

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
NOVEMBER 9, 2015 7:04 P.M.
PUBLIC MEETING**

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

The roll call was administered by Clerk Antonides as follows:

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

Councilman elect Wolak was also present.

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

Public Comment: Mayor Anesh opened the floor for public comment on agenda items only. With no comments from the public, Mayor Anesh closed the floor.

Proclamation: National DECA Month - November
World Pancreatic Cancer Awareness Day

Mayor Anesh read the aforementioned proclamations and everyone extended a round of applause and photographs were taken by family, friends, and media present.

Mayor Anesh called for a brief recess at 7:19 p.m.

Mayor Anesh called the meeting back to order at 7:25 p.m.

Approve Council Minutes October 19, 2015 – Agenda
October 19, 2015 – Public

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

ORDINANCE – FIRST READING BY TITLE was read by Clerk Antonides by title. Mayor Anesh set the public hearing for the below ordinances 2039 and 2040 for December 7, 2015 at approximately 7:00 p.m.

ORDINANCE NO. 2039
AN ORDINANCE AMENDING SECTION 181 OF THE CODE OF THE
BOROUGH OF SOUTH PLAINFIELD TITLED “CHARITABLE CLOTHING BINS”.

WHEREAS, charitable clothing bins are permitted within the Borough subject to requirements set forth in Chapter 181 of the Borough Code; and

WHEREAS, Chapter 181 of the Borough Code was amended by Ordinance 2038 which, in part, limited the amount of bins any one applicant could place on an approved lot; and

WHEREAS, said provision would negatively impact the recycling program of the Borough with regard to clothing boxes located at the Borough Recycling Center;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 181, titled “Charitable Clothing Bins” shall be amended as follows:

1. Add to Section 181-2(A)(7) the following: This provision and limitation shall not apply to any applicant placing clothing bins at the Borough Recycling Center pursuant to an agreement with the Borough.

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

Introduction of Ordinance #2039: November 9, 2015

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

ORDINANCE NO.2040
AN ORDINANCE AMENDING ORDINANCE 1366 REGULATING
PARKING OF RECREATIONAL VEHICLES.

WHEREAS, the Borough Police Department has recommended that Ordinance 1366 regulating parking of recreational vehicles be revised; and

WHEREAS, the Traffic Safety Advisory Committee has reviewed the recommendation and concurs with same;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Ordinance 1366 regulating parking of recreational vehicles shall be amended as follows:

DELETE, SECTION 1(B). DEFINITION OF TRAILER, and

ADD: TRAILER – a vehicle without motive power designed for carrying persons or property on its own, and to be drawn by a vehicle with motive power. The term “trailer” shall include, but shall not be limited to horse trailers, boat trailers, skimobile trailers, landscape trailers, construction trailers and car trailers.

DELETE existing SECTION 2, replace with the following:

SECTION 2. PARKING PROHIBITED.

A. No person, firm or corporation shall park a recreational vehicle upon any road, street or highway within the Borough of South Plainfield;

B. No person, firm or corporation shall park a trailer, attached or unattached to a motor vehicle, upon any road, street or highway within the Borough of South Plainfield, except if said trailer is making deliveries or belongs to a contractor who is employed and doing work at the subject residence;

C. No person, firm or corporation shall park a trailer, attached or unattached to a motor vehicle, upon any road, street or highway overnight within the Borough of South Plainfield.

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

Introduction of Ordinance #2040: November 9, 2015

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

RESOLUTIONS

RESOLUTION #2015-319

AUTHORIZING THE APPROVAL AND RENEWAL OF MADHUSUDAN LLC LIQUOR LICENSE FOR 2015-2016 AND AUTHORIZING THE MUNICIPAL CLERK TO ISSUE SAID 2015-2016 LIQUOR LICENSE TO LICENSEE WHO HAS MET ALL BOROUGH REQUIREMENTS INCLUSIVE OF PAYING MUNICIPAL FEES

WHEREAS, applications for renewal of Liquor Licenses for the year 2015-2016 have been submitted; and

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

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

WHEREAS, the Director of the Division of Alcoholic Beverage Control has granted a special ruling pursuant to the provisions of N.J.S.A.33:1-12.39 whereby authorizing the issuing authority to consider this application for renewal;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of the Borough of South Plainfield that the following licensees be granted renewals of their liquor licenses for the year commencing July 1, 2015 and expiring June 30, 2016:

	License #	Type	License Name	Trade Name
1	1222-33-016-012	Plenary Retail Consumption	Madhusudan LLC	Palace of Jaipur

BE IT FURTHER RESOLVED that the Municipal Clerk is authorized to issue 2015-2016 liquor licenses to the above named licensees.

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

Resolution No. 2015-320

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Lane Avenue, Manning Avenue, and Ritter Avenue Improvement project.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of South Plainfield formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-Lane Avenue, Manning Avenue and Ritter Avenue Improvement Project to the New Jersey Department of Transportation on behalf of the Borough of South Plainfield.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of The Borough of South Plainfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

RESOLUTION 15-321

AUTHORIZING THE MIDDLESEX COUNTY CO-OP PURCHASE OF ROAD SALT FOR THE DPW FROM ATLANTIC SALT, INC. IN AN AMOUNT NOT TO EXCEED \$25,262.90

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the Middlesex County Co-Op purchase of road salt from Atlantic Salt, Inc. in an amount not to exceed \$25,262.90; 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. DPW

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

RESOLUTION 15-322

AUTHORIZING THE MONTHLY SUBSCRIPTION SERVICE OF NEXTRAQ FOR THE DPW FOR \$279.50 PER MONTH WITH THE FIRST MONTH BEING \$368.50

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the monthly subscription service of NexTraQ of Atlanta, Georgia for the DOW for \$279.50 per month with the first month one-time fee being \$368.50; 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. DPW Supervisor

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

RESOLUTION 15-323

RESOLUTION OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY APPROPRIATION FOR THE PURPOSE OF PREPARING A REVISION AND CODIFICATION OF THE PLANNING AND ZONING ORDINANCES IN THE AMOUNT OF \$11,500.00 PURSUANT TO N.J.S.A. 40A:4-46 TO PROVIDE FOR EXTRAORDINARY EXPENSES RESULTING FROM FINDINGS AND DETERMINATION THAT SUCH UPDATES ARE A NECESSITY

WHEREAS, it has been found necessary to make an emergency appropriation to meet certain expenses incurred or to be incurred as a result of the extraordinary findings and determination that the Planning/Zoning Code Book has not been revised or updated in some two decades thus causing a deficit of sufficiency with the work of our Planning/Zoning Board(s) and as such requires the appropriation of funds of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey (the “Borough”), in the amount of an additional \$11,500.00; and

WHEREAS, N.J.S.A 40A:4-46 provides that it shall be lawful to make such appropriation and such appropriations shall be raised in full as a deferred charge in the subsequent year::

NOW, THEREFORE BE IT RESOLVED (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:

1. Pursuant to N.J.S.A. 40A:4-46, a special emergency appropriation is hereby made in the additional amount of \$11,500,
2. The appropriation set forth in Section 1 hereof shall be raised in the 2016 Current Fund Budget.
3. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.
4. This resolution shall take effect immediately

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

RESOLUTION: 2015-324

AUTHORIZING THE MAYOR AND/OR MUNICIPAL CLERK TO EXECUTE AN EXTRAORDINARY, UNSPECIFIABLE PROFESSIONAL SERVICE CONTRACT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND GENERAL CODE LLC FOR PREPARING A REVISION AND CODIFICATION OF THE PLANNING AND ZONING ORDINANCES AND FOR THE INSERTION OF A SPECIAL CHAPTER INTO THE EXISTING BOROUGH CODE FOR THE POLICE DEPARTMENT

WHEREAS, the Borough Council of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey has determined there exists a need for the codification of the Planning/Zoning ordinances, including the specialized procedures of research, organization, analysis, revision, editing and publication of the ordinances; and

WHEREAS, such services can only be provided by a recognized firm specializing therein; and

WHEREAS, the codification of the ordinances involves the performance of professional services within the meaning of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

WHEREAS, the Local Public Contracts Law requires the resolution authorizing the award of contracts for “extraordinary, unspecifiable services” without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, funds to cover the cost of said codification are available by virtue of an resolution adopted November 9, 2015 entitled: “Authorizing an emergency appropriation for the purpose of preparing a revision and codification of the Planning and Zoning Ordinances in the amount of \$11,500.00 pursuant to N.J.S.A. 40A:4-46 to provide for extraordinary expenses resulting from findings and determination that such updates are a necessity,” and certification of availability of funds is annexed hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield as follows:

1. General Code LLC. is hereby retained to provide the specialized services necessary in connection with the codification of the Planning and Zoning ordinances in accordance with the contract submitted, and approved by the Borough of South Plainfield; and
2. This contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1 et seq., because the services are specialized, technical and qualitative in nature, and that they require the exercise of expertise and training not generally available and that such services can only be performed by persons familiar with the field of codification and that specifications for the exercise of such discretionary matters cannot reasonably be written and such services do not permit special advertising; and
3. The Mayor and/or Municipal Clerk are hereby authorized and directed to execute said contract with General Code LLC; and
4. A copy of this resolution as well as the contract be placed on file in the office of the Municipal Clerk of the Borough of South Plainfield of and that a notice of the awarding of said contract be published in the issue of the official newspaper within 10 days.

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

RESOLUTION: 2015-325

AUTHORIZING A REFUND OF A TAX OVERPAYMENT IN THE AMOUNT OF \$1,153.96 FOR SUMEET TAYAL OF 735 LUCY COURT IN SOUTH PLAINFIELD

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

Block: 528 Lot: 43 Qual: C0735
 Sumeet Tayal
 5 Vincent Behan Blvd.
 Edison, NJ 08837
 \$1,153.96

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

RESOLUTION: 2015-326
AUTHORIZING THE REFUND OF \$100.00 TO LAURA APPROVATO DUE TO A DUPLICATE PAYMENT MADE FOR A CERTIFICATE OF OCCUPANCY

WHEREAS, the Construction Official confirms that work did take place at 27 South Plainfield Avenue in South Plainfield as originally planned and thus the applicant has requested a refund of their \$100.00 certificate of occupancy fee of which was paid twice in error;

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

RESOLUTION: 2015-327
AUTHORIZING THE REFUND OF \$195.00 TO SANDRA ROMASZ DUE TO A VARIANCE FEE NOT BEING NECESSARY

WHEREAS, the Planning/Zoning Board Secretary confirms that a variance fee is not necessary for Sandy Romasz of 1126 Belmont Avenue, South Plainfield and the applicant has requested a refund of their \$195.00 Variance Fee of which is no longer deemed necessary;

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

RESOLUTION: 2015-328

**AUTHORIZING THE REFUND AND CANCELLATION OF TAXES FOR 100% DISABLED VETERAN
PERTAINING TO 3344 BANTA ROAD IN SOUTH PLAINFIELD**

WHEREAS, property known as Lot **18**, Block **236** in the Borough of South Plainfield more commonly known as **3344 Banta Road** in **South Plainfield, NJ** is owned by **Thomas C. Smith**; and

WHEREAS, **Thomas C. Smith**, who had qualified as a one hundred percent **Disabled Veteran** under the provision of the N.J.S.A. 54:4-3.30, causing his property to be exempt from taxation at the local level commencing on **May 4, 2015** as verified by the Tax Assessor; and

WHEREAS, the Tax Bills for the four quarters of Calendar Year 2015 were generated from the 2014 Assessor’s Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with tax bills for 2015, while the property is correctly classified as being Tax Exempt for the same period;

NOW THEREFORE BE IT RESOLVED, that the Tax Collector be, and she hereby is, authorized and directed to cancel and refund monies levied for the second and third quarters of the year 2015 in the amount of **\$2,510.82**; and

BE IT FURTHER RESOLVED, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 4th quarter of 2015, as well as, the 1st and 2nd quarters of 2016 in the amount of **\$4,626.64**.

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

RESOLUTION 15-329

**AUTHORIZING THE CONTRACT RENEWAL OF “NIXLE” TO PROVIDE A NOTIFICATION
PLATFORM THAT STREAMLINES
EMERGENCY NOTIFICATION SERVICES
IN AN AMOUNT NOT TO EXCEED \$1,695.00**

WHEREAS, Nixle is an online public safety broadcast system that leverages the power of the Internet to deliver timely and critical public safety information via email or text message. Subscribers can choose the information they want to receive, for the locations they want; and

WHEREAS, when an incident occurs, police can log onto a secure Web site to enter a message and will have the capability to send it to either the entire community or a specific area within the community. Any type of notice can be sent to thousands of people within minutes, notifying them of a problem occurring in their area. These notices can range from missing or wanted individuals, to traffic delays, to natural disasters;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the renewal of a contract with Nixle to provide a notification platform that streamlines emergency notification services in an amount not to exceed \$1,695.00

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. James Parker, Chief of Police

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

**RESOLUTION 15-330
AUTHORIZING A REFUND TO VARIOUS SENIORS FOR CANCELLATION OF TRIPS SPONSORED
BY THE SENIOR CENTER**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the following refunds to Seniors:

Blanche Pellett
1272 Park Ave.
Apt 708
Plainfield, NJ 07060
\$75 Platzl Brauhaus 10/15/15

Louise DiCellis
206 Morris Ave.
South Plainfield NJ 07080
\$150 Platzl Brauhaus Trip 10/15/15

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

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

**RESOLUTION 2015-331
ACCEPTING THE RETIREMENT OF MARIE DUDEK FROM THE
FINANCE OFFICE WITH AN EFFECTIVE DATE OF DECEMBER 31, 2015**
BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW
JERSEY, THAT:

It hereby accepts the retirement of Marie Dudek from the Finance Office after nearly 15 years of dedicated service to the Borough of South Plainfield; and

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

1. Glenn Cullen, CFO/Administrator
2. Marie Dudek, Payroll
3. Anne Daley, Benefits
4. Amy Antonides, Municipal Clerk

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

RESOLUTION: 15-332

**AUTHORIZING THE REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$23,896.73
PERTAINING TO 140 SOUTH AVENUE IN SOUTH PLAINFIELD**

WHEREAS, the following list of taxpayers have filed appeals with the Tax Court of New Jersey 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 refunded.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
Teitelbaum Partners, LP 140 South Avenue South Plainfield, NJ 07080	518	1	2013	\$23,896.73

Make check payable to:

Teitelbaum Partners, LP
c/o Zipp & Tannenbaum, L.L.C.
280 Raritan Center Parkway
Edison, NJ 08837

Total **\$23,896.73**

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

RESOLUTION: 15-332

**AUTHORIZING THE REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$23,896.73
PERTAINING TO 140 SOUTH AVENUE IN SOUTH PLAINFIELD**

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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 refunded.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
Teitelbaum Partners, LP 140 South Avenue South Plainfield, NJ 07080	518	1	2013	\$23,896.73

Make check payable to:

Teitelbaum Partners, LP
c/o Zipp & Tannenbaum, L.L.C.
280 Raritan Center Parkway
Edison, NJ 08837

Total **\$23,896.73**

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

**RESOLUTION 15-334
AUTHORIZING 2015 APPROPRIATION TRANSFERS IN THE AMOUNT OF \$165,000
FOR THE CURRENT FUND AND \$15,000 FOR THE SEWER UTILITY
PURSUANT TO N.J.S.A. 40A:4-58**

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

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

NOW, THEREFORE, BE IT RESOLVED that the below transfers be approved.
See attached page.

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

CURRENT FUND			
FROM:			AMOUNT
5-01-20-130-000-101	Finance	S&W	10,000.00
5-01-21-180-001-101	Planning	S&W	1,500.00
5-01-23-220-000-621	Health Benefits	O&E	125,000.00
5-01-26-310-000-101	Public Buildings & Grounds	S&W	26,000.00
5-01-30-425-001-101	Salary & Wage Adjustment	O&E	2,500.00
Total FROM:			165,000.00
TO:			AMOUNT
5-01-20-100-000-101	Administration	S&W	10,000.00
5-01-20-110-000-505	Executive	O & E	2,500.00
5-01-20-150-000-101	Assessing	S&W	3,000.00
5-01-20-155-000-221	Legal	O & E	5,000.00
5-01-20-165-001-235	Engineering	O & E	5,000.00
5-01-21-180-001-235	Planning Board	O & E	7,500.00
5-01-21-185-000-221	Zoning Board	O & E	7,500.00
5-01-25-240-001-102	Police	S&W	10,000.00
5-01-25-260-000-209	First Aid	O & E	9,000.00
5-01-25-265-001-201	Fire Department	O & E	5,000.00
5-01-25-265-002-101	Fire Official	S&W	5,000.00
5-01-25-265-002-204	Fire Official	O & E	2,000.00
5-01-26-290-001-101	Public Works Administration	S&W	5,000.00
5-01-26-290-002-101	Road Repairs & Maintenance	S&W	5,000.00
5-01-26-305-003-101	Recycling	S&W	3,000.00
5-01-26-315-000-401	Vehicle Maintenance	O & E	5,000.00
5-01-27-330-001-235	Board of Health	O & E	15,000.00
5-01-28-370-002-101	Office on Aging	S&W	5,000.00
5-01-30-410-001-685	LOSAP	O & E	5,000.00
5-01-31-420-001-555	Electric	O & E	5,000.00
5-01-31-435-002-555	Street Lights	O & E	8,000.00
5-01-31-440-001-541	Telephone	O & E	2,500.00
5-01-32-465-001-545	Landfill	O & E	12,500.00
5-01-43-490-000-101	Court	S&W	7,500.00
5-01-38-481-000-225	Tax Appeals	O & E	15,000.00
Total TO:			165,000.00
SEWERS			
FROM:			AMOUNT
5-07-55-515-001-585	Sewer - S&W	O & E	15,000.00
Total FROM:			15,000.00
TO:			AMOUNT
5-07-55-515-002-101	Sewer - S&W	S & W	15,000.00
Total TO:			15,000.00

**RESOLUTION 15-335
AUTHORIZING THE TEMPORARY PART-TIME HIRING OF
PAMELA A. HEILMANN TO ASSIST WITH COVERAGE
FOR THE MEALS ON WHEELS PROGRAM AND WITH THE DPW EFFECTIVE NOVEMBER 10, 2015
AT AN HOURLY RATE
OF \$12.48 WITH NO BENEFITS**

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 Borough Administrator to hire Pamela A. Heilmann to assist with coverage for the Meals on Wheels Program and with the DPW effective November 10, 2015 at an hourly rate of \$12.48 with no benefits; 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. Marie Dudek, Payroll
4. Anne Daley, Benefits

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

**RESOLUTION 15-336
AUTHORIZING THE STATE CONTRACT PURCHASE OF A 2016 FORD EXPEDITION FROM
WINNER FORD OF CHERRY HILL
FOR THE FIRE DEPARTMENT IN AN AMOUNT NOT TO EXCEED
\$31,432.00 FROM THE FIRE PENALTY TRUST FUND**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes a NJ State Contract purchase of a 2016 Ford Expedition from Winner Ford of Cherry Hill for the Fire Department in an amount not to exceed \$31,432.00 to be paid for out of the Fire Penalty Trust Fund pursuant to NJ State Contract Numbers A88728.

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. Joe Abbruzzese, Fire Official

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

RESOLUTION 15-337
AUTHORIZING THE PURCHASE OF EMERGENCY LIGHTING AND SIRENS FROM EAST COAST
EMERGENCY LIGHTING IN AN AMOUNT NOT TO EXCEED \$6,720.00 FROM THE
FIRE PENALTY TRUST FUND

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of emergency lighting and sirens from East Coast Emergency Lighting of Millstone, NJ in an amount not to exceed \$6,720.00; 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. Joe Abbruzzese, Fire Official

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

RESOLUTION 2015-338
AUTHORIZING EXECUTION OF ESCROW AGREEMENT
AND QUIT-CLAIM DEED FOR THE SALE OF
155 FRONT STREET, SOUTH PLAINFIELD, NEW JERSEY.

WHEREAS, the Borough has previously agreed with VFW Post 6763 to waive its right of reversion in property known as 155 Front Street, South Plainfield, New Jersey in consideration of the VFW limiting the use of all net proceeds from the sale of the property to the purchase of an alternate property to be used for the organization purposes of VFW Post 6763, and to otherwise support and maintain said Post; and

WHEREAS, the agreement between the Borough and VFW Post 6763 provides that net proceeds from the sale of the property will be held in escrow by Thomas J. Lanza, Esq. to be disbursed in accordance with the agreement; and

WHEREAS, the Borough has been advised that VFW Post 6763 and the buyer for said property intend to close title and require a deed from the Borough waiving or otherwise relinquishing its right of reversion;

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

1. The terms and conditions of the Escrow Agreement attached hereto are hereby approved;
2. The Mayor and Borough Clerk be and are hereby authorized to execute the attached agreement;
and
3. The Mayor and Borough Clerk are further authorized to execute a quit-claim deed waiving or otherwise relinquishing the Borough’s right of reversion to the property known as 155 Front Street, South Plainfield in accordance with its previous agreement with VFW Post 6763, and any other documents necessary for such.

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

**RESOLUTION 2015-339
AUTHORIZING THE HIRING OF NEIL BUDHAN AS A PER DIEM
911 OPERATOR FOR THE POLICE DEPARTMENT
AT AN HOURLY RATE OF \$18.04 WITH NO BENEFITS EFFECTIVE 11/10/15**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the hiring of Neil Budhan as a per diem 911 Operator for the Police Department at an hourly rate of \$18.04 with no benefits effective 11/10/15; and

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

1. Glenn Cullen, CFO
2. Marie Dudek, Payroll
3. Anne Daley, Benefits
4. Amy Antonides, Municipal Clerk
5. James Parker, Chief of Police

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

CORRESPONDANCE

- Board of Adjustment Minutes – October 6, 2015
- Recycling Report – September, 2015
- Environmental Report – September, 2015
- Planning Board Minutes – September 22nd & October 13, 2015
- Traffic Safety Advisory Commission Minutes – September 23, 2015

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

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

Current Fund	5-01	507,602.02
Current Fund	4-01	0.00
Pool Utility	4-26	0.00
Pool Utility	5-26	164.54
Sewer Utility	4-07	0.00
Sewer Utility	5-07	1,082,136.78
Sewer Utility Capital	C-08	0.00
General Capital	C-04	505,356.58
Pool Capital	C-27	0.00
Election Account	E-18	14,175.00
Grant Fund	G-02	40,768.10
Dog Trust	T-12	28.20
Treasurers Trust	T-13	33,145.92
Recreation Trust	T-14	4,958.14
TOTAL ALL FUNDS	5-01	\$2,188,335.28

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

COUNCIL REPORTS:

Borough Attorney Rizzo, Esq. – reported progress.

Administrator Cullen – advised that the parking lot paving is in its final stages and on another note, Mr. Cullen reported that the PARSA budget for 2016 does not reflect any increases for South Plainfield.

Engineer Miller – reported that the parking lot paving should be done by the end of this week, weather permitting and the 2015 road improvements have now been completed.

Clerk Antonides – reported progress.

Councilman Diana – reminded everyone of the importance of keeping their storm drains free of leaves and then congratulated all those who won the election last week. Councilman Diana concluded by thanking the governing body for throwing him a baby shower earlier this evening.

Councilman Rusnak – reported progress.

Councilman Bengivenga – explained that this evenings ordinance #2040 prohibits trailers from parking on our streets weather or not hitched to a vehicle.

Councilman Richkus - inquired as to how many unites we will have with Nextrac? Councilman Barletta said 10, adding that they are portable GPS unites that were requested by the DPW Supervisor to better enable him to see exactly where his vehicles are throughout the town. Instead of putting them in every vehicle yet, we will start with 10. Councilman Richkus than went on to advise the next Senior Advisory meeting will be held on 11/17/15 and continued on about various upcoming meetings and events around town.

Councilman Barletta – reported progress.

Council President White – announced that ShopRite will be coming to South Plainfield in the Spring of 2016. This will avail some jobs to our community. The A&P will be transitioning over to the ACME and as a result will be shut down for a few days.

Mayor Anesh – reported progress.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Suzanne Lepore of Bullard Place thanked all the participants with the Halloween window decorating contest. The Ghost Buster was the winning window. The line dancing event was a success and it raised \$216 for the Cancer Society.

Debbie Boyle of Van Fleet thanked the Shared Service team for the new crosswalk signs near the schools and went on to add that the Trunk or Treat had an excellent turn out that raised \$475 for the High School Music Boosters.

Darlene Cullen of Fox Place inquired if the DPW employees will be notified of the GPS units? Engineer Miller said yes, as it's written in the bid specifications. Mrs. Cullen advised that the Elks Club will be holding a fund raiser to help offset the cost to convert the wheels for Brie vehicle. On another note, the Library project is moving along with the existing part of the library underway. If all goes well we are hoping for a soft opening in the new section of the Library by the end of November with what may be the Grand Opening to coincide with Read Across America.

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

ADJOURNMENT

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Council President White made a motion to adjourn at 8:04 p.m., seconded by Councilman Rusnak and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk