its annual reorganization meeting as referred to in Article 4, Section 1 above.

Borough residents are requested to confine statements from the floor to matters pertaining to Borough business. Items not pertaining to Borough business should be presented to the Mayor and Council in letter form so that the Governing Body

may familiarize themselves with such items and to determinate a course of action. In the event that a resident prefers to present an item not pertaining to Borough business from the Council floor, the presiding officer shall limit such discussions to not more than three minutes duration, unless extended by the Council.

AGENDA MEETINGS

Agenda meetings shall be typically held on the first (1st) and third (3rd) Monday of each month, or as otherwise noted, in the Municipal Building at 7:00 p.m. prevailing time. The schedule of agenda meetings shall be set forth in the resolution to be adopted by the Mayor and Council at its annual meeting as referred to in Article 4, Section 1 above.

Such meetings shall be open to the press and public. In the event of urgent business, individuals may be given an opportunity to be heard by notifying the Administrator, Mayor or a Councilmember prior to the start (or 24 hours before) of the agenda meeting. If additional time is required by the Council, to familiarize themselves with such items and to determine a course of action, the issue may be deferred to the next public meeting.

SECTION 3. At the annual meeting, the Council will elect one of its members as Council President for the calendar year.

SECTION 4. The Mayor shall, when necessary, call special meetings of the Council. In case of the Mayor's neglect or refusal, any four members of the Council may call such meeting at such time and place as they may designate in the Borough. In all cases of special meetings, "adequate notice", as defined in Open Public Meetings Act, Chapter 231, P.L. 1975, shall govern and be binding, both as to the public and the members of the Council, the Mayor and the Municipal Clerk.

SECTION 4A. All meetings of all standing committees, as well as of the Mayor and Council, shall be subject to and governed by the provisions of the Open Public Meetings Act, Chapter 231, P.L. 1975. Any inconsistencies in these by-laws or in the customs, practices and procedures of the standing committees or if the Mayor and Council with the Open Public Meetings Act shall be governed by said Act.

SECTION 5. A quorum shall be three Councilmembers and the Mayor and in the absence of the Mayor, four Councilmembers.

SECTION 6. If no quorum is present at any meeting, those assembled shall have power and are hereby authorized to set a new meeting date and then adjourn.

SECTION 7. The following order of business shall be observed:

1. Roll Call
2. Pledge of Allegiance & Invocation

3. Proclamations
4. Approval of Minutes
5. Opening of Bids
6. Public Hearings
7. Invitation to speak-agenda items only
8. Sale of Property
9. Appointments by Council
10. Other Appointments
11. Advertised hearings on ordinances or other matters and final reading and passage after reading of ordinances and other matters.
12. Introduction of ordinances
13. Resolutions
14. Presentation of communications, petitions, etc.
15. Payment of Bills
16. Reports of Committees and other council matters
17. Greetings to the public and invitation to speak
18. Adjournment

During the public portions of the regular public meeting, (#7 and #17) the public is invited to speak on agenda items (during #7) and non-agenda items (#17). To expedite the meeting, comments will be limited to five minutes unless extended by the Council.

SECTION 8. The aforesaid order of business at any meeting may be changed by a majority vote of the members of the Council.

SECTION 9. Except as otherwise required by statute, or specifically provided by these by-laws, all action of the Council shall be by majority vote of those present.

SECTION 10. If required by the Mayor or presiding officer, all motions or resolutions presented for action by the Council shall be in writing.

SECTION 11. All appointments shall be made in accordance with the revised statutes of New Jersey.

ARTICLE V **COMMITTEES, BOARDS AND AGENCIES**

SECTION 1. The President of the Council shall appoint all committees and shall see that all matters referred to the committees are acted upon and reported promptly to the Mayor and Council.

SECTION 2. The President of the Council shall, at the annual meeting, appoint the following standing committees of the Council consisting of three members each:

Administration, Finance & Public Information

Health, Welfare and Environment
Public Works
Public Safety
Recreation
Economic Development

Each Councilperson shall be Chairperson of one of the six standing committees named in this Article. Each Councilperson shall be members of two additional standing committees. President of the Council shall also as establish the seating arrangement of the Council.

SECTION 3. The general duties, powers and functions of a standing committee shall be to:

- A. Administer the activities and matters for which it has been given primary responsibility.
- B. Perform such additional acts and duties as may be assigned to it by the Mayor and Council.
- C. Report to the Council concerning the activities and matters assigned to it.
- D. Make recommendations to the Council concerning the activities and matters assigned to it.
- E. See that all bills for merchandise purchased or services rendered shall be approved at the meeting following receipt of the merchandise or rendering of the services.

SECTION 4. No standing committee shall have power to:

- A. Make promises or commitments to anyone, directly or indirectly, or by inference bind the Council.
- B. Act in such manner or make decisions which set a precedent or violate established Council policy.

SECTION 5. Notice of committee meetings shall be given to the Mayor and all committee members.

SECTION 6. Special committees may be appointed by the President of the Council, for purposes other than those included in the duties of the standing committee.

SECTION 7. The chairperson of each standing or special committee shall be prepared to report to the Mayor and Council at each regular meeting on the work of his committee. The Chairperson shall also prepare and submit in writing to the Mayor and Council, not later than the last meeting of the year, and annual report.

SECTION 8. It will be the policy of the Mayor and Council not to fill any vacancies which occur between Election Day and the annual reorganization meeting, unless absolutely necessary.

ARTICLE VI
DUTIES OF STANDING COMMITTEES OF THE COUNCIL

Administration, Finance and Public Information

SECTION 1. The Administration committee shall have primary responsibility for the following described activities and matters.

- A. Administration, practices, procedures and records of the following:
 - 1. The Administrator, Municipal Clerk and Office of the Municipal Clerk
 - 2. The Collector and Office of the Collector
 - 3. The Treasurer and Office of the Treasurer
 - 4. The Assessor and Office of the Assessor
 - 5. The Chief Financial Officer and Office of the Chief Financial Officer
 - 6. The Borough Engineer and the Office of the Borough Engineer
 - 7. The Building / Zoning Department and the Office of the Building / Zoning Department

- B. Assist in the preparation of the Borough budget, develop and enforce sound purchasing and personnel practices and procedures and coordinate the operations and administration of all departments, divisions, offices and agencies of the Borough Government.

- C. Develop fiscal policies for recommendations to the Mayor and Council and safeguard the Borough financial interest to the fullest extent.

- D. Recommend salary ranges according to the recommendations of the New Jersey Department of Personnel.

- E. Maintain a continuous study of the operation and effect of personnel methods and practices in the Borough including hours and days of work, leave of absence, sick leave, vacations, pension and retirement provisions and report its findings and recommendations to the Mayor and Council.

- F. Liaison between the Mayor and Council and the Borough Auditor and with any other person, body or organization pertaining to Borough fiscal matters.

- G. Insurance
 - 1. The selection of insurance coverage on Borough equipment, property or operations and the handling of all claims or questions arising under such insurance.

2. The maintenance of a complete and current inventory of all Borough buildings, furnishings and equipment for insurance purposes.
 3. The review, at least once every 3 years, of all insurance coverage on Borough equipment, property or operations as to its completeness and adequacy by an accredited insurance appraiser.
- H. Be responsible for yearly publication of literature for the Council including names, addresses, meeting dates, etc.
- I. The official source of information in the public interest either published or solicited.
- J. Liaison between the South Plainfield Board of Education and the Mayor and Council.

Health, Welfare and Environment

SECTION 1. The Public Health Committee shall have primary responsibility for the following described activities and matters:

- A. Initiate and conduct studies and recommendations and take appropriate action to secure the public health.
- B. Liaison between the Mayor and Council and the Health Advisory Board.
- C. A member of this committee shall serve as liaison to the Environmental Commission.
- D. Liaison between the Mayor and Council and the Local Assistance Board.
- E. Committee chairperson will serve as a member of the Local Assistance Board.

Public Works and Recycling

SECTION 1. The Public Works and Recycling Committees shall have primary responsibility for the following described activities and matters.

- A. Construction, reconstruction, maintenance repair and cleaning of all public streets within the Borough and regulate the construction, maintenance, alteration and repair of sidewalks, curbs, gutters and encroachments by object and structures above and below such streets and sidewalks in accordance with any of the ordinances of the Borough.
- B. Care for all Borough Parks and public grounds including the trees, lawns, and landscaping appurtenant to public buildings.

- C. The administration, practices, procedures and records of the following:
 - 1. Provide custodial and janitorial services for Borough Hall, Library, Senior Citizen Center and PAL Building
 - 2. Recycling
- D. Operate and maintain Borough properties including the Borough Municipal Building and other offices, quarters and any tax foreclosed property.
- E. Maintenance and operation of the municipal compactor, recycling center and yard waste center.
- F. Shade trees
- G. Street lighting
- H. Maintenance and inspection of sanitary and storm sewers
- I. Construction of new sanitary and storm sewers
- J. Matters arising under or pertaining to the contract between the Borough and MCUA.
- K. Garbage, ash and refuse collection and disposal
- L. Erection and maintenance of signs as directed by the Mayor and Council or in concurrence with Engineering or Zoning Officer.

Public Safety

SECTION 1. The Public Safety Committee shall have primary responsibility for the following described activities and matter:

- A. Police Department and all ordinances, laws and regulations pertaining thereto.
- B. Street and roadway traffic
- C. Dog warden
- D. Liaison between the Borough and all organizations or agencies concerned with public safety or juvenile delinquency including Emergency Management.

- E. Granting of licenses and the inspection of licenses, premises and persons.
- F. The Fire Department and all ordinances, laws and regulations pertaining thereto.
- G. Hydrant service
- H. Liaison between the Borough and the Volunteer Fire Companies located in the Borough.
- I. The Division of Code Enforcement and the office of the Code Enforcement Officer.
- J. Chairperson of the committee shall be a member of the Youth Guidance Council.

Recreation

SECTION 1. The Recreation Committee shall have primary responsibility for the following described activities and matter:

- A. Recreation activities conducted at Borough expense.
- B. Recommending extension, additions and improvements to the Borough park system.
- C. Liaison between the Mayor and Council and the Recreation Commission.
- D. Liaison between the Borough and any civic, patriotic and/or other celebration financed wholly or in part by public funds.
- E. Responsible for all Labor Day activities.
- F. Liaison for the Central Jersey July 4 celebration.
- G. Chairperson of the committee shall be a member of the Youth Guidance Council.
- H. Chairperson of Recreation shall be the liaison to the Office on Aging Department, Senior Housing Committee and any other Senior Groups.

Economic Development

SECTION 1. The Economic Development Committee shall have primary responsibility for the following described activities and matters:

- A. Liaison between the Mayor and Council, the Planning Board, the Land Management Advisory Committee and the Business Advisory Group.
- B. The administration, practices, procedures and records of the following; Zoning/Planning Offices & Building/Construction Department.
- C. Be aware of the problems and activities concerning industry and commerce and strive for solutions to these problems.
- D. Aid public education concerning all projects undertaken by the Planning Board and the Land Management Advisory Committee.
- E. Recommend foreclosure action and subsequent administration and disposition of property acquired by the Borough under foreclosure of tax title liens.
- F. Recommend sale of all Borough owned property no longer needed for public purposes. All sales of both tax sale certificates and real property shall be conducted in accordance with general law and any local ordinances and in accordance with the terms and conditions prescribed by the Council for any specific sale.
- G. Chairperson of this committee shall be a member of the Planning Board.

ARTICLE VII

PURCHASE PROCEDURE, BILLS, CLAIMS AND VOUCHERS

SECTION 1. When the safety or protection of public property or public convenience requires, the Committee of the Council responsible shall have the authority without recourse to the normal purchasing procedures, to make immediate provisions to remedy the situation if the cost of such action shall be not more than \$5,000. A full report on the matter shall be made at the next regular meeting of the Council. If the cost of such action would exceed \$5,000 then the Council, by resolution passed by the affirmative votes of two-thirds of all the Council, can authorize the necessary action to be taken without recourse to the normal purchasing procedures. The resolution adopted must declare that an exigency exists and must set forth the appropriate amount to the spent.

A member of the Council shall not knowingly disburse, order to vote for the disbursements of public moneys, or incur any obligations in excess of

appropriations. November of the Council shall, directly or indirectly, be interested in the furnishing of any goods, chattels, supplies or property to the Borough or in any agreement or contract for the construction of any building or improvement to be made at the expense of the Borough, or be a party, either as principal or surety, to an agreement or contract with the Borough and any other party.

SECTION 2. All purchase requests must be submitted to the Purchasing Agent. No vouchers requesting payment shall be acknowledged unless above requirements are adhered to.

SECTION 3. **Purchase in excess of \$3,000**

- A. Purchase in excess of \$3,000 may be initiated only the Chairperson or a majority of the Committee of the Council having jurisdiction at a regular, adjourned or special meeting of the Council.
- B. If the proposed purchase is approved by the Mayor and Council, a resolution shall be adopted authorizing the advertising for bids in the manner required by statute.
- C. Bids shall be received by the Municipal Clerk and opened only at the time stated in the advertisement.
- D. When property which may properly be described as apparatus is to be purchased, the Council may adopt a resolution dispensing with the requirement of advertising for bids as set forth by law.
- E. Where work is to be done for the Borough, the Mayor and Council, in the resolution authorizing the advertisement for bids, will direct that there be included in the advertisement statement that every bidder must enclose with his bid a certified check for 10% of the bid and that the successful bidder must furnish a performance bond in the amount of his bid for the performance of the work called for.
- F. Payment of services rendered by Borough officers and employees or by Attorneys, Accountants or other professionals appointed by the Mayor and Council.
 - 1. No purchase requisitions or purchase order shall be required.
 - 2. All purchases of insurance shall conform to the requirements and procedures established, except that it shall not be necessary to advertise for bids.

SECTION 4. Any or all claims against the Borough shall be in writing, fully itemized,

and on such forms as the Borough shall provide for the purpose. They shall be certified to by the claimant before submission for approval and payment.

SECTION 5. All bids and claims must be supported by a certification of the receipt of the goods, of the satisfactory rendering of the services, by the responsible person accepting the same on behalf of the Borough and who may be held accountable therefore.

All checks vouchers with supporting papers (requisitions and/or copy of purchase order), attached will then be presented to the Council Committee having primary interest in the matter. Each voucher shall be reviewed and if approved by the Committee having jurisdiction over the activity or matter for which the expenditures were incurred, it will then be included in the list of bills to be approved for payment at the next regular meeting.

The appropriate committee or committees shall examine all vouchers and will indicate its approval on each voucher prior to submitting it to the Council for authorization to pay same.

SECTION 6. All vouchers must be received by the Municipal clerk on the day prior to each agenda meeting.

All vouchers recommended for payment shall be presented to the Council by the Municipal Clerk at a regular meeting or an adjourned regular meeting.

Authorization to draw the checks and pay the amounts of the approved vouchers shall be by resolution of the Council.

SECTION 7. The corresponding vouchers and/or resolutions shall accompany all checks drawn in payment thereof when the said checks are presented to the Mayor, the Treasurer and the Municipal Clerk for signature.

SECTION 8. All bills, vouchers, resolutions and paid checks shall be filed in a safe place and be made available for public inspection whenever requested.

ARTICLE VIII **AMENDMENTS**

SECTION 1. The Mayor, or any member of the Council may propose amendments to these by-laws at any regular meeting or adjourned meeting by resolution.

The Council President will then appoint a special committee of three members of the Council to consider the proposed amendments, which in addition may submit other suggested changes.

SECTION 2. The special committee will present its recommendations at a regular meeting or adjourned regular meeting of the Council.

SECTION 3. These by-law shall only be altered or amended by a two-thirds vote on a roll call taken at two consecutive meetings of the Council.

ARTICLE IX

These by-laws are finally adopted and as amended from time to time, shall be effective until the next annual meetings of the Council.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-21
AUTHORIZING THE CHECK SIGNERS FOR
THE BOROUGH OF SOUTH PLAINFIELD**

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, THAT: the following individuals are hereby authorized to sign checks or withdrawal slips where a combination of three (3) principal signatures are required:

MAYOR, MUNICIPAL CLERK and CHIEF FINANCIAL OFFICER

BE IT FURTHER RESOLVED that the signature cards with the signatures of said individuals authorized to sign be forwarded to all bank depositories.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-22
AUTHORIZING THE 2014 OFFICIAL NEWSPAPERS**

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

the following be and are hereby officially declared to be the official newspapers for the purpose of publishing official advertisements for the Borough of South Plainfield in which any combination of two or more such newspapers may be utilized:

THE OBSERVER, THE STAR LEDGER and THE COURIER NEWS

BE IT FURTHER RESOLVED that the listing of said newspaper herein shall not preclude additional advertising in other newspapers not eligible for declaration as “official” newspapers.

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

- Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 2014-23
ESTABLISHING THE BOROUGH HOLIDAYS FOR 2014**

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

the calendar of employee holidays for the year 2014 be adopted as follows:

January 1, 2014	Wednesday	New Year’s Day
January 20, 2014	Monday	Martin Luther King
February 12, 2014	Wednesday	Lincoln’s Birthday
February 17, 2014	Monday	President’s Day
April 18, 2014	Friday	Good Friday
May 26, 2014	Monday	Memorial Day
July 4, 2014	Friday	Independence Day
September 1, 2014	Monday	Labor Day (Except Police Officers)
October 13, 2014	Monday	Columbus Day
November 4, 2014	Tuesday	Election Day (Police Only)
November 11, 2014	Tuesday	Veteran’s Day
November 27, 2014	Thursday	Thanksgiving Day
November 28, 2014	Friday	Day After Thanksgiving (Per Contracts)
December 25, 2014	Thursday	Christmas Day

BE IT FURTHER RESOLVED that should the approved holidays be changed due to contract negotiations, this schedule will be adjusted accordingly; and

BE IT FURTHER RESOLVED that any day designated by the Governor of the State of New Jersey or the President of the United States be also designated a holiday. Those holidays falling on Saturday shall be observed on Friday and those holidays falling on Sunday shall be observed on Monday.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus			X				
Councilman Rusnak			X				
Councilman White		X	X				
Council President Barletta	X		X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-24
AUTHORIZING THE FIX RATES OF INTEREST ON TAXES AND SEWERS
IN THE BOROUGH OF SOUTH PLAINFIELD**

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for the non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes and assessments provided by law; and

WHEREAS, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500 of the delinquency and 18% per annum on any amount in excess of \$1,500 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000 on properties that fail to pay the delinquency prior to the end of the fiscal year; and

WHEREAS, N.J.S.A. 40A:14b-41 permits the rate of interest for delinquent charges or payments on the Sewer Utility be 1 ½% per month on any amount provided, however, that a grace period of 10 calendar days from the due date is hereby granted and provided further, that if such installment is not made within 10 days of the due date then interest shall be charged from the original due date; and

WHEREAS, “delinquency” means the sum of all taxes and other municipal charges due on a given parcel of property covering any number of quarters or years.

NOW THEREFORE BE IT RESOLVED on the 7th day of January, 2014, that:

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500 of taxes and assessments becoming delinquent after the due date and 18% per annum on any amount of taxes and assessments in excess of \$1,500 of taxes becoming delinquent after the due date and if a delinquency is in excess of \$10,000 and remains in arrears beyond June 30, and additional penalty of 6% shall be charged against the delinquency.
2. Effective January 1, 2014 there will be a ten (10) day grace period for quarterly tax, sewer and annual assessment payments made by cash, check, money order, credit card or debit card.
3. Any payments not made in accordance with Paragraph 2 of this resolution shall be charged interest from the due date as set forth in Paragraph 1 of this resolution.

In the event that a service charge of any municipal authority with regard to any parcel of real property shall not be paid as and when due, interest shall accrue and be due to the municipal authority on the unpaid balance at a rate of 18% per annum until such service charge, and the interest thereon, shall be fully paid to the municipal authority.

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

- Amy Antonides, Municipal Clerk
- Tax Collector

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION #2014-25
ESTABLISHING THE BOROUGH COUNCIL MEETING DATES FOR 2014**

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

the following dates are hereby approved as 2014 meeting dates for the Mayor and Council:

	<u>Agenda Meeting</u>	<u>Public Meeting</u>
	(Reorganization) January 4, 2014 12 Noon at Senior Center	January 4, 2014 - 12 Noon at Senior Center
20th	January 13, 2014 2 nd Monday	January 13, 2014 – Due to Martin Luther on
	February 3, 2014	February 3, 2014
on 17th	February 18, 2014 3 rd Tuesday	February 18, 2014 – Due to Presidents Day
	March 3, 2014	March 3, 2014
	March 17, 2014	March 17, 2014
	April 7, 2014	April 7, 2014
	April 21, 2014	April 21, 2014
	May 5, 2014	May 5, 2014
	May 19, 2014	May 19, 2014
	June 9, 2014 2 nd Monday	June 9, 2014 *Primary on 3rd
	June 23, 2014 4 th Monday	June 23, 2014
	July 14, 2014	July 14, 2014
	August 11, 2014	August 11, 2014
	September 8, 2014 2 nd Monday	September 8, 2014 – Due to Labor Day
	September 22, 2014 4 th Monday	September 22, 2014
	October 6, 2014	October 6, 2014
	October 20, 2014	October 20, 2014
	November 10, 2014	November 10, 2014*General on 4th
	December 1, 2014	December 1, 2014
	December 15, 2014	December 15, 2014

All Agenda Meetings begin at 7:00pm followed immediately by the Public Meeting, unless otherwise noted. Any changes to the aforementioned schedule shall be advertised and posted on the Borough bulletin board and website.

All meetings of the Governing Body are held in accordance with the New Jersey Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) in the Council Chambers at 2480 Plainfield Avenue, South Plainfield, New Jersey. Action may be taken at all aforementioned meetings of the Mayor and Council.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 14-26
ESTABLISHING A CASH MANAGEMENT PLAN AND
NAMING OFFICIAL CASH DEPOSITORIES**

WHEREAS, N.J.S.A. 40A: 5-14 mandates that a Governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, N.J.S.A. 40A: 5-15.1 amended by Chapter 148, P.L. 1997 established new requirements for the investment of public funds and adoption of a cash management plan for counties, municipalities and authorities; and

WHEREAS, the Borough Council of the Borough of South Plainfield, County of Middlesex wish to comply with the above statutes;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of South Plainfield, County of Middlesex adopts the following cash management plan, including the official depositories for the Borough of South Plainfield, County of Middlesex for the period January 1, 2014 through December 31, 2014.

**CASH MANAGEMENT PLAN OF THE
BOROUGH OF SOUTH PLAINFIELD,
COUNTY OF MIDDLESEX**

I. STATEMENT OF PURPOSE

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the Borough of South Plainfield, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED

BY THE PLAN

The plan is intended to cover all deposits and/or all investments of the funds of the Borough of South Plainfield including but not limited to:

Current Operating
Claims Checking Account
Payroll
State Aid
Sewer Utility Operating
Sewer Capital Account
Pool Operating
Pool Capital
Developers' Escrow Trust Funds
COAH Trust
Municipal Court General Account
Municipal Court Bail Account
Assessment Trust Fund
Collectors Trust Fund
Green Trust Accounts
General Capital Account
Recreation Trusts Account

III. DESIGNATION OF OFFICIALS AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN

The Chief Financial Officer (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough of South Plainfield are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgement kept on file with such officials.

The Chief Financial Officer is further authorized to make interfund transfers between the Borough Funds as may be necessary from time to time. The Chief Financial Officer is authorized to make such transfers and/or any and all payments by wire transfer as necessary.

IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

TD Bank
Fulton Bank of NJ
Wachovia Bank
Valley National Bank
PNC Bank
Chase Bank
Columbia Savings
Bank of America
Unity Bank
Investors Bank

Money Market Investment Accounts and/or Certificates of Deposit

TD Bank
Chase Bank
Wachovia Bank
Bank of America
Unity Bank
MBIA-Class Management Unit Trust
NJ ARM Program
NJ Cash Management Fund
Fulton Bank of NJ
PNC Bank
Columbia Bank
Valley National Bank
Investors Bank

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official(s) referred to in Section III above.

V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Borough of South Plainfield referred to in this

Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official (s) referred to in Section III above.

Commerce Capital

TD Bank

Fulton Bank of NJ

Bank of America

MBIA

New Jersey Cash Management

VI. AUTHORIZED INVESTMENTS

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of the school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L.1977, ch. 281 (C.52: 18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) The underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a:

- (b) The custody of collateral is transferred to a third party;
- (c) The maturity of the agreement is not more than 30 days;
- (d) The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17: 19-41); and
- (e) A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms “governmental money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund

An investment company or investment trust:

- (a) Which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 USC sec. 80a-1 et seq., and operated in accordance with 17 CFR sec. 270.2a-7.
- (b) The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) Which has:
 - (1) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (2) Retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool

An investment pool:

- (a) Which is managed in accordance with 17 C.F.R. sec 270.2a-7;
- (b) Which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;

- (d) Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52: 14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investment;
- (e) Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected at the time of interest rate adjustment, to have a market value that approximates their par value, or net asset value; and
- (f) Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C49: 3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in the U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGEMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of South Plainfield, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough of South Plainfield to assure that there is no unauthorized use of the funds or the Permitted

Investments that involve Securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Borough of South Plainfield or by a third party custodian prior to or upon the release of the Borough of South Plainfield’s funds.

To assure that all parties with whom the Borough of South Plainfield deals either by way of Deposits or Permitted Investments are aware of the authority and the limits sets forth in the Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s)

REPORTING REQUIREMENTS

At the public meeting of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Borough of South Plainfield a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough of South Plainfield as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough of South Plainfield.

VIII. TERM OF THE PLAN

This plan shall be effective January 1, 2014 through December 31, 2014. The Plan may be amended from time to time as necessary.

To the extent that any amendment is adopted by the Borough Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus			X				
Councilman Rusnak			X				
Councilman White		X	X				
Council President Barletta	X		X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION # 14-27
AUTHORIZING THE MAYOR, ADMINISTRATOR AND/OR MUNICIPAL CLERK TO BE THE
OFFICIAL SIGNER
ON ALL BOROUGH DOCUMENTS

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

the Mayor is hereby authorized to sign and execute all Borough documents inclusive of all documents pertaining to the Department of Environmental Protection on behalf of the Borough.

the Municipal Clerk and or Borough Administrator is hereby authorized to co-sign and execute all Borough documents if a secondary and/or third signature is required.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Mayor Anesh

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			X				
Councilman Richkus			X				
Councilman Rusnak			X				
Councilman White		X	X				
Council President Barletta	X		X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION # 14-28
AUTHORIZING THE MUNICIPAL CLERK TO ADMINISTER ALL MOTOR VEHICLE SALE,
AMUSEMENT, LAUNDROMAT, JUNKYARD, WRECKERS, AND CLOTHING BIN, AND LIMOUSINE
PERMITS FOR THE LICENSE YEAR 2014/2015

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

the Municipal Clerk is hereby authorized to administer, sign and execute all motor vehicle sale, amusement, amusement, laundromat, junkyard, wreckers, clothing bin, and limousine permits and licenses for the year 2014/2015 contingent that applicants have met all State and Borough requirements and all fees have been paid.

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

- Amy Antonides, Municipal Clerk
- Diane Janus, Assistant to Municipal Clerk

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						X	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-29
AUTHORIZING THE MUNICIPAL CLERK TO ADMINISTER ALL GAMES OF CHANCE LICENSES
FOR THE YEAR 2014**

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

the Municipal Clerk is hereby authorized to administer, sign and execute all Games of Chance Licenses for the year 2014 contingent that applicants have met all State and Borough requirements and all fees have been paid.

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

- Amy Antonides, Municipal Clerk
- Diane Janus, Assistant to Municipal Clerk

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-30
AUTHORIZING THE APPROVAL OF BLOCK PARTY REQUESTS FOR THE 2014 CALENDAR YEAR
CONTINGENT UPON APPLICANTS HAVING OBTAINED APPROVALS FROM THE POLICE, FIRE,
RESCUE, AND DPW DEPARTMENTS**

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that formal applications requesting Block Parties for the calendar year 2014 shall be approved contingent upon the following conditions:

1. Formal application is submitted to the Municipal Clerk’s Office at least 30 days prior to the anticipated Block Party date.
2. Formal application is approved by the South Plainfield Police, Fire, Rescue, and DPW Departments.
3. Block Parties in the vicinity of the Municipal Recycling Center are not to be held during the same hours of operation of the Municipal Recycling Center.
4. Applicants shall abide by any and all regulations, policies and Municipal Code of the Borough of South Plainfield.

BE IT RESOLVED that Block Parties may be denied if a municipal event or any other

event is taking place in the vicinity of the Block Party that could cause disruption of said event or problematic traffic/safety conditions; and

BE IT FURTHER RESOLVED that the Municipal Clerk is authorized to deny any requests for a Block Party should the applicant not meet the aforementioned conditions for approval or should the Governing Body of the Borough of South Plainfield instruct the Municipal Clerk to do so; and

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

- Amy Antonides, Municipal Clerk
- Diane Janus, Assistant to Municipal Clerk
- Police Department - Chief
- Police Traffic Safety
- Fire Department
- Rescue Squad
- Department of Public Works

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 14-31
AUTHORIZING APPROVAL TO WAIVE CERTAIN PERMIT FEES FOR THE 2014
CALENDAR YEAR FOR CERTAIN SOUTH PLAINFIELD MUNICIPAL OR
CHARITABLE ORGANIZATIONS**

BE IT RESOLVED that the Mayor and Governing Body of the Borough of South Plainfield hereby authorize the waiver of municipal fire and/or construction department permit fees for the 2014 calendar year for the following municipal departments, and/or South Plainfield charitable organizations for their annual or routine events or projects:

- | | |
|-------------------------------------|---|
| Cub Scout Pack 207 | Magic Show at Franklin School |
| Cultural Arts Committee | Annual Talent Showcase |
| Borough of South Plainfield- | All Municipal Buildings and Departments (i.e.: Municipal Building, DPW, Recreation Building, Senior Center, Fire Department, EMS, OEM, Community Pool) for any permits needed for repairs and maintenance. For permits necessary for the annual Labor Day Parade and Labor Day Fireworks. For annual breakfast with Santa at the Senior Center. |
| SPHS PTA | for annual Project Graduation Auction |
| SP Volunteer Fire Company | Oldie Night Concert |

Borough of South Plainfield Schools	for any permits needed for repairs and maintenance to the schools. Also for any permits needed for participation in the annual Labor Day festivities. Pre-Thanksgiving Football Game Bonfire at the High School. School band competitions at the High School.
St. Stephens Orthodox Church	for annual International Festival
SP Summer Drama Workshop	for annual play performed usually in August
SP Athletic Booster Club or	for installation of Sign Located at Middle School or for any repairs maintenance for South Plainfield School related purposes
SP Knights of Columbus	for annual Trivia Night held at Senior Center
Future Stars	for Movie Night at Roosevelt School
SP Exempt Fireman's Assoc. Department	for any permits needed for repairs and maintenance to Fire Department
St. Stephens Orthodox Church	for annual Tricky Tray
Sacred Heart Church	for annual Christmas Concert Events
SP Elks Lodge #2298	for annual Hoop Shot at Grant School
SP Lion's Club	for annual Dinner with Santa at Senior Center
SP Elks	for annual Instant Calendar Raffle Permit
American Legion	for annual Instant Calendar Raffle Permit and for annual picnic
All SP Charitable Organizations	for specifically the annual Labor Day Parade festivities
All SP Churches	for repairs and maintenance to Church buildings
SP Business Association	for annual Taste of South Plainfield Event

BE IT RESOLVED that other requests for permit waivers that are not mentioned on the aforementioned listing shall be considered by separate Resolution by the Mayor and Governing Body of the Borough of South Plainfield upon receiving written application submitted to the Municipal Clerk's office at least 30 calendar days before event; and

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

- Amy Antonides, Municipal Clerk
- Diane Janus, Assistant to Municipal Clerk
- All Building Inspectors
- Fire Official

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga						x	
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

PUBLIC COMMENTS – Mayor Anesh opened the floor for public comments. With no comments made, Mayor Anesh closed the floor.

With no further business of Council, Councilman White called for a motion to adjourn the meeting at 1:17 p.m., seconded by Councilman Rusnak and unanimously carried.

Mayor Anesh invited everyone to the American Legion for refreshments to celebrate all the new appointees and newly elected and reelected Councilmen.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk