

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
MARCH 6, 2017 7:02 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:00 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:

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 a Girl Scout from the audience and Councilman Vesce 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:

February 21, 2017 – Agenda
February 21, 2017 - Public
February 21, 2017 – CDBG Special Hearing

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

Proclamations National Girl Scout Week

Mayor Anesh read the proclamation in full and then invited all the Girl Scouts present to come forward. Photos were taken by family, friends and media present and everyone extended a round of applause.

Mayor Anesh called for a brief recess at 7:25 p.m. Mayor Anesh called the meeting back to order at 7:30 p.m.

Clerk Antonides read the following Bond Ordinance #2072 by title on second reading. Mayor Anesh opened the floor for public comments. With no comments made, Mayor Anesh closed the floor. There were no comments from Council.

**BOND ORDINANCE 2072
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE
DEPARTMENT OF PUBLIC WORKS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE
COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$280,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$264,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE
PART OF THE COST THEREOF.**

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$280,000, and further including the aggregate sum of \$16,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$264,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of mason dump trucks, including all related costs and expenditures incidental thereto.	\$122,000	\$114,700	5 years
b) Upgrades to the fuel pump, including all work and materials necessary therefor and incidental thereto.	\$51,000	\$48,400	15 years
c) The acquisition and installation of a Fuel Management System, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$51,000	\$48,400	5 years
d) The acquisition and installation of gates and fencing, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$15,000	\$14,000	15 years

e) The acquisition and installation of a Fleet Management System, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$26,000	\$24,500	5 years
f) The acquisition of equipment, including, but not limited to, lawn cutting equipment and plows, and further including all related costs and expenditures incidental thereto.	<u>\$15,000</u>	<u>\$14,000</u>	15 years
TOTAL:	<u>\$280,000</u>	<u>\$264,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.89 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$264,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements. Section

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

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

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the

Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

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

Clerk Antonides read the following Ordinance #2073 by title on second reading. Mayor Anesh opened the floor for public comments. With no comments made, Mayor Anesh closed the floor. There were no comments from Council.

ORDINANCE NO. 2073

AN ORDINANCE AMENDING ARTICLE XIX OF THE SANITARY CODE OF THE BOROUGH OF SOUTH PLAINFIELD ENTITLED “LICENSING FEES”.

WHEREAS, the Borough Council requested the Borough Health Advisory Board to review the annual licensing fee applicable to tattoo parlors as a result of a complaint received regarding same; and

WHEREAS, the Health Advisory Board met on January 24, 2017 and reviewed the annual licensing fee as requested, and made the following findings:

1. The current operators of a tattoo parlor located within the Borough who had complained regarding the fee were aware of such fee prior to the initiation of their business in the Borough in 2015;
2. The current annual license fee of \$4,000.00 has been in effect since at least 1987;
3. Neighboring Middlesex County municipalities charge varying fees ranging to \$900.00; and

WHEREAS, the Health Advisory Board discussed with the Health Inspector the nature of such businesses and of such inspections, and further reviewed the New Jersey State Sanitary Code for body art businesses; and

WHEREAS, the Health Advisory Board found that due to the nature of such businesses, inspections are involved and include review of many items, including sterilization techniques, equipment inspection, needle use and disposal, blood borne pathogen training, waste disposal, appropriate log examination, review of parental and general consent form processing, and paperwork for care instruction of new tattoos and piercings; and

WHEREAS, the Health Advisory Board noted that licensing fees must have a logical determination and relationship to the time and work involved on the part of the municipality in issuing the license and regulating the business; and

WHEREAS, due to the level of involvement, the Health Advisory Board recommends that no less than four (4) inspections be made of tattoo parlors per year, and based upon the foregoing recommended an amendment to the licensing ordinance to set the annual licensing fee at \$1,000.00; and

WHEREAS, the Mayor and Council have reviewed the findings and recommendations of the Health Advisory Board and wish to adopt same;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Article XIX of the Sanitary Code of the Borough of South Plainfield entitled "Licensing Fees" shall be and is hereby amended to set forth the annual fee for a tattoo parlor to be \$1,000.00.

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

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							

Clerk Antonides read the following Ordinance #2074 by title on first reading. Mayor Anesh set the public hearing for March 20, 2017. With no comments made, Mayor Anesh closed the floor. There were no comments from Council.

BOND ORDINANCE 2074

BOND ORDINANCE PROVIDING FOR RESURFACING OF VARIOUS ROADS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,300,000, including a \$375,000 grant from the State of New Jersey Department of Transportation Fiscal Year 2016 Municipal Aid Program for the improvement in Section 3(a) (the "State Grant"), and further including \$25,000 in road contributions for the improvement in Section 3(b) which is being applied as the down payment for the improvement as required by the Local Bond Law. The down payment is

at least 5% of the \$500,000 bonds and notes authorized in Section 3(b). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement described in Section 3(a) since the improvement is being partially funded from the above referenced State Grant.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the down payment and the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$900,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Resurfacing of Lane Avenue, Manning Avenue and Ritter Avenue, including all work and materials necessary therefor and incidental thereto.	\$775,000 (includes a \$375,000 grant from the State of New Jersey Department of Transportation Fiscal Year 2016 Municipal Aid Program)	\$400,000	10 years
b) Resurfacing of Belmont Avenue and other roads throughout the Borough, all as set forth on list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.	<u>\$525,000</u>	<u>\$500,000</u>	10 years
TOTAL:	<u>\$1,300,000</u>	<u>\$900,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from

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

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

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$900,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$125,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the State Grant referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman 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							

Clerk Antonides read the following Ordinance #2075 by title on first reading. Mayor Anesh set the public hearing for March 20, 2017. With no comments made, Mayor Anesh closed the floor. There were no comments from Council.

**ORDINANCE # 2075
CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN
2.0 PERCENT PURSUANT TO N.J.S.A. 40A:4-45.14**

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

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

WHEREAS, the COLA for 2017 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as .5% and,

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

WHEREAS, the Borough Council of the Borough of South Plainfield in the County of Middlesex finds it advisable and necessary to increase its 2017 budget by more than 2.0% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$774,391.49 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2017 budget year, the final appropriations of the Borough of South Plainfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$774,391.49 and that the 2017 municipal budget for the Borough of South Plainfield be approved and adopted in accordance with this ordinance; and,

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

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

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

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:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS - BUDGET

**RESOLUTION 2017-113A
AUTHORIZING THE MUNICIPAL CLERK TO READ THE PROPOSED
2017 BUDGET BY TITLE ONLY**

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the CY 2017 Municipal Budget be read by title only and not in full.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean					X		
Councilwoman Faustini			X				
Councilman Vesce					X		
Councilman Wolak			X				
Council President White		x	X				
		VOTE:	4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 2016-113B
AUTHORIZING THE INTRODUCTION OF 2017 MUNICIPAL BUDGET**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it hereby introduces the 2017 Municipal Budget pursuant to the attached 2017 proposed municipal budget, read by title by the Municipal Clerk of the Borough of South Plainfield during introduction on March 6, 2017; and

BE IT FURTHER RESOLVED that a public hearing relative to said budget will be conducted on May 1, 2017 7:00 p.m., Borough Hall, 2480 Plainfield Avenue, South Plainfield, NJ 07080. A full complete copy of the proposed 2017 Budget is available for public inspection in the office of the Borough Clerk during normal business hours as well as is posted on the Municipal Website; and

BE IT FURTHER RESOLVED that the 2017 Municipal Budget Revenue and Appropriation Summaries shall be published in The Courier News and The Observer prior to the aforementioned public hearing.

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

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

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		x	x				
Councilman Dean					x		
Councilwoman Faustini			x				
Councilman Vesce					x		
Councilman Wolak	x		x				
Council President White			x				
		VOTE:	4	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS

**RESOLUTION 17-114
AUTHORIZING APPOINTMENT OF GREEN TEAM MEMBERS FOR THE
SUSTAINABLE NEW JERSEY PROGRAM IN 2017**

WHEREAS, the Borough of South Plainfield and the Environmental Commission recognize the need to build a model of government that benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and,

WHEREAS, the South Plainfield Environmental Commission By-Laws specify that one of its subcommittees is a sustainability committee known as the Green Team, which serves as the coordinating unit to create a greener community, save tax dollars, assure clean air and water, and improve working and living environments to build a community that is sustainable economically, environmentally and socially; and

WHEREAS, the Governing Body of the Borough of South Plainfield adopted a resolution in 2009 indicating the borough's intent to pursue Sustainable New Jersey certification and registered with the Sustainable New Jersey program; and

WHEREAS, the Governing Body has continued to support the Green Team's efforts; and

WHEREAS, through the efforts of the Green Team to document existing sustainability programs and newly initiated programs, the Borough of South Plainfield achieved bronze-level certification in 2014; and

WHEREAS, the Borough of South Plainfield's Sustainable New Jersey certification will expire at the end of 2017;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield that the following individuals, whom the Environmental Commission appointed to the Green Team subcommittee at its January 2017 Reorganization Meeting, and the following Borough officials are hereby recognized as members of the South Plainfield Green Team:

Members	Affiliation	Term Ends
Robert Longo (Chairman)	South Plainfield Business Association	12/31/17
Alice Tempel	Borough Environmental Specialist	Term of office
Jon Dean	Council Liaison	Term of office
Glenn Cullen	Borough Administrator	Term of office
Leonard Miller	Borough Superintendent of Public Works	Term of office
John Koelble	Environmental Commission Member	12/31/18
Tom Walsh	Environmental Commission Member	12/31/17

Associate Members

Robert Ackerman Borough Planning Board

Gino Leonardis Borough Board of Adjustment

Debbie Boyle Borough Board of Education

John Lapinski Member of the Public

Marie White Member of the Public

BE IT FURTHER RESOLVED that the Governing Body of the Borough of South Plainfield continues to support the Mission Statement and goals of the Green team to

- Raise community awareness
- Engage citizen volunteerism
- Maintain fiscal responsibility and
- Attain “Sustainable Jersey” recertification

in the arenas of Education, Community, Communication and Promotion of sustainability models; and

BE IT FURTHER RESOLVED that the Green Team is encouraged to apply to the Sustainable New Jersey Program for recertification in 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 2017-115

RESOLUTION AUTHORIZING SETTLEMENT OF 2016 TAX APPEAL FILED BY BAKSHI ESTATES LLC, FOR THE PROPERTY KNOWN AS 6 HOLLYWOOD COURT AND IDENTIFIED AS BLOCK 390, LOT 5.03, ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS

WHEREAS, Bakshi Estates LLC (hereinafter referred to as “Taxpayer”) is the owner of the Property known as 6 Hollywood Court and identified as Block 390, Lot 5.03, on the Borough of South Plainfield’s Tax Assessment Maps (“Property”); and

WHEREAS, the assessed value of the Property was set at \$1,730,900 for 2016; and

WHEREAS, Taxpayer filed an appeal of the 2016 tax assessment in the Tax Court of the State of New Jersey under docket number 007031-2016; and

WHEREAS, a proposed settlement of the aforesaid tax appeal 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 assessment for the tax year under appeal and recommended that the settlement be approved and therefore, this proposed settlement is reasonable and reflects the correct market value for the Property which was over assessed for the tax year under appeal; and

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

- The 2016 original assessment in the amount of \$1,730,900 shall be reduced to \$1,060,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2016;
- All refunds as a result of the settlement shall be made payable to “Saiber LLC, Attorney Trust Account” and forwarded to counsel for Taxpayer within 60 days of the date of Judgment.
- Statutory interest shall be waived by the Taxpayer provided the tax refund is paid within sixty (60) days of entry of the Tax Court Judgment.

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 appeal 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 appeal and the proposed settlement thereof agree and confirm it is in the best interests of the Borough of South Plainfield to resolve the tax appeal 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 reduction 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 \$1,060,000 total tax assessment for the 2016 tax year for Block 390, Lot 5.03 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
2. The Borough Attorney is authorized to execute on behalf of the Borough of South Plainfield the attached Stipulation of Settlement pertaining to the tax appeal filed by Bakshi Estates LLC under Docket No.: 007031-2016 for the property known as 6 Hollywood Court and identified as Block 390, Lot 5.03 on the Borough of South Plainfield Tax Assessment Maps which reduces the 2016 total tax assessment on the Property from \$1,730,900 to \$1,060,000; and which further provides that any tax refunds resulting from the settlement shall be made payable to “Saiber, LLC, Attorney Trust Account” and forwarded to counsel for Taxpayer within sixty (60) days of the date of the Tax Court Judgment.
3. 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 17-116
AUTHORIZING A PERSON TO PERSON TRANSFER
TO IGNITE RESTURANTS-NEW JERSEY LLC,
FROM IGNITE RESTURANTS-NEW JERSEY, INC.

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License 1222-33-003-007 heretofore issued to Ignite Restaurants-New Jersey, Inc. for premises located at 4901 & 4905 Stelton Road in South Plainfield, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of South Plainfield does hereby approve effective March 6, 2017, the transfer of the aforesaid Plenary Retail Consumption License to Ignite Restaurants-New Jersey, LLC and does hereby direct the Municipal Clerk to enforce the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Ignite Restaurants-New Jersey, LLC effective March 6, 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 17-117
AUTHORIZING A ONE-YEAR EXTENSION OF SERVICES WITH
EMERGENCY COMMUNICATIONS NETWORK (ECN)
FOR CODE RED EMERGENCY NOTIFICATION SERVICES
IN AN AMOUNT NOT TO EXCEED \$5,905.35

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes a one-year extension of services for CodeRED Emergency Notification System from 1/1/2017 through 12/31/2017 from Emergency Communications Network (ECN) in and amount not to exceed \$5,905.35.

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

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

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman 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 17-118
AUTHORIZING A SIX MONTH TEMPORARY SUSPENSION OF PARKING RESTRICTIONS ON
WADE AVENE FROM THE EAST BORDER OF 107 WADE AVENUE
TO THE TERMINUS AT THE DEAD END

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that at the recommendation of the Traffic Safety Supervisor it hereby authorizes a temporary six-month suspension of parking restrictions on Wade Avenue from the east boarder of 107 Wade Avenue to the terminus at the dead end.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. James Parker, Chief of Police
4. Lt. Dave Delair, Traffic Safety Supervisor

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 2017-119
AUTHORIZING A 2017 TEMPORARY BUDGET AMENDMENT
OF \$156,670.33 IN THE CURRENT FUND

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

WHEREAS, the date of this resolution is prior to the adoption of the FY 2017 Budget, and

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

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

Borough of South Plainfield
Temporary Budget Amendment
CALENDAR YEAR 2017

CURRENT FUND

			AMOUNT
7-01-25-265-003-581	Fire Service Charges	O&E	150,000.00
7-01-27-330-002-101	Youth Aid	S&W	2,000.00
7-01-41-706-000-301	Body Armor Grant	O&E	4,670.33

Total CURRENT FUND

156,670.33

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 17-120

AUTHORIZING A NJ STATE CONTRACT PURCHASE OF 5 DEFIBRILLATORS FROM LIFESAVERS, INC. IN AN AMOUNT NOT TO EXCEED \$4,290.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ state contract purchase of 5 defibrillators from Lifesavers, Inc. for the Police Department in an amount not to exceed \$4,290.00 pursuant to state contract number A84689; 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 17-121

AUTHORIZING A NJ STATE CONTRACT PURCHASE OF 4 BODY ARMOR VESTS FROM LANIGAN ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$3,820.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ state contract purchase of 4 body armor vests from Lanigan Associates for the Police Department in an amount not to exceed \$3,820.00 pursuant to state contract number A81348; 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 17-122
AUTHORIZING THE PURCHASE OF HANDICAP PARTITIONS FROM
MODULEX PARTITION CORP. FOR THE WOMAN'S ROOM
AT THE SENIOR CENTER IN AN AMOUNT NOT TO EXCEED \$3,060.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of handicap partitions from Modulex Partition Corp. for the women's room at the Senior Center in an amount not to exceed \$3,060.00; 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. Len Miller, DPW Supervisor

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 17-123
AUTHORIZING THE SERVICES OF NAJARIAN & ASSOCIATES
FOR REMEDIAL ACTION PERMIT APPLICATION WORK
FOR THE FORMER ASARCO FACILITY IN AN AMOUNT NOT TO EXCEED \$10,500.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Najarian & Associates for remedial action permit application work for the former Asarco in an amount not to exceed \$10,500.00; 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. Len Miller, DPW Supervisor

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 17-124
AUTHORIZING REFUND OF A \$100.00 SECURITY DEPOSIT FOR USE OF THE
SENIOR CENTER TO MILDRED DAVID OF 311 EDGAR STREET

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the following refund(s) to senior(s):

Mildred Edgar

311 Edgar Stree
 South Plainfield, NJ 07080
 \$100.00 – Return of security deposit for room rental

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

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 17-125
 AUTHORIZING 2016 APPROPRIATION TRANSFERS IN THE AMOUNT OF
 \$24,000.00 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
6-01-20-140-000-301	Computer Service			O&E			2,000.00
6-01-20-165-000-235	Engineering			O&E			2,000.00
6-01-26-290-002-435	Road Repairs & Maintenance			O&E			4,000.00
6-01-26-290-003-321	Snow			O&E			2,000.00
6-01-31-435-002-555	Street Lights			O&E			14,000.00
Total FROM:							24,000.00
TO:							AMOUNT
6-01-23-220-000-601	Health Insurance			O & E			5,000.00
6-01-25-260-000-209	Rescue Squad			O & E			5,000.00
6-01-30-415-001-101	Accumulated Leave			O & E			3,000.00
6-01-20-120-000-103	Clerk			S&W			9,000.00
6-01-22-195-001-102	Code Enforcement			S&W			2,000.00
Total TO:							24,000.00

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 2017-126
AUTHORIZING A 2017 TEMPORARY BUDGET AMENDMENT
OF \$35,000.00 IN THE CURRENT FUND**

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

WHEREAS, the date of this resolution is prior to the adoption of the FY 2017 Budget, and

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

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

**Borough of South Plainfield
Temporary Budget Amendment
CALENDAR YEAR 2017**

CURRENT FUND

AMOUNT

7-01-25-240-001-475	Police	O&E	10,000.00
7-01-20-110-000-101	Executive	S&W	10,000.00
7-01-37-480-000-225	Judgements	O&E	5,000.00
7-01-31-440-001-541	Telephone	O&E	10,000.00

Total CURRENT FUND

35,000.00

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 17-127
AUTHORIZING THE MIDDLESEX COUNTY CO-OP PURCHASE
OF ROAD SALT FOR THE DPW FROM ATLANTIC SALT, INC.
IN AN AMOUNT NOT TO EXCEED \$4,591.39**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the Middlesex County Co-Op purchase of road salt from Atlantic Salt, Inc. in an amount not to exceed \$4,591.39; 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. Len Miller, DPW

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 17-128
AUTHORIZING THE PURCHASE OF HOT PATCH FOR THE DPW
FROM TRAP ROCK INDUSTRIES
IN AN AMOUNT NOT TO EXCEED \$3,500.00**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes purchase of hot patch from Trap Rock Industries in an amount not to exceed \$3,500.00; 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. Len Miller, DPW

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 17-129
AUTHORIZING THE SERVICES OF PLAINFIELD AREA HUMANE SOCIETY
FOR ANIMAL CONTROL SERVICES
IN AN AMOUNT NOT TO EXCEED \$39,999.96 PER YEAR
FOR A THREE YEAR TERM**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the services of Plainfield Area Humane Society in an amount not to exceed \$39,999.96 per year effective 1/1/2017 to expire 12/31/2019; 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

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 17-130
AUTHORIZING THE NJ STATE CONTRACT RENEWAL OF LIVSCAN SERVICES FOR THE
POLICE DEPARTMENT FROM SAFRAN MORPHO TRAK IN AN AMOUNT NOT TO EXCEED
\$3,930.57

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ state contract renewal of Livescan services for the Police Department from Safran Morpho Trak in an amount not to exceed \$3,930.57 pursuant to state contract number A81520-G-9002; 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 2017-131
AUTHORIZING THE FULL-TIME HIRING OF VERA AGEE AS CASHIER
FOR THE TAX DEPARTMENT AT AN ANNUAL SALARY OF \$30,030.00
WITH BENEFITS EFFECTIVE 3/21/17

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey, that:

WHEREAS, a need exists to supplement the workforce of the Tax Department; and

WHEREAS, Vera Agee has been recommended by the Tax Collector to be hired as a Cashier at the annual rate of \$30,030.00 with benefits effective 3/21/2017;

NOW THEREFORE BE IT RESOLVED by the South Plainfield Borough Council that Vera Agee be hired for the Tax Department as a Cashier;

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

1. Glenn Cullen, CFO/Administrator
2. Amy Antonides, Municipal Clerk
3. Kim Clifford, Tax Collector
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							

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Finance Office – Tax Appeal Calculation Sheet
- Recycling Monthly Report – January, 2017
- Business Advisory Group Minutes – November 2, 2016

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				
Council President White		x	x				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

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

Current Fund	7-01	322,596.98
Current Fund	6-01	44,153.10
Pool Utility	6-26	0.00
Pool Utility	7-26	0.00
Sewer Utility	6-07	0.00
Sewer Utility	7-07	1,021,341.30
Sewer Utility Capital	C-08	0.00
General Capital	C-04	243,527.40
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	57,182.40
Dog Trust	T-12	0.00
Treasurers Trust	T-13	2,989.97
Recreation Trust	T-14	254.96
COAH		0.00
TOTAL ALL FUNDS		\$1,692,046.11

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean		x	X				
Councilwoman Faustini			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 – thanked all the department heads for getting everything in for the budget.

Engineer Miller – advised that no one has submitted and proposals for bulk waste so he has solicited another request in hopes of obtaining some proposals. On another note, this Thursday will be the bid opening for recycling services and if all is in good order we hope to award that bid at our next meeting.

Clerk Antonides – reported progress.

Councilman Dean – reminded everyone about the Homeowners Workshop at the Senior Center this Thursday from 6:00 p.m. to 9:00 p.m. and then went on to report progress.

Councilwoman Faustini – thanked the Library Board, Friends of the Library, and library staff for a very successful Read Across America event this past Saturday. Councilwoman Faustini said that though she has only attended one recreation meeting so far this year, the primary topic they discussed was a request to use the bus depot property for some overflow parking for sport games. It was initially requested to utilize the property for pony tail softball games, however due to the necessary field size needed for that purpose and due to certain wetland restrictions, it was ruled out for that use. Councilwoman Faustini met with Mr. Miller who came up with a conceptional plan for overflow parking, a dog park section as well as walking paths to the connecting sport fields. Further discussion will take place with the Recreation Committee in this regard as well as Mr. Miller. Councilman Dean inquired if special turf grass would be needed and expressed concern regarding potential flooding and lifting of any special turf material. Mr. Miller said no, the plan is to use just regular grass for this purpose.

Councilman Bengivenga – Councilman Bengivenga mentioned that in a past census he recalls about 1/3 of the town has dogs and likes the idea of a dog park in the bus depot area and then went on to report progress.

Councilman Vesce – thanked the Council for their support this evening with the Ordinance for the DPW and went on to report progress.

Councilman Wolak – said that a dog park at the bus depot site sounds like a good idea and went on to report progress.

Council President White – reported that In and Out Bagel had a soft opening but will be having their grand opening on March 11th at 10:00 a.m. and went on to report progress.

Mayor Anesh – Reminded everyone that the Spring Health Fair is in the works with the Step It Up Program scheduled for March 12th and went on to report progress.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Suzanne Lepore of Bullard Place spoke about the spelling bee she attended this past Saturday of which two students were from South Plainfield and they did an outstanding job. It was exciting to see. The Talent Show will be this Saturday at 2:00 p.m. at Wesley Methodist Church. It should be an enjoyable event and encourage everyone to come.

Mr. Anthony Risoli of 2529 Hamilton Blvd. asked if a dog park would be paid for out of dog trust funds. Mr. Cullen said he is uncertain if he can use dog trust funds for that purpose but would look into it.

Stephani Bartfalvi reminded everyone that the Taste of South Plainfield will be next Monday, March 13th at the Senior Center.

Nancy Grennier from The Observer, advised that there is 16 restaurants so far scheduled for the Taste of South Plainfield and 20 other businesses and went on to encourage everyone to attend. On another note, Mrs. Grennier questioned the status of the lights on Hamilton Avenue. Mr. Miller said that PSE&G have been counted a couple of times about that and each time he inquiries about the status they keep saying it is on their list. Mrs. Grennier concluded by reminding everyone that the school referendum election is next Tuesday.

Mr. Mike Zushma reminded everyone that the Lions Club is having their annual gourmet breakfast on April 9th. April 8th is the Keystone luncheon. As a life member of the Rescue Squad, they had told him that they didn't get their money yet from last year. Councilman Bengivenga said they will as he just signed the voucher today. Mr. Zushman than asked if there is a list of roads to be paved. Councilman Bengivenga said it will be Lane, Manning and Ritter Avenues.

Mr. Jason Risoli of 2529 Hamilton Blvd. asked for a status update on the 100 Main Street location. Mr. Cullen explained that due to personal reasons the applicant has had to post phone his variance a few times. It is now scheduled to be heard April 18, 2017. Mr. Risoli asked if a business started up illegally why we are allowing it. Mayor Anesh explained that our Borough officials enforce the code and use discretion. Mr. Rizzo Esq. explained that Borough Officials have protection from political imposition and the Zoning Officer has discretion and her own opinion regarding the terms of operating such business's. Mayor Anesh invited Mr. Risoli to go speak to the Zoning Officer to hear from her directly. Mr. Risoli went on to mention how some buffer zones like Sports Zone look like "holocaust sites" and asked if the town has any landscape plans. Mr. Miller said they had to bank some parking for their site if deemed necessary by the Board. The Board will request them to come back in and readdress he parking if need be. On another note, some dumping of debris near Home Depot seems to be taking place. Mr. Miller said they have been required to clean up the site at least twice now, but it really is a matter of enforcement to catch them in the action so that the cement doesn't go all over our roads and clump up. Chief Parker said he will look into it.

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

ADJOURNMENT

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Councilman Dean made a motion to adjourn at 9:08 p.m., seconded by Councilman Vesce and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk