

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
AUGUST 11, 2014 7:05 P.M.  
PUBLIC MEETING**

**CALL TO ORDER:** Mayor Anesh called the meeting to order at 7:05 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 White led the invocation.

**Approve Council Minutes:** July 14, 2014 – Agenda  
July 14, 2014 - Public  
July 14, 2014 – Executive

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.

**ORDINANCE – FIRST READING BY TITLE** – was read by title by Clerk Antonides. The Public Hearing was set for September 8, 2014 at approximately 7:00 p.m.

**ORDINANCE NO. 2003**

**A CAPITAL ORDINANCE AUTHORIZING THE “ACQUISITION OF STORM SEWER GRATES, CASTINGS AND OTHER RELATED FIXTURES FOR PITT STREET, 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 Capital Improvement Fund. The funding requirements shall be identified by asset as follows:

Storm sewer grates & castings	<b>\$24,000.00</b>
<b>Totals</b>	<b><u>\$24,000.00</u></b>

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:



JMSM, LTD c/o Adler Development  
 4001-4081 Hadley Road  
 South Plainfield, NJ 07080

528 46.06 2013 \$40,041.57

**Make check payable to:**

JMSM, LTD  
 David B. Wolfe, Esq. of Skoloff & Wolfe, P.C.  
 293 Eisenhower Parkway  
 Livingston, NJ 07039

**Total**

**\$40,041.57 \***

**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		x				
Councilman White			x				
Council President Barletta		x	x				
		<b>VOTE:</b>	<b>4</b>	<b>1</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 14-224**

**AUTHORIZING THE APPOINTMENT OF KATHERINE E. HOWES, AS MUNICIPAL COURT JUDGE TO FILL THE UNEXPIRED TERM OF FORMER JUDGE SPENCER ROBINS UNTIL 12/31/2016**

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

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

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

**WHEREAS**, it is the desire of the Governing Body to fill the vacancy of Judge Spencer Robbins with the appointment of Katherine E. Howes as Municipal Court Judge for the Borough of South Plainfield to fill the unexpired term of former Judge Spencer Robbins to 12/31/2016 effective September 3, 2014 at a salary pursuant to the local salary ordinance;

**NOW, THEREFORE**, it is hereby resolved by the Mayor with consent of the South Plainfield Borough Council that Judge Katherine E. Howes is hereby appointed Municipal Court Judge to fill the unexpired term of former Judge Spencer Robbins to December 31, 2016 at a salary as set forth in the current salary ordinance.

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

**RESOLUTION #2014-225**

**AUTHORIZING THE APPROVAL AND RENEWAL OF A LIQUOR LICENSE FOR THE 2014-2015 LICENSE TERM FOR 4701 STELTON ROAD, LLC (HOLIDAY INN) AND AUTHORIZING THE MUNICIPAL CLERK TO ISSUE SAID LICENSE**

**WHEREAS**, applications for renewal of Liquor Licenses for the year 2014-2015 have been submitted; and

**WHEREAS**, no objections to said renewals have been filed; and

**WHEREAS**, the proper Borough and State fees have been paid by all applicants and the renewal retail licensee clearance certificate has been issued.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of the Borough of South Plainfield that the following licensee be granted renewal of their liquor license for the year commencing July 1, 2014 and expiring June 30, 2015:

	<b>License #</b>	<b>Type</b>	<b>License Name</b>	<b>Trade Name</b>
1	1222-33-015-007	Hotel License	4701 Stelton Road, LLC	Holiday Inn

**BE IT FURTHER RESOLVED** that the Municipal Clerk is authorized to issue 2014-2015 liquor licenses to the above named licensee.

<b>COUNCIL</b>	<b>MOTION</b>	<b>2<sup>ND</sup></b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>RECUSE</b>
Councilman Bengivenga						x	
Councilman Diana			X				
Councilman Richkus		x	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>							

**RESOLUTION 2014-226**

**AUTHORIZING A REVIEW OF COMPLIANCE WITH PRIOR ANNUAL CONTINUING DISCLOSURE OBLIGATIONS AND PARTICIPATION IN THE SECURITIES AND EXCHANGE COMMISSION'S MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE**

**WHEREAS**, the above-defined issuer has previously issued one or more series of bonds, including in the past five (5) years pursuant to one or more preliminary and final official statements (collectively, the "Bonds"); and

**WHEREAS**, in connection with the issuance of such Bonds, the issuer covenanted with Bondholders to provide certain secondary market disclosure information on an annual basis to the National Recognized Municipal Securities Information Repositories (pre-2009) and to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access Data Port (2009 to present) ("EMMA"), which secondary market disclosure information may consist of one or more of the following: audited financial statements, municipal budgets, other financial and operating data and ratings changes; and

**WHEREAS**, the Securities and Exchange Commission (the "SEC") has recently focused attention on what is alleged is widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and misrepresentation through material misstatements in an official statement (innocently, inadvertently or otherwise) of past compliance with continuing disclosure obligations; and

**WHEREAS**, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative (the "SEC Initiative"), a limited-time program ending at 12:00 a.m. on September 10, 2014, that encourages issuers of municipal bonds, including the issuer, to self-report possible material misstatements or omissions, made in the past five (5) years in an official statement regarding compliance with prior continuing disclosure obligations; and

**WHEREAS**, should the SEC determine that an issuer has made material misstatements in an official statement regarding compliance with prior continuing disclosure obligations, issuers participating in the SEC initiative agree to accept certain non-monetary penalties, in lieu of unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not participate in the SEC initiative; and

**WHEREAS**, by participating in the SEC initiative, issuers agree to accept the following penalties, if imposed by the SEC (i) compliance with a cease and desist order in which the issuer neither admits nor denies the findings of the SEC, (ii) implementation of policies, procedures and training regarding continuing disclosure obligations, (iii) compliance with all existing continuing disclosure undertakings, (iv) cooperation with any further SEC investigation, (v) disclosure of settlement terms in any final official statement issued within five years of the date of institution of the proceedings, and (vi) production to the SEC of a compliance certificate regarding the applicable undertakings on the one year anniversary of the proceedings; and

**WHEREAS**, on July 24, 2014, the Division of Local Government Services issued Local Finance Notice 2014-9 (i) alerting local governments of the SEC initiative, (ii) strongly recommending that local governments examine their continuing disclosure contractual obligations and past official statements in order to determine if it is advisable for an issuer to participate in the SEC initiative and (iii) cautioning local governments that fail to complete a disclosure assessment in connection with the SEC initiative will likely have difficulty accessing capital markets, difficulty in receiving timely approvals of the Local Finance Board or Director of the Division of Local Government Services, as applicable, and decreased scores on the future "Best practices Questionnaires"; and

**WHEREAS**, the issuer desires to conduct a disclosure audit which will (i) summarize the results of the issuer's prior compliance with its secondary market disclosure obligations and (ii) compare those results to the statements made by the issuer in its official statements regarding past compliance (the "Disclosure Audit"); and

**WHEREAS**, the issuer further desires to retain the services of disclosure specialist to conduct the Disclosure Audit; and

**WHEREAS**, based on the results of the Disclosure Audit, and weighing heavily the known, non-monetary penalties that may come through the issuer's participation in the SEC initiative versus the unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not self-report, the issuer further desires to delegate to the Chief Financial Officer, in consultation with the issuer's general counsel, bond counsel, auditor and other finance professionals, the power to prepare and submit all documentation required to enter the issuer's Bond issues into the SEC initiative, as necessary;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOND OF THE ISSUER, AS FOLLOWS:**

**Section 1.** The issuer hereby authorizes completion of the Disclosure Audit.

**Section 2.** The issuer hereby authorizes the Chief Financial Officer to engage the services of a disclosure specialist to complete the Disclosure Audit; provided that the award of any contract in connection therewith meets the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

**Section 3.** In the event the Disclosure Audit reveals that the issuer **may** have made a material misstatement regarding the issuer's compliance with prior continuing disclosure undertakings, the issuer hereby authorizes and directs the Chief Financial Officer to prepare and submit all documentation necessary to enter the issuer's applicable Bond issues into the SEC initiative.

**Section 4.** Any action taken by the Chief Financial Officer, or any other officer of the Issuer, with respect to the Disclosure Audit, the engagement of a disclosure specialist and participation in the SEC initiative is hereby ratified and confirmed.

**Section 5.** This resolution shall take effective immediately.

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

**RESOLUTION 2014-228**  
**AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE**  
**A DEVELOPER’S AGREEMENT WITH McDONALD’S USA, LLC.**

**WHEREAS**, McDonald’s USA, LLC received approval from the Borough Zoning Board of Adjustment for construction of a McDonald’s restaurant; and

**WHEREAS**, approval was granted on condition that McDonald’s USA, LLC enter into an agreement with the Governing Body regarding the realignment of Bushwick Avenue, and that the developer file a deed dedicating a right-of-way for new portions of Bushwick Avenue to the Borough, and that the developer provide a restoration plan for the area of Bushwick Avenue where the prior roadway is to be removed; and

**WHEREAS**, the Governing Body has agreed to accept the dedication of the right-of-way and has otherwise agreed to the conditions;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body 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 developer’s agreement relating to property commonly known as 318 Durham Avenue, Block 524, Lot 4.01, on the Tax Map of the Borough in the form attached hereto.

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

**RESOLUTION 2014-229**  
**AUTHORIZING A SOLE SOURCE MANAGED SERVICE CONTRACT WITH NORTHEAST**  
**INTEGRATED TECHNOLOGIES TO PROVIDE DESK TOP SUPPORT AS WELL AS ANTI-VIRUS**  
**SOFTWARE IN AN AMOUNT NOT TO EXCEED \$7,875.00**

**WHEREAS** the sole source vendor NorthEast Integrated Technologies. has submitted an RFP to the Borough to provide desk top support as well as anti-virus software services for the Borough Offices; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the awarding of a contract for professional services without public advertising for bids and bidding therefore, provided that the resolution authorizing the contract and the contract itself be available for public inspection in the office of the Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality,

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Governing Body of the Borough of South Plainfield:

1. that the Mayor and Borough Council do hereby award the contract between the Borough of South Plainfield and NorthEase Integrated Technologies. to desk top support as well as anti-virus software services in an amount not to exceed \$7,875.00.
2. that this contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40a:11-5 of the Local Public Contracts Law of New Jersey, because the services will be performed by persons authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.
3. that the Chief Financial Officer has filed a Certificate of Availability of Funds, if applicable,.
4. that notice of the adoption of this resolution shall be published in a newspaper of general circulation within the Borough

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

1. Municipal Clerk
2. Glenn Cullen, Chief Financial Officer
3. Borough IT Department

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

**RESOLUTION 2014-230**  
**AUTHORIZING THE CREDIT TO OUTSTANDING TAXES IN VARIOUS DOLLAR**  
**AMOUNTS FOR VARIOUS PROPERTIES DUE TO A TAX APPEAL JUDGMENT**

**WHEREAS**, the following list of taxpayers have filed appeals with the Middlesex Tax Court and have received judgments reducing their assessments:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be credited.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
Chapman, Douglas & Michele 1806 Bellew Place South Plainfield, NJ 07080	21	2.03	2014	\$2766.50
Paez, Richard J & Christina 1819 Grant Avnue South Plainfield, NJ 07080	28	10	2014	\$1496.68
Harvey, Yanique 1740 Kenyon Avenue South Plainfield, NJ 07080	47	18	2014	\$1018.07
Levin Properties, LP 1618-1620 Park Avenue South Plainfield, NJ 07080	97	3	2014	\$5577.26
Mulhearn, Nicola & Kevin 184 North Madison Drive South Plainfield, NJ 07080	126	16	2014	\$719.29
Delpaoli, Lori 1130 Clinton Terrace South Plainfield, NJ 07080	137.02	19	2014	\$331.98
Resende, Mark 1156 Clinton Terrace South Plainfield, NJ 07080	137.02	24	2014	\$1106.60
Hutchison, Dawn 124 Florence Place South Plainfield, NJ 07080	171	34	2014	\$331.98

Anato, Edem 267 Pearl Place South Plainfield, NJ 07080	188	60	2014	\$1383.25
Avalos, Gerardo & Beatriz 401 Edgar Avenue South Plainfield, NJ 07080	193	10	2014	\$1936.55
McEnerney, Heather D 601-603 Maple Avenue South Plainfield, NJ 07080	198	14	2014	\$1897.82
Gibson, Alison 122 Pine Street South Plainfield, NJ 07080	199	10	2014	\$1560.31
Geurts, Gregory 112 Joan Street South Plainfield, NJ 07080	203	5	2014	\$1244.93
Rundella, Battista J & Linda 3318 Evergreen Lane South Plainfield, NJ 07080	222	47	2014	\$1654.37
Czech, Joseph & Debra 3313 Evergreen Lane South Plainfield, NJ 07080	222	50	2014	\$1610.10
Mancino, Loreto & Florence 3295 Evergreen Lane South Plainfield, NJ 07080	222	55	2014	\$2141.27
Giammarino, Anthony G & Dayel 3285 Evergreen Lane South Plainfield, NJ 07080	222	57	2014	\$2246.40
Moretti, Guy 147-149 Oak Tree Avenue South Plainfield, NJ 07080	249	24.03	2014	\$553.30
Grasso, Ernesto & Liliana 120-22 Teeple Place South Plainfield, NJ 07080	254	19	2014	\$857.62
Moretti, Guy 100-102 Front Street South Plainfield, NJ 07080	265	16.01	2014	\$1106.60
Porchetta, Mario 107 Ralph Avenue South Plainfield, NJ 07080	277	13.01	2014	\$1023.61



2259 South Clinton LLC 2259 South Clinton Aveue South Plainfield, NJ 07080	308	12.03	2014	\$3314.27
2279 South Clinton LLC 2279 South Clinton Avenue South Plainfield, NJ 07080	308	12.04	2014	\$6766.86
104 Sylvania LLC 104 Sylvania Place South Plainfield, NJ 07080	308	39.01	2014	\$7746.20
Patel, Umang 525 Carmine Avenue South Plainfield, NJ 07080	315	20.02 / C0002	2014	\$1007.01
Modhera, Rajesh 463 Kosciusko Avenue South Plainfield, NJ 07080	365	12.02	2014	\$1421.98
Diamant, Martin & Jenkins, K 709 Kenneth Avenue South Plainfield, NJ 07080	371	2	2014	\$1582.44
Orlandi, Dina & Eleonora 101-103 Hillside Avenue South Plainfield, NJ 07080	400	6	2014	\$3281.07
Scrudato, Joseph A & Sharon J 134 Lafayette Place South Plainfield, NJ 07080	416	10.02	2014	\$829.95
New Era Development Inc 901 Montrose Avenue South Plainfield, NJ 07080	446	1.01	2014	\$7358.89
Cangas, Josefa 3805 Fleet Avenue South Plainfield, NJ 07080	499	2	2014	\$636.30

**Total** **\$66,509.46\***

**\* No refund check to be issued. Credit will be applied to outstanding taxes.**

**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 credit(s) in the amount(s) as mentioned above.

1.	COUNCIL	MOTION	2 <sup>ND</sup>	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	1			
<b>Mayor Anesh – TIE ONLY</b>								

**RESOLUTION 2014-231**  
**AUTHORIZING AWARD OF BID TO STILO EXCAVATION INC. FOR 2014 ROAD IMPROVEMENTS TO CARMINE AND AMBOY AVENUES IN AN AMOUNT NOT TO EXCEED \$125,320.86 AND AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE CONTRACT FOR SAME**

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

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40A:11, any expenditure of public funds in excess of \$17,500 requires municipalities without a QPA to advertise for proposals for delivery of said goods or services; and

**WHEREAS**, a need has been determined that roads are in need of resurfacing; and

**WHEREAS** bids were solicited and opened on Tuesday, August 5, 2014 at 10:00 a.m. and the following picked-up bid packages from the Borough Engineer and submitted bids as follows:

Stilo Excavating	\$125,320.86
Top Line Construction	\$159,497.98
Black Rock	\$159,735.60

**WHEREAS**, the bids have been reviewed by the Borough Engineer and the Borough Attorney who has verified that the lowest qualified bidder is Stilo Excavating in the amount of \$125,320.86 and that the bid be accepted and a contract be awarded; and

**WHEREAS**, funds for said purpose have been certified by the Chief Financial Officer and are available through capital funding;

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Mayor and Municipal Clerk are hereby authorized to execute a contract for the 2014 Carmine & Amboy Avenues Road Improvement Program to Stilo Excavating in the amount of \$125,320.86.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>4</b>	<b>1</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2014-232**  
**AUTHORIZING THE TRANSFER OF 2006 CDBG FUNDS IN THE AMOUNT OF \$3,159 AND AUTHORIZES THE REQUEST OF SAID FUNDS FROM THE COUNTY OF MIDDLESEX TO BE USED FOR THE INSTALLATION OF HANDICAPPED RAMPS THROUGHOUT THE BOROUGH**

**WHEREAS**, the County reports the following balances in the 2006 Community Development Block Grant program in the following amounts:

CD6667 ..... \$3,159      Senior Center Van

**WHEREAS**, one of these amounts are surplus and are not needed for their original purpose; and

**WHEREAS**, funds are needed for the installation of handi-capped ramps

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that it hereby approves the transfer of County grant funds in the amount of \$3,159.00 from CD6667 min van and hereby changes the use of purchase to the “Installation of handicapped ramps” and as such authorizes the request of said funds from the County of Middlesex.

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

**RESOLUTION 2014-233**  
**AUTHORIZING THE TRANSFER OF 2011 CDBG FUNDS IN THE AMOUNT OF \$4,371.50 AND**  
**AUTHORIZING THE REQUEST OF SAID FUNDS**  
**FROM THE COUNTY OF MIDDLESEX TO BE USED FOR**  
**THE INSTALLATION OF HANDICAPPED RAMPS**

**WHEREAS**, the County reports the following balances in the 2011 Community Development Block Grant program in the following amounts:

CD1155 ..... \$ 4,371.50 Senior Mini Van

**WHEREAS**, one of these amounts are surplus and are not needed for their original purpose; and

**WHEREAS**, funds are needed for the installation of handi-capped ramps

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that it hereby approves the transfer of County grant funds in the amount of \$4,371.50 from CD 1155 Senior Mini Van and hereby changes the use of purchase to the “Installation of handicapped ramps” and as such authorizes the request of said funds from the County of Middlesex.

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

**RESOLUTION 2014-234**  
**AUTHORIZING ST. STEPHEN THE PROTOMARTYR ANTIOCHIAN ORTHODOX CHURCH TO**  
**POST TWO ELECTRONIC MESSAGE BOARDS AND FOUR BANNERS WITH THE DIMENSIONS OF**  
**3’ X 5’ IN THE BOROUGH FOR ITS ANNUAL FESTIVAL ON SEPTEMBER 12<sup>TH</sup>, 13<sup>TH</sup> AND 14<sup>TH</sup>.**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby granted St. Stephen the Protomartyr Antiochian Orthodox Church to post two electronic message boards and four banners in the Borough for its annual festival to be held September 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup>.

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

- Municipal Clerk
- Chief Financial Officer
- Traffic Safety Committee – Police Department

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

**RESOLUTION 14-235**

**AUTHORIZING A SOLE SOURCE PROVIDER CONTRACT WITH TACTICAL PUBLIC SAFETY FOR MAINTENANCE FOR POLICE RADIO SYSTEM IN AN AMOUNT NOT TO EXCEED \$42,672.00 FROM 8/1/14 THROUGH 5/31/15**

**WHEREAS** the sole source vendor Tactical Public Safety has submitted an RFP to the Borough to provide maintenance services for the police radio system from August 1, 2014 through May 31, 2015; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the awarding of a contract for professional services without public advertising for bids and bidding therefore, provided that the resolution authorizing the contract and the contract itself be available for public inspection in the office of the Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality,

**WHEREAS** Tactical Public Safety Equipment maintains specialty software and equipment for the police radio system; and

**WHEREAS**, Tactical Public Safety is the only company authorized to maintain their proprietary equipment on behalf of the Borough of South Plainfield;

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes a soul source provider contract with Tactical Public Safety to maintain the police radio system in an amount not to exceed \$42,672.00 which shall be applied to the municipal line item 4-01-25-250-000-204, and 5-01-25-250-000-204; and

**BE IT ALSO RESOLVED** that the Municipal Clerk shall publish a copy of this resolution of award, and

**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. Borough IT Department
4. Police Department

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

**RESOLUTION 14-236**

**AMENDING RESOLUTION 2014-113 WHICH AUTHORIZES THE EMERGENCY SERVICES OF PUMPING SERVICES, INC. FOR REPAIR AND REPLACEMENT EQUIPMENT FOR THE 1970 HADLEY PUMPING STATION TO REFLECT THE AMOUNT NOT TO EXCEED AS \$53,773.00 OPPOSED TO \$5,300.00 OF WHICH WAS A TYPOGRAPHICAL ERROR**

**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 amends Resolution 2014-113 which authorizes the emergent services of Pumping Services Inc. of Middlesex NJ for the repair and replacement of the 1970 Hadley Pumping Station in the Borough of South Plainfield to reflect the amount not to exceed as \$53,773.00 opposed to \$5,300.00 of which was a typographical error.

**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	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>							

**RESOLUTION 14-237**

**AUTHORIZING THE EMERGENCY SERVICES OF RUSSELL REID FOR VACUUM TRUCK AND FUEL CHARGES FOR THE REPAIR AND REPLACEMENT OF THE HADLEY PUMP STATION IN AN AMOUNT NOT TO EXCEED \$13,395.88**

**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 emergent services of Russell Reid of Keasbey, NJ for the repair of the Hadly Pumping Station in the Borough of South Plainfield in an amount not to exceed \$13,395.88.

**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	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>							

**RESOLUTION 2014-238**

**AUTHORIZING AWARD OF BID TO STILO EXCAVATION INC. FOR 2014 STREET SWEEPING SERVICES IN AN AMOUNT NOT TO EXCEED \$38,500.00 AND AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE CONTRACT FOR SAME**

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

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40A:11, any expenditure of public funds in excess of \$17,500 requires municipalities without a QPA to advertise for proposals for delivery of said goods or services; and

**WHEREAS**, a need has been determined that roads are in need of sweeping; and

**WHEREAS** bids were solicited and opened on Thursday, July 31, 2014 at 10:00 a.m. and the following picked-up bid packages from the Borough Engineer and submitted bids as follows:

Stilo Excavating	\$38,500.00
Cristi Cleaning Services Corp.	\$48,500.00
Reivax Contracting Corp.	\$112,441.00
C&L General Services	No Bid

**WHEREAS**, the bids have been reviewed by the Borough Engineer and the Borough Attorney who has verified that the lowest qualified bidder is Stilo Excavating in the amount of \$38,500.00 and that the bid be accepted and a contract be awarded for a one year term being 8/12/2014 through 8/11/2015 with the option to extend for two more one year terms; and

**WHEREAS**, funds for said purpose have been certified by the Chief Financial Officer and are available through the general fund budget;

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Mayor and Municipal Clerk are hereby authorized to execute a contract for the 2014 Street Sweeping to Stilo Excavating in the amount of \$38,500.00.

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

**RESOLUTION 2014-239**  
**ACCEPTING THE RETIREMENT OF LEO APPOLLONI FROM THE DEPARTMENT OF PUBLIC WORKS EFFECTIVE AUGUST 6, 2014**

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

It hereby accepts the retirement of Leo Appolloni from the Department of Public Works for the Borough of South Plainfield effective August 6, 2014;

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

1. Marie Dudek, Payroll
2. Amy Antonides, Municipal Clerk
3. Robert Capparelli, DPW
4. Leo Appolloni – Personnel File

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

**RESOLUTION 2014-240**  
**ACCEPTING THE 2013 MUNICIPAL AUDIT**

**WHEREAS**, N.J.S.A. 40:A5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transaction, and

**WHEREAS**, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by Resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

and,

**WHEREAS**, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

As evidenced by the group affidavit form of the Governing Body, and

**WHEREAS**, such Resolution of Certification shall be adopted by the annual audit, as per the regulations of the Local Finance Board, and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52-27BB-52 to wit: R.S. 52:27BB-52 – "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of

this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of South Plainfield, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said audit.

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

**RESOLUTION 2014-241  
Borough of South Plainfield  
ACCEPTING THE CORRECTIVE ACTION PLAN – 2013 AUDIT**

**WHEREAS**, there exists comments entitled “Recommendations” in the 2013 Audit showing deficiencies in various departments; and

**WHEREAS**, each department was advised of the weaknesses/deficiencies within their department, and

**WHEREAS**, the Borough Auditor, in conjunction with the Borough employees and the Borough Council, discussed a Corrective Action Plan for the 2013 Audit;

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, that as per the requirements of the Federal OMB Circular No. A-128 13(d), that the attached Corrective Action Plan for the 2013 Audit Findings be submitted to the Department of Community Affairs for their review.

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

**RESOLUTION 2014-242  
AUTHORIZING A CHANGE ORDER TO EXTEND THE LIMITS OF THE 2014 ROAD IMPROVEMENT  
PROJECT TO INCREASE THE ORIGINAL CONTRACT AMOUNT OF \$125,320.86 BY AN  
ADDITIONAL \$25,064.00 THUS ADJUSTING THE TOTAL CONTRACT AMOUNT TO BE \$150,384.86**

**WHEREAS**, the Governing Body of the Borough of South Plainfield has entered into an unit price contract with Stilo Excavating for \$125,320.86, for a project entitled “2014 Improvements to Carmine Avenue and Amboy Avenue”; and

**WHEREAS**, the Governing Body of the Borough of South Plainfield would like to extend the limits of the project; and

**WHEREAS**, the additional work will be performed at the contract unit prices and shall not exceed \$25,064.00 which is 20% of the original contract amount; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that authorization is hereby given to increase the original contract amount of \$125,320.86 an additional \$25,064.00 to an adjusted contract amount of \$150,384.86 to extend the limits of the project, including all work and materials necessary therefore and incidental thereto.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>4</b>	<b>1</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**CORRESPONDANCE**

- Environmental Commission Monthly Report – June, 2014
- Code Enforcement Monthly Report – June, 2014
- Recycling Commission Monthly Report – June 26, 2014
- Recreation Commission Minutes – May 13, 2014
- Planning Board Minutes – May 13, 2014 and May 27, 2014
- Traffic Safety Advisory Commission Minutes – June 25, 2014
- Letter from Bond Counsel – Continuing Disclosure – SEC Initiative

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>							

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

Current Fund	3-01	2,850.00
Current Fund	4-01	566,887.58
Pool Utility	4-26	10,560.32
Pool Utility	3-26	0.00
Sewer Utility	4-07	4,093.76
Sewer Utility	3-07	0.00
Sewer Utility Capital	C-08	1,144.80
General Capital	C-04	69,021.73
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	10,658.89
Dog Trust	T-12	0.00
Treasurers Trust	T-13	11,703.31
Recreation Trust	T-14	3,441.21
<b>TOTAL ALL FUNDS</b>		<b>\$680,361.60</b>

**Vote is made as amended due to tabling check #62167**

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 Rizzo, Esq. – reported progress.



Administrator Cullen – advised that everyone has received a copy of the 2013 municipal audit and as evidenced by it, it was a very good year. Mr. Cullen said he feels pretty comfortable saying the Borough will be ending 2014 with an increase in surplus. Mr. Cullen updated the Council on the addition of road improvements to Carmine, Amboy and little bit of Pitt due to the bid coming way under projects for the Montrose Road Project. The same contractor will do this additional work. Mr. Cullen complimented those involved in the Library ground breaking. It was one of the best events that he has seen. Also in front of everyone this evening is a copy of the BAN sale that took place. We are very pleased that the market is still very favorable with the Borough.

Engineer Miller – briefly updated Council that he met with the County last week pertaining to Durham Avenue. The plates in the culvert need to be repaired. The County anticipates going out to bid in the Fall with a start date scheduled for the Spring. It is projected to take three months to complete with only one lane open each way.

Clerk Antonides – reported progress.

Councilman Diana – thanked all the volunteers for their help with the Christmas in July event as well as the Library ground breaking ceremony.

Councilman Rusnak – updated the council with the status of an idea for potential tablets. Amy has been in touch with the School Board Administrator to see if they have better rates for such technology purchases. Councilman Rusnak also announced that he now has a smart phone and done away with his old flip phone.

Councilman Bengivenga – was absent this evening.

Councilman Richkus – thanked the Council for their support with the recent National Night Out Event. Councilman Richkus thanked Police for their support, as well as Celebrations, Cultural Arts and Recreation. Over 80 children had their Id's done and there was over 200 people in attendance.

Councilman White – advised that the Christmas in July event was a great day and well attended. Strategic Marketing Group held a resume seminar that was very helpful to our community. The grand opening of Corner Bakery Café will be on August 18<sup>th</sup>. We also welcome Green Leaf Plumbing and Advanced Auto Supplies into town.

Council President Barletta – reported progress

Mayor Anesh – advised that the All Shook Up program was excellent. On another note, we appointed a new Judge this evening; Ms. Katherine Howes. She comes to us with much experience and may be our first female judge in South Plainfield's history.

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

Mayor Anesh opened the floor for public comment.

Ms. Debbie Boyle of Van Fleet advised October 18, 2014 is the date scheduled for the 5<sup>th</sup> Mayor's Wellness Fair. October 6<sup>th</sup> will be the Taste of South Plainfield. Ms. Boyle encouraged shared service discussions with the school pertaining to our computer tablets that are being explored.

Mrs. Darlene Cullen of the Associated Press thanked the Mayor and Council for their support with the Library ground breaking as well as thanked all those who helped support the event; Linda Hansen, the Library Trustees, DPW, local businesses, etc.

On another note, Mrs. Cullen expressed her desire to bring up something in hopes of putting an end to some nonsense that is going on regarding a donation to the Public Celebrations Committee for the sponsorship of an award for the best float at the Labor Day Parade. Mrs. Cullen said she offered a donation through her business of \$300 under the premise she was helping the community and the Parade Committee in order to get more floats involved in the parade. Mrs. Cullen said that never in her wildest dreams did she think this donation would become so controversial. At this time, Mrs. Cullen presented a check for \$300.00 to Councilman Richkus, Liaison to the Public Celebrations Committee, to present to the Public Celebrations Committee at their forthcoming meeting. Mrs. Cullen asked Councilman Richkus to advise her after this forthcoming meeting as to what is going on with this sponsorship and to advise if she will or will not be the sponsor for the best float. If it is decided that she is not to be a sponsor than she asked Councilman Richkus to place the donation in the general fund to be used as the committee sees fit. The Alternative Press will not go back on their word as they desired to sponsor the best float. Mrs. Cullen said the Alternative Press can still do that, and in fact, do not need the Parade Committee to do that if they so choose

to not want the Alternative Press to sponsor this award. TAP will be sponsoring a \$300 award to the organization for the best float; if the Parade Committee rescinds their original agreement. Mrs. Cullen went on to ask both Mr. Rizzo, Esq., and Councilman Richkus to take a look at a “so-called vote” that took place to rescind the acceptance of her donation by the Parade Committee. Mrs. Cullen said she was notified by the Public Celebrations Chairman, John Sorrentino and the Secretary, Debbie Boyle, that that Public Celebrations Committee met and decided to allow her to donate the \$300 for this special award. Then Mrs. Cullen said she was sent a press release from the Public Celebrations Secretary in which it was published accordingly; acknowledging that the Alternative Press will be sponsoring this award. There seemed to be so much going on regarding this award donation that Mrs. Cullen said she decided to exercise her right and submit an OPRA request to find out exactly what was going on. Since submitting an OPRA request there was a decision made all of a sudden to rescind her donation. Mrs. Cullen said that after her own investigation through this OPRA request in reading many emails she is pretty certain that an email that went out by the Chairman, John Sorrentino, to the entire Public Celebrations Committee asking for “action and a vote as soon as possible” is a violation of the Sunshine Law. An action was taken behind the scenes to block her donation. Mrs. Cullen said she is hurt and astounded after having read these emails. She has received phone calls from people now scared of repercussions. Mrs. Cullen said in her opinion, she should not be surprised as there seems to be a small group of people who manipulated innocent volunteers who are dedicated to our community. Mrs. Cullen said she will gladly supply this information from this OPRA request to prove that she feels there was a violation of the Sunshine Law that has taken place. To conclude, Mrs. Cullen said she wants to clarify her motive. South Plainfield is all about people getting involved for the betterment of our community. She said she personally wrote an email to the Parade Committee and Mr. Sorrentino asking if he could distribute it to the full committee explaining her position. Mrs. Cullen said that as a result of her OPRA request, it was not distributed accordingly. However, another party did the same thing and sent an email to Mr. Sorrentino asking for it to be distributed to the committee and it was. Mrs. Cullen said in her opinion, this act is malicious and it’s slander on the part of the head of this committee who is entrusted by his entire committee. Mrs. Cullen said he violated the law and her rights as a citizen. She then asked both Mr. Rizzo Esq., and Councilman Richkus to look into this also.

Mayor Anesh said first he wants to congratulate the Library Board President, Darlene Cullen as well as the trustees on the recent ground breaking ceremony. The kids had a great time. It was a great day for South Plainfield. Much credit is given to the Public Celebrations Committee, Cultural Arts and all those many other people who contributed to such a successful event.

As for the Public Celebrations Committee, this is very unfortunate, sad and disturbing. One thing that we looked at over the years has been how to get more people involved with the floats at the parade. There were many ideas, one being to solicit businesses for sponsorships. It was a noble idea. Mayor Anesh said that he has checked with our Borough Attorney as to the legalities of the Borough sponsoring a donation in this regard but our attorney feels the Borough is not able to do this. So that leaves us to seek out businesses for their sponsorships. The intent has always been to help spark more interest in the floats. Mayor Anesh said that it is his understanding that the Alternative Press in this case offered a \$300 donation to sponsor the best float and then asked if they would be able to judge it as well. It most certainly is not earth shattering or unrealistic to ask to judge a float that you are sponsoring the award for. Somehow a member of this committee thought this to be some unfair advantage and decided to announce this request to the editor of the other newspaper in our town. What transpired was a complete misrepresentation of what was actually intended. What should have been, and still is, an honest offer to solve an issue and be considered as a sponsor has morphed into something that never should have taken place. It is uncalled for and unfortunate. Mayor Anesh said he saw the email in which the Chairman was calling for a vote of the entire membership to rescind the acceptance of this donation. Again, the whole thing is just uncalled for and unfortunate. Mayor Anesh said that he brings all this up because several years back as the result of the annual notice to businesses seeking their sponsorship, a company made some offers seeking to be more involved than what the sponsorship requested. They requested to meet with him as the Mayor and offered a \$5,000 donation at the time. They wanted to be more involved because they were seeking more exposure for their business. Mayor Anesh said the point is; the businesses are making these sponsorships in the first place to add more exposure for their establishments. Back then we didn’t turn down \$5,000 so why would we turn away \$300. That would set a bad precedent especially when we are reaching out to the community and businesses seeking their support. Mayor Anesh said he doesn’t want to see debate over what donations from businesses can and cannot be accepted. Mayor Anesh thanked Mrs. Cullen for her donation and said he hopes this issue to be resolved quickly. Mayor Anesh turned to Councilman Richkus and said he is looking to him to help broker a resolution of this issue because at the end of the day this parade is about South Plainfield and our history.

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

At 8:06 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 Richkus made a motion to adjourn at 8:16 p.m., seconded by Councilman White and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC - Municipal Clerk