

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
JANUARY 9, 2017 7:06 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:06 p.m. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this meeting having been provided to the Borough's two official newspapers and also published on the Borough's website.

The roll call was administered by Clerk Antonides as follows:

COUNCIL	Present	Absent	Late
Councilman Bengivenga	X		
Councilman Dean	X		
Councilwoman Faustini	X		
Councilman Vesce	X		
Councilman Wolak	X		
Council President White	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo Esq.	X		
Engineer Miller	X		

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

Public Comment: Mayor Anesh opened the floor for public comment on agenda items only.

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

Authorizing the Approval of Council Minutes:

December 19, 2016 – Agenda
December 19, 2016 - Public
December 19, 2016 – Executive Session

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

RESOLUTIONS

RESOLUTION 2017-39A

RESOLUTION AUTHORIZING SETTLEMENT OF 2013, 2015 and 2016 TAX APPEALS FILED BY MB ESTATES, LLC, FOR THE PROPERTY KNOWN AS 2500 HAMILTON BOULEVARD AND IDENTIFIED AS BLOCK 476, LOT 1.04, ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS

WHEREAS, MB Estates, LLC (hereinafter referred to as "Taxpayer") is the owner of the property known as 2500 Hamilton Boulevard and identified as Block 476, Lot 1.04, on the Borough of South Plainfield's Tax Assessment Maps ("Property"); and

WHEREAS, the assessed value of the Property was set at \$980,000 for 2013, 2015 and 2016; and

WHEREAS, Taxpayer filed appeals of the 2013, 2015 and 2016 tax assessments in the Tax Court of the State of New Jersey under docket numbers 011548-2013, 010734-2015 and 010213-2016; and

WHEREAS, a proposed settlement of the aforesaid tax appeals was negotiated between Taxpayer and the Borough Tax Assessor and Borough Tax Attorney as set forth in the Stipulation of Settlement annexed hereto; and

WHEREAS, the Borough Appraiser, Russ Sterling, MAI, opined that the Borough was not able to defend the assessments for the 2013, 2015 and 2016 tax years under appeal and recommended that the settlement be approved and therefore, this proposed settlement is reasonable and reflects the correct market values for the Property which was over assessed for all three years under appeal; and

WHEREAS, pursuant to the proposed Stipulation of Settlement annexed hereto, the aforesaid tax appeals are to be resolved as follows:

- The 2013 tax appeal shall be withdrawn by Taxpayer;
- The 2015 original assessment in the amount of \$980,000 shall be reduced to \$784,400 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2015;
- The 2016 original assessment in the amount of \$980,000 shall be reduced to \$725,500 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2016;
- Taxpayer has agreed to waive statutory interest provided the subject refunds are paid within sixty (60) days from the date of the entry of Judgment;
- Refunds regarding over payments shall be made payable to “Michael A. Vespasiano, Attorney Trust Account” and forwarded to Michael A. Vespasiano, Esq., 331 Main Street, Chatham, NJ 07928 within 60 days from the date of the entry of Judgment; and
- The parties agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) are waived.

WHEREAS, the Borough of South Plainfield Tax Assessor agrees that it is in the best interests of the Borough of South Plainfield to resolve the aforesaid tax appeals pursuant to the terms and conditions set forth above and in the Stipulation of Settlement annexed hereto based on market conditions as well as the uncertainty and costs associated with continued litigation; and

WHEREAS, the aforesaid settlement is based on the specific and identifiable facts and circumstances pertaining to the Property and has no general application to other properties within the Borough of South Plainfield; and

WHEREAS, the Mayor and Borough Council of South Plainfield having reviewed and considered the pending tax appeals and the proposed settlement thereof agree and confirm it is in the best interests of the Borough of South Plainfield to resolve the tax appeals as set forth herein and in the Stipulation of Settlement attached hereto; and

WHEREAS, the Mayor and Borough Council make this settlement with the Taxpayer without prejudice to its dealing with any other South Plainfield taxpayer’s request for tax assessment reduction; and

WHEREAS, the Mayor and Borough Council leave the allocation between land and improvements of the aforesaid tax assessment reductions to the Borough Tax Assessor’s discretion with the direction that same be set so as to be most beneficial to the Borough.

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

1. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$784,400 total tax assessment for the 2015 tax year for Block 476, Lot 1.04 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.

2. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$725,500 total tax assessment for the 2016 tax year for Block 476, Lot 1.04 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
3. The Borough Attorney is authorized to execute on behalf of the Borough of South Plainfield the attached Stipulation of Settlement pertaining to the tax appeals filed by MB Estates, LLC under Docket Nos.: 011548-2013, 010734-2015 and 010213-2016 , for the property known as 2500 Hamilton Boulevard and identified as Block 476, Lot 1.04, on the Borough of South Plainfield Tax Assessment Maps which results in a withdrawal of Taxpayer's 2013 appeal; which reduces the 2015 total tax assessment on the Property from \$980,000 to \$784,400; which reduces the 2016 total tax assessment on the Property from \$980,000 to \$725,500; which further provides that Taxpayer agrees to waive statutory interest on any refund or overpayment due provided the refund check is paid within sixty (60) days from the issuance of Judgment; which further provides that any refunds shall be made payable to "Michael A. Vespasiano, Attorney Trust Account" and forwarded to Michael A. Vespasiano, Esq. 331 Main Street, Chatham, NJ 07928 within 60 days from the date of the entry of Judgment; and which provides that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) are waived.
4. This settlement shall be without prejudice to the Borough's dealings with any other taxpayer's request or appeal for a tax assessment reduction.

COUNCIL	MOTION	2 ND	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 17-40A

AUTHORIZING THE SOLE SOURCE PROVIDER SUPPORT AND MAINTENANCE SERVICES FROM LAWSOFT INC. FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$22,465.00

WHEREAS the sole source vendor Lawsoft Inc. has submitted a quotation to the Borough to provide support and maintenance services for the CAD/RMS system; and

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

WHEREAS LawSoft Inc. maintains specialty equipment and maintenance services for the police CAD/RMS system; and

WHEREAS, Lawsoft Inc. is the only company authorized to maintain their proprietary equipment on behalf of the Borough of South Plainfield;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes a soul source provider contract with Lawsoft Inc. to provide support and maintenance for CAD/RMS system for the police department in an amount not to exceed \$22,465.00 which shall be applied to the municipal budget by the Chief Financial Officer; and

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

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

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

COUNCIL	MOTION	2 ND	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 2017-41
AUTHORIZING THE APPOINTMENT OF JUNIOR FIREFIGHTERS TO THE SOUTH PLAINFIELD
VOLUNTEER FIRE DEPARTMENT
– (VOLUNTEER NO SALARY)

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the appointments of:

Jessica McGuinness
239 Christopher Avenue
South Plainfield, NJ 07080

La Juan Dotch
311 March Place
Plainfield, NJ 07060

Michael Nicholas Sampogha
111 OKeefe Lane
South Plainfield, NJ 07080

As a Volunteer Junior Firefighter for the South Plainfield Volunteer Fire Department as recommended by Fire Chief Scalera.

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. Fire Chief Scalera
4. Anne Daley, Benefits
5. Carmela Sutor, Payroll

COUNCIL	MOTION	2 ND	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 17-42
AUTHORIZING A REFUND OF \$235.00 TO RYAN INC. FOR A CANCELLED
CONSTRUCTION PERMIT FEE FOR WORK NOT PERFORMED
AT 423 ELSIE AVENUE**

WHEREAS, the Construction Official confirms that work did not take place at 423 Elsie Avenue in South Plainfield as originally planned and thus the applicant has requested a refund of their \$235.00 permit fee;

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a refund check(s) in the amount(s) of \$235.00 to the following:

**Ryan Inc.
741 Lehigh Avenue
Union, NJ 07083**

COUNCIL	MOTION	2 ND	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 No. 2017-43
AUTHORIZING MAJESTIC TOWING TO BE THE OFFICIAL POLICE TOWING OPERATOR FOR
THE 2017 CALENDAR YEAR PURSUANT TO CHAPTER 434-11
OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD**

WHEREAS, pursuant to Chapter 434-11 of the Code of the Borough of South Plainfield, the Police Department has sought proposals from various towing operators for the police vehicle towing for the 2017 calendar year and only one bid was received from:

Majestic Towing

WHEREAS, only one of the operators of towing/wrecking establishments in the Borough of South Plainfield have made application in accordance with Chapter 434-11 of the Code of the Borough of South Plainfield for renewal of the license to operate on the rotation towing/wrecker list for the year 2017; and

WHEREAS, after proper review of the renewal application and inspection of the facilities by the South Plainfield Police Department it was deemed that the proposal that had the lowest towing fees and that also met the requirements of the Code is:

Majestic Towing:

Towing- \$65.00 for hook-up
If more than 5 miles away \$3.00 per mile, \$1.50 per mile to vehicle
Jump Starts - \$65
Lock Outs - \$65
Tire Repairs - \$15.00 plus service fee
Tire Changes: \$65

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the official towing operator for the South Plainfield Police Department be and hereby issued to Majestic Towing for the year 2017.

COUNCIL	MOTION	2 ND	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: 2017-44
AUTHORIZING A REFUND OF SEWER OVERPAYMENT IN THE AMOUNT OF \$570.82 FOR 3630 KENNEDY ASSOCIATES.

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

Block: 446 Lot: 9
3630 Kennedy Associates c/o Puleo
3614 Kennedy Road
South Plainfield, NJ 07080
\$570.82

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a check(s) in the amount(s) as mentioned above.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman 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 #2017-45
AUTHORIZING RENEWAL OF A SHARED SERVICE CONTRACT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND COUNTY OF MIDDLESEX FOR PUBLIC HEALTH SERVICES FOR 2017 IN THE AMOUNT OF \$118,189.62

WHEREAS, the Borough of South Plainfield and the County of Middlesex previously entered into a Shared Services Agreement for the Middlesex County Health Dept. to provide Municipal Health Services of a technical and professional nature; and

WHEREAS, both the Borough and the County wish to continue this Shared Service Agreement of which term is for one (1) year, January 1, 2017 through December 31, 2017; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given for the Mayor and Municipal Clerk to execute the Shared Services Agreement with Middlesex County to provide Municipal Health Services of a technical and professional nature for a one year (1) year period, January 1, 2017 through December 31, 2017 in the amount of \$118,189.62 representative of a 2% increase from 2016.

COUNCIL	MOTION	2 ND	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 No. 17-46

AUTHORIZING THE AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF SOUTH PLAINFIELD FOR ACCEPTANCE OF THE SOUTH PLAINFIELD MUNICIPAL ALLIANCE GRANT ALLOCATION IN THE AMOUNT OF \$20,586.00 WITH A MUNICIPAL IN-KIND MATCH OF \$15,439.50 AND A CASH MATCH OF \$5,146.50 FOR THE TERM COMMENCING JULY 1, 2017 TO JUNE 30, 2018

WHEREAS, the Borough of South Plainfield, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Borough of South Plainfield further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuse in our community; and

WHEREAS, the Borough of South Plainfield has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Borough hereby recognizes that:

1. The South Plainfield Borough Council does hereby authorize the Mayor and Municipal Clerk to execute the aforementioned agreement between the County of Middlesex and the Borough of South Plainfield for the South Plainfield Municipal Alliance grant allocation for FY2018 in the amount of \$20,586.00, with a municipal in kind match of \$15,439.50 and a cash match of \$5,146.50.
2. The South Plainfield Borough Council acknowledges the terms and conditions for the administering of the Municipal Alliance grant, including the administrative compliance and audit requirements.

COUNCIL	MOTION	2 ND	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 No. 17-47

AUTHORIZING CANOPY ROOFING SYSTEMS TO PERFORM NIGHT TIME ROOFING DEMOLITION AT THE MIDDLESEX MALL LOCATED AT 6305 HADLEY ROAD BETWEEN JANUARY 9, 2017 TO JANUARY 20, 2017

WHEREAS, the Borough of South Plainfield, County of Middlesex, State of New Jersey prohibits noise disturbances pursuant to Chapter 300 section 300-3 entitled “Prohibited acts” during the night time hours; and

WHEREAS, the Borough of South Plainfield received a request from Canopy Roofing Systems to perform roof abatement demolition at The Middlesex Mall located at 6305 Hadley Road at the Burlington Coat Factory site in South Plainfield seeking said demolition work to be performed during the night hours as to not interfere with daytime business interests from January 9, 2017 through January 20, 2017; and

WHEREAS, the Borough of South Plainfield in accordance with Chapter 300 section 300-4 (b) shall have the authority to grant a special variance giving relief to certain noise disturbances;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Borough hereby deems it to be in the best interest of the community and business' located at The Middlesex Mall to grant relief to Canapy Roofing Systems in allowing them to conduct roof abatement demolition at The Middlesex Mall located at 6305 Hadley Road at the Burlington Coat Factory site during night time hours and further deems that said noise incurred will not be a hindrance for nearby homeowners or businesses alike.

COUNCIL	MOTION	2 ND	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 17-48
AUTHORIZING THE PURCHASE OF TOOLS AND EQUIPMENT
FROM 1ST CHOICE SAFETY EQUIPMENT FOR THE FIRE DEPARTMENT
IN AN AMOUNT NOT TO EXCEED \$4,918.00**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of tools and equipment for the Fire Department from 1st Choice Safety Equipment in an amount not to exceed \$4,918.00; and

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Tom Scalera, Fire Chief

COUNCIL	MOTION	2 ND	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 17-49
AUTHORIZING THE PURCHASE OF TOOLS AND EQUIPMENT
FROM FF1 FIREFIGHTER ONE FOR THE FIRE DEPARTMENT
IN AN AMOUNT NOT TO EXCEED \$11,421.97**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of tools and equipment for the Fire Department from FF1 Firefighter One in an amount not to exceed \$11,421.97; 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. Tom Scalera, Fire Chief

COUNCIL	MOTION	2 ND	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 # 17-50
AMENDING RESOLUITON 17-39 THAT AUTHORIZED CUSTODIANS OF PETTY CASH AND CHANGE FUNDS FOR THE 2017 YEAR TO INCLUDE SIX MORE DEPARTMENTS WITH CHANGE FUNDS

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
Glenn F. Cullen	Finance Office	\$200.00	\$1,000.00 bonded

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
Karen Costantino	Court Administrator	\$150.00	No bond
Kim Clifford	Tax Collector	\$300.00	No bond
Mario Abbruzzese	Code Enforcement Officer	\$100.00	No bond
James Parker	Police Chief	\$ 50.00	No bond
Harriet Wagner	Registrar	\$ 25.00	No bond
Joseph Abbruzzese	Fire Official	\$ 50.00	No bond

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 ND	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 17-51
AUTHORIZING THE 2017 COMMUNITY POOL FEES**

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of the Director of Recreation, authorization is hereby given to establish the 2017 Community Pool Fees as follows:

FEES: The following Fees will be used during the 2017 Summer Pool Season:

<u>Resident</u>	<u>On or Before 4/28</u>	<u>After 4/28</u>
Family	\$315 & 10 passes	\$370 & 10 passes
Individual	\$180 & 10 passes	\$235 & 10 passes
Senior Citizen	\$70 & 10 passes	\$85 & 10 passes
<u>Nonresident</u>		
Family	\$575 & 10 passes	\$600 & 10 passes
Individual	\$300 & 10 passes	\$325 & 10 passes
Senior Citizen	\$140 & 10 passes	\$160 & 10 passes

DAILY ADMISSION PASSES :Everyone must provide proper identification

	<u>Monday – Friday</u>		<u>Weekends/Holidays</u>	
	Resident	Nonresident	Resident	Nonresident
All ages before 5:00pm	\$ 12	\$25	\$15	\$30
All ages after 5:00pm	\$ 8	\$12	\$ 8	\$ 12
Groups – 20 or more*	\$ 8		\$ 8	

*Must be pre-registered

A limited amount of passes will be sold daily

IDENTIFICATION CARDS

Photo identification cards are to be used by all members. They must be presented at Front Desk each time you enter the Complex. Any member allowing someone else to use their cards will forfeit their membership for the rest of the season. Adult cards are good for six years. Children cards are good for three years. **THE FEE FOR A REPLACEMENT CARD IS \$5.**

RAIN CHECKS

Rain checks will be issued to paid guests if the pool is closed by management before 2:30PM

MEMBERSHIP

INDIVIDUAL – Resident of South Plainfield age 12 or over. Applicants under 18 must have parental consent.

FAMILY – Any 2 Adults and their children residing at the family home in South Plainfield and can prove residency. Any subsequent adults residing in the home must obtain an individual membership. Children included under this membership are under 19 year’s old or full time college students (valid college ID required) or fully dependent (severe physical/mental disability) adults.

SENIOR CITIZEN – 55 years of age and older

ALL CHILDREN UNDER 12 YEARS OF AGE MUST BE ACCOMPANIED BY A RESPONSIBLE MEMBER, AGE 18 OR OLDER. NO CHILD UNDER 12 SHALL BE LEFT ALONE AT THE FACILITY FOR ANY REASON.

FEES ARE NOT REFUNDABLE

All picnics must be arranged through the managers at the pool.

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

1. Mr. Kevin Hughes, Recreation Director
2. Glenn Cullen, Chief Financial Officer

COUNCIL	MOTION	2 ND	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 17-52
AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE
A ONE YEAR EXTENSION BETWEEN THE BOROUGH OF SOUTH PLAINFIELD
AND ECOVANTA, LLC FOR ELECTRONIC WASTE RECYCLABLES (E-WASTE)**

WHEREAS, the Borough of South Plainfield is proactive in addressing environmental issues such as the proper recycling of consumer electronics; and

WHEREAS, effective of January 1, 2011, recycling of certain consumer electronics is mandatory in the State of New Jersey; and

WHEREAS, the Borough of South Plainfield encourages their residents to properly recycling the consumer electronics and ECovanta, LLC is a provider of such services; and

WHEREAS, the Recycling Coordinator, Alice Tempel, has recommended that entering into an agreement with Ecovanta, LLC to provide for E-Waste services is in the best interest of the Borough of South Plainfield for a term of one year, to expire on 12/31/2016, with the option of renewal for up to two more years through 12/31/2018;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that based upon the recommendation of the South Plainfield Recycling Coordinator, that it hereby authorizes the Mayor and/or Municipal Clerk to execute a one year extension of services with ECovanta, LLC to implement E-Waste Services with the Borough of South Plainfield for another one year term to end 12/31/2017;

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

1. Amy Antonides, Municipal Clerk
2. Alice Tempel, Recycling Coordinator
3. Len Miller, DPW Superintendent
4. Dave Peterson, ECOVANA, LLC

COUNCIL	MOTION	2 ND	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
		VOTE:	4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 17-53
AUTHORIZING 2016 APPROPRIATION TRANSFERS IN THE AMOUNT OF \$105,000.00
FOR THE CURRENT FUND PURSUANT TO N.J.S.A. 40A:4-58**

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

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

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

CURRENT FUND				
FROM:				AMOUNT
6-01-20-100-000-101	Borough Administration		S&W	2,500.00
6-01-20-110-000-101	Executive		S&W	2,500.00
6-01-20-140-000-101	Computer		S&W	2,500.00
6-01-20-155-000-101	Legal		S&W	2,500.00
6-01-21-185-000-221	Zoning		O&E	2,000.00
6-01-22-195-001-101	Code Enforcement		S&W	2,500.00
6-01-25-240-001-101	Police		S&W	20,000.00
6-01-25-240-003-241	Crossing Guards		O&E	10,000.00
6-01-25-252-000-485	Office of Emergency Management		O&E	1,000.00
6-01-25-265-002-101	Fire Official		S&W	2,500.00
6-01-26-290-001-101	Public Works Admin		S&W	2,500.00
6-01-26-290-002-235	Road Repairs & Maintenance		O&E	6,500.00
6-01-26-290-003-102	Snow		S&W	10,000.00
6-01-26-305-003-235	Recycling		O&E	3,000.00
6-01-26-310-000-101	Public Buildings & Grounds		S&W	3,000.00
6-01-28-370-002-101	Office on Aging		S&W	2,000.00
6-01-32-465-001-545	Landfill		O&E	5,000.00
6-01-23-220-000-621	Health Benefits		O & E	10,000.00
6-01-30-415-001-101	Compenated Absence		S&W	15,000.00
Total FROM:				105,000.00
TO:				AMOUNT
6-01-20-150-000-101	Assessing		S&W	1,000.00
6-01-30-415-001-101	Compenated Absence		S&W	40,000.00
6-01-23-220-000-601	Health Benefits		O & E	17,000.00
6-01-25-240-001-475	Police		O & E	5,000.00
6-01-26-290-003-321	Snow		O&E	11,000.00
6-01-38-481-000-225	Judgements		O & E	6,000.00
6-01-26-290-002-101	Road Repairs & Maintenance		S&W	18,000.00
6-01-26-310-000-101	Public Buildings & Grounds		S&W	7,000.00
Total TO:				105,000.00

COUNCIL	MOTION	2 ND	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 17-54

AUTHORIZING A SOLE SOURCE PROVIDER CONTRACT PURSUANT TO N.J.S.A.40A:11-5(1)(DD) FOR 2017 PROPRIETARY SOFTWARE MAINTENANCE WITH EDMUNDS & ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$22,194.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes a sole source provider contract purchase pursuant to N.J.S.A. 40A:11-5(1)(dd) for 2017 proprietary software maintenance with Edmunds & Associates, Inc. in an amount not to exceed \$22,194.00.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. John Abbruzzese, IT

COUNCIL	MOTION	2 ND	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 17-55

AUTHORIZING THE SOLE SOURCE PROVIDER SERVICES FROM MILLBURN PHOTO FOR A VIDEO RECORDING SYSTEM FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$11,760.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes a sole source provider contract purchase pursuant to N.J.S.A. 40A:11-5(1)(dd) for a video recording system for the police Department in an amount not to exceed \$11,760.00.

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

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

COUNCIL	MOTION	2 ND	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 17-56

AUTHORIZING THE STATE CONTRACT PURCHASE OF TABLETS WITH DOCKING STATIONS FOR THE POLICE DEPARTMENT FROM BRITE IN AN AMOUNT NOT TO EXCEED \$14,345.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the state contract purchase of tablets with docking stations for the Police Department from Brite in an amount not to exceed \$14,345.00 pursuant to state contract number 70256-WSCA/NASPO; 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. James Parker, Police Chief

COUNCIL	MOTION	2 ND	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							

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Traffic Safety Advisory Minutes – October 26, 2016
- Planning Board Minutes – November 29, 2016
- Environmental Commission Report – November, 2016
- Zoning Board of Adjustment Minutes – December 6, 2016

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

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

Current Fund	5-01	0.00
Current Fund	6-01	1,040,013.34
Pool Utility	6-26	2,014.00
Pool Utility	5-26	0.00
Sewer Utility	6-07	1,116,953.95
Sewer Utility	5-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	190,762.32
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	4,918.89
Dog Trust	T-12	3,858.33
Treasurers Trust	T-13	7,138.70
Recreation Trust	T-14	4,817.28
COAH		0.00
TOTAL ALL FUNDS		\$ 2,370,476.81

COUNCIL	MOTION	2 ND	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							

COUNCIL REPORTS:

Borough Attorney Rizzo Esq. – reported progress

Administrator Cullen – reported progress

Engineer Miller – reported that with the snow storm this past Saturday we did call in several contractors to assist us and all in all everything went relatively well.

Clerk Antonides – reported progress.

Councilman Dean – reported progress.

Councilwoman Faustini – reminded everyone that there will be a town wide celebration sponsored by BILA at the Senior Center on February 4th at 12:30 then went on to report progress.

Councilman Bengivenga – said that in relation to some of Councilman Dean's remarks made at the reorganization meeting in his speech pertaining to traffic safety, Councilman Bengivenga said he has spoken to Traffic Safety Officer, Lt. DeLair who in turn will be discussing this matter at the next Traffic Safety meeting and will report back accordingly.

Councilman Vesce – advised that he was in touch with Mr. Miller throughout the storm who kept him apprised of his progress and everything seemed to go smooth with the exception of maybe not having enough contractor vehicles. Mr. Miller confirmed that we were about 3 vehicles short but we moved our man power around and made it work. Councilman Vesce said he did a wonderful job and didn't receive any phone calls to the contrary.

Councilman Wolak – reported progress

Council President White – reported progress.

Mayor Anesh – advised that the Mayor's Wellness walking challenge for 2017 will be forthcoming with a very nice award and then went on to report progress.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Mr. Paul Messina of the local tattoo shop in town asked what the status is with their annual license fee, specifically if any consideration has been made to reduce the fee. Mayor Anesh advised that though Councilman Dean is the Liaison to the Board of Health, since he is a client of the tattoo shop, he is conflicted out. Therefore, Councilwoman Faustini will step in to assist in this regard with the Board of Health. Councilwoman Faustini advised that the Board of Health is in fact looking into the matter and she has even requested that their next meeting be moved up to the end of January to help expedite the discussion of this matter.

Miss. Hannah Rhodes, Junior at South Plainfield High School, provided an update with her forthcoming memorial flag program advising that she is working with the Boyle Memorial Foundation.

Mr. Jason Risoli of 2529 Hamilton Blvd asked the council if they had a status on an engine breaking ordinance on the truck routes that would provide for signage on certain routes regarding jake breaking. Councilman Bengivenga confirmed that such an ordinance was in fact adopted around 2008. We first have to seek approvals from the state prior to posting any such signage. Mr. Risoli went on to inquire about the status of 100 Main Street whereas the owner is put in for a variance but they are taking down trees at present. Mr. Cullen said the applicant is presently out of the country so therefore his application has been moved to a February meeting date.

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

At 7:28 p.m. Mayor Anesh called for a recess from the public portion of the meeting to go into Executive Session advising that everyone is welcome to stay if they choose.

Upon return from Executive Session at 7:47 p.m., Mayor Anesh called the public meeting back to order.

ADJOURNMENT

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Council President White made a motion to adjourn at 7:48 p.m., seconded by Councilman Bengivenga and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk