## SOUTH PLAINFIELD BOROUGH BOROUGH COUNCIL MEETING MINUTES JANUARY 13, 2014 7:04 P.M. PUBLIC MEETING

**<u>CALL TO ORDER:</u>** Mayor Anesh called the meeting to order at 7:04 p.m. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this meeting having been provided to the Borough's two official newspapers and also published on the Borough's website.

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

The roll call was administered by Clerk Antonides as follows:

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

**Proclamation:** National Wear Red Day – February 7, 2014 National Black History Month – February, 2014

Mayor Anesh read both proclamations in full. Mayor Anesh advised that this Friday employees are asked to wear red. Last year South Plainfield was the second highest municipality in New Jersey in which donations were raised by the employees.

## Approve Council Minutes:

	Januar	y 4, 2014 –	Reorganiza	ation			
COUNCIL	MOTION	$2^{ND}$	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga							X
Councilman Diana			X				
Councilman Richkus			X				
Councilman Rusnak	Х		X				
Councilman White			X				
Council President Barletta		х	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

January 13, 2014 – Agenda January 13, 2014 – Public

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		х	X				
Councilman Diana			X				
Councilman Richkus			X				
Councilman Rusnak			X				
Councilman White			X				
Council President Barletta	Х		X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## Public Comment For Agenda Items Only:

Mayor Anesh opened the floor for public comment.

Nancy Grennier from The Observer asked when the photo of the employees wearing red on Friday is posted on the town's Facebook if the Mayor will match a donation based on the likes that the photo receives like was done last year? Mayor Anesh said he thinks we will do something but at the moment is not sure exactly what it will be.

Mrs. Grennier asked if the dollar amount on tonight's bond will cover everything or is there more to come? Mr. Cullen explained that this covers all the very large tax appeals i.e. the Motorola Building, Home Depot, etc.

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

**ORDINANCES – SECOND READING BY TITLE** (Clerk Antonides read Ordinance 1996 and 1997 by title as follows:

## ORDINANCE NO.1996 AN ORDINANCE AMENDING ARTICLES II AND V OF THE ZONING ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD.

WHEREAS, the Planning Board of the Borough of South Plainfield has evaluated certain provisions of the Borough's Zoning Ordinance; and

**WHEREAS,** after consideration and evaluation, the Planning Board has recommended to the Mayor and Council a number of revisions to the Zoning Ordinance, which the Mayor and Council consider to be appropriate to implement;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Zoning Ordinance of the Borough of South Plainfield be hereby amended as follows:

**ARTICLE II** – **ADD** – "Driveways: An area of a lot terminating at a curb cut being composed of an impervious or semi-impervious material (including, but not limited to asphalt, cement, gravel, macadam, concrete, paver stones) and used for the parking or movement of motor vehicles";

**ARTICLE V, SECTION 508.** Fences and Walls – delete the first sentence of the Article and replace with "no wall, fence or hedge in the residential district shall be erected or altered so that said wall, fence or hedge shall be more than four (4) feet in height in the required principal front yard, nor more than six (6) feet high in the required side and rear or secondary front yard, starting from the front of the structure."

**ARTICLE V, SECTION 519. ADD** – "Driveways in the R-15, R-10 and R-7.5 Zones shall be placed no closer than five (5) feet from the side or rear boundary line of any residential property."

On the schedule of general bulk requirements, footnote 3 shall read: "metal sheds, no larger than 100 sq. ft. in the R-15, R-10 and R-7.5 Zones may be placed no closer than two (2) feet from the rear or side boundary line. All sheds other than metal sheds (i.e., wood or vinyl sheds) shall be placed no closer than three (3) feet from the rear or side boundary lines."

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

Mayor Anesh opened the floor for public comment. With no comments from the public, Mayor Anesh closed the floor.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		X	Х				
Councilman Diana			Х				
Councilman Richkus			Х				
Councilman Rusnak				x			
Councilman White			Х				
Council President	X		Х				
Barletta							
		VOTE:	5	1			
Mayor Anesh – TIE ONLY							

## ORDINANCE NO.1997 AN ORDINANCE REZONING PROPERTY COMMONLY KNOWN AS 1620 NEW DURHAM AVENUE AND 1626 NEW DURHAM AVENUE <u>AS BEING DESIGNATED TO BE IN AN M2 ZONE.</u>

**WHEREAS,** the Planning Board of the Borough of South Plainfield was requested to review and investigate the zoning of properties commonly known as 1626 New Durham Avenue, also known as Lot 44, and 1620 New Durham Avenue, also known as Lot 45, both in Block 528 to consider a zoning change for such property; and

**WHEREAS,** the Planning Board conducted an investigation and determined that the property which is currently zoned for residential use has not been used as a residential property since the prior owners obtained a variance in 1984 for permission to use the premises as a medical professional building; and

WHEREAS, the premises are bounded on the east and north by the AH-2 Zone, and on the west by the M-2 Zone; and

**WHEREAS,** the Planning Board has resolved and ordered through the Mayor and Council that it is appropriate planning to rezone the premises in question to be incorporated in the M-2 Zone;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that premises known as 1626 New Durham Avenue, also known as Lot 44, and 1620 New Durham Avenue, also known as Lot 45, both in Block 528, shall be rezoned and designated as being in the M-2 Zone.

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

Mayor Anesh opened the floor for public comment. With no comments from the public, Mayor Anesh closed the floor.

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

**ORDINANCES – FIRST READING BY TITLE** -Clerk Antonides read Ordinance 1998 by title. The public hearing was set for February 18, 2014 at approximately 7:00 p.m.

## **BOND ORDINANCE 1998**

## A REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,010,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,010,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") is hereby authorized to pay an aggregate amount not exceeding \$995,000 for amounts owed by the Borough to the owners of various properties for taxes levied in the Borough (plus certain costs associated therewith), as more particularly described on the List of Settled Appeals and available for inspection in the office of the Borough Clerk, which list is hereby incorporated by reference as if set forth at length herein. Such amount shall be paid to taxpayers in the form of a refund, or used by the Borough to reimburse tax appeal amounts applied as credits to taxpayers' future taxes payable, as applicable.

Section 2. An aggregate amount not exceeding \$15,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$1,010,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable refunding bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, provided that no note shall mature later than one year from its date. The refunding bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with refunding bond anticipation notes issued pursuant to this ordinance, and the chief financial officer's signature upon the refunding bond anticipation notes shall be conclusive evidence as to all such determinations.

All refunding bond anticipation notes issued hereunder may be renewed from time to time, but all such refunding bond anticipation notes including renewals shall mature and be paid no later than the seventh anniversary of the date of the original notes; provided, however, that no bond anticipation notes shall be renewed beyond the first or any succeeding anniversary date of the original refunding bond anticipation notes unless an amount of such refunding bond anticipation notes, at least equal to the first legally payable installment of the refunding bonds in anticipation of which the refunding bond anticipation notes are issued, determined in accordance with the maturity schedule for the refunding bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the refunding bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the refunding bonds by the Local Finance Board.

The chief financial officer is hereby authorized to sell part or all of the refunding bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from A0783276 their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the refunding bond anticipation notes pursuant to this refunding bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the refunding bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 6. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the refunding bonds and refunding bond anticipation notes provided in this refunding bond ordinance by \$1,010,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this refunding bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

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

Introduction of Ordinance #1998: February 3, 2014

## **RESOLUTIONS:**

## RESOLUTION 14-51 AUTHORIZING THE RETROACTIVE WAIVER OF PERMIT FEES FOR THE PLUMBING WORK DONE ON THE SOUTH PLAINFIELD HIGH SCHOOL ROOF IN SEPTEMBER, 2013

**BE IT RESOLVED,** that the South Plainfield High School is seeking a retroactive waiver of permit fees for the plumbing work that was done on the South Plainfield High School roof in September, 2013;

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of South Plainfield hereby authorizes the retroactive waiver of all permit fees for the aforementioned plumbing work that was done on the high school roof in September, 2013;

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded as follows:

- 1. Municipal Clerk
- 2. Chief Financial Officer
- 3. Arlene Biesiada, Interim School Business Administrator

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

## **RESOLUTION 14-52**

## AUTHORIZING THE REFUND OF \$10.00 TO JENNIE JANKOSKI OF 1700 HAMILTON BLVD. FOR THE CHRISTMAS PARTY AT THE SENIOR CENTER ON DECEMBER 19, 2013

**BE IT RESOLVED,** by the Borough Council of the Borough of South Plainfield that it hereby authorizes the \$10.00 refund for the Christmas Party held at the Senior Center on December 19, 2013 to:

Jennie Jankoski 1700 Hamilton Blvd. South Plainfield, NJ 07080

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of South Plainfield that the Finance Office hereby has approval to release the aforementioned refunds.

COUNCIL	MOTION	$2^{ND}$	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Diana			X				
Councilman Richkus		S	X				
Councilman Rusnak			Х				
Councilman White	s		X				
Council President Barletta			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## **RESOLUTION 14-53**

## AUTHORIZING THE PART-TIME HIRING OF PATRICIA CASTERLINE AS AN INSTRUCTOR FOR "PROJECT HEALTHY BONES" AT THE SENIOR CENTER EFFECTIVE FEBRUARY 24, 2014 AT AN HOURLY RATE OF \$25.00 WITH NO BENEFITS

**BE IT RESOLVED,** by the Borough Council of the Borough of South Plainfield that it hereby authorizes part-time hiring of Patricia Casterline as an Instructor for "Project Healthy Bones" at the Senior Center effective February 24, 2014 at an hourly rate of \$25.00 with no benefits.

COUNCIL	MOTION	$2^{ND}$	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Diana			Х				
Councilman Richkus		х	Х				
Councilman Rusnak			X				
Councilman White	Х		X				
Council President Barletta			Х				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## **RESOLUTION #14-54**

## AUTHORIZING THE RELEASE OF A PERFORMANCE BOND POSTED BY MICHAEL SOCHA OF 202 ST. JOHN'S PLACE FOR PUBLIC IMPROVEMENTS TO BLOCK 404.03, LOT 1.01 AND ACCEPTANCE OF THE MAINTENANCE BOND IN THE AMOUNT OF \$5,453.10

**WHEREAS**, the Borough of South Plainfield is in possession of a Performance Bond from Michael Socha of 202 St. John's Place for the improvements located at Block 404.03, Lot 1.01; and

WHEREAS, Michael Socha. has submitted a Maintenance Bond in the amount of \$5,453.10; and

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

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Mayor and Council of the Borough of South Plainfield, that the Borough Clerk is hereby authorized to accept the aforementioned Maintenance Bond and release the Performance Bond held for the Public Improvements located at Block 404.03, Lot 1.01.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Diana			X				
Councilman Richkus		X	X				
Councilman Rusnak			Х				
Councilman White	Х		X				
Council President Barletta			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## **RESOLUTION #14-55**

## AUTHORIZING THE RELEASE OF AN OUTDATED PERFORMANCE BOND POSTED BY STRONG TOWER DEVELOPMENT FOR PUBLIC IMPROVEMENTS TO BLOCK 365, LOTS 5 AND 10.04 IN THE TOTAL AMOUNT OF \$2,316.38 AND DUE TO THE ANTIQUATED NATURE OF THE PERFORMANCE BOND, NO MAINTENANCE GUARANTEE ACCEPTANCE IS REQUIRED AT THIS TIME

# **WHEREAS**, the Borough of South Plainfield is in possession of two Performance Bonds from Strong Tower Development for the improvements located at Block 365, Lots 5 and 10.04 for projects that took place some 13 years ago; and

WHEREAS, Strong Tower Development does not need to submit a Maintenance Bond at this time due to the antiquated nature of these projects; and

**WHEREAS**, the Borough Engineer and the Chief Financial Officer has given approval as to the release of said Performance Bond due to the antiquated nature of the projects;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Mayor and Council of the Borough of South Plainfield, that the Borough Clerk is hereby authorized to release a total of \$2,316.38 and close out any and all engineering escrow accounts with the bank for the Public Improvements located at Block 365, Lot 5 and 10.04 in the Borough of South Plainfield.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Diana			X				
Councilman Richkus		X	X				
Councilman Rusnak			х				
Councilman White	Х		X				
Council President Barletta			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

### **RESOLUTION 2014-56**

## AUTHORIZING THE ENVIRONMENTAL COMMISSION TO SUBMIT THE 2014 ANJEC OPEN SPACE GRANT APPLICATION AND AUTHORIZING THE BOROUGH ADMINISTRATOR TO SUBMIT A LETTER OF ENDORSEMENT OF SAID GRANT APPLICATION

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby granted to the Environmental Commission to submit the 2014 ANJEC Open Space Grant Application and authorize the Borough Administrator to submit a letter of endorsement of said grant application assuring payment of any additional costs that are included in the current year's budget;

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded as follows:

- 1. Municipal Clerk
- 2. Chief Financial Officer/Borough Administrator
- 3. Environmental Commission

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Diana			X				
Councilman Richkus		X	X				
Councilman Rusnak			X				
Councilman White	х		X				
Council President Barletta			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

### **RESOLUTION 2014-57**

## RESOLUTION OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51

**WHEREAS,** the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough"), desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:2-51 for its review and approval of a refunding bond ordinance authorizing payments of amounts owed to others for taxes levied;

## WHEREAS, the Borough believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit and will not create an undue financial burden to be placed upon the local unit;

# NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY as follows:

**Section 1.** The application to the Local Finance Board is hereby approved, and the Borough's Bond Counsel and Auditor, along with other representatives of the Borough are hereby authorized to prepare such application and to represent the Borough in matters pertaining thereto.

**Section 2.** The Clerk of the Borough is hereby directed to prepare and file a copy of the introduced refunding bond ordinance and this resolution with the Local Finance Board as part of such application.

**Section 3.** The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

OUNCIL	MOTION	$2^{ND}$	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Diana			х				
Councilman Richkus		х	х				
Councilman Rusnak			X				
Councilman White	Х		X				
Council President Barletta			х				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## **RESOLUTION 2014-58**

## AUTHORIZING A 2014 TEMPORARY BUDGET AMENDMENT OF \$110,000.00 IN THE CURRENT FUND AND \$1,000,000.00 IN THE SEWER UTILITY

**WHEREAS**, N.J.S.A. 40a:4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is prior to the adoption of the FY 2014 Budget, and

**WHEREAS**, the temporary budget set forth below does not exceed twenty six and one quarter percent of the total appropriations in the previous year's budget (exclusive of any appropriations made for Debt Service, Capital Improvements Fund and Public Assistance).

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the temporary appropriations are hereby amended to add the following amounts and that a certified copy of this resolution is transmitted to the Chief Financial Officer.

CURRENT FUND			
			AMOUNT
4-01-20-140-000-204	Computers	O&E	5,000.00
4-01-26-290-003-321	Snow Removal	O&E	60,000.00
4-01-26-315-000-401	Vehicle Maintenance	O&E	10,000.00
4-01-28-370-001-404	Recreation	O&E	10,000.00
4-01-36-472-000-675	SSI	Statutory	25,000.00
Total CURRENT FUND			110,000.00
Sewer Utility			
			AMOUNT
4-07-55-515-001-585	Sewer Fees	O&E	1,000,000.00
Total Sewer Utility			1,000,000.00

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			х				
Councilman Diana			X				
Councilman Richkus		X	X				
Councilman Rusnak			x				
Councilman White	Х		x				
Council President Barletta			x				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

### **RESOLUTION 14-59**

## AUTHORIZING THE PROMOTION OF JASON TREICH AND MIKE KURILEW FROM THE POSITION OF LABORER TO TRUCK DRIVER AT A SALARY PURSUANT TO THE SALARY ORDINANCE AND CONTRACT EFFECTIVE FEBRUARY 3, 2014

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the promotions of the following two Public Works employees from the position of Laborer to Truck Driver effective February 3, 2014 at a salary pursuant to the salary ordinance and contract.

**BE IT FURTHER RESOLVED** that the salary for this position is an hourly rate as set by Ordinance.

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

- 1. Glenn Cullen, CFO
- 2. Robert Capparelli, Public Works Supervisor
- 3. Marie Dudek, Payroll
- 4. Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			х				
Councilman Diana			X				
Councilman Richkus		X	X				
Councilman Rusnak			X				
Councilman White	Х		X				
Council President Barletta			Х				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## RESOLUTION 14-60 AUTHORIZING THE BOROUGH ADMINISTRATOR TO INITIATE THE INTERGOVERNMENTAL TRANSFER FOR POLICE OFFICER JOSEPH INDANO

**WHEREAS** the Borough Administrator and Civil Service Appointing Authority has communicated with the Borough of South Plainfield regarding a request for an Intergovernmental Transfer; and

**WHEREAS** the Borough of South Plainfield has a vacancy in the Police Department and Police Officer Joseph Indano has requested approval from the Governing Body to participate in this transfer to the Borough of South Plainfield Police Department through the NJ Civil Service Commission Intergovernmental Transfer process;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex and State of New Jersey to hereby authorize the Civil Service Appointing Authority to initiate the Intergovernmental Transfer process on behalf of the sending jurisdiction; and

**BE IT FURTHER RESOLVED** that this resolution is subject to formal approval of the Intergovernmental Transfer by the Borough of South Plainfield as the receiving jurisdiction and final approval by the NJ Civil Service Commission; and

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

- 1. Glenn Cullen, Administrator/CFO South Plainfield
- 2. Police Officer Joseph Indano
- 3. Police Chief James Parker South Plainfield
- 4. Marie Dudek, Payroll South Plainfield
- 5. Amy Antonides, Municipal Clerk South Plainfield
- 6. Police Chief Achille Taglialatela Andover Township
- 7. Township Administrator Andover Township
- 8. CFO Andover Township
- 9. NJ Civil Service Commission

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

## **RESOLUTION 2014–61**

## AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND MONIES LEVIED FOR THE 4<sup>TH</sup> QUARTER OF THE YEAR 2013 IN THE AMOUNT OF \$624.89 AS WELL AS THE QUARTER OF 2014 IN THE AMOUNT OF \$1,816.20 ON THE PROPERTY KNOWN AS LOT 242, BLOCK 8 (110 PUHA ROAD) ON THE BOROUGH TAX MAP DUE TO DISABLED VETERAN STATUS

WHEREAS, property known as Lot 242, in Township Block 8, more commonly known as 110 Puha Road in South Plainfield, NJ is owned by Matthew Dombrowski; and

WHEREAS, Matthew Dombrowski, who had qualified as a one hundred percent Disabled Veteran under the provision of the N.J.S.A. 54:4-3.30, causing his property to be exempt from taxation at the local level commencing on **December 1, 2013** as verified by the Tax Assessor; and

**WHEREAS,** the Tax Bills for the four quarters of Calendar Year 2013 were generated from the 2012 Assessor's Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with tax bills for 2013, while the property is correctly classified as being Tax Exempt for the same period;

**NOW THEREFORE BE IT RESOLVED,** that the Tax Collector be, and she hereby is, authorized and directed to cancel and refund monies levied for the fourth quarter of the year 2013 in the amount of **\$624.89**; and

**BE IT FURTHER RESOLVED,** that the Tax Collector be, and she hereby is, authorized and directed to cancel and refund monies levied for the 1st quarter of the year 2014 in the amount of **\$1826.20**; and

**BE IT FURTHER RESOLVED,** that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 2nd quarter of the year 2014, as well as, 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2014 once the preliminary bills are determined.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Diana			X				
Councilman Richkus		х	X				
Councilman Rusnak			X				
Councilman White	Х		X				
Council President Barletta			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

### **RESOLUTION 2014-62**

## RESOLUTION AUTHORIZING SETTLEMENT OF 2011, 2012 AND 2013 TAX APPEALS FILED BY JMSM, LTD AND JMSM, LTD c/o ADLER DEV., FOR THE PROPERTY KNOWN AS 4001-4081 HADLEY ROAD AND IDENTIFIED AS BLOCK 528, LOT 46.06, ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS

WHEREAS, JMSM, LTD and JMSM, LTD c/o ADLER DEV. (hereinafter referred to as "Taxpayer") is the owner of the property known as 4001-4081 Hadley Road and identified as Block 528, Lot 46.06, on the Borough of South Plainfield's Tax Assessment Maps ("Property"); and

WHEREAS, the assessed value of the Property was set at \$3,532,500 for 2011, 2012 and 2013; and

WHEREAS, Taxpayer filed appeals of the 2011, 2012 and 2013 tax assessments in the Tax Court of the State of New Jersey under Docket Numbers 008142-2011, 005628-2012 and 008161-2013; and

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

**WHEREAS,** the Borough Appraiser, Russ Sterling, MAI, opined that the Borough was not able to defend the assessments for the 2011, 2012 and 2013 Tax Years under appeal and recommended that the settlement be approved and therefore, this proposed settlement is reasonable and reflects the correct market values for the Property which was over assessed for Tax Years 2011, 2012 and 2013; and

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

• The 2011 tax appeal shall be withdrawn by Taxpayer;

- The 2012 tax appeal shall be withdrawn by Taxpayer;
- The 2013 original assessment in the amount of \$3,532,500 shall be reduced to \$2,789,200 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2013;
- Taxpayer has agreed to waive statutory interest provided the tax refund is paid within 60 days of the date of entry of the Tax Court Judgments;
- Refunds regarding overpayments shall be made payable to "JMSM, LTD" and forwarded to Saul Wolfe, Esq. c/o Skoloff & Wolfe, P.C., 293 Eisenhower Parkway, Livingston, NJ 07039 within 60 days of the date of entry of the Tax Court Judgments;
- As an intrinsic part of the settlement, the 2014 total assessment of the Property has been set by the Assessor at a total tax assessment of \$2,492,376. Taxpayer has reserved the right to file an appeal in the event the 2014 assessment is not adjusted as set forth above.
- The parties agree that the provisions of <u>N.J.S.A.</u> 54:51-A-8 (Freeze Act) shall not be applicable to this case.

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

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

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

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

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

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

- 1. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$2,789,200 total tax assessment for the 2013 tax year for Block 528, Lot 46.06 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
- 2. The Borough Attorney is authorized to execute on behalf of the Borough of South Plainfield the attached Stipulation of Settlement pertaining to the tax appeals filed by JMSM, LTD and JMSM, LTD c/o Adler Dev. under Docket Nos.: 008142-2011, 005628-2012 and 008161-2013 for the Property known as 4001-4081 Hadley Road and identified as Block 528, Lot 46.06 on the Borough of South Plainfield Tax Assessment Maps which withdraws the tax appeals for Tax Years 2011 and 2012; which reduces the 2013 total tax assessment on the Property from \$3,532,500 to \$2,789,200; which provides that the Taxpayer has agreed to waive statutory interest on any refund or overpayment due provided the refund check is paid within 60 days from the issuance of Judgment; which provides that the 2014 total assessment of the Property has been set by the Assessor at a total tax assessment of \$2,492,376; which provides that the Taxpayer reserves the right to file an appeal in the event the 2014 assessment is not adjusted as set forth above; which provides that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not be applicable to this case; and which further provides that any refunds shall be made payable to "JMSM, LTD" and forwarded to Saul Wolfe, Esq. c/o Skoloff & Wolfe, P.C., 293 Eisenhower Parkway, Livingston, NJ 07039 within 60 days of the date of entry of the Tax Court Judgments.
- 3. This settlement shall be without prejudice to the Borough's dealings with any other taxpayer's request or appeal for a tax assessment reduction.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Diana			X				
Councilman Richkus		X	Х				
Councilman Rusnak			Х				
Councilman White	Х		Х				
Council President Barletta			Х				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## **RESOLUTION No. 14-63**

## AUTHORIZING 2013 APPROPRIATION TRANSFERS IN THE AMOUNT OF \$40,000.00 FOR THE CURRENT FUND PURSUANT TO N.J.S.A. 40A:4-58

**WHEREAS,** in accordance with N.J.S.A. 40A:4-58 permits appropriation transfers during the last two months of the fiscal year and the first three months of the fiscal year, for the purposes specified and in excess of sums appropriated in the Budget; and

**WHEREAS**, such transfers must be approved by a vote of not less than two-thirds of the full membership of the governing body.

NOW, THEREFORE, BE IT RESOLVED that the aforementioned transfers be approved.

CURRENT FUR	ND								
FROM:							AMO	UNT	
3-01-20-110-000-	101	Adm	inistrative	& Execu	tive	S&W	2	2,000.00	
3-01-20-120-000-	525	Borc	ough Clerk	<u> </u>		O&E	2	2,000.00	
3-01-20-140-000-2	225	Com	puters			O&E	3	,000.00	
3-01-22-195-001-0	661	Fire	Service C	harges		O&E	2	2,000.00	
3-01-26-305-003-	101		vcling			S&W	2	2,000.00	
			, umulated l	_eave		O&E	4	,000.00	
		Boar	d of Healt	h		O&E		,000.00	
3-01-31-420-001-	555	Elec	tric			O&E		,500.00	
3-01-31-435-002-	555	Stree	et Lights			O&E		,500.00	
			Court			S&W		,800.00	
3-01-43-490-000-2	204	Cou	rt			O&E		800.00	
3-01-43-490-000-3	321	Cou	rt			O&E		200.00	
3-01-20-130-000-3	325	Fina	Finance			O&E	2	2,200.00	
Total FROM:								000.00	
то:		_					AMO		
3-01-20-165-000-2	204	Engi	neering			O&E		5,000.00	
3-01-26-290-002-	-	0	d Repairs	& Mainte	nance	O&E		,000.00	
3-01-26-315-000-4			cle Mainte			O&E		,000.00	
Total TO:								000.00	
COUNCIL	MO	ΓΙΟΝ	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSI	
uncilman Bengivenga				Х					
uncilman Diana				X					
uncilman Richkus			X	X					
uncilman Rusnak uncilman White x			X						
uncil President Barletta		А		X					
and Tropucht Durictu			VOTE:	6	0			I	
ayor Anesh – TIE ONLY				-	-				

## **RESOLUTION 2014-64**

## AUTHORIZING A 2014 TEMPORARY BUDGET AMENDMENT OF \$166,033.71 IN THE CURRENT FUND FOR GRANT ACCOUNTS

**WHEREAS**, N.J.S.A. 40a:4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is prior to the adoption of the FY 2014 Budget, and

**WHEREAS**, the temporary budget set forth below does not exceed twenty six and one quarter percent of the total appropriations in the previous year's budget (exclusive of any appropriations made for Debt Service, Capital Improvements Fund and Public Assistance).

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the temporary appropriations are hereby amended to add the following amounts and that a certified copy of this resolution is transmitted to the Chief Financial Officer.

CURRENT FUND			
			AMOUNT
G-02-41-701-001-301	Drunk Driving Enforcement	O&E	29,388.49
G-02-41-706-002-301	Body Armor	O&E	6,094.09
G-02-41-722-001-301	Recycling	O&E	130,551.13
Total CURRENT FUND			166,033.71

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilman Diana			X				
Councilman Richkus		X	X				
Councilman Rusnak			X				
Councilman White	Х		X				
Council President Barletta			х				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## RESOLUTION 14-65 AUTHORIZING THE PURCHASE OF TRAFFIC SAFETY EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$8,900.00 FOR THE POLICE DEPARTMENT

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the purchase of Traffic Safety Equipment in an amount not to exceed \$8,900.00 from ARAS 360 Technologies Inc. of 1425 B Pearson Place, Kamloops BC V1S 1J9

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

- 1. Glenn Cullen, CFO
- 2. Amy Antonides, Municipal Clerk
- 3. Police Department

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			х				
Councilman Diana			х				
Councilman Richkus		X	х				
Councilman Rusnak			х				
Councilman White	х		х				
Council President Barletta			х				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## RESOLUTION 14-66 AUTHORIZING THE STATE CONTRACT (A81296) PURCHASE OF AMMUNITION FOR THE POLICE DEPARTMENT FROM EAGLE POINT GUN/T.J. MORRIS & SON IN AN AMOUNT NOT TO EXCEED \$3,321.00

**BE IT RESOLVED,** by the Borough Council of the Borough of South Plainfield that it hereby authorizes a NJ State Contract purchase of ammunition from Eagle Point Gun/T.J. Morris & Son for the Police Department in an amount not to exceed \$3,321.00 pursuant to NJ State Contract Numbers A81296.

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

- 1. Glenn Cullen, CFO
- 2. Amy Antonides, Municipal Clerk
- 3. Police Chief

<i>J.</i> 1 Offee C							
COUNCIL	MOTION	$2^{ND}$	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			х				
Councilman Diana			х				
Councilman Richkus		х	Х				
Councilman Rusnak			х				
Councilman White	X		Х				
Council President Barletta			х				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## RESOLUTION No. 2014-67 AUTHORIZING MAJESTIC TOWING TO BE THE OFFICIAL POLICE TOWING OPERATOR FOR THE 2013 CALENDAR YEAR PURSUANT TO CHAPTER 434-11 OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD

**WHEREAS**, pursuant to Chapter 434-11 of the Code of the Borough of South Plainfield, the Police Department has sought proposals from all eight of the following official police towers for the police vehicle towing for the 2014 calendar year:

## Majestic Towing

**WHEREAS**, only one of the aforementioned operators of towing/wrecking establishments in the Borough of South Plainfield have made application in accordance with Chapter 434-11 of the Code of the Borough of South Plainfield for renewal of the license to operate on the rotation towing/wrecker list for the year 2014; and

**WHEREAS**, after proper review of the renewal application and inspection of the facilities by the South Plainfield Police Department it was deemed that the proposal that had the lowest towing fees and that also met the requirements of the Code is:

Majestic Towing Towing- \$65.00 for hook-up If more than 5 miles away \$3.00 per mile, \$1.50 per mile to vehicle Tire Changes, Jump Starts, Lock-Outs - \$65.00 Tire Repairs - \$15.00 plus service fee

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the official towing operator for the South Plainfield Police Department be and hereby issued to Majestic Towing for the year 2014.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			х				
Councilman Diana			X				
Councilman Richkus		X	X				
Councilman Rusnak			X				
Councilman White	Х		Х				
<b>Council President Barletta</b>			х				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## **CORRESPONDANCE**

- Environmental Commission Monthly Report December, 2013
- Recycling Commission Monthly Report December, 2013
- Business Advisory Group Minutes November 6, 2013 & December 4, 2013
- Middlesex County Planning Board Minutes November 12, 2013
- Health Advisory Board Minutes January 14, 2014
- Environmental Commission Minutes November 12, 2013 & December 11, 2013
- Planning Board Minutes October 8, 2013
- Thank you note to DPW for snow storm clearing

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		х	X				
Councilman Diana			X				
Councilman Richkus			X				
Councilman Rusnak			X				
Councilman White	Х		X				
Council President Barletta			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## SOUTH PLAINFIELD BOROUGH APPROVAL OF BILLS AND CLAIMS

Current Fund	3-01	139,069.27
Current Fund	4-01	286,772.75
Pool Utility	4-26	15.43
Pool Utility	3-26	
Sewer Utility	4-07	1,126,786.06
Sewer Utility	3-07	4,638.51
Sewer Utility Capital	C-08	
General Capital	C-04	5,386.57
Pool Capital	C-27	
Election Account	E-18	
Grant Fund	G-02	13,138.67
Dog Trust	T-12	4,314.33
Treasurers Trust	T-13	37,324.10
Recreation Trust	T-14	6,174.81
TOTAL ALL FUNDS		\$1,623,620.47

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		х	Х				
Councilman Diana			Х				
Councilman Richkus			X				
Councilman Rusnak			X				
Councilman White	Х		X				
Council President Barletta			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

## **COUNCIL REPORTS:**

Borough Attorney Paul Rizzo, Esq. - had no report for this evening.

<u>Administrator Cullen</u> – noted the thank you letter received thanking the DPW for a job well done with plowing of our roads.

Engineer Miller – was absent this evening.

<u>Clerk Antonides</u> – was absent this evening.

<u>Councilman Richkus</u> – reminded everyone that Recreation is conducting its ponytail comedy night and there is still a couple tickets left. It will be held Saturday, February 8<sup>th</sup>. Councilman Rickus thanked his neighbors for their help with each other during these recent snow storms.

<u>Councilman Diana</u> – advised that the Environmental Commission has finalized their application for the environmental resources inventory. Councilman Diana thanked the DPW for the good job on the roads during these storms. To conclude Councilman Diana advised that the Environmental Commission will hold their annual Spring Cleanup on April 19<sup>th</sup>.

Councilman Rusnak – reported progress.

<u>Councilman White</u> – We will be meeting with the NJ Small Business Association to see what help and advice they may have to offer our small businesses.

Council President Barletta - reiterated the appreciation for the DPW with their snow plowing efforts.

<u>Councilman Bengivenga</u> – thanked the Council for supporting resolution #14-60 this evening pertaining to the intergovernmental transfer of a police officer.

<u>Mayor Anesh</u> – encouraged everyone to wear red this Friday in support of National Wear Red Day to support the American Heart Association. Anyone wishing to make a donation may stop by the Borough to do that. We are hoping to top last year's donations of just over \$780.00. On another note, this coming Sunday, weather permitting a new salon will be opening up near Walgreens. 7 Eleven on Park Avenue is now open. The Spring Health Fair will be at the Senior Center on April  $26^{\text{th}}$ .

## **COMMENTS FROM THE PUBLIC:**

Mayor Anesh opened the floor for public comment.

Ms. Chrissy Buteus of 434 Lucy Court questioned the if the Bond Ordinance 1998 is just refunding or is it for any future items? Mr. Cullen said yes it is refunding. It is not covering futuristic tax appeals. It does include one of the settlements that are on tonight's agenda.

Mr. Calvin Gross of Kenyon Avenue is having his home renovated. Mr. Gross expressed his concerns regarding the speed on his street. Councilman Bengivenga advised that this matter has to go to Traffic Safety who has been discussing this issue. They are in the process of making a determination which may help slow down this situation on Kenyon.

With no further comments from the public, Mayor Anesh closed the floor. At 7:30 p.m. Mayor Anesh called for an adjournment from the public portion of the meeting to go into Executive Session advising that everyone is welcome to stay if they choose.

## ADJOURNMENT

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Councilman White made a motion to adjourn at 8:02 p.m., seconded by Council President Barletta and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk