

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
JANUARY 2, 2017, 1:00 P.M. – BOROUGH HALL  
REORGANIZATION MEETING**

**CALL TO ORDER:** Mayor Anesh called the meeting to order at 1:00 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 for the 2016 Borough Council:

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

Mayor Anesh led the salute to the flag.

Signing of the National Anthem was conducted by Miss. Lynda Farinella followed by the invocation administered by Pastor Edmund Seponosky.

Mayor Anesh welcomed both Lt. Governor Kim Guadagno, former Governor Donald DiFrancesco, Senator Patrick Diegnan as well as other dignitaries present.

Mayor Anesh asked both outgoing Councilmen Richkus and Rusnak if they would like to say a few words. Both Councilmen spoke words of appreciation for all the support while serving on council and expressed how much the experience meant to them both. In turn, Mayor Anesh and each council member expressed their appreciation for all the work and time both councilman Richkus and Rusnak gave to this community saying how much they both will be missed.

Mayor Anesh called up newly elected Councilman Jon Dean forward to be sworn in by Senator Patrick Diegnan with his family present. Everyone extended a round of applause and photographs were taken by family, friends and media present.

Mayor Anesh called up newly elected Councilman Gary Vesce forward to be sworn in by Senator Patrick Diegnan with his family present. Everyone extended a round of applause and photographs were taken by family, friends and media present.

Mayor Anesh called for a motion to adjourn the 2016 Council. Councilman White made a motion to adjourn from the 2016 Council at 1:16 p.m., seconded by Councilman Bengivenga and unanimously carried.

Mayor Anesh called the 2017 Council to order at 1:18 p.m.

The roll call was administered by Clerk Antonides as follows for the 2017 Borough Council:

COUNCIL	Present	Absent	Late
Councilman Bengivenga	X		
Councilman Dean	X		
Councilwoman Faustini	X		
Councilman Vesce	X		
Councilman White	X		
Councilman Wolak	X		
Mayor Anesh	X		
<b>ALSO PRESENT</b>			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		

**. Presentation:** of Plaques to Outgoing Councilmen:

- Alex Barletta
- Robert “Bobby” Richkus
- Raymond Rusnak

Mayor Anesh called each outgoing Councilman forward and presented them with a plaque honoring them for their term of office served. Everyone extended a round of applause and photographs were taken. Each outgoing Councilman said a few words thanking the governing body, the borough employees, all the boards and committees and the citizens of South Plainfield for all their support. The Borough Council said it was a pleasure to serve with these three gentlemen. Everyone extended a round of applause.

**RESOLUTION # 17-01  
AUTHORIZING THE APPOINTMENT OF BOROUGH ATTORNEY**

**WHEREAS** there exists a need for certain legal services for the Borough of South Plainfield for the year 2017, 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 professional service contract is awarded pursuant to a fair and open process in accordance with N.J.S.A.19:44A-20.4 et seq.pr
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 Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman White	x		X				
Councilman Wolak			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-02  
AUTHORIZING THE NOMINATION OF THE 2017 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 2017.

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

1. Amy Antonides, Municipal Clerk
2. 2017 Council President – Derryck White

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak		x	X				
Council President White			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

Council President White was administered the oath of office by Lt. Governor Guadagno while Councilman White’s children held the Bible. Everyone extended a round of applause and photographs were taken by family, friends, and media present.

Mayor Anesh asked Lt. Governor Guadagno if she would like to say a few words. Lt. 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. Lt. Governor Guadagno emphasized how important the term “under the authority of the people” is in the oath of office saying that it means that we, as government officials, work for the people and to never forget that.

Lt. Governor Guadagno then moved on to swear in the following board, committee and commission members in resolutions #17-03, #17-04 and #17-05 after Council President White announced the 2017 Council Committee Assignments.

Council President White announced the 2017 Council Committee assignments as follows:

**2017 COUNCIL COMMITTEE ASSIGNMENTS**

By the authority of the 2017 By-Laws of the Borough of South Plainfield, Council President Bengivenga hereby makes the following Committee assignments for 2017:

**ADMINISTRATION, FINANCE & PUBLIC INFORMATION**

Chairman: Rob Bengivenga

Committee Members: Joe Wolak & Derryck White

**PUBLIC WORKS**

Chairman: Gary Vesce

Committee Members: Rob Bengivenga & Jon Dean

**ECONOMIC DEVELOPMENT**

Chairman: Derryck White

Committee Members: Christine Faustini & Jon Dean

**HEALTH, WELFARE & ENVIRONMENT**

Chairman: Jon Dean

Committee Members: Christine Faustini & Gary Vesce

**PUBLIC SAFETY**

Chairman: Joe Wolak

Committee Members: Rob Bengivenga & Derryck White

**RECREATION, OFFICE ON AGING**

Chairman: Christine Faustini

Committee Members: Gary Vesce & Joe Wolak

**RESOLUTION # 17-03  
AUTHORIZING MAYORAL APPOINTMENTS FOR 2017**

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>2017 APPOINTMENT</b>
Environmental Commission	Council Liaison	Annual 12/31/2017	<b>Jon Dean</b>
Environmental Commission	Alternate II	2 yr. Stagger 12/31/2018	<b>Richard McCriskin II</b>
Environmental Commission	Member	3 yr 12/31/2019	<b>Daniel Morley</b>
Environmental Commission	Member	3 yr 12/31/2019	<b>Thomas Walsh</b>
Environmental Commission	Member	3 yr 12/31/2019	<b>Dorothy Miele</b>
Housing & Community Development (CDBG)	Mayor's Rep	Annual 12/31/2017	<b>Christine Faustini</b>
Library Board	Mayor's Rep	Annual 12/31/2017	<b>Raymond Rusnak</b>
Planning Board	Class II	Annual 12/31/2017	<b>Michael Pellegrino</b>
Planning Board	Class IV	4 yr 12/31/2020	<b>Jack Pedersen</b>
Planning Board	Alternate I	1 yr 12/31/2017	<b>Stephanie Bartfalvi</b>
Recreation Commission	Police Athletic League	Annual 12/31/2017	<b>Christopher Colucci</b>
Recreation Commission	Alternate I	5 yr term 12/31/2021	<b>Wendell Born</b>
Recreation Commission	Council Liaison	Annual 12/31/2017	<b>Christine Faustini</b>
Recreation Commission	Member	5 yr term 12/31/2021	<b>William Ashnault</b>
Office on Aging Advisory Board	Council Liaison	Annual 12/31/2017	<b>Christine Faustini</b>
Middlesex County TCC	Mayor's Rep	Annual 12/31/2017	<b>Len Miller</b>
Public Celebrations	Council Liaison	Annual 12/31/2017	<b>Christine Faustini</b>

is hereby appointed for the year 2017.

**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)*

The oath of office was administered by Lt. Governor Guadagno for the aforementioned appointees. Everyone extended a round of applause and photographs were taken.

**RESOLUTION # 17-04  
AUTHORIZING COUNCIL APPOINTMENTS FOR 2017**

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>2017 APPOINTMENT</b>
Affordable Housing	Council Liaison	Annual 12/31/2017	<b>Derryck White</b>
Affordable Housing	Member	4 yr 12/31/2020	<b>Glenn Cullen</b>
Affordable Housing	Member	4 yr 12/31/2020	<b>Stephanie Bartfalvi</b>
Business Advisory Group	Council Liaison	Annual 12/31/2017	<b>Derryck White</b>
Business Advisory Group	Member	3 yr 12/31/2019	<b>Shannon Jefferys</b>
Business Advisory Group	Zoning Officer	Annual 12/31/2017	<b>Mary Frances Hildebrant</b>
Business Advisory Group	Engineer	Annual 12/31/2017	<b>Len Miller</b>
Greenbrook Flood Control Comm.	Alternate II Engineer	Annual 12/31/2017	<b>Len Miller</b>
Greenbrook Flood Control Comm.	Member	Annual 12/31/2017	<b>Alice Tempel</b>
Greenbrook Flood Control Comm.	Class III	Annual 12/31/2017	<b>Jon Dean</b>
Greenbrook Flood Control Comm.	Alternate I	Annual 12/31/2017	<b>Gary Vesce</b>
Housing & Community Development (CDBG)	Council Rep.	Annual 12/31/2017	<b>Robert Bengivenga Jr.</b>
Office on Aging Advisory Board	Member	3 yr 12/31/2019	<b>Carol Osterberg</b>
Office on Aging Advisory Board	Member	3 yr 12/31/2019	<b>April Bengivenga</b>
Shared Services Committee	Council Liaison	Annual 12/31/2017	<b>Robert Bengivenga Jr.</b>

is hereby appointed for the year 2017.

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

- Amy Antonides, Municipal Clerk

<b>COUNCIL</b>	<b>MOTION</b>	<b>2<sup>ND</sup></b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>RECUSE</b>
<b>Councilman Bengivenga</b>	x		X				
<b>Councilman Dean</b>			X				
<b>Councilwoman Faustini</b>		x	X				
<b>Councilman Vesce</b>			X				
<b>Councilman Wolak</b>			X				
<b>Council President White</b>			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

The oath of office was administered by Lt. Governor Guadagno for the aforementioned appointees. Everyone extended a round of applause and photographs were taken.

**RESOLUTION # 17-05  
AUTHORIZING MAYORAL APPOINTMENTS**

**WITH ADVICE AND CONSENT OF COUNCIL FOR 2017**

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>2017 APPOINTMENT</b>
Construction Board of Appeals	Member – Fire	3 yr 12/31/2019	<b>Larry Delnegro</b>
Construction Board of Appeals	Alternate – Plumbing	3 yr 12/31/2019	<b>James Franceschetti</b>
Construction Board of Appeals	Member – Fire Prevention	3 yr 12/31/2019	<b>Joseph Abbruzzese</b>
Construction Board of Appeals	Alternate – Architect	3 yr 12/31/2019	<b>Steve Druga</b>
Cultural Arts Commission	Associate Member	1 yr 12/31/2017	<b>Brandon Kurzawa</b>
Cultural Arts Commission	Member	3 yr 12/31/2019	<b>Frank Furino</b>
Cultural Arts Commission	Member	3 yr 12/31/2019	<b>Minder Gerber</b>
Cultural Arts Commission	Member	3 yr 12/31/2019	<b>Rocco Severini</b>
Cultural Arts Commission	Member	3 yr 12/31/2019	<b>Suzanne Lepore</b>
Cultural Arts Commission	Member	Unexpired term to 12/31/2018	<b>Joan O’Brian</b>
Cultural Arts Commission	Member	3 yr 12/31/2019	<b>Timothy McConville</b>
Cultural Arts Commission	Member	Unexpired term to 12/31/2017	<b>Diane Pender</b>
Health Advisory Board	Council Liaison	Annual 12/31/17	<b>Jon Dean</b>
Health Advisory Board	Member	3 yr 12/31/2019	<b>Scott Carey</b>
Library Board	Member	5 yr 12/31/2021	<b>Melissa Katsingris</b>
Library Board	Member	Unexpired term to 12/31/2019	<b>Cheryl Nagel Smiley</b>
Mayors Wellness	Sr Center Rep	Annual 12/31/2017	<b>Tree Olano</b>
Mayors Wellness	Member	4 yr 12/31/2019	<b>Stephanie Bartfalvi</b>
Mayors Wellness	Member	4 yr 12/31/2020	<b>Mary Piekarski</b>
Public Celebrations	Member	3 yr 12/31/2019	<b>Deane Croce</b>
Public Celebrations	Member	3 yr 12/31/2019	<b>Jennie Ratti</b>
Public Celebrations	Member	3 yr 12/31/2019	<b>Gina McConville</b>
Public Celebrations	Member	3 yr 12/31/2019	<b>Kimberly Anesh</b>
Traffic Safety Advisory Comm.	Police Rep.	Annual 12/31/2017	<b>Dave DeLair</b>
Traffic Safety Advisory Comm.	DPW Rep.	Annual 12/31/2017	<b>Len Miller</b>
Traffic Safety Advisory Comm.	Council Liaison	3 yr or concurrent with Council term (12/31/2018)	<b>Robert Bengivenga Jr.</b>
Traffic Safety Advisory Comm.	Member	3 yr 12/31/2019	<b>Doris Kirchner</b>
Traffic Safety Advisory Comm.	Member	3 yr 12/31/2019	<b>Kathleen Murano</b>
Youth Guidance Council	Council Liaison for Recreation	Annual 12/31/2017	<b>Christine Faustini</b>
Youth Guidance Council	Council Liaison for Police	Annual 12/31/2017	<b>Joseph Wolak</b>
Youth Guidance Council	Police Member	Annual 12/31/2017	<b>Lloyd McNelly</b>
Zoning Board of Adjustment	Alternate I	2 yr 12/31/2018	<b>Frank Lemos</b>

is hereby for the year 2017.

**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 Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

The oath of office was administered by Lt. Governor Guadagno for the aforementioned appointees. Everyone extended a round of applause and photographs were taken.

At this time Mayor Anesh read his prepared annual message. *(A copy is on file in the office of the Borough Clerk)*

Councilman Dean read a prepared statement representative of the Democratic Party. *(A copy is on file in the office of the Borough Clerk)*

**RESOLUTION # 17-06  
AUTHORIZING THE PROFESSIONAL SERVICE APPOINTMENT  
OF BOROUGH PROSECUTORS**

**WHEREAS**, in conformance with public laws of the state of New Jersey, 1996, c.95, sect. 14, **MICHAEL O’GRODNICK, ESQ.**, attorney at law of the State of New Jersey, are hereby appointed **MUNICIPAL PROSECUTOR** for calendar year 2017 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 a professional service agreement with Michael O’Grodnick Esq., 77 North Bridge Street, Somerville, NJ 08876 to provide prosecutorial services for calendar year 2017.
2. This Professional Service Agreement is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. Payment for this position is determined in the Salary Ordinance or at the rate of \$145.00 per hour. Health Benefit coverage will not be provided for the position of Municipal Prosecutor.
4. 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: 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. Michael O’Gradnick, Esq.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		X	X				
Councilman Dean							X
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White	X		X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-07  
AUTHORIZING THE PROFESSIONAL SERVICE APPOINTMENT  
OF PUBLIC DEFENDER**

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

4. The Mayor and Municipal Clerk are hereby authorized to execute a professional service agreement with Edward Santoro Esq., and Jordan Rickards Esq. to provide Public Defender services for calendar year 2017.
5. This professional service agreement is awarded pursuant to a fair and open process in accordance with N.J.S.A.19:44A-20.4 et seq.
6. Payment for this position is pursuant to the local salary ordinance or in an amount not more than \$145.00 per hour. Health Benefit coverage will not be provided for the position of Municipal Public Defender.
7. 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: 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.
5. Jordan Rickards, Esq.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	X		X				
Councilman Dean							X
Councilwoman Faustini			X				
Councilman Vesce							
Councilman Wolak			X				
Council President White		X	X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-08  
AUTHORIZING PROFESSIONAL SERVICE 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, 2017 through December 31, 2017. The cost shall be the fees indicated in the company’s proposal submission of \$66,500.00 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 Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini	x		X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-09  
AUTHORIZING PROFESSIONAL SERVICE APPOINTMENT  
OF BOROUGH APPRAISERS**

**WHEREAS** the Borough of South Plainfield requires the services of a licensed appraisal company for the year 2017; 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.
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 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 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

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-10  
AUTHORIZING THE PROFESSIONAL SERVICE APPOINTMENT  
OF CONDEMNATION COUNSEL**

**WHEREAS**, there exists a need for certain legal services dealing with Condemnation for the year 2017, 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 2017, expiring December 31, 2017.
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 Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-11  
AUTHORIZING THE PROFESSIONAL SERVICE APPOINTMENT  
OF REDEVELOPMENT ATTORNEY**

**WHEREAS**, there exists a need for certain legal services dealing with Redevelopment for the year 2017, 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 2017, expiring December 31, 2017.
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 Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini	x		X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-12**  
**AUTHORIZING THE PROFESSIONAL SERVICE APPOINTMENT**  
**OF BOROUGH BOND COUNSEL**

**WHEREAS**, there exists a need for the services of Bond Counsel for the Borough of South Plainfield for CY2017, 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 CY2017 at the fees indicated in the company's proposal submission which are all variable hourly rates ranging from \$135-\$215/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 Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White	x		X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-13**  
**AUTHORIZING THE PROFESSIONAL SERVICE 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 2017; 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 \$46,750.00 or the fees indicated in the company’s proposal submission for 2017 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 Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak	x		X				
Council President White			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-14  
AUTHORIZING THE PROFESSIONAL SERVICE APPOINTMENT  
OF BOROUGH CONSULTANT ENGINEERS**

**WHEREAS** the Borough of South Plainfield in need of retaining engineering firms to act as Borough Consultant Engineers for the year 2017; 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 2017; and
2. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with **Najarian Associates of One Industrial Way, Eatontown, NJ**, for calendar year 2017

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 Consultant Engineering Services is attached to the 2017 proposal submission that is comprised of a variable fee structure range (*that shall be the same as 2016 with no increase for 2017 and no additional per day charge for a vehicle*) depending on assignment at hand 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
4. Najarian Associates

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White	x		X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-15  
AUTHORIZING THE PROFESSIONAL SERVICE 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 2017; 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 2017 at a cost based on the variable 2017 proposed fee schedule (*that shall be the same as 2016 with no increase for 2017 and no additional per day charge for a vehicle*) 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 Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-16**

**AUTHORIZING THE PROFESSIONAL SERVICE 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 2017 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 2017 at the fees established in the company’s 2017 proposal submission from \$64.00/hr - \$152.00/hr. and/or a variable fees schedule depending on the assignment at hand 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 Bengivenga			X				
Councilman Dean			X				
Councilwoman Faustini	x		X				
Councilman Vesce			X				
Councilman Wolak		x	X				
Council President White			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-17**  
**AUTHORIZING THE PROFESSIONAL SERVICE APPOINTMENT**  
**OF TAX APPEAL ATTORNEY**

**WHEREAS** there exists a need for certain legal services for the Borough of South Plainfield for the year 2017, 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

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 17-18**  
**AUTHORIZING THE APPOINTMENT OF MUNICIPAL COURT JUDGE**

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

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

**WHEREAS**, it is the desire of the governing body to appoint Judge Manuel Sanchez, Esq. to a three year term as Municipal Court Judge of the Borough of South Plainfield at a salary pursuant to the local salary ordinance, without benefits;

**NOW, THEREFORE**, it is hereby resolved by the Mayor with consent of the South Plainfield Borough Council that Judge Manuel Sanchez, Esq. is hereby appointed Municipal Court Judge for a three (3) year term expiring on December 31, 2019 at a salary as set forth in the current salary ordinance or in an amount not to exceed \$145.00

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-19  
AUTHORIZING THE PROFESSIONAL SERVICE APPOINTMENT  
OF LABOR ATTORNEY**

**WHEREAS** there exists a need for certain legal services for the Borough of South Plainfield for the year 2017, 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 Labor 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 Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak		x	X				
Council President White			X				
		VOTE:	6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-20  
AUTHORIZING THE PROFESSIONAL SERVICE APPOINTMENT  
OF CONFLICT TAX APPEAL ATTORNEY**

**WHEREAS** there exists a need for certain legal services for the Borough of South Plainfield for the year 2017, 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 Mauro, Savo, Camerino, Grant & Schalk, P.A., 77 North Bridge Street, Somerville, NJ 08876
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 Conflict 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

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini	x		X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White			X				
		VOTE:	6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-21  
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 2017

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk Kimberly Clifford, Tax Search Officer

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-22  
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 2017 at a compensation pursuant to the 2017 Salary Ordinance.

**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. NJ Treasury Department

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**BY - LAWS  
OF THE BOROUGH OF SOUTH PLAINFIELD  
RESOLUTION 17-23  
FOR THE YEAR 2017**

**ARTICLE I**

The deliberation of the Council shall be governed by "Robert's Rules of Order", latest edition, except where inconsistent with specific rules contained herein.

## **ARTICLE II**

- SECTION 1. The Mayor shall preside over deliberations of the Council and shall conduct the meetings thereof. The Mayor shall also participate in the determinations of Borough affairs to the extent permitted by statute.
- SECTION 2. The Mayor shall on all occasions preserve the strictest order and decorum and the Mayor shall cause the removal of all persons who interrupt the orderly proceedings of the Council.
- SECTION 3. When two or more Councilpersons shall speak at the same time, the Mayor shall name the one entitled to the floor.
- SECTION 4. The Mayor shall decide all questions of order without debate subject to an appeal to the Council, the Mayor may call upon the Council for its opinion upon any question of order.
- SECTION 5. The Mayor shall be an ex-officio member of all committees, both standing and special, and shall be informed in advance of all meetings of such committees.
- SECTION 6. The Mayor shall serve as liaison between the Governing Body and all boards, committees, agencies or organizations except as herein assigned to a specific council committee for liaison purposes.
- SECTION 7. In the absence of the Mayor, or if the Mayor is unable to perform the duties of the Mayor, the Council President or in the Council President's inability to act, the Councilmember having the longest term as such, shall act as Mayor
- SECTION 8. In the case of a tie vote on any matter, the Mayor may cast the tie-breaking vote; in the event of a tie vote in the absence of the Mayor, or if the Mayor does not choose to cast the deciding vote, the motion shall be lost (except that in the case of an appeal from a rule of the chair, a tie vote shall sustain the chair); provided however, if, in the opinion of the Mayor, there exists sufficient uncertainty in the minds of the Council or sufficient reason for reconsideration, the Mayor may declare such tie vote to postpone reconsideration, the mayor may declare such tie vote to postpone consideration of the matter until the next regular, adjourned, or special meeting and the matter under discussion shall thereupon be so postponed and place upon the agenda for such subsequent meeting for further study and final decision.

## **ARTICLE III**

### **MUNICIPAL CLERK**

- SECTION 1. The Municipal Clerk shall perform the duties required of the Municipal Clerk by the New Jersey Statutes, these by-laws, custom, and direction of the Mayor and Council.
- SECTION 2. The Municipal Clerk shall keep the minutes of all regular, special or executive meetings of the Borough Council and shall prepare enough copies of such minutes in such manner and form as the Council shall direct at least five days before the next regular meeting after the meeting of which the minutes are a record and shall furnish, or cause to be furnished, to each member of the Council, the Mayor, Borough Attorney, the Borough Administrator, and the Business Advisory Group, a copy of printed or typewritten minutes. If, at the next regular meeting following the meeting of which the minutes are a record, and alterations or corrections are required, the Municipal Clerk shall, within ten days, furnish to each member of the Council, the Mayor, the Borough Attorney, the Borough Administrator, and Business Advisory Group, a corrected copy of such minutes. One Copy of the minutes of each regular or special meeting of the Borough Council as finally adopted and signed by the Municipal Clerk, shall be delivered to the local library to be kept by them for access by the public no later than 14 days after final adoption. Executive meeting minutes shall only be distributed after they have been released by resolution of the Council.
- SECTION 3. At least three days prior to the beginning of each regular, special or executive

meeting of the Borough Council, the Municipal Clerk shall furnish or cause to be furnished to each member of the Council, the Mayor, Borough Attorney, Borough Administrator, each department head, and Business Advisory Group an agenda setting forth matters of unfinished business, and copies of communications to be presented to the Council ordinances and resolution to be acted upon or other matters which may properly come to the attention of the Council so far as such may be known to the Clerk. No ordinance or resolution will be added to the agenda of the public meeting without approval of the Council. Prior to each regular public meeting the Municipal Clerk shall furnish or cause to be furnished to each member of the Borough Council, the Mayor, the Borough Administrator, the Borough Attorney, and Business Advisory Group, a copy of the final agenda.

SECTION 3A. Prior to the start of the regular public meeting, the Municipal Clerk shall furnish or cause to be furnished copies of the agenda and two complete sets of all ordinances and resolutions to be made available for reference by the public at the meeting.

SECTION 4. When an ordinance is introduced, the Municipal Clerk shall record it in the ordinance book maintained for such purposes and shall assign to the ordinance its proper number shall appear in any advertisement of the ordinance. It shall also be the duty of the Clerk to maintain an index of Borough ordinances.

SECTION 5. It shall be the duty of the Municipal Clerk, at the beginning of each year and as often thereafter as may be required, to prepare a sheet to be attached to the by-laws listing all Borough officials and showing also all appointments to boards or committees made either by the Mayor, Council President or Mayor and Council.

SECTION 6. The scheduling of meeting rooms in the Borough Municipal Building shall be under the jurisdiction of the Municipal Clerk. Each board within the Borough shall submit to the Clerk, prior to the beginning of each year, their proposed meeting dates.

SECTION 7. The Municipal Clerk shall create and maintain a listing of all issues discussed at regular, adjourned, or special meetings which require further action. The items to be tracked shall include: a) issue description; b) action required; c) date of meeting when action was first discussed; d) name of person owning the action item; e) date action is required and f) date action is completed. This listing will be updated and included in the package of information and shall be reviewed by the Municipal Clerk with the Councilmembers at each agenda meeting.

## **ARTICLE IV**

### **MEETINGS**

SECTION 1. The Council shall hold an annual Reorganization Meeting within first seven (7) days in January, no later than the seventh (7<sup>th</sup>) day or the next following weekday not a legal holiday, at a time agreed to by the Council.

#### **SECTION 2. REGULAR PUBLIC MEETINGS**

Regular public meetings shall be typically held in the Municipal Building on the first (1st) and third (3rd) Monday of each month immediately after the agenda meeting, or as otherwise noted at 7:00 p.m. The schedule of regular public meetings shall be set forth in the resolution to be adopted by the Mayor and Council at its annual reorganization meeting as referred to in Article 4, Section 1 above.

Borough residents are requested to confine statements from the floor to matters pertaining to Borough business. Items not pertaining to Borough business should be presented to the Mayor and Council in letter form so that the Governing Body may familiarize themselves with such items and to determinate a course of action. In the event that a resident prefers to present an item not pertaining to Borough business from the Council floor, the presiding officer shall limit such discussions to not more than three minutes duration, unless extended by the Council.

### **AGENDA MEETINGS**

Agenda meetings shall be typically held on the first (1st) and third (3rd) Monday of each month, or as otherwise noted, in the Municipal Building at 7:00 p.m. prevailing time. The schedule of agenda meetings shall be set forth in the resolution to be adopted by the Mayor and Council at its annual meeting as referred to in Article 4, Section 1 above.

Such meetings shall be open to the press and public. In the event of urgent business, individuals may be given an opportunity to be heard by notifying the Administrator, Mayor or a Councilmember prior to the start (or 24 hours before) of the agenda meeting. If additional time is required by the Council, to familiarize themselves with such items and to determine a course of action, the issue may be deferred to the next public meeting.

SECTION 3. At the annual meeting, the Council will elect one of its members as Council President for the calendar year.

SECTION 4. The Mayor shall, when necessary, call special meetings of the Council. In case of the Mayor's neglect or refusal, any four members of the Council may call such meeting at such time and place as they may designate in the Borough. In all cases of special meetings, "adequate notice", as defined in Open Public Meetings Act, Chapter 231, P.L. 1975, shall govern and be binding, both as to the public and the members of the Council, the Mayor and the Municipal Clerk.

SECTION 4A. All meetings of all standing committees, as well as of the Mayor and Council, shall be subject to and governed by the provisions of the Open Public Meetings Act, Chapter 231, P.L. 1975. Any inconsistencies in these by-laws or in the customs, practices and procedures of the standing committees or if the Mayor and Council with the Open Public Meetings Act shall be governed by said Act.

SECTION 5. A quorum shall be three Councilmembers and the Mayor and in the absence of the Mayor, four Councilmembers.

SECTION 6. If no quorum is present at any meeting, those assembled shall have power and are hereby authorized to set a new meeting date and then adjourn.

SECTION 7. The following order of business shall be observed:

1. Roll Call
2. Pledge of Allegiance & Invocation
3. Proclamations
4. Approval of Minutes
5. Opening of Bids
6. Public Hearings
7. Invitation to speak-agenda items only
8. Sale of Property
9. Appointments by Council
10. Other Appointments
11. Advertised hearings on ordinances or other matters and final reading and passage after reading of ordinances and other matters.
12. Introduction of ordinances
13. Resolutions
14. Presentation of communications, petitions, etc.
15. Payment of Bills
16. Reports of Committees and other council matters
17. Greetings to the public and invitation to speak
18. Adjournment

During the public portions of the regular public meeting, (#7 and #17) the public is invited to speak on agenda items (during #7) and non-agenda items (#17). To expedite the meeting, comments will be limited to five minutes unless extended by the Council.

- SECTION 8. The aforesaid order of business at any meeting may be changed by a majority vote of the members of the Council.
- SECTION 9. Except as otherwise required by statute, or specifically provided by these by-laws, all action of the Council shall be by majority vote of those present.
- SECTION 10. If required by the Mayor or presiding officer, all motions or resolutions presented for action by the Council shall be in writing.
- SECTION 11. All appointments shall be made in accordance with the revised statutes of New Jersey.

**ARTICLE V**  
**COMMITTEES, BOARDS AND AGENCIES**

- SECTION 1. The President of the Council shall appoint all committees and shall see that all matters referred to the committees are acted upon and reported promptly to the Mayor and Council.
- SECTION 2. The President of the Council shall, at the annual meeting, appoint the following standing committees of the Council consisting of three members each:

**Administration, Finance & Public Information**  
**Health, Welfare and Environment**  
**Public Works**  
**Public Safety**  
**Recreation**  
**Economic Development**

Each Councilperson shall be Chairperson of one of the six standing committees named in this Article. Each Councilperson shall be members of two additional standing committees. President of the Council shall also as establish the seating arrangement of the Council.

- SECTION 3. The general duties, powers and functions of a standing committee shall be to:
- A. Administer the activities and matters for which it has been given primary responsibility.
  - B. Perform such additional acts and duties as may be assigned to it by the Mayor and Council.
  - C. Report to the Council concerning the activities and matters assigned to it.
  - D. Make recommendations to the Council concerning the activities and matters assigned to it.
  - E. See that all bills for merchandise purchased or services rendered shall be approved at the meeting following receipt of the merchandise or rendering of the services.
- SECTION 4. No standing committee shall have power to:
- A. Make promises or commitments to anyone, directly or indirectly, or by inference bind the Council.
  - B. Act in such manner or make decisions which set a precedent or violate established Council policy.
- SECTION 5. Notice of committee meetings shall be given to the Mayor and all committee members.
- SECTION 6. Special committees may be appointed by the President of the Council, for purposes other than those included in the duties of the standing committee.

- SECTION 7. The chairperson of each standing or special committee shall be prepared to report to the Mayor and Council at each regular meeting on the work of his committee. The Chairperson shall also prepare and submit in writing to the Mayor and Council, not later than the last meeting of the year, and annual report.
- SECTION 8. It will be the policy of the Mayor and Council not to fill any vacancies which occur between Election Day and the annual reorganization meeting, unless absolutely necessary.

**ARTICLE VI**  
**DUTIES OF STANDING COMMITTEES OF THE COUNCIL**

**Administration, Finance and Public Information**

SECTION 1. The Administration committee shall have primary responsibility for the following described activities and matters.

- A. Administration, practices, procedures and records of the following:
1. The Administrator, Municipal Clerk and Office of the Municipal Clerk
  2. The Collector and Office of the Collector
  3. The Treasurer and Office of the Treasurer
  4. The Assessor and Office of the Assessor
  5. The Chief Financial Officer and Office of the Chief Financial Officer
  6. The Borough Engineer and the Office of the Borough Engineer
  7. The Building / Zoning Department and the Office of the Building / Zoning Department
- B. Assist in the preparation of the Borough budget, develop and enforce sound purchasing and personnel practices and procedures and coordinate the operations and administration of all departments, divisions, offices and agencies of the Borough Government.
- C. Develop fiscal policies for recommendations to the Mayor and Council and safeguard the Borough financial interest to the fullest extent.
- D. Recommend salary ranges according to the recommendations of the New Jersey Department of Personnel.
- E. Maintain a continuous study of the operation and effect of personnel methods and practices in the Borough including hours and days of work, leave of absence, sick leave, vacations, pension and retirement provisions and report its findings and recommendations to the Mayor and Council.
- F. Liaison between the Mayor and Council and the Borough Auditor and with any other person, body or organization pertaining to Borough fiscal matters.
- G. Insurance
1. The selection of insurance coverage on Borough equipment, property or operations and the handling of all claims or questions arising under such insurance.
  2. The maintenance of a complete and current inventory of all Borough buildings, furnishings and equipment for insurance purposes.
  3. The review, at least once every 3 years, of all insurance coverage on Borough equipment, property or operations as to its completeness and adequacy by an accredited insurance appraiser.
- H. Be responsible for yearly publication of literature for the Council including names, addresses, meeting dates, etc.
- I. The official source of information in the public interest either published or solicited.
- J. Liaison between the South Plainfield Board of Education and the Mayor and Council.

## **Health, Welfare and Environment**

- SECTION 1. The Public Health Committee shall have primary responsibility for the following described activities and matters:
- A. Initiate and conduct studies and recommendations and take appropriate action to secure the public health.
  - B. Liaison between the Mayor and Council and the Health Advisory Board.
  - C. A member of this committee shall serve as liaison to the Environmental Commission.
  - D. Liaison between the Mayor and Council and the Local Assistance Board.
  - E. Committee chairperson will serve as a member of the Local Assistance Board.

## **Public Works and Recycling**

- SECTION 1. The Public Works and Recycling Committees shall have primary responsibility for the following described activities and matters.
- A. Construction, reconstruction, maintenance repair and cleaning of all public streets within the Borough and regulate the construction, maintenance, alteration and repair of sidewalks, curbs, gutters and encroachments by object and structures above and below such streets and sidewalks in accordance with any of the ordinances of the Borough.
  - B. Care for all Borough Parks and public grounds including the trees, lawns, and landscaping appurtenant to public buildings.
  - C. The administration, practices, procedures and records of the following:
    - 1. Provide custodial and janitorial services for Borough Hall, Library, Senior Citizen Center and PAL Building
    - 2. Recycling
  - D. Operate and maintain Borough properties including the Borough Municipal Building and other offices, quarters and any tax foreclosed property.
  - E. Maintenance and operation of the municipal compactor, recycling center and yard waste center.
  - F. Shade trees
  - G. Street lighting
  - H. Maintenance and inspection of sanitary and storm sewers
  - I. Construction of new sanitary and storm sewers
  - J. Matters arising under or pertaining to the contract between the Borough and MCUA.
  - K. Garbage, ash and refuse collection and disposal
  - L. Erection and maintenance of signs as directed by the Mayor and Council or in concurrence with Engineering or Zoning Officer.

## **Public Safety**

SECTION 1. The Public Safety Committee shall have primary responsibility for the following described activities and matter:

- A. Police Department and all ordinances, laws and regulations pertaining thereto.
- B. Street and roadway traffic
- C. Dog warden
- D. Liaison between the Borough and all organizations or agencies concerned with public safety or juvenile delinquency including Emergency Management.
- E. Granting of licenses and the inspection of licenses, premises and persons.
- F. The Fire Department and all ordinances, laws and regulations pertaining thereto.
- G. Hydrant service
- H. Liaison between the Borough and the Volunteer Fire Companies located in the Borough.
- I. The Division of Code Enforcement and the office of the Code Enforcement Officer.
- J. Chairperson of the committee shall be a member of the Youth Guidance Council.

## **Recreation**

SECTION 1. The Recreation Committee shall have primary responsibility for the following described activities and matter:

- A. Recreation activities conducted at Borough expense.
- B. Recommending extension, additions and improvements to the Borough park system.
- C. Liaison between the Mayor and Council and the Recreation Commission.
- D. Liaison between the Borough and any civic, patriotic and/or other celebration financed wholly or in part by public funds.
- E. Responsible for all Labor Day activities.
- F. Liaison for the Central Jersey July 4 celebration.
- G. Chairperson of the committee shall be a member of the Youth Guidance Council.
- H. Chairperson of Recreation shall be the liaison to the Office on Aging Department, Senior Housing Committee and any other Senior Groups.

## **Economic Development**

SECTION 1. The Economic Development Committee shall have primary responsibility for the following described activities and matters:

- A. Liaison between the Mayor and Council, the Planning Board, the Land Management Advisory Committee and the Business Advisory Group.
- B. The administration, practices, procedures and records of the following; Zoning/Planning Offices & Building/Construction Department.
- C. Be aware of the problems and activities concerning industry and commerce and strive for solutions to these problems.
- D. Aid public education concerning all projects undertaken by the Planning Board and the Land Management Advisory Committee.
- E. Recommend foreclosure action and subsequent administration and disposition of property acquired by the Borough under foreclosure of tax title liens.
- F. Recommend sale of all Borough owned property no longer needed for public purposes. All sales of both tax sale certificates and real property shall be conducted in accordance with general law and any local ordinances and in accordance with the terms and conditions prescribed by the Council for any specific sale.
- G. Chairperson of this committee shall be a member of the Planning Board.

## **ARTICLE VII**

### **PURCHASE PROCEDURE, BILLS, CLAIMS AND VOUCHERS**

SECTION 1. When the safety or protection of public property or public convenience requires, the Committee of the Council responsible shall have the authority without recourse to the normal purchasing procedures, to make immediate provisions to remedy the situation if the cost of such action shall be not more than \$5,000. A full report on the matter shall be made at the next regular meeting of the Council. If the cost of such action would exceed \$5,000 then the Council, by resolution passed by the affirmative votes of two-thirds of all the Council, can authorize the necessary action to be taken without recourse to the normal purchasing procedures. The resolution adopted must declare that an exigency exists and must set forth the appropriate amount to the spent.

A member of the Council shall not knowingly disburse, order to vote for the disbursements of public moneys, or incur any obligations in excess of appropriations.

No member of the Council shall, directly or indirectly, be interested in the furnishing of any goods, chattels, supplies or property to the Borough or in any

agreement or contract for the construction of any building or improvement to be made at the expense of the Borough, or be a party, either as principal or surety, to an agreement or contract with the Borough and any other party.

SECTION 2. All purchase requests must be submitted to the Purchasing Agent. No vouchers requesting payment shall be acknowledged unless above requirements are adhered to.

SECTION 3. **Purchase in excess of \$3,000**

- A. Purchase in excess of \$3,000 may be initiated only the Chairperson or a majority of the Committee of the Council having jurisdiction at a regular, adjourned or special meeting of the Council.
- B. If the proposed purchase is approved by the Mayor and Council, a resolution shall be adopted authorizing the advertising for bids in the manner required by statute.
- C. Bids shall be received by the Municipal Clerk and opened only at the time stated in the advertisement.
- D. When property which may properly be described as apparatus is to be purchased, the Council may adopt a resolution dispensing with the requirement of advertising for bids as set forth by law.
- E. Where work is to be done for the Borough, the Mayor and Council, in the resolution authorizing the advertisement for bids, will direct that there be included in the advertisement statement that every bidder must enclose with his bid a certified check for 10% of the bid and that the successful bidder must furnish a performance bond in the amount of his bid for the performance of the work called for.
- F. Payment of services rendered by Borough officers and employees or by Attorneys, Accountants or other professionals appointed by the Mayor and Council.
  - 1. No purchase requisitions or purchase order shall be required.
  - 2. All purchases of insurance shall conform to the requirements and procedures established, except that it shall not be necessary to advertise for bids.

SECTION 4. Any or all claims against the Borough shall be in writing, fully itemized, and on such forms as the Borough shall provide for the purpose. They shall be certified to by the claimant before submission for approval and payment.

SECTION 5. All bids and claims must be supported by a certification of the receipt of the goods, of the satisfactory rendering of the services, by the responsible person accepting the same on behalf of the Borough and who may be held accountable therefore.

All checks vouchers with supporting papers (requisitions and/or copy of purchase order), attached will then be presented to the Council Committee having primary interest in the matter. Each voucher shall be reviewed and if approved by the Committee having jurisdiction over the activity or matter for which the expenditures were incurred, it will then be included in the list of bills to be approved for payment at the next regular meeting.

The appropriate committee or committees shall examine all vouchers and will indicate its approval on each voucher prior to submitting it to the Council for authorization to pay same.

SECTION 6. All vouchers must be received by the Municipal clerk on the day prior to each agenda meeting.

All vouchers recommended for payment shall be presented to the Council by the Municipal Clerk at a regular meeting or an adjourned regular meeting.

Authorization to draw the checks and pay the amounts of the approved vouchers shall be by resolution of the Council.

- SECTION 7. The corresponding vouchers and/or resolutions shall accompany all checks drawn in payment thereof when the said checks are presented to the Mayor, the Treasurer and the Municipal Clerk for signature.
- SECTION 8. All bills, vouchers, resolutions and paid checks shall be filed in a safe place and be made available for public inspection whenever requested.

**ARTICLE VIII**  
**AMENDMENTS**

- SECTION 1. The Mayor, or any member of the Council may propose amendments to these by-laws at any regular meeting or adjourned meeting by resolution.
- The Council President will then appoint a special committee of three members of the Council to consider the proposed amendments, which in addition may submit other suggested changes.
- SECTION 2. The special committee will present its recommendations at a regular meeting or adjourned regular meeting of the Council.
- SECTION 3. These by-law shall only be altered or amended by a two-thirds vote on a roll call taken at two consecutive meetings of the Council.

**ARTICLE IX**

These by-laws are finally adopted and as amended from time to time, shall be effective until the next annual meetings of the Council.

**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 Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-24**

**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:

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

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-25**

**AUTHORIZING THE 2017 OFFICIAL NEWSPAPERS**

**WHEREAS** pursuant to N.J.S.A. 10:4-7 the definition of an “official newspaper” is one that is paid, published and circulated in the municipality and/or the County; and

**WHEREAS** the following newspapers meet the legal statutory criteria for an “official newspaper” and are hereby officially declared to be the official newspapers for the purpose of publishing official advertisements, legal notices and the production of affidavits of publication 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 RESOLVED** that *Tap into South Plainfield* shall be and is hereby designated as the electronic news source for the Borough of South Plainfield for which notices and other matters may be provided pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-6, et seq.), but which shall not be required. Costs for any publication of any statutory advertisements, legal notices, or any other advertisements shall be at the expense of *Tap into South Plainfield*. This designation of *Tap into South Plainfield* shall not require or mandate that legal advertising or any other notices must or should be provided to them; and

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

1. Amy Antonides, Municipal Clerk
2. Joanne Broderick, Planning/Zoning Secretary
3. All Borough Departments

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 2017-26**

**ESTABLISHING THE BOROUGH HOLIDAYS FOR 2017**

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

the calendar of employee holidays for the year 2017 be adopted as follows:

January 2, 2017	Tuesday	New Year's Day Observed
January 16, 2017	Monday	Martin Luther King
February 13, 2017	Monday	Lincoln's Birthday Observed
February 20, 2017	Monday	President's Day
April 14, 2017	Friday	Good Friday
May 29, 2017	Monday	Memorial Day
July 4, 2017	Tuesday	Independence Day
September 4, 2017	Monday	Labor Day (Except Police Officers)
October 9, 2017	Monday	Columbus Day
November 7, 2017	Tuesday	Election Day (Police <u>Only</u> )
November 10, 2017	Friday	Veteran's Day
November 23, 2017	Thursday	Thanksgiving Day
November 24, 2017	Friday	Day After Thanksgiving
December 25, 2017	Monday	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 Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-27**

**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 2<sup>nd</sup> day of January, 2017 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, 2017 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:

1. Amy Antonides, Municipal Clerk
2. Tax Collector

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION #2017-28  
ESTABLISHING THE BOROUGH COUNCIL MEETING DATES FOR 2017**

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

the following dates are hereby approved as 2017 meeting dates for the Mayor and Council:

<u>Agenda Meeting</u>	<u>Public Meeting</u>
(Reorganization) January 02, 2017 1:00 at Boro Hall	January 02, 2017 – 1:00 at Boro Hall
January 09, 2017	January 09, 2017
January 23, 2017	January 23, 2017 – Due to Martin Luther on 16th
February 6, 2017	February 6, 2017
February 21, 2017	February 21, 2017 – Due to Presidents Day on 20th
March 6, 2017	March 6, 2017
March 20, 2017	March 20, 2017
April 3, 2017	April 3, 2017
April 17, 2017	April 17, 2017
May 1, 2017	May 1, 2017
May 15, 2017	May 15, 2017
June 05, 2017	June 05, 2017
June 19, 2017	June 19, 2017

July 10, 2017  
 July 31, 2017  
 August 14, 2017  
 September 5, 2017  
 September 18, 2017  
 October 2, 2017  
 October 16, 2017  
 November 06, 2017  
 November 20, 2017  
 December 4, 2017  
 December 18, 2017

July 10, 2017  
 July 31, 2017  
 August 14, 2017  
 September 5, 2017 – Due to Labor Day on 4th  
 September 18, 2017  
 October 2, 2017  
 October 16, 2017  
 November 06, 2017  
 November 20, 2017  
 December 4, 2017  
 December 18, 2017

All Agenda Meetings begin at 7:00pm followed immediately by the Public Meeting, unless otherwise noted. Any changes to the aforementioned schedule shall be posted on the Borough bulletin board and website and transmitted to the official newspaper. 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 Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 17-29  
 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, 2017 through December 31, 2017.

**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, 2017 through December 31, 2017. 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:

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

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-30**

**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:

- 1. Glenn Cullen, CFO
- 2. Amy Antonides, Municipal Clerk
- 3. Mayor Anesh

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-31**

**AUTHORIZING THE MUNICIPAL CLERK TO ADMINISTER ALL MOTOR VEHICLE SALE, AMUSEMENT, LAUNDROMAT, JUNKYARD, WRECKERS, CLOTHING BIN, AND LIMOUSINE PERMITS FOR THE LICENSE YEAR 2017/2018**

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 2017/2018 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:

1. Amy Antonides, Municipal Clerk
2. Diane Janus, Assistant to Municipal Clerk

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 2017-32**

**AUTHORIZING PRACTICES AND PROCEDURES FOR BOROUGH OFFICIALS OF THE BOROUGH OF SOUTH PLAINFIELD IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**WHEREAS**, certain practices and procedures have been followed by the Borough for over ten years, and no record of codification or authorization for such practices can be found; and

**WHEREAS**, such practices are reasonable and appropriate, and should be continued;

**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 Mayor, each Councilperson and each department head attending the annual League of Municipalities Convention shall be entitled to an allowance of \$350.00 for expenses for attending such convention;

2. The members of the Governing Body shall receive an annual revenue allowance as follows: Mayor \$6,000.00, Council President \$5,000.00 and Council Person \$4,000.00. Payment for said allowance shall continue to be made on a quarterly basis.
3. The Borough Administrator, Chief Financial Officer, Borough Clerk, and any other employee of the Borough holding a professional license shall be permitted a monetary allowance to attend professional conferences, seminars or conventions related to their job functions. The Borough Administrator will determine the amount of allowance, and entitlement to such allowance and shall be based upon approval being granted by the Administrator for attendance at such conference, seminar or convention prior to attendance at same. Consideration may be made for other Borough officials and employees to be granted an allowance for attendance at conferences, seminars and conventions on a case-by-case basis at the discretion of the Borough Administrator;
4. The Borough Clerk shall receive one compensatory day for every election worked by the Borough Clerk;
5. The Borough Clerk shall receive one compensatory day for each reorganization meeting attended by the Clerk when such meeting is held on either January 1 or a Saturday or Sunday;
6. The Borough shall pay for all continuing education requirements for all officials and employees holding professional licenses conditioned upon the Borough Administrator approving attendance at such class prior to attendance by the official or employee; and
6. All managerial staff of the Borough who are not members of a union shall receive the same benefits as received by employees under the Professional Manager's Contract.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-33**  
**AUTHORIZING THE APPROVAL OF BLOCK PARTY REQUESTS FOR THE 2017**  
**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 2017 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:

1. Amy Antonides, Municipal Clerk
2. Diane Janus, Assistant to Municipal Clerk
3. Police Department - Chief
4. Police Traffic Safety
5. Fire Department
6. Rescue Squad
7. Department of Public Works

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-34**

**AUTHORIZING APPROVAL TO WAIVE CERTAIN PERMIT FEES FOR THE 2017 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 2017 calendar year for the following municipal departments, and/or South Plainfield charitable organizations for their annual or routine events or projects:

- Cub Scout Pack 207** Magic Show at Franklin School
- Cultural Arts Committee** Annual Talent Showcase
- Borough of South Plainfield-** 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.
- Our Lady of Czestochowa** for annual Feast of St. Anthony, 50/50's and Raffles
- SPHS PTA** for annual Project Graduation Auction
- SP Volunteer Fire Company** 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, fire permits, 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
<b>SPPPA (Ponytail Association)</b>	for annual Beefsteak Fundraiser
<b>SP Clubs/Civic/Charitable/Educational organizations</b>	for applicable construction or fire fees for repairs to buildings they own (example: Elks, American Legion, and Knights of Columbus etc.)

**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:

1. Amy Antonides, Municipal Clerk
2. Diane Janus, Assistant to Municipal Clerk
3. All Building Inspectors
4. Fire Official

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 17-35**

**AUTHORIZING THE APPOINTMENT OF DOCTORS EXPRESS URGENT CARE OF SOUTH PLAINFIELD AS THE BOROUGH PHYSICIAN FOR THE 2017 CALENDAR YEAR**

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

***DOCTORS EXPRESS URGENT CARE OF SOUTH PLAINFIELD***

is hereby appointed as the official Borough Physician for the 2017 calendar year.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 17-36**

**AUTHORIZING THE MUNICIPAL CLERK TO ADMINISTER ALL GAMES OF CHANCE LICENSES FOR THE YEAR 2017**

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 2017 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:

1. Amy Antonides, Municipal Clerk
2. Diane Janus, Assistant to Municipal Clerk

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-37  
AUTHORIZING THE USE OF VARIOUS COOPERATIVES  
IN THE STATE OF NEW JERSEY**

**BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, THAT** the CFO and/or Purchasing Agent is hereby authorized to utilize the various cooperatives throughout the state of New Jersey, such as, but not limited to; the Somerset County Cooperative and Middlesex County Cooperative; 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. NJ Treasury Department

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-38  
AUTHORIZING THIRD PARTY PAYROLL DISBURSEMENTS AND  
APPOINTING A PAYROLL APPROVAL OFFICER**

**WHEREAS**, N.J.A.C. 5:30-1, ENTITLED “Electronic Disbursement Controls for Payroll Purposes,” sets forth standards for local governments to follow when contracting with an organization to make disbursements on behalf of the local unit, as permitted by N.J.S.A. 52:27D-20.1; and

**WHEREAS**, the Borough Council of the Borough of South Plainfield must formally approve a payroll service provider access to Borough funds, assign responsibility to an official to oversee the process, and enact policies regulating payroll disbursements by payroll service providers;

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

1. ADP, Inc. is authorized to prepare any necessary payment documentation and make payroll and payroll agency disbursements on behalf of the Borough by executing such disbursements from the Borough’s designated bank accounts, or by taking possession of Borough funds to make such disbursements and to hold those funds pending transmittal.
2. ADP, Inc. shall use its own customized programming process to execute disbursements for the Borough.
3. The Chief Financial Officer is hereby appointed the approval officer and shall be responsible for authorizing and supervising the activities of the payroll service with respect to the disbursement of Borough funds, and shall further

be charged with the reconciliation and analysis of all Borough general ledger accounts affected by the activities of the disbursing organization.

4. ADP Inc. shall be required to report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty or gross incompetence on the part of any approval officer.

5. ADP Inc. shall report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the service provided to the Township.

6. ADP Inc. shall comply with the requirements of N.J.A.C. 5:30-17.5 by providing documentation on an annual basis that ADP, Inc. has its own internal controls and appropriately safeguards against theft and other adverse conditions.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 17-39  
AUTHORIZING CUSTODIANS OF PETTY CASH AND CHANGE FUNDS  
FOR THE 2017 YEAR**

**WHEREAS**, N.J.S.A. authorizes the establishment of a petty cash fund; and

**WHEREAS**, the following employees were former custodians of the petty cash funds:

Glenn F. Cullen	Office on Aging	\$200.00	\$1,000.00 bonded
J. Mueller	Police Department	\$300.00	No bond
J. Glowacki	Public Works	\$100.00	No bond

**WHEREAS**, in accordance with N.J.S.A. 40:5-21, the Borough of South Plainfield is changing custodians of petty cash funds as follows:

Patricia Olano	Office on Aging	\$200.00	\$1,000.00 bonded
James Parker	Police Department	\$300.00	No bond
Leonard Miller	Public Works	\$100.00	No bond

**WHEREAS**, the Borough Council of the Borough of South Plainfield hereby authorize the office of the Municipal Clerk to have a change fund as follows:

Amy Antonides	Municipal Clerk	\$100.00	No bond
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**NOW THEREFORE BE IT FURTHER RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex that the aforementioned authorization is hereby granted and that a copy of this Resolution be forwarded to the following:

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Division of Local Government Services (2 copies)

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2017-40  
AUTHORIZING THE INCREASE OF THE QUOTATION AND BID THRESHOLDS  
PURSUANT TO N.J.S.A. 40A:11-3-C**

**WHEREAS**, effective July 1, 2015 the Governor has authorized an adjustment to the bid thresholds for contracting units subject to the Local Public Contracts Law N.J.S.A. 40A:11-3-C which allows local contracting units with an appointed Qualified Purchasing Agent to increase their bid threshold to a maximum of \$40,000.00, and the quotation threshold to a maximum of \$6,000.00; and

**WHEREAS**, N.J.S.A. 40A:11-3-C permits an increase in the bid threshold if a Qualified Purchasing Agents is appointed as well as granted the authorization to negotiate and award such contracts below the bid or quotation threshold; and

**WHEREAS**, Kelly Cupit possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et. seq; and

**WHEREAS**, Kelly Cupit is the official QPA on file with the Director of the Division of Local Government Services for the Borough of South Plainfield who in accordance with N.J.S.A. 40A:11-3-C desires to take advantage of the increased aforementioned quotation and bid thresholds;

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield in the County of Middlesex, State of New Jersey hereby increases its bid threshold to \$40,000.00 and quotation threshold to \$6,000.00; and

**BE IT FURTHER RESOLVED** that in accordance with N.J.A.C. 5:34-5.4, the local unit Municipal Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Kelly Cupit’s QPA Certification to the Director of the Division of Local Government Services.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>6</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 2:17 p.m., seconded by Council President White unanimously carried.

Submitted By:

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