

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
APRIL 21, 2014 7:06 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:06 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 Richkus led the invocation.

Proclamations: All three of the below Proclamations were read in full by Mayor Anesh. Everyone extended a round of applause and photographs were taken by media present.

Sexual Assault Awareness Month – April, 2014
Child Abuse Prevention Month – April, 2014
Telecommunicator's Week

Approve Council Minutes:

April 7, 2014 – Agenda
April 7, 2014 – Public

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

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.

ORDINANCE – SECOND READING BY TITLE was read by title by Clerk Antonides. Mayor Anesh opened the floor for public hearing. With no comments from either the Council or the public. Mayor Anesh closed the floor.

ORDINANCE NO. 1999

A SEWER ORDINANCE AUTHORIZING THE “ACQUISITION OF SEWER PUMPS AND ASSOCIATED EQUIPMENT” FOR THE HADLEY PUMPING STATION, IN THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY as follows:

Section 1. The aforementioned assets be funded by existing funds in the Sewer Capital Improvement Fund. The funding requirements shall be identified by asset as follows:

Sewer Pumps & Station	\$70,000.00
Totals	<u>\$70,000.00</u>

Section 2. That the improvements described in Section 1 hereof shall be authorized as general capital improvements for the Borough of South Plainfield in the County of Middlesex, New Jersey.

Section 3. It is hereby determined and declared by this Mayor and Borough Council as follows:

A. That the maximum estimated amount of money to be raised from all sources for the purposes stated in Section 1, hereof, is \$70,000.00.

B. That the cost for the equipment shall be \$70,000 from from the Capital Improvement Fund.

C. The estimated useful life of said improvements is hereby determined to be ten (10) years.

Section 4. That the total amount of the appropriation to be expended for Architectural and inspection costs, legal costs, advertisement of ordinance and other expenses as provided in Section 48:2-20 of the Revised Statutes, is not to exceed \$1,000.00.

Section 5. This ordinance shall take effect after final passage and publication in accordance with the law.

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

ORDINANCE – FIRST READING BY TITLE – the following two ordinances were read by title by Clerk Antonides. The public hearing was set for May 5, 2014 at approximately 7:00 p.m.

**ORDINANCE # 2000 CALENDAR YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANKWHEN THE COLA IS EQUAL TO OR LESS THAN 2.0 PERCENT
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. A. 40A:4-45.1 *et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or

less than 2.0% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

WHEREAS, the COLA for 2014 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as .5% and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.0%, may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of South Plainfield in the County of Middlesex finds it advisable and necessary to increase its 2014 budget by more than .5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$627,849.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2014 budget year, the final appropriations of the Borough of South Plainfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$732,490.71 and that the 2014 municipal budget for the Borough of South Plainfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

COUNCIL	MOTION	2 ND	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:	6	0			
Mayor Anesh – TIE ONLY							

Councilman Diana questioned the period of usefulness for Ordinance 2001 being 20 years asking why such a long period. Mr. Cullen explained that it is the bond law that provides for the useful life of which the bond counsel refers to when creating bond ordinances. Councilman Diana said this is not something he can support. Mayor Anesh described the merit of the work to be performed. Councilman Diana clarified that his opposition is to the bonding and not the work performed. Mayor Anesh clarified that Councilman Diana’s position is to put this project directly in the current year’s budget. Councilman Diana said that he believes that is something that should be considered. Councilman Bengivenga advised that pursuant to his meetings with Administration and Finance he believes this to be the last bond of the year, of which is less than last year. Also, Councilman Bengivenga stressed that a good portion of this project is being off-set by D.O.T. grant funding. There are about four roads that are covered by this bond.

BOND ORDINANCE 2001

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$409,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$386,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$409,000, and further including the aggregate sum of \$23,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$386,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Resurfacing of Montrose Avenue,			

Carmine Avenue, Amboy Avenue and Pitt Street, including all work and materials necessary therefor and incidental thereto.	\$235,000	\$222,000	10 years
b) Preliminary planning and engineering for Hollywood Avenue new road and bridge project, including all work and materials necessary therefor and incidental thereto.	\$74,000	\$70,000	20 years
c) Acquisition of computers and information technology, including all related costs and expenditures incidental thereto.	\$75,000	\$71,000	5 years
d) The acquisition of a generator for the High School, including all related costs and expenditures incidental thereto.	\$25,000	\$23,000	15 years
Total:	<u>\$409,000</u>	<u>\$386,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the 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 bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with A0775957

the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.19 years.

(c) 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 bonds and notes provided in this bond ordinance by \$386,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$61,350 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. 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 ARule@) 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 10. 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 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 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

BUDGET RESOLUTIONS: Clerk Antonides read both budget resolutions by title. Mayor Anesh called upon Councilman Rusnak (Finance Chairman), to brief the Council on the status of the introduced 2014 budget. Councilman Rusnak spoke of fond memories of former resident, Frank Makorski. Councilman Rusnak announced that there will be a zero tax increase this year. The amount raised by taxes is down by \$72,963.00 from last year. Councilman Rusnak said that as introduced, the average home will be paying about the same in municipal taxes as it did a year ago. That figure amounts to \$1,591 per home (on average), and added that he hopes to see that figure go down by the time the budget is adopted. The zero increase is despite the dramatic increases in snow removal, Hurricane Sandy clean-up efforts, and healthcare costs. The budget does not rely on any land sales or one time gimmicks. The budget is \$754,000 below the Governor’s levy cap and \$975,000 below the appropriation cap. We had a lot of finance meetings and a lot of time and effort went into this. Councilman Rusnak thanked all who worked on this and said the residents are well deserving of a zero percent tax increase. Councilman Diana said the devil is in the details and that he unfortunately has not had the opportunity to review this budget having requested information on it on April 9th and has not yet received anything. Councilman Diana said he is very disappointed not having the opportunity to go over the budget line item by line item to see where we are and where we are going. Councilman Rusnak advised that Councilman Diana had ample opportunity to reach out to him with any questions he may have had regarding the budget, despite Councilman Diana being away on vacation. Councilman Rusnak advised that we have a month before the public hearing and he would be glad to answer any questions Councilman Diana may have. Councilman Rusnak further stated that he would welcome any suggestions any member of Council may have pertaining to the budget. Councilman Diana pointed out a “factual discrepancy” that April 9th he had indeed inquired about the budget and quoted email correspondence he had. Councilman Diana again expressed his concern about not having received budget information sooner and that his vacation status is irrelevant as he was available through internet connections. Mayor Anesh pointed out that historically the budget has always been worked on and put together by the Administration and Finance Committee. This committee then presents the introduced budget to Council of which they then have ample time to review and evaluate it prior to a public hearing and adoption. Preparing the data for the introduction of a budget each year goes down to the minute. They are not done and formulated well in advance. That does not prevent you from sitting down with the Finance Committee and asking

any pertinent questions you have. Mayor Anesh said that Councilman Diana can certainly abstain this evening and not make any decision. There is no one trying to keep information from Councilman Diana. We have a budget that is being introduced that is flat and doesn't think there are very many people in New Jersey who would vote against a flat budget. Mr. Cullen clarified that no one who was not part of the Administration Finance Committee were sent budget information. No one was treated any differently. Most of the detailed budget was still being keyed throughout Thursday. There are thousands of transactions. We don't put thousands of transactions into the system then back thousands of transitions out. Thus when Councilman Diana asked for the detailed budget, Mr. Cullen said he did not have it. Mr. Cullen said that if anyone wishes to go and look at the computer for dates, to go ahead. He did not have it. That may not be adequate for some, but that is the truth. If you want a different explanation, none exist. No detail went to anyone. Some departments were done, others were not. Mr. Cullen said he is available anytime for all the Council pertaining to their budget questions. Mr. Cullen said he will give the Council anything they want (if it exists) and went on to stress that some of the items asked by Councilman Diana were not reports during his 12 year tenure that were ever asked or required before. It is not something that can just be whipped together. Mayor Anesh asked Mr. Cullen if there is anything different for this introduction than any other in the past 12 years. Mr. Cullen said no, this is the same procedure we always have used and do not recall a time ever handing out detailed budgets prior to budget hearings. Councilman Diana said no one is questioning Mr. Cullen's abilities or intent. Mr. Cullen said he did not receive the state formatted budget document until Thursday of which copies were then distributed to the Council. Mr. Cullen said he will be happy to provide whatever he is able to. Councilman Diana asked Mr. Cullen if he could provide him with the 2013 and 2014 summary. Mr. Cullen said he will do that. Councilman Bengivenga concluded by advising that this is still a work in progress. He himself had called Mr. Cullen up until 3pm today regarding the budget.

**RESOLUTION No. 14-134
AUTHORIZING THE MUNICIPAL CLERK TO READ THE PROPOSED
2014 BUDGET BY TITLE ONLY**

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget may be read by title only at the time of the public hearing, providing that at least one week prior to the date of the public hearing, a complete copy of the approved budget as advertised has been delivered to the South Plainfield Library, posted in the Municipal Building, with copies available to any persons requesting same; and

WHEREAS, the Municipal Clerk shall fulfill her responsibilities of insuring the availability of the Municipal budget to the public;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the CY 2014 Municipal Budget be read by title only and not in full.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

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

**RESOLUTION 2013-135
AUTHORIZING THE INTRODUCTION OF 2014 MUNICIPAL BUDGET**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it hereby introduces the 2014 Municipal Budget pursuant to the attached 2014 proposed municipal budget, read by title by the Municipal Clerk of the Borough of South Plainfield during introduction on April 21, 2014; and

BE IT FURTHER RESOLVED that a public hearing relative to said budget will be conducted on May 19, 2014 7:00 p.m., Borough Hall, 2480 Plainfield Avenue, South Plainfield, NJ 07080. A full complete copy of the proposed 2014 Budget is available for public inspection in the office of the Borough Clerk during normal business hours.

BE IT FURTHER RESOLVED that the 2014 Municipal Budget Revenue and Appropriation Summaries shall be published in The Courier News and The Observer prior to the aforementioned public hearing.

NOW, THEREFORE, BE IT FUTHER RESOLVED that a copy of this Resolution be forwarded to the following;

1. Director of Local Government Services
2. Glenn Cullen, Chief Financial Officer/Administrator
3. Amy Antonides, Municipal Clerk
4. The Courier News and The Observer

COUNCIL	MOTION	2 ND	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				
		VOTE:	5	1			
Mayor Anesh – TIE ONLY							

REGULAR RESOLUTIONS:

RESOLUTION 2014-136

AUTHORIZING THE CANCELATION OF OUTSTANDING CHECKS TOTALING \$10,906.00 AT THE RECOMMENDATION OF THE BOROUGH AUDITOR

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield that based upon the recommendation of the Borough Auditor the attached list of checks issued from Borough bank accounts have been outstanding for more than two years and as such, are now stale-dated; and

BE IT FURTHER RESOLVED that the attached list of stale-dated checks be hereby canceled and that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. Treasurer

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 14-137

AUTHORIZING THE HIRING OF MATTHEW KANALEY AS A PART-TIME GROUNDSKEEPER, WITH NO BENEFITS, TO ASSIST AT THE YARD WASTE SITE AT AN HOURLY RATE OF \$12.03 EFFECTIVE APRIL 22, 2014

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that based upon the recommendation of Alice Temple, Environmental Specialist, it hereby confirms the part-time hiring of Matthew Kanaley as “Groundskeeper” with no benefits at an hourly rate of \$12.03 effective April 22, 2014.

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

1. Glenn Cullen, CFO
2. Marie Dudek, Payroll
3. Anne Daley, Benefits
4. Amy Antonides, Municipal Clerk
5. Alice Temple, Environmental Specialist

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 14-138

AUTHORIZING A REFUND FOR AND ELECTRICAL PERMIT FEE IN THE AMOUNT OF \$56.00 TO ANTHONY BARULLI OF 1630 PERSHING PLACE FOR A PROJECT NOT DONE

WHEREAS, the Construction Official confirms that construction work was not done and thus the applicant has requested a refund of their \$56.00 electrical permit fee;

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 refund check(s) in the amount(s) of \$56.00 to the following:

Anthony Barulli
 1630 Pershing Place
 South Plainfield, NJ 07080
 (Permit # 121168)

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 2014-139

AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND MONIES LEVIED DUE TO 100% DISABLED VETERAN STATUS PERTAINING TO BLOCK 37, LOT 160

WHEREAS, property known as Lot **160**, Block **37**, in the Borough of South Plainfield more commonly known as **146 Ivy Street** in **South Plainfield, NJ** is owned by **Donald and Deena Zolkiwsky**; and

WHEREAS, **Donald Zolkiwsky**, 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 **June 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 2nd, 3rd and 4th quarters of the year 2013 in the amount of **\$4,356.18**; 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 **\$1831.03**; 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, 3rd and 4th quarters of 2014 once the preliminary bills are determined.

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 2014-140

RESOLUTION AUTHORIZING SETTLEMENT OF 2010, 2011, 2012 and 2013 TAX APPEALS FILED BY N. GOYAL, LLC, FOR THE PROPERTY KNOWN AS 2509 PARK AVENUE AND IDENTIFIED AS BLOCK 84, LOT 1, ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS

WHEREAS, N. Goyal, LLC (hereinafter referred to as “Taxpayer”) is the owner of the property known as 2509 Park Avenue and identified as Block 84, Lot 1, on the Borough of South Plainfield’s Tax Assessment Maps (“Property”); and

WHEREAS, the assessed value of the Property was set at \$1,199,700 for 2010, 2011, 2012 and 2013; and

WHEREAS, Taxpayer filed appeals of the 2010, 2011, 2012 and 2013 tax assessments in the Tax Court of the State of New Jersey under docket numbers 006957-2010, 006211-2011, 006123-2012 and 003237-2013; 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 assessment for the 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 the tax years under appeal; and

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

- The 2010 tax assessment shall be affirmed and remain unchanged;
- The 2011 tax assessment shall be affirmed and remain unchanged;
- The 2012 original assessment in the amount of \$1,199,700 shall be reduced to \$900,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2012;
- The 2013 original assessment in the amount of \$1,199,700 shall be reduced to \$850,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2013;
- The parties agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall apply to the assessment;
- Taxpayer has agreed to waive statutory interest provided that the tax refund is paid within 60 days of the date of entry of the Tax Court Judgment. The tax refund shall be made payable to “Sitar Law Offices, LLC. Attorney Trust Account” and forwarded to counsel for Taxpayer within 60 days of the date of Judgment.

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 \$900,000 total tax assessment for the 2012 tax year for Block 84, Lot 1 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 \$850,000 total tax assessment for the 2013 tax year for Block 84, Lot 1 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
3. 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 N. Goyal, LLC under Docket Nos.: 006957-2010, 006211-2011, 006123-2012 and 003237-2013 for the property known as 2509 Park Avenue and identified as Block 84, Lot 1 on the Borough of South Plainfield Tax Assessment Maps which affirms the tax assessment for Tax Years 2010 and 2011; which reduces the 2012 total tax assessment on the Property from \$1,199,700 to \$900,000; which reduces the 2013 total tax assessment on the Property from \$1,199,700 to \$850,000; which provides that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall apply to the assessment; which provides that the Taxpayer has agreed to waive statutory interest provided that the tax refund is paid within 60 days from the date of Judgment; and which further provides that any tax refunds resulting from the settlement shall be made payable to “Sitar Law Offices, LLC, Attorney Trust Account” and forwarded to counsel for Taxpayer within 60 days of the date of Judgment.
4. 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 ND	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:	5	1			
Mayor Anesh – TIE ONLY							

RESOLUTION 2014-141
AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE A CONTRACT BETWEEN
THE BOROUGH OF SOUTH PLAINFIELD AND H.B.C. ELECTRIC, INC. FOR
UPGRADES TO THE FLUORESCENT FIXTURES AT THE SENIOR CENTER IN THE
AMOUNT OF \$7,760.00

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield that the Mayor and Municipal Clerk are hereby authorized to execute a contract between the Borough of South Plainfield and H.B.C. Electric, Inc. for upgrades to the fluorescent fixtures at the Senior Center in the amount of \$7,760.

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

1. Municipal Clerk
2. Chief Financial Officer
3. T&M Associates

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION #14-142

AUTHORIZING THE RELEASE OF A PERFORMANCE BOND POSTED BY PANZARELLA CONTRACTING FOR PUBLIC IMPROVEMENTS TO BLOCK 200, LOT 9 AND ACCEPTANCE OF THE MAINTENANCE BOND IN THE AMOUNT OF \$2,032.02

WHEREAS, the Borough of South Plainfield is in possession of a Performance Bond from Panzarella Contracting for the improvements located at Block 200, Lot 9; and

WHEREAS, Panzarella Contracting. has submitted a Maintenance Bond in the amount of \$2,032.00; and

WHEREAS, the Borough Attorney and the Borough Engineer have 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 200, Lot 9.

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 14-143

AUTHORIZING A REFUND OF \$100.00 SECURITY DEPOSIT TO THE SUBURBAN WOMEN’S CLUB FOR THEIR APRIL 6TH EVENT AT THE SENIOR CENTER

WHEREAS, the Senior Center Director has confirmed that the Suburban Women’s Club held their even on April 6th at the Senior Center and as such, \$100.00 security deposit is due backto them;

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 refund check(s) in the amount(s) of \$100.00 to the Suburban Women’s Club.

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 14-144

AUTHORIZING CONTRACT AWARD TO REPUBLIC SERVICES FOR PUBLIC LITTER CAN REMOVAL SERVICES FOR A ONE YEAR TERM IN AN AMOUNT NOT TO EXCEED \$4,800.00

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:11 any expenditure of public funds in excess of \$17,500 requires the advertisement for proposals for delivery of said goods or services; and

WHEREAS, a need has been determined to provide public litter can removal services; and

WHEREAS, since it was anticipated the contractual amount for said services to be under \$17,500 RFP's were solicited instead of formal bids to four local trash haulers. The following two RFP's were submitted by the April 8, 2014 deadline:

- Republic Services \$4,777.68 (\$398.14/month)
- Pinto Brothers \$12,960.00 (\$1,080.00/month)

WHEREAS, the RFP's have been reviewed by the Borough Recycling Coordinator, and it is their recommendation that the RFP of Republic Services for public litter can removal service for a one year term in an amount not to exceed \$4,777.68 be accepted and a contract be awarded; and

WHEREAS, funds for said purpose have been certified by the Chief Financial Officer and are available in the 2014 budget

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given to award a contract for public litter can removal services for a period of a one year term at a cost not to exceed \$4,800.00 be awarded to Republic Services.

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute the necessary agreement with Republic Services, the lowest responsible bidder for the services described.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga							x
Councilman Diana			x				
Councilman Richkus			x				
Councilman Rusnak		x	x				
Councilman White							x
Council President Barletta	x		x				
		VOTE:	4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 14-145

AUTHORIZING THE SERVICES OF MIDDLESEX FLOORS FOR THE STRIPPING & WAXING OF FLOORS AT THE SENIOR CENTER, PAL, AND BOROUGH HALL IN AN AMOUNT NOT TO EXCEED \$3,800.00

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 services of Middlesex Floors for stripping and waxing of floors at the Senior Center, PAL and Borough Hall in an amount not to exceed \$3,800.00.

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 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 14-146

AUTHORIZING THE SERVICES OF LOV N' KARE CARPET CENTER FOR THE CLEANING OF CARPETS AT THE SENIOR CENTER, AND BOROUGH HALL IN AN AMOUNT NOT TO EXCEED \$1,300.00

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 services of Lov N' Kare Carpet Center for cleaning of carpets at the Senior Center, and Borough Hall in an amount not to exceed \$1,300.00.

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 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 2014-147
AUTHORIZING APPOINTMENT OF 2014 SUMMER HELP
EMPLOYEES FOR THE DPW**

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey, that:

WHEREAS, a need exists to supplement the workforce of the Department of Public Works and Borough Hall during the summer months; and

WHEREAS, the list below has been recommended by the Administrator and Superintendent of Public Works with the proposed salaries (as per the salary Ordinance), and

WHEREAS, the below summer employees for DPW will be divided into three working periods beginning on May 12, 2014 through Labor Day, 2014.;

NOW THEREFORE BE IT RESOLVED by the South Plainfield Borough Council that the persons listed below be employed as seasonal employees for the Department of Public Works and Borough Hall as indicated: (Dates may change if vacations, etc. dictate.)

May 12, 2014 through June 20, 2014

Tyler Hunt
Ed Sullivan
Ryan Hutchison
Nick Graves
Jeffrey Pellegrino
Joe Pellegrino
Ryan Hughes
Shane O'Connor
Connor Gillis

June 23, 2014 through Labor Day, 2014

Sean Cullen
Danny Sanko
Mike Polizzano
John Wylam
John Grennier
Kevin Farrell
Shane O'Connor

Connor Gullis
 Cody O'Connor
 Michael Dispenziere
 John Chillemi

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded as follows: Municipal Clerk and Robert Capparelli, DPW Supervisor

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 2014-148

AUTHORIZING T&M ASSOCIATES TO PREPARE AS WELL AS TO ADMINISTER BIDS FOR THE DEMOLITION AND RELATED WORK PERTAINING TO THE CLARK STREET-BACH PARCEL FOR THE BOROUGH OF SOUTH PLAINFIELD

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates to prepare as well as to administer bids for the demolition and related work pertaining to the Clark Street-Bach parcel for the Borough of South Plainfield.

BE IT FURTHER RESOLVED that the Municipal Clerk has authorization to advertise for said bid and that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. T&M Associates
4. John Pabst, Construction Official

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 2014-149

AUTHORIZING A 2014 TEMPORARY BUDGET AMENDMENT OF \$205,000.00 IN THE CURRENT FUND AND \$10,000.00

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
4-01-27-330-001-101	Board of Health	S&W		5,000.00
4-01-27-330-001-235	Board of Health	O&E		20,000.00
4-01-28-370-001-101	Recreation	S&W		10,000.00
4-01-29-390-000-235	Library	O&E		150,000.00
4-01-36-472-000-675	SSI	Statutory		10,000.00
4-01-43-490-000-101	Court	S&W		10,000.00
Total CURRENT FUND				205,000.00
POOL FUND				AMOUNT
4-26-55-520-000-215	Other Expenses	O&E		10,000.00
POOL FUND				10,000.00

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION No. 14-150

AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE A DEED OF EASEMENT TO INCORPORATE INFORMATION CONTAINED IN A FLOOD HAZARD AREA VERIFICATION APPROVAL ISSUED BY THE NEW JERSEY DEP.

WHEREAS, the Borough of South Plainfield Governing Body has been advised that the State Department of Environmental Protection requires a Deed of Easement to be recorded to incorporate information set forth in a Flood Hazard Verification Approval issued by the New Jersey DEP in order to permit work at the Borough Library Project; and

WHEREAS, the Deed of Easement is for informational purposes only, and does not involve the transfer of rights or consideration;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to execute a Deed of Easement relating to property known as Block 273, Lot 7.01, and Block 274, Lot 1 in the form attached hereto;

BE IT FURTHER RESOLVED that the Deed of Easement shall be recorded with the Middlesex County Clerk upon execution.

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			

RESOLUTION No. 14-151
AUTHORIZING T&M ASSOCIATES TO CONDUCT A RE-EXAMINATION
OF THE BOROUGH MASTER PLAN AND RENDER A REPORT
REGARDING SUCH AS PERTAINING TO AUTOMOTIVE GASOLINE
STATIONS, REPAIR SHOPS AND MINI-MARTS

WHEREAS, the Borough of South Plainfield Zoning Board of Adjustment issued annual reports at the conclusion of 2011 and 2012 finding that the provisions in Article X of the South Plainfield Zoning Ordinance for “Filling Stations and Public Garages” is outdated and needs to be updated; and

WHEREAS, on June 24, 2013, the Borough passed an ordinance amendment amending the Zoning Ordinance which distinguished automobile gasoline stations, automotive repair shops, and automotive gasoline station mini-marts, and establish conditional use standards for each; and

WHEREAS, said Ordinance, No. 1990, is the subject of litigation filed by an objector to same, which litigation is pending; and

WHEREAS, the Governing Body of the Borough of South Plainfield deems it appropriate to have the Master Plan re-examined as to such uses and for the report to be made to the Governing Body as to same;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that T&M Associates is hereby authorized to conduct a review of the Master Plan and render a report concerning automotive gasoline stations, automotive gasoline station repair shops, and automotive gasoline station mini-marts, which report shall be reviewed by the Planning Board of the Borough of South Plainfield, which shall thereafter make recommendation to the Borough Council.

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

CORRESPONDANCE

- Health Advisory Board Minutes – April 8, 2014
- Environmental Commission Minutes – February 12, 2014
- Environmental Commission Monthly Report – March, 2014
- Code Enforcement Monthly Report – March, 2014
- PARSA Article – “The Smell of Success”
- Board of Adjustment Minutes – March 4, 2014

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

SOUTH PLAINFIELD BOROUGH
APPROVAL OF BILLS AND CLAIMS

Current Fund	3-01	0.00
Current Fund	4-01	152,798.93
Pool Utility	4-26	0.00
Pool Utility	3-26	0.00

Sewer Utility	4-07	0.00
Sewer Utility	3-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	0.00
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	926.60
Dog Trust	T-12	815.36
Treasurers Trust	T-13	16,565.44
Recreation Trust	T-14	240.95
TOTAL ALL FUNDS		\$171,347.28

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo, Esq. – reported progress.

Administrator Cullen – reported that we will begin meeting with Department Heads to discuss their respective budgets.

Engineer Miller – gave a progress report pertaining to the forthcoming bid for the Montrose Avenue road improvements in which he hopes to be able to award a bid by the second meeting in May.

Clerk Antonides – advised that instructions for filing the annual Financial Disclosure Statements will be forthcoming pursuant to a recent webinar on the subject.

Councilman Diana – advised that this past Saturday’s spring clean-up was a success with 175 participants. Councilman Diana thanked all who participated. Councilman Diana also thanked Len Miller for his assistance with a water issue near the Progressive Building. Also, Councilman Diana asked if the Council could look into vacating all the paper streets in the Highland woods area.

Councilman Rusnak – advised that he looks forward to hearing of any suggestions pertaining to the 2014 budget.

Councilman Bengivenga – reported progress.

Councilman Richkus – reported a successful opening day of baseball and softball. There was a nice turnout.

Councilman White – reported progress.

Council President Barletta – reported progress.

Mayor Anesh – reminded everyone that the Mayor’s Wellness is having their Spring Health Fair on April 26th at the Senior Center. Also the “Caught on a Walk Program is in effect. Mayor Anesh announced that the theme of the Health Fair will be “Step Up South Plainfield” in which pedometers may be given out.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Ms. Nancy Grennier asked about resolution #14-140 in which Mr. Cullen responded that this appeal is not part of the recent bond. Ms. Grennier reminded everyone that May 21st is the Junior Journalist Banquet.

Mr. Sorrentino advised that Mr. Subs is sponsoring an event to help support a local family in need.

Ms. Debbie Boyle from Van Fleet reported on all the various events

Ms. Chrissy Buteas of 434 Lucy Court applauded Councilman Diana for asking some of the tough questions. It seemed disturbing that he had not received the information he requested in a timely manner. Trying to contact the Council from Iceland seems to speak volumes of his dedication. Ms. Buteas asked to go over the highpoints of the budget. Councilman Rusnak reiterated the highlights he stated earlier in the evening. Ms. Buteas expressed her concerns over expenses being too high. Mayor Anesh agreed citing the largest of the expenses are due to snow removal, hurricane clean-up and healthcare costs; most of which were unforeseen costs. Mayor Anesh went on to say that we could have chosen to let the snow melt and spend nothing, or, we plow the roads. Mr. Cullen further explained the mechanics of it. Ms. Buteas suggested that pencils need to be sharpened. Mayor Anesh said that some of these major expenses were unforeseen and cannot be sharpened away. You cannot sharpen away the snow. We do look at all expenditures which is why you are seeing zero tax increase today; less than what you had in 2009. Ms. Buteas said this is being done due to one-time land sales and FEMA funding. Mayor Anesh countered by saying that Ms. Buteas in 2009 sat on Council and took a full year's state aid and balanced it with six month budget. To summarize, further dialog went back and forth pertaining to the 2014 budget and varied differences of opinion. Ms. Buteas went on to question this evenings bond ordinance and asked about the history of Montrose Avenue. Councilman Bengivenga and Mayor Anesh responded. Ms. Buteas asked about a resolution pertaining to computer and information technology that was on the agenda. Mr. Cullen explained it includes servers for the court office, recreation, and various upgrades to our software systems throughout the borough of which have not been upgraded in years. Ms. Buteas expressed concerns about how the current senior center rental ordinance reads and suggested that the fees charged for non-profits use of the senior center be reviewed and perhaps amended to charge non-profits the lower rental fee. The Council asked Mr. Rizzo to look into this.

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

At 7:35 p.m. Mayor Anesh called for a recess 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 7:55 p.m., seconded by Councilman Rusnak and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk