

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
JANUARY 3, 2015, 12:00 NOON – SENIOR CENTER  
REORGANIZATION MEETING**

**CALL TO ORDER:** Mayor Anesh called the meeting to order at 12:00 noon. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this meeting having been provided to the Borough’s two official newspapers and also published on the Borough’s website.

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

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

Mayor Anesh led the salute to the flag.

Signing of the National Anthem was conducted by Ms. Taylor Kurilew and the signing of God Bless America was conducted by Ms. Chloe Wilson followed by the invocation administered by Reverend Charles Mingle.

Mayor Anesh welcomed both “Acting” Governor Kim Guadagno (as Governor Christie was out of the State) and former Governor Donal DiFrancesco.

Clerk Antonides asked the “Acting” Governor Kim Guadagno to come forward at this time to swear in newly re-elected Mayor Matthew P. Anesh. Mayor Anesh asked Governor Guadagno if she would like to say a few words first. Governor Guadagno expressed her appreciation for being present at our reorganization meeting on this day and stated how much she has enjoyed coming to South Plainfield, especially the annual Labor Day Parade. Mayor Anesh was then sworn into office with his wife and children present. Everyone extended a round of applause and photographs were taken.

Newly re-elected Councilman Barletta was then asked to come forward and was sworn in by Governor Guadagno with his wife and children present. Everyone extended a round of applause and photographs were taken.

Next newly re-elected Councilman White was then asked to come forward and was sworn in by Governor Guadagno with his wife and children present. Everyone extended a round of applause and photographs were taken.

**RESOLUTION 15-01  
AUTHORIZING THE REAPPOINTMENT OF AMY L. ANTONIDES  
AS MUNICIPAL CLERK**

**WHEREAS**, N. J.S.A. 40A:9-133 provides that every municipality shall have a state registered and licensed Municipal Clerk and Chapter 5, Article II, Section 5-6 of the Borough Code defines the term of office of the Municipal Clerk as a period of three years, which shall run from January 1 of the year in which he/she is appointed; and

**WHEREAS**, the Governing Body of the Borough of South Plainfield appointed Amy L. Antonides as the Municipal Clerk effective April 30, 2012 and has thus reached the end of her first term in accordance to the Borough Code of December 31, 2014; and

**WHEREAS**, N.J.S.A. 40A:9-133.7 provides that a Municipal Clerk who is reappointed to their position, having served for at least three consecutive years and holding a Registered Municipal Clerk Certification (RMC), shall continue in that position indefinitely during good behavior and efficiency notwithstanding that such reappointment was for a fixed term of years, essentially granting tenure of office to that individual upon said reappointment; and

**WHEREAS**, the Borough Council of the Borough of South Plainfield is desirous of reappointing Amy L. Antonides as the Borough Clerk, thereby granting her tenure of office in that position pursuant to N.J.S.A. 40A9-133.7;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, that Amy L. Antonides is hereby appointed as Municipal Clerk of the Borough of South Plainfield effective January 1, 2015.

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

At this time Clerk Antonides came forward to be sworn in by Governor Guadagno while her son held the Bible. Clerk Antonides thanked the Governing Body for her re-appointment to office. Everyone extended a round of applause and photographs were taken.

Mayor Anesh called for a motion to adjourn the 2014 Council. Councilman White made a motion to adjourn from the 2014 Council at 12:25 p.m., seconded by Councilman Barletta and unanimously carried.

Mayor Anesh called for a brief recess at 12:25 p.m. before calling the 2015 Council to order.

Mayor Anesh called the 2015 Council to order at 12:30 p.m.

The roll call was administered by Clerk Antonides as follows for the 2015 Borough Council:

COUNCIL	Present	Absent	Late
Councilman Barletta	X		
Councilman Bengivenga	X		
Councilman Diana		X	
Councilman Richkus	X		
Councilman Rusnak	X		
Councilman White	X		
Mayor Anesh	X		
<b>ALSO PRESENT</b>			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		

**RESOLUTION # 15-02  
AUTHORIZING THE APPOINTMENT OF BOROUGH ATTORNEY**

**WHEREAS** there exists a need for certain legal services for the Borough of South Plainfield for the year 2015, and

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

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

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

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

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

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

**RESOLUTION # 15-03  
AUTHORIZING THE NOMINATION OF THE 2015 COUNCIL PRESIDENT**

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

**“DERRYCK WHITE”**

is hereby appointed Borough Council President for the year 2015.

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

1. Amy Antonides, Municipal Clerk
2. 2015 Council President – Derryck White

Councilman Barletta made a motion to nominate Councilman White as the 2015 Council President followed by a second from Councilman Bengivenga.

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

At this time, Councilman White’s family came forward to hold the Bible while Councilman White was sworn in as Council President by former Governor Donald DiFrancesco. Everyone extended a round of applause and photographs were taken.

Council President White read the list of the 2015 Council Assignments as follows:

**2015 COUNCIL COMMITTEE ASSIGNMENTS**

By the authority of the 2015 By-Laws of the Borough of South Plainfield, Council President Alex Barletta hereby makes the following Committee assignments for 2015:

**ADMINISTRATION, FINANCE & PUBLIC INFORMATION**

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

**PUBLIC WORKS**

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

**ECONOMIC DEVELOPMENT**

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

**HEALTH, WELFARE & ENVIRONMENT**

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

**PUBLIC SAFETY**

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

**RECREATION**

Chairman: **Bobby Richkus**  
 Committee Members: **Derryck White & Robert Bengivenga**

Mayor Anesh then read his prepared 2015 annual message. Full copy is available in the office of the Municipal Clerk or with the Mayor’s Secretary. It is also posted on the municipal website.

**RESOLUTION # 15-04  
 AUTHORIZING MAYORAL APPOINTMENTS FOR 2015**

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

<b>BOARD</b>	<b>POSITION</b>	<b>NEW TERM TO EXPIRE</b>	<b>2015 APPOINTMENT</b>
Environmental Commission	Alternate I	2 yr 12/31/2016	<b>Tom Walsh</b>
Environmental Commission	Member	3 yr 12/31/2017	<b>Christina Van Wyk</b>
Environmental Commission	Member	3 yr 12/31/2017	<b>Jonathan Walezak</b>
Housing & Community Development	Mayor’s Representative	Annual 12/31/2015	<b>Nybil Ghanem</b>
Library Board	Mayor’s Representative	Annual 12/31/2015	<b>Cheryl Nagel Smiley</b>
Planning Board	Class II	Annual 12/31/2015	<b>Michael Pellegrino</b>
Planning Board	Class IV	4 yr 12/31/2017	<b>Robert Ackerman</b>
Planning Board	Alternate I	2 yr 12/31/2016	<b>Richard Houghton</b>
Recreation Commission	Police Athletic League Liaison	Annual 12/31/2015	<b>Christopher Colucci</b>
Recreation Commission	Alternate I	5 yr 12/31/2019	<b>Salvatore Severini</b>

Recreation Commission	Member	5 yr 12/31/2019	<b>William Cochrane</b>
Middlesex County TCC	Mayor's Representative	Annual 12/31/2014	<b>Robert Bengivenga Jr.</b>

is hereby appointed for the year 2015.

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

1. Amy Antonides, Municipal Clerk

*(NO VOTE TAKEN FOR MAYORAL APPOINTMENTS)*

**RESOLUTION # 15-05  
AUTHORIZING COUNCIL APPOINTMENTS FOR 2015**

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

BOARD	POSITION	NEW TERM TO EXPIRE	2015 APPOINTMENT
Business Advisory Group	Zoning Representative	Annual 12/31/2015	<b>Mary Francis Hildebrant</b>
Business Advisory Group	Engineering Representative	Annual 12/31/2015	<b>T&amp;M Associates</b>
Business Advisory Group	Member	3 yr 12/31/2017	<b>Roberto Sayers</b>
Business Advisory Group	Member	3 yr 12/31/2017	<b>Robert Longo</b>
Greenbrook Flood Control	Alt. II Engineer	Annual 12/31/2015	<b>T&amp;M Associates</b>
Greenbrook Flood Control	Member	Annual 12/31/2015	<b>Alice Temple</b>
Housing & Community Dev.	Council's Representative	Annual 12/31/2015	<b>Robert Bengivenga Jr.</b>

is hereby appointed for the year 2015.

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

- Amy Antonides, Municipal Clerk

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

**RESOLUTION # 15-06  
AUTHORIZING MAYORAL APPOINTMENTS  
WITH ADVICE AND CONSENT OF COUNCIL FOR 2015**

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

is hereby for the year 2015.

BOARD	POSITION	NEW TERM TO EXPIRE	2015 APPOINTMENT
Construction Board of Appeals	Member	3 yr 12/31/2017	<b>Joe Scrudato</b>
Construction Board of Appeals	Member	3 yr 12/31/2017	<b>Michael Gregov</b>
Construction Board of Appeals	Alternate Bldg.	3 yr 12/31/2017	<b>George Delucca</b>

Cultural Arts Commission	Member	3 yr 12/31/2017	<b>Deborah Boyle</b>
Cultural Arts Commission	Member	3 yr 12/31/2017	<b>Louis Pirozzoli Jr.</b>
Cultural Arts Commission	Member (associate)	3 yr 12/31/2017	<b>Paul McCullen</b>
Health Advisory Board	Member	3 yr 12/31/2017	<b>Gail Curran</b>
Health Advisory Board	Member	3 yr 12/31/2017	<b>Marie Dolinski</b>
Housing & Community Develp.	Member	3 yr 12/31/2017	<b>Darlene Cullen</b>
Housing & Community Develp.	Member	3 yr 12/31/2017	<b>Susan DiFrancesco</b>
Housing & Community Develp.	Member	3 yr 12/31/2017	<b>Roberto Sayers</b>
Library Board	Member	5 yr 12/31/2019	<b>Christine Faustini</b>
Library Board	Member	5 yr 12/31/2019	<b>Gary Jones</b>
Library Board	Member	5 yr 12/31/2019	<b>Frank Lemos</b>
Mayor's Wellness	Member *	4 yr 12/31/2018	<b>Gary Prendergast</b>
Mayor's Wellness	Member *	4 yr 12/31/2018	<b>Joe Scudato</b>
Public Celebrations	Member	3 yr 12/31/2017	<b>Peter Guarraci</b>
Public Celebrations	Member	3 yr 12/31/2017	<b>Stephanie Bartfalvi</b>
Public Celebrations	Member	3 yr 12/31/2017	<b>Stephani Wolak</b>
Traffic Safety Advisory Comm.	Public Works Representative	Annual 12/31/2015	<b>Robert Capparelli</b>
Traffic Safety Advisory Comm.	Police Dept. Representative	Annual 12/31/2015	<b>Dave DeLair</b>
Traffic Safety Advisory Comm.	Member	3 yr 12/31/2017	<b>Tim Morgan</b>
Zoning Board of Adjustment	Member	4 yr 12/31/2018	<b>James Gustafson</b>
Zoning Board of Adjustment	Member	4 yr 12/31/2018	<b>Maria Campagna</b>
Zoning Board of Adjustment	Alternate I	2 yr 12/31/2016	<b>Robert Hughes</b>
Youth Guidance Council	Police Dept. Representative	Annual 12/31/2015	<b>Lloyd McNelly</b>

(\*APPOINTMENT IS CONTINGENT UPON THE ADOPTION OF ORDINANCE 2010)

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

- Amy Antonides, Municipal Clerk

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

**RESOLUTION # 15-07  
AUTHORIZING THE APPOINTMENT OF BOROUGH PROSECUTORS**

**WHEREAS**, in conformance with public laws of the state of New Jersey, 1996, c.95, sect. 14, **THOMAS LANZA,ESQ and PAUL GARELICK, ESQ.**, attorneys at law of the State of New Jersey, are hereby appointed **MUNICIPAL PROSECUTORS** for calendar year 2015 under the supervision of the Attorney General or the County Prosecutor who may represent the State, County or Municipality in any matter within the jurisdiction of the Central Municipal Court or any other Municipal Court:

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

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with Thomas Lanza, Esq., 2416 Plainfield Avenue, South Plainfield, NJ 07080 and Paul Garelick, Esq., 1862 Oak Tree Road, Edison, NJ 08820 to provide Prosecutorial services for calendar year 2015.
2. This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

3. Salary for this position is determined in the Salary Ordinance. Health Benefit coverage will not be provided as part of the compensation package for the position of Municipal Prosecutor.
4. A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Municipal Court Administrator
4. Thomas Lanza, Esq.
5. Paul Garelick, Esq.

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

**RESOLUTION # 15-08**

**AUTHORIZING THE APPOINTMENT OF PUBLIC DEFENDER**

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

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with
  - a. Edward Santoro to provide Public Defender services for calendar year 2015.
2. This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A.
  - a. 19:44A-20.4 et seq.
3. Salary for this position is an annual salary pursuant to the local salary ordinance. Health Benefit coverage will not be provided as part of the compensation package for the position of Municipal Public Defender.
4. A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Municipal Court Administrator
4. Edward Santoro, Esq.

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

**RESOLUTION # 15-09**

**AUTHORIZING APPOINTMENT OF BOROUGH AUDITOR**

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

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

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

The Mayor and Municipal Clerk are hereby authorized to execute an agreement with Suplee, Clooney and Company, 308 E. Broad Street, Westfield, NJ 07090, for the period January 1, 2015 through December 31, 2015. The cost shall be the fees indicated in the company’s proposal submission of \$63,950.00 with additional services based on variable hourly rates per the proposal and health benefits will not be provided as part of the compensation for the position.

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

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Suplee, Clooney and Company

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

**RESOLUTION # 15-10  
AUTHORIZING APPOINTMENT OF BOROUGH APPRAISERS**

**WHEREAS** the Borough of South Plainfield requires the services of a licensed appraisal company for the year 2015; and

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

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

1. This Mayor and Municipal Clerk are hereby authorized to execute an agreement with Sterling, DiSanto and Associates, as well as Sockler Realty Services Group Inc.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. The cost shall be the fees indicated in the company’s proposal submission of \$130.00 per hour for Sterling, DiSanto and Associates (same rate as 2014) and \$125.00 per hour for Sockler Realty Services Group Inc. (same rate as 2014) with other variable hourly rates pursuant to their proposal and health benefits will not be provided as part of the compensation for the position for either appraiser.
4. A copy of this resolution shall be published in The Observer as required by law within ten (10) days of its passage.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Sterling DiSanto and Associates
4. Sockler Realty Services Group Inc.

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

**RESOLUTION # 15-11  
AUTHORIZING THE APPOINTMENT OF CONDEMNATION COUNSEL**

**WHEREAS**, there exists a need for certain legal services dealing with Condemnation for the year 2015, and

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

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

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with the legal firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer, P.C. to provide legal services as Condemnation Counsel for the Borough for the year 2015, expiring December 31, 2015.
2. This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. The cost shall be the fees indicated in the company's proposal submission of \$145.00 per hour and health benefits will not be provided as part of the compensation for the position.
4. A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

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

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

**RESOLUTION # 15-12  
AUTHORIZING THE APPOINTMENT OF REDEVELOPMENT ATTORNEY**

**WHEREAS**, there exists a need for certain legal services dealing with Redevelopment for the year 2015, and

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

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

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with the legal firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer, P.C. to provide legal services as Redevelopment Attorney for the Borough for the year 2015, expiring December 31, 2015.
2. This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. The cost shall be the fees indicated in the company's proposal submission of \$145.00 per Hour and health benefits will not be provided as part of the compensation for the position.
4. A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

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

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

**RESOLUTION # 15-13  
AUTHORIZING APPOINTMENT OF BOROUGH BOND COUNSEL**

**WHEREAS**, there exists a need for the services of Bond Counsel for the Borough of South Plainfield for CY2015, and

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

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

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with McManimon and Scotland, 1037 Raymond Boulevard, Suite 400, Newark, NJ 07102 for CY2015 at the fees indicated in the company's proposal submission which are all variable hourly rates ranging from \$180-\$325/hr contingent upon the assignment at hand. Please refer to the proposal for the variable rates. Amount not to exceed \$60,000.00 without Council's authorization.
2. This contract is awarded pursuant to a fair and open process in accordance with N.J.S.A.

19:44A-20.4 et seq.

3. Health Benefits will not be provided as part of the compensation for the position of Bond Counsel.
4. A copy of this resolution shall be published in The Observer as required by law within ten days of its passage.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. McManimon and Scotland

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

**RESOLUTION # 15-14  
AUTHORIZING THE APPOINTMENT OF INSURANCE BROKER**

**WHEREAS** the Borough of South Plainfield in need of retaining an insurance brokerage and consulting firm that will handle the implementation of the employee benefits as well as negotiation with the various benefit providers for the year 2015; and

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

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

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with Insurance Buyers’ Council, Inc., 97220 Greenside Drive, Suite 1E, Cockeysville, MD 21030
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. The contract amount shall not exceed the annual retainer fee of \$42,750.00 or the fees indicated in the company’s proposal submission for 2015 and health benefits will not be provided as part of the compensation package for this position.
4. A copy of this resolution shall be published in The Observer as required by law within ten (10) days of its passage.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Insurance Buyers’ Council, Inc.

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

Council President White			x			
	<b>VOTE:</b>		<b>5</b>	<b>0</b>		
<b>Mayor Anesh – TIE ONLY</b>						

**RESOLUTION # 15-15  
AUTHORIZING APPOINTMENT OF BOROUGH ENGINEER**

**WHEREAS** the Borough of South Plainfield in need of retaining an engineering firm to act as Borough Engineer for the year 2015; and

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

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

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with T & M Associates, 11 Tindall Road, Middletown, NJ 07748, for calendar year 2015.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. The fee schedule for Engineering Services is attached to the 2015 proposal submission that indicates a 1.9% rate increase from the 2014 rates comprising of a variable fee structure range and shall not exceed \$250,000.00 in total expenses
4. A copy of this resolution shall be published in The Observer as required by law within ten (10) days of its passage.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. T&M Associates

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

**RESOLUTION # 15-16  
AUTHORIZING APPOINTMENT OF ENVIRONMENTAL ENGINEER**

**WHEREAS**, the Borough of South Plainfield in need of retaining an engineering firm for matters dealing with site assessments, site remediation and brownfields development and for all matters regulated by the New Jersey Department of Environmental Protection, including the Suburban Transit Bus Co. property, for the year 2015; and

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

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

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with **Najarian Associates of One Industrial Way, Eatontown, NJ** for Environmental

Engineering services for 2015 at a cost based on the variable 2015 proposed fee schedule submitted ranging from \$35-\$145/hr plus other miscellaneous fees, and is not to exceed \$100,000.00 without the consent of the Borough Council.

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

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Najarian Associates

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

**RESOLUTION # 15-17  
AUTHORIZING APPOINTMENT OF BOROUGH PLANNER**

**WHEREAS** the Borough of South Plainfield in need of retaining a professional planner to review land use and land development, preparation of master plan, housing element and fair share plan for the year 2015 for the Borough, the Planning Board and the Zoning Board; and

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

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

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with T & M Associates, 11 Tindall Road, Middletown, NJ 07748 to provide Planner services, for calendar year 2015 at the fees established in the company’s 2015 proposal submission ranging from \$65-\$159/hr plus other miscellaneous fees, and the cost be part of the total engineering cost and shall not exceed \$250,000.00.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. A copy of this resolution shall be published in The Observer as required by law within ten (10) days of its passage.

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

**RESOLUTION # 15-18  
AUTHORIZING THE APPOINTMENT OF TAX APPEAL ATTORNEY**

**WHEREAS** there exists a need for certain legal services for the Borough of South Plainfield for the year 2015, and

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

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

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

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

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

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

**RESOLUTION # 15-19  
AUTHORIZING THE APPOINTMENT OF TAX SEARCH OFFICER**

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

*Kimberly Clifford*

is hereby appointed Tax Search Officer for the year 2015

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

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

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

Councilman Rusnak			X				
Council President White	X		X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 15-20**

**AUTHORIZING APPOINTMENT OF PUBLIC AGENCY COMPLIANCE OFFICER**

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

AMY ANTONIDES, Municipal Clerk for the Borough of South Plainfield is hereby appointed as the Public Agency Compliance Officer for the Borough of South Plainfield for the year 2015 at a compensation pursuant to the 2015 Salary Ordinance.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- NJ Treasury Department

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

**RESOLUTION # 15-22**

**AUTHORIZING THE CHECK SIGNERS FOR  
THE BOROUGH OF SOUTH PLAINFIELD**

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

the following individuals are hereby authorized to sign checks or withdrawal slips where a combination of three (3) principal signatures are required:

**MAYOR, MUNICIPAL CLERK and CHIEF FINANCIAL OFFICER**

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

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

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

**RESOLUTION # 15-23  
AUTHORIZING THE 2015 OFFICIAL NEWSPAPERS**

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

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

***THE OBSERVER, THE STAR LEDGER and THE COURIER NEWS***

**BE IT FURTHER RESOLVED** that the listing of said newspaper herein shall not preclude additional advertising in other newspapers not eligible for declaration as “official” newspapers as long as the legal advertising requirements have been met pursuant to statute and in accordance with this resolution.

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

- Amy Antonides, Municipal Clerk
- Mary Beth Khidre, Planning/Zoning Secretary

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

**RESOLUTION # 2015-24  
ESTABLISHING THE BOROUGH HOLIDAYS FOR 2015**

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

the calendar of employee holidays for the year 2015 be adopted as follows:

January 1, 2015	Thursday	New Year’s Day
January 19, 2015	Monday	Martin Luther King
February 13, 2015	Friday	Lincoln’s Birthday Observed
February 16, 2015	Monday	President’s Day
April 03, 2015	Friday	Good Friday
May 25, 2015	Monday	Memorial Day
July 3, 2015	Friday	Independence Day
September 7, 2015	Monday	Labor Day (Except Police Officers)
October 12, 2015	Monday	Columbus Day
November 3, 2015	Tuesday	Election Day (Police <u>Only</u> )
November 11, 2015	Wednesday	Veteran’s Day
November 26, 2015	Thursday	Thanksgiving Day
November 27, 2015	Friday	Day After Thanksgiving (Per Contracts)
December 25, 2015	Friday	Christmas Day

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

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

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

**RESOLUTION # 15-25  
AUTHORIZING THE FIX RATES OF INTEREST ON TAXES AND SEWERS  
IN THE BOROUGH OF SOUTH PLAINFIELD**

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

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

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

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

**NOW THEREFORE BE IT RESOLVED** on the 7th day of January, 2015, that:

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500 of taxes and assessments becoming delinquent after the due date and 18% per annum on any amount of taxes and assessments in excess of \$1,500 of taxes becoming delinquent after the due date and if a delinquency is in excess of \$10,000 and remains in arrears beyond June 30, and additional penalty of 6% shall be charged against the delinquency.
2. Effective January 1, 2015 there will be a ten (10) day grace period for quarterly tax, sewer and annual assessment payments made by cash, check, money order, credit card or debit card.
3. Any payments not made in accordance with Paragraph 2 of this resolution shall be charged interest from the due date as set forth in Paragraph 1 of this resolution.

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

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

- Amy Antonides, Municipal Clerk
- Tax Collector

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			X				
Councilman Bengivenga		X	X				

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

**RESOLUTION #2015-26  
ESTABLISHING THE BOROUGH COUNCIL MEETING DATES FOR 2015**

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT: the following dates are hereby approved as 2015 meeting dates for the Mayor and Council:

<u>Agenda Meeting</u>	<u>Public Meeting</u>
(Reorganization) January 03, 2015 12 Noon at Senior Center	January 03, 2015 - 12 Noon at Senior Center
January 05, 2015	January 05, 2015
January 20, 2015 3 <sup>rd</sup> Tuesday	January 20, 2015 – Due to Martin Luther on 19th
February 2, 2015	February 2, 2015
February 17, 2015 3 <sup>rd</sup> Tuesday	February 17, 2015 – Due to Presidents Day on 16th
March 2, 2015	March 2, 2015
March 16, 2015	March 16, 2015
April 6, 2015	April 6, 2015
April 20, 2015	April 20, 2015
May 4, 2015	May 4, 2015
May 18, 2015	May 18, 2015
June 8, 2015 2 <sup>nd</sup> Monday	June 8, 2015 *Primary on 2nd
June 22, 2015 4 <sup>th</sup> Monday	June 22, 2015
July 13, 2015	July 13, 2015
August 10, 2015	August 10, 2015
September 8, 2015 2 <sup>nd</sup> Tuesday	September 8, 2015 – Due to Labor Day on 7th
September 21, 2015 3 <sup>rd</sup> Monday	September 21, 2015
October 5, 2015	October 5, 2015
October 19, 2015	October 19, 2015
November 9, 2015	November 9, 2015*General on 3rd
December 7, 2015	December 7, 2015
December 21, 2015	December 21, 2015

All Agenda Meetings begin at 7:00pm followed immediately by the Public Meeting, unless otherwise noted. Any changes to the aforementioned schedule shall be advertised and posted on the Borough bulletin board and website. All meetings of the Governing Body are held in accordance with the New Jersey Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) in the Council Chambers at 2480 Plainfield Avenue, South Plainfield, New Jersey. Action may be taken at all aforementioned meetings of the Mayor and Council.

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

**RESOLUTION 15-27**  
**ESTABLISHING A CASH MANAGEMENT PLAN AND NAMING OFFICIAL**  
**CASH DEPOSITORIES**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of South Plainfield, County of Middlesex adopts the following cash management plan, including the official depositories for the Borough of South Plainfield, County of Middlesex for the period January 1, 2015 through December 31, 2015.

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

**I. STATEMENT OF PURPOSE**

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

**II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN**

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

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

Recreation Trusts Account

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

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

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

**IV. DESIGNATION OF DEPOSITORIES**

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

- **TD Bank**
- **Fulton Bank of NJ**
- **Wachovia Bank**
- **Valley National Bank**
- **PNC Bank**
- **Chase Bank**
- **Columbia Savings**
- **Bank of America**
- **Unity Bank**
- **Investors Bank**
- **Money Market Investment Accounts and/or Certificates of Deposit**
- **Bank of America**
- **MBIA-Class Management Unit Trust**
- **NJ ARM Program**
- **NJ Cash Management Fund**
- **Columbia Bank**
- **Two River Community Bank**

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

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

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Borough of South Plainfield referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official (s) referred to in Section III above.

- **Commerce Capital**
- **TD Bank**
- **Fulton Bank of NJ**

- **Bank of America**
- **MBIA**
- **New Jersey Cash Management**

**VI. AUTHORIZED INVESTMENTS**

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

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of the school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L.1977, ch. 281 (C.52: 18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
  - (a) The underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
  - (b) The custody of collateral is transferred to a third party;
  - (c) The maturity of the agreement is not more than 30 days;
  - (d) The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17: 19-41); and
  - (e) A master repurchase agreement providing for the custody and security of collateral is executed.

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

**Government Money Market Mutual Fund**

An investment company or investment trust:

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

experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

#### Local Government Investment Pool

An investment pool:

- (a) Which is managed in accordance with 17 C.F.R. sec 270.2a-7;
- (b) Which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) Which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52: 14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investment;
- (e) Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected at the time of interest rate adjustment, to have a market value that approximates their par value, or net asset value; and
- (f) Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C49: 3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in the U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

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

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

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

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

#### **REPORTING REQUIREMENTS**

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

- A. The name of any institution holding funds of the Borough of South Plainfield as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.

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

**VIII. TERM OF THE PLAN**

This plan shall be effective January 1, 2015 through December 31, 2015. The Plan may be amended from time to time as necessary.

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

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

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

**RESOLUTION # 15-28**

**AUTHORIZING THE MAYOR, ADMINISTRATOR AND/OR MUNICIPAL CLERK TO BE THE OFFICIAL SIGNER ON ALL BOROUGH DOCUMENTS**

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT: the Mayor is hereby authorized to sign and execute all Borough documents inclusive of all documents pertaining to the Department of Environmental Protection on behalf of the Borough. The Municipal Clerk and or Borough Administrator is hereby authorized to co-sign and execute all Borough documents if a secondary and/or third signature is required.

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

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

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

**RESOLUTION # 15-29**

**AUTHORIZING THE MUNICIPAL CLERK TO ADMINISTER ALL MOTOR VEHICLE SALE, AMUSEMENT, LAUNDROMAT, JUNKYARD, WRECKERS, CLOTHING BIN, AND LIMOUSINE PERMITS FOR THE LICENSE YEAR 2015/2016**

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

the Municipal Clerk is hereby authorized to administer, sign and execute all motor vehicle sale, amusement, amusement, laundromat, junkyard, wreckers, clothing bin, and limousine permits and licenses for the year 2015/2016 contingent that applicants have met all State and Borough requirements and all fees have been paid.

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

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

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

**RESOLUTION # 15-30**

**AUTHORIZING THE MUNICIPAL CLERK TO ADMINISTER ALL GAMES OF CHANCE LICENSES FOR THE YEAR 2015**

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

the Municipal Clerk is hereby authorized to administer, sign and execute all Games of Chance Licenses for the year 2015 contingent that applicants have met all State and Borough requirements and all fees have been paid.

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

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

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

**RESOLUTION # 15-31**  
**AUTHORIZING THE APPROVAL OF BLOCK PARTY REQUESTS FOR THE 2015 CALENDAR YEAR**  
**CONTINGENT UPON APPLICANTS HAVING OBTAINED APPROVALS FROM THE POLICE, FIRE, RESCUE,**  
**AND DPW DEPARTMENTS**

**BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that formal applications requesting Block Parties for the calendar year 2015 shall be approved contingent upon the following conditions:

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

**BE IT RESOLVED** that Block Parties may be denied if a municipal event or any other event is taking place in the vicinity of the Block Party that could cause disruption of said event or problematic traffic/safety conditions; and

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

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

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

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

**RESOLUTION # 15-32**  
**AUTHORIZING APPROVAL TO WAIVE CERTAIN PERMIT FEES FOR THE 2015 CALENDAR YEAR FOR**  
**CERTAIN SOUTH PLAINFIELD MUNICIPAL OR CHARITABLE ORGANIZATIONS**

**BE IT RESOLVED** that the Mayor and Governing Body of the Borough of South Plainfield hereby authorize the waiver of municipal fire and/or construction department permit fees for the 2015 calendar year for the following municipal departments, and/or South Plainfield charitable organizations for their annual or routine events or projects:

- |                                    |   |  |
|------------------------------------|---|--|
| <b>Cub Scout Pack 207</b>          |   | Magic Show at Franklin School  |
| <b>Cultural Arts Committee</b>     |   | Annual Talent Showcase   |
| <b>Borough of South Plainfield</b> | - | All Municipal Buildings and Departments (i.e.: Municipal Building, DPW, Recreation Building, Senior Center, Fire |

Department, EMS, OEM, Community Pool) for any permits needed for repairs and maintenance. For permits necessary for the annual Labor Day Parade and Labor Day Fireworks. For annual breakfast with Santa at the Senior Center.

<b>Our Lady of Czestochowa</b>	for annual Feast of St. Anthony, 50/50's and Raffles
<b>SPHS PTA</b>	for annual Project Graduation Auction
<b>SP Volunteer Fire Company</b>	Oldie Night Concert
<b>Borough of South Plainfield Schools</b>	for any permits needed for repairs and maintenance to the schools. Also for any permits needed for participation in the annual Labor Day festivities. Pre-Thanksgiving Football Game Bonfire at the High School. School band competitions at the High School. For any fire permits needed for school or PTO events.
<b>St. Stephens Orthodox Church</b>	for annual International Festival, all games of chance
<b>SP Summer Drama Workshop</b>	for annual play performed usually in August
<b>SP Athletic Booster Club</b>	for installation of Sign Located at Middle School or for any repairs or maintenance for South Plainfield School related purposes
<b>SP Knights of Columbus</b>	for annual Trivia Night held at Senior Center
<b>Future Stars</b>	for Movie Night at Roosevelt School
<b>SP Exempt Fireman's Assoc.</b>	for any permits needed for repairs and maintenance to Fire Department
<b>Sacred Heart Church</b>	for annual Christmas Concert Events, 50/50's and all Raffles
<b>Holy Savior Academy Inc.</b>	All Raffles, 50/50's
<b>SP Elks Lodge #2298</b>	for annual Hoop Shot at Grant School
<b>SP Lion's Club</b>	for annual Dinner with Santa at Senior Center, annual breakfasts
<b>SP Elks</b>	for annual Instant Calendar Raffle Permit
<b>Italian American Progressive</b>	for annual Instant Calendar Raffle Permit
<b>American Legion</b>	for annual Instant Calendar Raffle Permit and for annual picnic and any other games of chance for the calendar year
<b>All SP Charitable Organizations</b>	for specifically the annual Labor Day Parade festivities
<b>All SP Churches</b>	for repairs and maintenance to Church buildings
<b>SP Business Association</b>	for annual Taste of South Plainfield Event
<b>VFW</b>	for all games of chance for the calendar year
<b>FIRE PERMIT FEES</b>	for all South Plainfield Charitable Organizations

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

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

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

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

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

With no further business of Council, Councilman Bengivenga called for a motion to adjourn the meeting at 1:03 p.m., seconded by Council President White and unanimously carried.

Mayor Anesh invited everyone to Flanagan’s for light refreshments to celebrate all the new appointees and newly reelected Councilmen and all those appointed to a Board, Committee or a Commission.

Submitted By:

\_\_\_\_\_  
Amy Antonides, RMC/CMC - Municipal Clerk