

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
FEBRUARY 18, 2014 7:03 P.M.  
PUBLIC MEETING**

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**CALL TO ORDER:** Mayor Anesh called the meeting to order at 7:03 p.m. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this meeting having been provided to the Borough's two official newspapers and also published on the Borough's website.

The roll call was administered by Clerk Antonides as follows:

COUNCIL	Present	Absent	Late
Councilman 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		

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

**Presentation** – Swearing in of Joseph Indano as a Class D Police Officer

#14-86 Authorizing the hiring of Joseph Indano as a Class D Police Officer at a salary of \$84,184.00 with benefits with an effective date of February 19, 2014 of which coincides with Resolution 2014-60 that authorizes the intergovernmental transfer of said Police Officer

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

Councilman Bengivenga swore in Officer Indano with his wife, and son present. The Mayor and Council each welcomed Officer Indano back to our community and wished him much success. Officer Indano thanked the Governing Body for the second opportunity. Everyone extended a round of applause and photographs were taken by the media present.

At this time, 7:10 p.m. Mayor Anesh called for a brief recess. Mayor Anesh called the meeting back to order at 7:12 p.m.

**Proclamation:** National Read Across America Day – March 3, 2014

Mayor Anesh read the proclamations in full and presented it to the Vice President of the Library Board of Trustees. Photographs were taken by the media present and everyone extended a round of applause.

**Approve Council Minutes:**

February 3, 2014 – Agenda

February 3, 2014 – Public

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**Public Comment For Agenda Items Only:**

Mayor Anesh opened the floor for public comment.

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

**ORDINANCES – SECOND READING BY TITLE**(Clerk Antonides read Ordinance 1998 by title as follows:

**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 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.

Mayor Anesh asked the Council if they have any comments pertaining to this Ordinance. Councilman Diana said yes that he has had time since the last meeting to review this ordinance further and as such does not feel he can offer his support this evening. Councilman Diana expressed his concerns pertaining to the history of tax appeals in this Borough from 2008-2013 saying that he fears we are kicking this can down the road with an apparent trend that we are seeing. There does not seem to be a change in the way we are dealing with these tax appeals. In the early 2000's the platform of the party in charge at the time emphasized that every single tax appeal would be fought. Councilman Diana said he would like to know the percentage of the tax appeals that are not fought and result in a settlement. He stated that he is not sure that it is appropriate to continue to have the tax payers shoulder the burden of these businesses appeals.

Councilman Rusnak asked Councilman Diana what his suggestions or recommendations are for these tax appeals and for paying them out. Councilman Diana said he is not recommending anything and believes the issue that needs to be addressed is to ask what has changed with these tax appeals with the Republican Party.

Councilman Bengivenga clarified that we did hire one of the best tax appeal attorneys in the state to fight these tax appeals. We have seen the market crash, the housing market crash in late 2008. In this situation, we are looking at huge commercial appeals. Motorola was originally appraised at \$17 million but only sold for \$4 million. We fight these appeals. Through research you will see just how many appeals were withdrawn due to our fighting. You will also see credits applied in some cases signifying different types of negotiating tactics. Councilman Bengivenga noted that Councilman Diana in fact voted to approve all the tax appeals and doesn't know how Councilman Diana voted to approve them yet when it comes time to pay for them he votes no, and as such, is unsure how Councilman Diana wishes to pay for these. At the last Council meeting Councilman Diana voted yes to introduce this Bond Ordinance saying that he understands why we are doing it as some of these situations cannot be controlled. So at the last meeting Councilman Diana said he understood it, but today he doesn't? Councilman Bengivenga said he wishes that Councilman Diana would have brought any questions he may have had before tonight's meeting. Councilman Diana said though he understands the situation with the Motorola building, he asked what about all the other tax appeals and questions how we got to where we are.

Council President Barletta asked Councilman Diana if he believes all these tax appeals were not fought? Councilman Diana said yes. Council President Barletta said they have been fought and then invited Councilman Diana to speak to the Tax Assessor to verify this fact. Council President Barletta said it is his opinion that he feels all the professionals involved; our Tax Assessor, Appraisers and Tax Appeal Attorney have all done a very good job in light of the economy. We are not unique to this issue. Other towns are going through the same thing. We are fighting them and are doing the best that we can.

Mayor Anesh pointed out that this is not residential, it is commercial. It is not as easy as utilizing comparative sales down the street. The commercial market has significantly changed over time. The Motorola building sold for \$4 million. It is an asset that is essentially out of favor throughout most of New Jersey. No one interested in that property was desirous of setting-up a large major business operation. Those days are gone. Those types of large building structures, if newer construction, are sublet out to multiple smaller types of business operations. Because the economy is bad and because commercial establishments have a different valuation process than residential, you are seeing these types

of appeals all over New Jersey and by no means is South Plainfield unique in this regard. So that leaves us with two options; do you borrow for these, which no likes to do, and spread them out (and not for twenty years) for three years, or, this year do you raise the taxes for all residents for the entire amount? Mayor Anesh said that what he would suggest everyone does is to reach out to our local Senators and Assemblymen to push some legislation that would force the County and the Schools to pay their fair share of these appeals instead of unfairly placing the full burden on the municipality. There is absolutely no reason why the Borough has to refund monies that were never sent to the Borough originally. We have to figure out a way to budget for these appeals, so can the County and so can the schools. Mayor Anesh said he wants to ask Councilman Diana in light of the fact that the public elected him and put him on Council and there are two choices to make; do you raise the full amount in this year's current budget or do you borrow it and spread it out over the next three years? Mayor Anesh said that sense Councilman Diana said he is not going to support this bond ordinance, his guess is that Councilman Diana wishes to raise the taxes for all residents this year by paying for this in this year's current budget. Councilman Bengivenga interjected by pointing out again that Councilman Diana voted to approve all the tax appeals, yet now the time has come to pay for them. How are we to pay for them?

Councilman Diana said that is beside the point. Mayor Anesh asked what is beside the point? Councilman Diana said what he would specifically do. Mayor Anesh said no, that Councilman Diana was elected by the residents of South Plainfield to make these types of decisions noting that he voted to approve all the tax appeals of which require payment. Mayor Anesh pointed out also that Councilman Diana sat in on the Executive Session meetings in which this matter was discussed, and that the Council has told him everything that is going on with these appeals. The time has come to pay for these now. Mayor Anesh asked Councilman Diana to at least state what he proposes to do to pay for these.

Mayor Anesh opened the floor for public comment.

Debbie Boyle of Van Fleet advised that she was a member of the legislative team and was supportive of the legislature that went before the Senate and the Assembly regarding the parity of the tax appeals. Unfortunately the Bill fell flat.

Ms. Chrissy Buteas of 434 Lucy Court said she is disheartened to see the level of discourse that transpired this evening. Ms. Buteas asked about tax appeals fought opposed to tax appeals settled. Mr. Cullen explained. Mr. Rizzo advised that all are settled at present meaning there are none in court at the moment. Mayor Anesh explained what the process pertaining to the appeal process.

Mr. Bob Jones of 204 Cherry Street advised that April 1<sup>st</sup> is the deadline to file a tax appeal.

With no further comments from the public or the Council, Mayor Anesh called for a motion to adopt Ordinance 1998:

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		x	x				
Councilman Diana				x			
Councilman Richkus						x	
Councilman Rusnak	x		x				
Councilman White			x				
Council President Barletta			x				
		VOTE:	4	1			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTIONS:**

**RESOLUTION 2014-69  
AUTHORIZING APPLICATION TO THE MIDDLESEX COUNTY DEPARTMENT  
OF HOUSING AND COMMUNITY DEVELOPMENT FOR A 2014 COMMUNITY DEVELOPMENT  
BLOCK GRANT FOR THE PURPOSE OF IMPROVEMENTS IN THE AREAS OF  
SENIOR CITIZEN SERVICES AND LIBRARY ADA ACCESSIBILITY PROJECT.**

**WHEREAS**, the Borough of South Plainfield wishes to apply to Middlesex County Housing and Community Development Agency for discretionary aid; and

**WHEREAS**, the Borough's Citizen Advisory Committee met to discuss possible uses of the 2014 CDBG funding; and

**WHEREAS**, the Governing Body of the Borough of South Plainfield held a public hearing on February 18, 2014 to elicit input from Borough residents on the best uses for the 2014 CDBG;

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of South Plainfield do hereby make application to Middlesex County Housing and Community Development for discretionary aid to be used for the following proposed uses:

Senior Citizen Coordinator Salary	\$12,500
Senior Center Improvements	\$15,500
Library ADA Ramps	\$21,500
Borough ADA Ramps	\$21,500
<b>TOTAL</b>	<b>\$71,000</b>

**BE IT FURTHER RESOLVED** that a certified copy of this resolution will be forwarded to the Director of the Middlesex County Housing and Community Development Agency.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-70  
AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE A SHARED SERVICE  
CONTRACT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF  
SOUTH PLAINFIELD FOR E-WASTE SUBSIDY PROGRAM**

**WHEREAS**, Middlesex County is proactive in addressing environmental issues such as the proper recycling of consumer electronics; and

**WHEREAS**, effective of January 1, 2011, recycling of certain consumer electronics is mandatory in the State of New Jersey; and

**WHEREAS**, the County has entered into a contract with Sims Recycling Solutions to accept residentially generated consumer electronics; and



**WHEREAS**, the County is seeking to provide a financial incentive that will assist municipalities in properly recycling the consumer electronics that they collect curbside or at their drop-off centers; and

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

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

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

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

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-71**

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

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

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

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

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

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

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

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

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

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-72**

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

**WHEREAS**, Middlesex County is proactive in addressing environmental issues such as the disposal of paint; and

**WHEREAS**, the program will be implemented by the County Division of Solid Waste Management (DSWM) at certain municipal sites in the County; and

**WHEREAS**, in order to implement the Program, the County will award a contract with an approved paint hauler to provide packing containers in which to load, remove and recycle/dispose of paint and paint related products; and

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

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

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

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

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-73**  
**AUTHORIZING THE HIRING OF SAL ESPOSITO AS A DPW FULL TIME LABORER AT A RATE OF**  
**\$13.43 PER HOUR**  
**WITH BENEFITS EFFECTIVE MARCH 1, 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 hiring of Sal Esposito to the full time position of Laborer for the DPW effective March 1, 2014 at an hourly rate \$13.43 per hour.

**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			x				
Councilman Diana			x				
Councilman Richkus						x	
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2014-74**  
**AUTHORIZING A BID AWARD TO ALL PRO CONTRACTING FOR A COAH HOUSING**  
**REHABILITATION PROJECT FOR THE TASSELLO PROPERTY LOCATED AT 213**  
**SUSAN TERRACE IN AN AMOUNT NOT TO EXCEED \$17,299.00**

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

Authorization is hereby given award a contract to All Pro Contracting for a COAH housing rehabilitation project for the Tasselto property located at 213 Susan Terrace in the Borough of South Plainfield in an amount not to exceed \$17,299.00.

**BE IT FURTHER RESOLVED**, that payment may be made to All Pro Contracting upon the completion of said refurbishment project.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2014-75**  
**AUTHORIZING A BID AWARD TO SOLID ROCK CONTRACTING**  
**FOR A COAH HOUSING REHABILITATION PROJECT FOR THE**  
**CHICARELLI PROPERTY LOCATED AT 1800 JERSEY STREET**  
**IN AN AMOUNT NOT TO EXCEED \$16,030.00**

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

Authorization is hereby given award a contract to Solid Rock Contracting for a COAH housing rehabilitation project for the Chicarelli property located at 1800 Jersey Street in the Borough of South Plainfield in an amount not to exceed \$16,030.00.

**BE IT FURTHER RESOLVED**, that payment may be made to All Pro Contracting upon the completion of said refurbishment project.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION: 2014-76**  
**AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1,233.35 FOR LORDINA BUILDERS, INC. OF 164-168 TEEPLE PLACE**

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

Block: 254 Lot: 16.06  
 Lordina Builders, Inc.  
 25-A Davis Street  
 South Plainfield, NJ 07080  
 \$1,233.35

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a check(s) in the amount(s) as mentioned above.

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

**RESOLUTION 14-77**  
**AUTHORIZING THE AMENDMENT TO RESOLUTION 2014-31 TO INCLUDE THE WAIVER OF GAMES OF CHANCE PERMIT FEES FOR THE 2014 CALENDAR YEAR FOR THE AMERICAN LEGION AND THE VETERANS OF FOREIGN WARS LOCATED IN THE BOROUGH OF SOUTH PLAINFIELD**

**BE IT RESOLVED**, that Resolution 2014-31 is hereby amended to include the waiver of games of chance local permit fees for the 2014 calendar year for the American Legion and the Veterans of Foreign Wars located in the Borough of South Plainfield;

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of South Plainfield hereby authorizes the waiver of all permit fees for the aforementioned purpose for the 2014 calendar year;

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

1. Municipal Clerk
2. Chief Financial Officer

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION No. 14-78**

**AUTHORIZING 2013 APPROPRIATION TRANSFERS IN THE AMOUNT OF \$20,000.00 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.

<b>CURRENT FUND</b>							
<b>FROM:</b>							<b>AMOUNT</b>
3-01-31-435-002-555	Street Lights			O&E			<b>20,000.00</b>
<b>Total FROM:</b>							<b>20,000.00</b>
<b>TO:</b>							<b>AMOUNT</b>
3-01-20-165-000-204	Engineering			O&E			<b>15,000.00</b>
3-01-26-315-000-401	Vehicle Maintenance			O&E			<b>2,500.00</b>
3-01-30-415-001-101	Accumulated Absence			O&E			<b>2,500.00</b>
<b>Total TO:</b>							<b>20,000.00</b>

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2014-79  
AUTHORIZING A 2014 TEMPORARY BUDGET AMENDMENT  
OF \$50,000.00 IN THE CURRENT FUND**

**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.

<b>CURRENT FUND</b>				<b>AMOUNT</b>
4-01-20-100-000-101	Administration	S&W		<b>10,000.00</b>
4-01-20-110-000-101	Executive	S&W		<b>5,000.00</b>
4-01-26-290-003-321	Snow	O&E		<b>32,500.00</b>
4-01-27-330-002-101	Youth Aid	O&E		<b>2,000.00</b>
4-01-27-335-001-515	Environmental	O&E		<b>500.00</b>
<b>Total CURRENT FUND</b>				<b>50,000.00</b>

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-80  
AUTHORIZING THE MIDDLESEX COUNTY CO-OP PURCHASE OF ROAD SALT FROM  
ATLANTIC SALT, INC. IN AN AMOUNT NOT TO EXCEED \$33,000.00**

**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 Middlesex County Co-Op purchase of road salt from Atlantic Salt, Inc. in an amount not to exceed \$33,000.00

**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. DPW

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2014-81**

**RESOLUTION AUTHORIZING SETTLEMENT OF 2009, 2010, 2011 AND 2012 TAX APPEALS FILED BY 4315 NEW BRUNSWICK AVE LLC, FOR THE PROPERTY KNOWN AS 4315 NEW BRUNSWICK AVENUE AND IDENTIFIED AS BLOCK 472, LOT 3, ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS**

**WHEREAS**, 4315 New Brunswick Ave LLC (hereinafter referred to as “Taxpayer”) is the owner of the property known as 4315 New Brunswick Avenue and identified as Block 472, Lot 3, on the Borough of South Plainfield’s Tax Assessment Maps (“Property”); and

**WHEREAS**, the assessed value of the Property was set at \$949,600 for 2009, 2010, 2011 and 2012; and

**WHEREAS**, Taxpayer filed appeals of the 2009, 2010, 2011 and 2012 tax assessments in the Tax Court of the State of New Jersey under Docket Numbers 008288-2009, 018312-2010, 012409-2011 and 011754-2012; 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 2009, 2010, 2011 and 2012 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 2009, 2010, 2011 and 2012; and

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

- The 2009 tax assessment shall be affirmed and remain unchanged at \$949,600;
- The 2010 original assessment in the amount of \$949,600 shall be reduced to \$650,500 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2010;
- The 2011 original assessment in the amount of \$949,600 shall be reduced to \$660,700 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2011;
- The 2012 original assessment in the amount of \$949,600 shall be reduced to \$678,600 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2012;
- Taxpayer has agreed to waive statutory interest provided the tax refund is mailed within 60 days of the date of entry of the Tax Court Judgments;
- Refunds regarding overpayments shall be made payable to “4315 New Brunswick Ave LLC and Blau and Blau, as attorneys” and forwarded to Blau and Blau, 223 Mountain Avenue, P.O. Box 50, Springfield, NJ 07081 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 \$765,247. The parties agree that neither party shall file an appeal for the 2014 Tax Year unless it is solely to obtain a judgment to implement, enforce and/or confirm the assessment as set forth above.

- The parties agree that the provisions of N.J.S.A. 54:51-A-8 (Freeze Act) shall not apply for Tax Year 2013.

**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 \$650,500 total tax assessment for the 2010 tax year for Block 472, Lot 3 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
2. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$660,700 total tax assessment for the 2011 tax year for Block 472, Lot 3 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
3. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$678,600 total tax assessment for the 2012 tax year for Block 472, Lot 3 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
4. 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 4315 New Brunswick Ave LLC under Docket Nos.: 008288-2009, 018312-2010, 012409-2011 and 011754-2012 for the Property known as 4315 New Brunswick Avenue and identified as Block 472, Lot 3 on the Borough of South Plainfield Tax Assessment Maps which affirms the assessment for Tax Year 2009; which reduces the 2010 total tax assessment on the Property from \$949,600 to \$650,500; which reduces the 2011 total tax assessment on the Property from \$949,600 to \$660,700; which reduces the 2012 total tax assessment on the Property from \$949,600 to \$678,600; which provides that the Taxpayer has agreed to waive statutory interest on any refund or overpayment due provided the refund check is mailed 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 \$765,247; which provides that neither party shall file an appeal for the 2014 tax year unless it is solely to obtain a Judgment to implement, enforce and/or confirm the assessment as set forth above; which provides that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply for tax year 2013; and which further provides that any refunds shall be made payable to “4315 New Brunswick Ave LLC and Blau and Blau, as attorneys” and forwarded to Blau & Blau, 223 Mountain Avenue, P.O. Box 50, Springfield, New Jersey 07081 within 60 days of the date of entry of the Tax Court Judgments.

- 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		
Councilman Rusnak			x				
Councilman White		x	x				
Council President Barletta	x		x				
		<b>VOTE:</b>	<b>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-82  
AUTHORIZING THE HIRING OF TEMPORARY SEASONAL SNOW SHOVELERS ON A PER  
DIEM BASIS**

**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 hiring of temporary seasonal snow shoveler’s on a per diem basis with no benefits for the following individuals:

- Cullen, Sean
- Gillis, Connor
- O’Connor, Cody
- Jonathan Grennier
- Pellegrino, Jeffrey
- Pellegrino, Joseph
- Mike Polizzaro
- Skwiat, Theodore
- O’Connor, Shane

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- DPW

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-83**

**AUTHORIZING THE EMERGENCY PURCHASE FROM MAXIMUM SOLUTIONS INC. FOR A SOFTWARE SYSTEM FOR THE RECREATION DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$16,000.00**

**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 emergency purchase of a software system for the Recreation Department in an amount not to exceed \$16,000.00

**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. Kevin Hughes, Recreation

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-84**

**AUTHORIZING THE SOLE SOURCE PROVIDER PURCHASE OF A COMPUTER SYSTEM FOR THE RECREATION DEPARTMENT FROM NORTHEAST INTEGRATED TECHNOLOGIES IN AN AMOUNT NOT TO EXCEED \$17,197.00**

**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 sole source provider purchase of a computer system for the Recreation Department in an amount not to exceed \$17,197.00 from Northeast integrated Technologies.

**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. Kevin Hughes, Recreation

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-85**

**AUTHORIZING THE PURCHASE OF COMPUTER EQUIPMENT FOR THE RECREATION DEPARTMENT FROM NORTHEAST INTEGRATED TECHNOLOGIES IN AN AMOUNT NOT TO EXCEED \$6,301.94**

**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 computer equipment for the Recreation Department in an amount not to exceed \$6,301.94 from Northeast integrated Technologies.

**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. Kevin Hughes, Recreation

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-86**

**AUTHORIZING THE HIRING OF JOSEPH INDANO AS A CLASS D POLICE OFFICER AT A SALARY OF \$84,184.00 WITH BENEFITS WITH AN EFFECTIVE DATE OF FEBRUARY 19, 2014 OF WHICH COINCIDES WITH RESOLUTION 2014-60 THAT AUTHORIZES THE INTERGOVERNMENTAL TRANSFER OF SAID POLICE OFFICER**

**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 hiring of Joseph Indano as a Class D Police Officer with an effective date of February 19, 2014 of which coincides with Resolution 2014-60 that authorizes the intergovernmental transfer of said Police Officer.

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

1. Glenn Cullen, CFO
2. James Parker, Chief of Police
3. Officer Joseph Indano
4. Marie Dudek, Payroll
5. Amy Antonides, Municipal Clerk

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

**CORRESPONDANCE**

- Recreation Commission Minutes – December 11, 2013
- Environmental Commission Monthly Report – January, 2014
- Code Enforcement Monthly Report – January, 2014
- Board of Adjustment Minutes – September 24, 2013 & October 1, 2013
- Thank you note to DPW pertaining to snow plowing

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 Barletta			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

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

Current Fund	3-01	23,583.06
Current Fund	4-01	88,881.72
Pool Utility	4-26	0.00
Pool Utility	3-26	0.00
Sewer Utility	4-07	3,000.00
Sewer Utility	3-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	19,509.17
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	10,234.50
Dog Trust	T-12	1,149.40
Treasurers Trust	T-13	1,099.52
Recreation Trust	T-14	651.78
<b>TOTAL ALL FUNDS</b>		<b>148,109.15</b>

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**COUNCIL REPORTS:**

Borough Attorney Paul Rizzo, Esq. – reported that the complaint has been filed pertaining to the Bock house on Clarke. We are awaiting the consent to demo the structure. We just need to receive the court order in this regard of which we hope to have by next week. On another note, in researching the parking situation of cars on snow covered streets, there is no blanket ordinance in this regard. Councilman Bengivenga said he will have the Traffic Safety Committee look into this. Councilman Diana offered a word of caution that the changing of parking can really effect people’s lives.

Administrator Cullen – advised that he has received more compliments than complaints pertaining to the recent snow plowing from the storms. There has been some damage due to these storms as evidenced by the leaking roofs around Borough Hall. The only other damage noted is the collapse of an awning in the baseball area.

Engineer Miller – gave a progress report pertaining to the status of the Montrose Avenue road improvement application. It has been submitted to the DOT and we are just waiting to hear if it has been approved before we can move forward with preparing a bid. We are also waiting for quotes pertaining to ADA doors and lighting for the Senior Center. Mr. Miller said he hopes to have them soon.

Clerk Antonides – reported progress.

Councilman Richkus – was absent this evening.

Councilman Diana – advised that the DPW has been doing a great job with the roads. Councilman Diana congratulated Sal Esposito for being appointed to his position this evening with the DPW. On a side note, Councilman Diana reminded everyone to clear off their storm drains due to all the snow.

Councilman Rusnak – noted that he ran into a resident who received a red light camera ticket and when he went to Piscataway to resolve it, Piscataway informed him that they collect \$300,000 a year from the red light camera tickets. Also, as an aside, Councilman Rusnak suggested that everyone also remember to clear snow away from their fire hydrants.

Councilman White – also congratulated Sal Esposito and wished him much success. Councilman White advised that the Dollar Tree Store is now accepting job applications and a 2<sup>nd</sup> McDonalds will be coming to town in the near future.

Council President Barletta – congratulated Sal Esposito and wished him well. Council President Barletta noted the great job DPW did with the snow removal saying they did an outstanding job with all the snow we have had. It has been a rough winter for all of them.

Councilman Bengivenga – noted an interesting article that appeared in the recent League of Municipalities Magazine pertaining to neighborhood policing.

Mayor Anesh – reported progress.

#### **COMMENTS FROM THE PUBLIC:**

Mayor Anesh opened the floor for public comment.

Ms. Christine Faustini, Library Trustee, thanked the Mayor and Council for their support and approving of the CDBG allocation for ADA ramps for the library. March 1<sup>st</sup> will be the Dr. Seuss reading event which will be held at the Senior Center this year instead of the library due to space needs.

Mr. Henry Rauer of 609 Spicer Avenue expressed his concerns for the snow plowing by the outside contractor that took place on Spicer Avenue saying that the job that was done was a lousy one. Mr. Rauer said he felt the south side of town looked like a 3<sup>rd</sup> war country. The Mayor and Council sympathized with Mr. Rauer and Council President Barletta advised that he has been working with Cappi to find ways of improving the situation.

Ms. Stephanie Walsh of 614 Spicer Avenue said this is not about the DPW but about the outside contractor that was used. Mayor Anesh said that we will fix this situation. Cappi said that the residents in this area do have a legitimate complaint and we will make changes necessary to fix this.

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 8:35 p.m., seconded by Councilman Rusnak and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC - Municipal Clerk