

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
APRIL 18, 2016 7:01 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:01 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 Richkus		X	
Councilman Rusnak	X		
Councilman White	X		
Councilman Wolak	X		
Council President Bengivenga	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		

Flag Salute: was led by Mayor Anesh and Councilman Barletta 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.

Proclamations – Were read in full by Mayor Anesh. Everyone extended a round of applause.

Sexual Assault Awareness Month & Denim Day
Elk's National Youth Week

Authorizing the Approval of Council Minutes:

April 4, 2016 – Agenda
April 4, 2016 - Public
April 4, 2016 - Executive

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

BOND ORDINANCE 2050

BOND ORDINANCE PROVIDING FOR THE INSTALLATION OF A TRAFFIC LIGHT AT THE INTERSECTION OF OAK TREE ROAD AND WOODLAND AVENUE IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$380,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF – was read on second reading by title by Clerk Antonides. Mayor Anesh opened the floor for public comment. Mr. Bill Sesselburg questioned who the responsible party is for footing the bill for the new traffic light installation on Oak Tree Road in accordance with tonight's Bond Ordinance. Council President Bengivenga explained that we are only paying a small portion of this project. Mr. Cullen explained how the financing works. Mr. Sesselburg said he fears there will be a significant traffic increase because of the installation of this traffic light.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$400,000, including the sum of \$20,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$380,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the installation of a traffic light at the intersection of Oak Tree Road and Woodland Avenue, including, but not limited to, intersection widening and acquisition of easements and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be

determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$380,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

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

ORDINANCE 2051

AN ORDINANCE AMENDING ORDINANCE 2043 THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2015 THROUGH 2018 FOR NON-UNION PROFESSIONALS AND GOVERNING BODY – was read by title by Clerk Antonides. Mayor Anesh set the public hearing for 7:00 p.m. on May 2, 2016.

BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey, as follows:

SECTION 1. The rates of compensation for each employee of the Borough of South Plainfield shall be on an annual basis as follows except where indicated. Such rates of pay shall be effective on January 1st of the years shown, except if otherwise noted.

SECTION 2. INCONSISTENCY- All ordinance or parts inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. EFFECTIVE DATE – This ordinance shall become effective after publication in accordance with the law.

Introduction of Ordinance #2051: April 18, 2016

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

ORDINANCE # 2052

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.0 PERCENT PURSUANT TO N.J.S.A. 40A:4-45.14 – was read by title by Clerk Antonides. Mayor Anesh set the public hearing for 7:00 p.m. on May 2, 2016.

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

WHEREAS, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.0% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

WHEREAS, the COLA for 2016 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as .5% and,

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

WHEREAS, the Borough Council of the Borough of South Plainfield in the County of Middlesex finds it advisable and necessary to increase its 2016 budget by more than 2.0% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$763,874.02 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2016 budget year, the final appropriations of the Borough of South Plainfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$763,874.02 and that the 2016 municipal budget for the Borough of South Plainfield be approved and adopted in accordance with this ordinance; and,

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

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

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

Introduction of Ordinance #2052: April 18, 2016

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

ORDINANCE NO. 2053

A SEWER CAPITAL ORDINANCE AUTHORIZING THE “ACQUISITION OF AN 185 CFM TOWABLE AIR COMPRESSOR AND OTHER RELATED ITEMS FOR THE SEWER UTILITY, IN THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY – was read by title by Clerk Antonides. Mayor Anesh set the public hearing for 7:00 p.m. on May 2, 2016.

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

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

Air Compressor	\$17,200.00
Totals	<u>\$17,200.00</u>

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

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

- A. That the maximum estimated amount of money to be raised from all sources for the purposes stated in Section 1, hereof, is \$17,200.00.
- B. That the cost for the equipment shall be \$17,200 from the Sewer Capital Improvement Fund.
- C. The estimated useful life of said improvements is hereby determined to be five (5) years.

Section 4. That the total amount of the appropriation to be expended for Architectural and inspection costs, legal costs, advertisement of ordinance and other expenses as provided in Section 48:2-20 of the Revised Statutes, is not to exceed \$100.00.

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

Introduction of Ordinance #2053: April 18, 2016

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

RESOLUTIONS – BUDGET

**RESOLUTION 2016-134A
AUTHORIZING THE MUNICIPAL CLERK TO READ THE PROPOSED
2016 BUDGET BY TITLE ONLY**

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the CY 2016 Municipal Budget be read by title only and not in full.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

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

RESOLUTION #16-134B
AUTHORIZING AND CONDUCTING A SELF-EXAMINATION OF THE 2013 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of South Plainfield has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of South Plainfield that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

RESOLUTION 2016-135C
AUTHORIZING THE INTRODUCTION OF 2016 MUNICIPAL BUDGET

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it hereby introduces the 2016 Municipal Budget pursuant to the attached 2016 proposed municipal budget, read by title by the Municipal Clerk of the Borough of South Plainfield during introduction on April 18, 2016; and

BE IT FURTHER RESOLVED that a public hearing relative to said budget will be conducted on May 16, 2016 7:00 p.m., Borough Hall, 2480 Plainfield Avenue, South Plainfield, NJ 07080. A full complete copy of the proposed 2016 Budget is available for public inspection in the office of the Borough Clerk during normal business hours as well as is posted on the Municipal Website; and

BE IT FURTHER RESOLVED that the 2016 Municipal Budget Revenue and Appropriation Summaries shall be published in The Courier News and The Observer prior to the aforementioned public hearing.

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

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

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

RESOLUTIONS:

RESOLUTION 2016-135
ENDORISING THE SUBMISSION OF THE 2015 RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to
 Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2015 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of Borough of South Plainfield, in the County of Middlesex, to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of South Plainfield in the County of Middlesex, that the Borough of South Plainfield hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Dr. Alice Temple, C.R.P., as the Recycling Coordinator of the Borough of South Plainfield to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

RESOLUTION 16-136

**AUTHORIZING THE MUNICIPAL CLERK AND MAYOR TO EXECUTE
A SHARED SERVICE AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE
BOROUGH OF SOUTH PLAINFIELD FOR ROAD IMPROVEMENTS
TO VARIOUS ROADS IN SOUTH PLAINFIELD**

WHEREAS, the Shared Services Act, N.J.S.A. 40:8A-1 et seq. permits municipalities and Counties of the State of New Jersey to enter into contracts with other governmental entities for the joint provision of municipal services; and

WHEREAS, the Mayor and Council of the Borough of South Plainfield have determined that it is in the best interest of the Borough of South Plainfield to enter into a Shared Services Agreement with the County of Middlesex for the provision of road improvement services to various roads in South Plainfield as indicated in said agreement; and

WHEREAS, the service to be provided by the County of Middlesex to the Borough of South Plainfield is detailed in the attached agreement;

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

1. The Borough of South Plainfield does hereby enter into an agreement with the County of Middlesex for the provision of road improvements to various roads in South Plainfield.
2. The Mayor and Borough Clerk are hereby authorized to execute the attached agreement.
3. An executed copy of the agreement along with the authorizing resolution shall be forwarded to the County of Middlesex and a copy is also to be submitted to the Supervisor and Engineer of South Plainfield Public Works

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

**RESOLUTION 2016-137
AUTHORIZING THE CANCELLATION OF IMPROVEMENT BALANCES
IN THE AMOUNT OF \$ 63,597.54**

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

The Chief Financial Officer is hereby authorized to cancel balances according to the following Schedule of Improvement Authorizations:

Borough of South Plainfield			
Schedule of Improvement Authorizations to be Cancelled			
4/18/2016			
Ordinance Number	Description		AMOUNT
1890/1890A	Various Capital Improvements		63,597.54
Total			63,597.54
	Capital Fund Balance		63,597.54
	Total		63,597.54

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

**RESOLUTION No. 2016-138
AUTHORIZING A CHANGE ORDER TO NAJARIAN ASSOCIATES TO INCREASE THEIR
ENGINEERING FEES BY AN ADDITIONAL \$13,000.00 TO EXTEND THE SCOPE OF “2016 CAPITAL
IMPROVEMENT ROAD PROGRAM” TO INCLUDE THE ADDITIONAL ENGINEERING SERVICES
NECESSARY FOR ADDITIONAL ROADWAY REPAIRS**

WHEREAS, the Governing Body of the Borough of South Plainfield would like to extend the scope of the project to include additional roadway repairs for Worth Drive and Pershing Place to 2016 Capital Improvement Road program: and

WHEREAS, additional engineering fees in the amount of \$13,000.00 are necessary to extend the scope of the project to include additional roadway repairs to the project; and

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

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given to increase the Engineering fees an additional \$13,000.00 to extend the scope of the project to include the addition of the aforementioned roadway repairs to the 2016 Capital Improvement Road Program.

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

RESOLUTION 16-139

AUTHORIZING THE PURCHASE OF A 185 CFM AIR COMPRESSOR FOR THE DPW FROM FOLEY, INC. IN AN AMOUNT NOT TO EXCEED \$17,200.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of a 185 CFM Air Compressor from Foley, Inc. for the DPW in an amount not to exceed \$17,200.00; and

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

1. Glenn Cullen, CFO
2. Len Miller, DPW Supervisor
3. Amy Antonides, Municipal Clerk

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

RESOLUTION 16-140

AUTHORIZING A QUARTERLY SOLE SOURCE VENDOR CONTRACT WITH NORTHEASTERN INTEGRATED TECHNOLOGIES, LLC TO PROVIDE THE RECREATION CENTER WITH COMPUTER SOFTWARE, HARDWARE AND SUPPORT SERVICES IN AN AMOUNT NOT TO EXCEED \$2,270.04 FOR THE MONTHS MAY, JUNE AND JULY, 2016

WHEREAS the sole source vendor Northeastern Integrated Technologies LLC has submitted an RFP to the Borough to provide the Recreation Center with computer software, hardware and support services for the Borough Offices; and

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

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

1. that the Mayor and Borough Council do hereby award the RFP on a three month basis between the Borough of South Plainfield and Northeastern Integrated Technologies LLC to provide the Recreation Center with computer software, hardware and support services in an amount not to exceed \$2,270.04 for the months of May, June and July, 2016

2. that this RFP is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40a:11-5 of the Local Public Contracts Law of New Jersey, because the services will be performed by persons authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.

3. that the Chief Financial Officer has filed a Certificate of Availability of Funds, if applicable.

4. that notice of the adoption of this resolution shall be published in a newspaper of general circulation within the Borough

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

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

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

**RESOLUTION 16-141
AUTHORIZING THE SERVICES OF PINTO BROTHER DISPOSAL
FOR PUBLIC LITTER CAN REMOVAL SERVICES FOR A ONE YEAR TERM
IN AN AMOUNT NOT TO EXCEED \$5,700.00**

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

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

WHEREAS, since it was anticipated the contractual amount for said services to be under \$17,500 RFP's were solicited instead of formal bids to four local trash haulers. The following one RFP was submitted by the April 12, 2016 deadline:

- Pinto Brother Disposal \$5,700.00 (\$475.00/month)

WHEREAS, the RFP's have been reviewed by the Borough Recycling Coordinator, and it is their recommendation that the RFP of Pinto Brother Disposal for public litter can removal service for a one year term in an amount not to exceed \$5,700.00 be accepted and a contract be awarded; and

WHEREAS, funds for said purpose have been certified by the Chief Financial Officer and are available in the 2016 budget

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given to award a contract for public litter can removal services for a period of a one year term at a cost not to exceed \$5,700.00 be awarded to Pinto Brother Disposal.

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

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta	X		X				
Councilman Richkus						X	
Councilman Rusnak		X	X				
Councilman White							X
Councilman Wolak			X				
Council President Bengivenga							X
		VOTE:	3	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 16-142
AUTHORIZING AWARD OF BID TO CENTRAL JERSEY WASTE & RECYCLING FOR
RECYCLABLE MATERIAL COLLECTION SERVICES FOR A ONE YEAR TERM IN AN AMOUNT
NOT TO EXCEED \$265,692.00**

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

WHEREAS, a need has been determined to provide curbside recycling collection services

WHEREAS, bids were solicited and opened on Tuesday, April 12, 2016 and the following companies picked up bid packages and submitted bids on Option #1 for a 1 year term:

- Central Jersey Waste & Recycling \$265,692.00
- Republic Services \$282,864.00
- Waste Management \$284,700.00

WHEREAS, the bids have been reviewed by the Borough Engineer, and the Borough Attorney, and it is their recommendation that the bid from Central Jersey Waste & Recycling for single stream curbside recycling collection, Option 1, for a 1 year term in the amount of \$265,692.00 be accepted and a contract be awarded; and

WHEREAS, funds for said purpose have been certified by the Chief Financial Officer and are available in the 2016 budget

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given to award a contract for curbside recycling collection services for a one (1) year period, at a cost not to exceed \$265,692.00.

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute the necessary agreement with Central Jersey Waste & Recycling, the lowest responsible bidder for the services described.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta	X		X				
Councilman Richkus						X	
Councilman Rusnak		X	X				
Councilman White							X
Councilman Wolak			X				
Council President Bengivenga							X
		VOTE:	3	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 2016-143
AUTHORIZING A 2016 TEMPORARY BUDGET AMENDMENT
OF \$1,000,000 IN THE SEWER UTILITY AND \$20,000 IN THE POOL UTILITY**

WHEREAS, N.J.S.A. 40a:4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is prior to the adoption of the FY 2016 Budget, and

WHEREAS, the temporary budget set forth on the attached page does not exceed twenty six and one quarter percent of the total appropriations in the previous year’s budget (exclusive of any appropriations made for Debt Service, Capital Improvements Fund and Public Assistance).

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the temporary appropriations are hereby amended to add the following amounts and that a certified copy of this resolution is transmitted to the Chief Financial Officer.

Borough of South Plainfield			
Temporary Budget Amendment			
CALENDAR YEAR 2016			
SEWER UTILITY			
			AMOUNT
6-07-55-515-001-255	Sewer Charges	O&E	1,000,000
TOTAL SEWER UTILITY			1,000,000
POOL UTILITY			
			AMOUNT
6-26-55-520-000-101	Pool	O&E	10,000
6-26-55-520-000-215	Pool	O&E	10,000
TOTAL POOL UTILITY			20,000

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

**RESOLUTION 2016-144
AUTHORIZING A 2016 TEMPORARY BUDGET AMENDMENT
OF \$818,200 IN THE CURRENT FUND**

WHEREAS, N.J.S.A. 40a:4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is prior to the adoption of the FY 2016 Budget, and

WHEREAS, the temporary budget set forth on the attached page does not exceed twenty six and one quarter percent of the total appropriations in the previous year’s budget (exclusive of any appropriations made for Debt Service, Capital Improvements Fund and Public Assistance).

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the temporary appropriations are hereby amended to add the following amounts and that a certified copy of this resolution is transmitted to the Chief Financial Officer.

SEE ATTACHED PAGE FOR ITEMIZATION

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

**RESOLUTION No. 2016-145
AUTHORIZING CONSENT FOR ACCESS TO THE EPA FOR ACCESS
TO BOROUGH RIGHT OF WAY
FOR MONITORING WELLS AND PERIODIC SAMPLING AND MAINTENANCE**

WHEREAS, the United States Environmental Protection Agency requests access to Borough property in the Right-of-Way or the installation of a groundwater monitoring wells and periodic sampling and maintenance of said well located at Block 387, Lot 3;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that authorization is hereby given for the Mayor and/or Municipal Clerk to execute the Consent for Access to Property in the form as attached hereto as Exhibit A.

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

**RESOLUTION 16-146
AUTHORIZING THE SERVICES OF T&M ASSOCIATES FOR WETLAND DELINEATION
SERVICES PERTAINING TO BLOCK 115, LOTS 1,2,2.01,3,4,5,6 ON THE BOROUGH'S TAX MAP IN
AN AMOUNT NOT TO EXCEED\$6,000**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the services of T&M Associates for Wetland Delineation Services pertaining to Block 115, Lots 1,2,2.01,3,4,5,6 on the Borough's Tax Map in an amount not to exceed \$6,000.00.

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

1. Glenn Cullen, CFO
2. T&M Associates
3. Len Miller, Borough Engineer
4. Amy Antonides, Municipal Clerk

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

RESOLUTION 16-147
AUTHORIZING AWARD OF BID TO REPUBLIC SERVICES FOR BOROUGH RECYCLING CENTER
ON KENNETH AVENUE FOR A ONE YEAR TERM
IN AN AMOUNT NOT TO EXCEED \$24,975.00

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

WHEREAS, a need has been determined to provide curbside recycling collection services

WHEREAS, bids were solicited and opened on Tuesday, April 12, 2016 and the following companies picked up bid packages and submitted bids on Option #2 for a 1 year term:

- Republic Services \$ 24,975.00
- Central Jersey Waste & Recycling \$ 29,025.00
- Waste Management \$311,700.00* (Error was made in their bid tabulation)

WHEREAS, the bids have been reviewed by the Borough Engineer, and the Borough Attorney, and it is their recommendation that the bid from Republic Services for recycling collection at the Borough's Kenneth Avenue site be Option 2, for a 1 year term in the amount of \$24,975.00 be accepted and a contract be awarded; and

WHEREAS, funds for said purpose have been certified by the Chief Financial Officer and are available in the 2016 budget

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given to award a contract for recycling collection services at Kenneth Avenue for a one (1) year period, at a cost not to exceed \$24,975.00.

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

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta	X		X				
Councilman Richkus						X	
Councilman Rusnak		X	X				
Councilman White							X
Councilman Wolak			X				
Council President Bengivenga							X
		VOTE:	3	0			
Mayor Anesh – TIE ONLY							

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Environmental Commission Minutes – February 10, 2016
- Recycling Monthly Report – March, 2016
- Environmental Monthly Report – March, 2016

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

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

Current Fund	5-01	25,647.00
Current Fund	6-01	250,123.27
Pool Utility	6-26	266.04
Pool Utility	5-26	0.00
Sewer Utility	6-07	3,478.25
Sewer Utility	5-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	106,796.08
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	12,143.00
Dog Trust	T-12	184.80
Treasurers Trust	T-13	17,307.28
Recreation Trust	T-14	1,636.38
COAH		0.00
TOTAL ALL FUNDS		\$417,582.10

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

COUNCIL REPORTS:

Borough Attorney Rizzo Esq. – advised that the Borough will need to contribute another \$2,000.00 toward the affordable housing litigation. A resolution will be on the next meeting in this regard.

Administrator Cullen – advised that the next meeting with the county pertaining to the Quiet Zones will be toward the end of the month.

Engineer Miller – reported that the 2016 road improvements are right on schedule for the summer.

Clerk Antonides – advised that this Saturday the Girl Scouts will be planning some flowers around the library patio area. The patio does have a small crack in it which is going to be repaired.

Councilman Wolak – reported that the clean-up took place this past Saturday and was a big success. After the clean-up everyone enjoyed pizza at Borough Hall.

Councilman White – reported progress.

Councilman Rusnak – advised that the Finance Committee had been working diligently on this year’s budget, and it should be ready to introduce two weeks from tonight.

Councilman Richkus - was absent this evening.

Councilman Barletta – reported progress.

Council President Bengivenga – reported progress.

Mayor Anesh – reported progress.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Mr. Bill Sesselberg asked to have Putnam Street Park looked at as there is a serious dip that needs to be repaired. Len Miller said he will take a look at it.

Suzanne Lepore of Bullard Place reminded everyone of the forthcoming Shakespeare play, Romeo and Juliet that will be performed at the High School.

Debbie Boyle of Van Fleet reported on various events taking place throughout South Plainfield.

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

At 7:36 p.m. Mayor Anesh called for a recess from the public portion of the meeting to go into Executive Session advising that everyone is welcome to stay if they choose.

Upon return from Executive Session at 8:45 p.m., Mayor Anesh called the public meeting back to order.

ADJOURNMENT

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Councilman White made a motion to adjourn at 8:45 p.m., seconded by Councilman Barletta and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk