

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
MARCH 20, 2017 7:03 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:03 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 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:

- March 6, 2017 – Agenda
- March 6, 2017 - Public
- March 6, 2017 – Executive

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							

Proclamations

- Child Abuse Prevention Month
- National Poison Prevention Week
- Women's History Month
- South Plainfield Business's

Mayor Anesh read the aforementioned proclamations in full and then invited all the Suburban Women's Group to come forward to present the Child Abuse Prevention Month proclamation to. Mayor Anesh then called various women forward to accept the Women's History Month. Photos were taken by family, friends and media present and everyone extended a round of applause.

Clerk Antonides read the following Bond Ordinance #2074 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 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				
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							

Clerk Antonides read the following Ordinance #2075 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 # 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		X				
Council President White			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS

RESOLUTION: 17-133

AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$260.87 FOR ERWIN & CARMEN PELAEZ OF 1401 WEST 7TH STREET.

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

Block: 2 Lot: 9
 Erwin & Carmen Pelaez
 1401 West 7th Street
 South Plainfield, NJ 07080
 \$260.87

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 17-134

AUTHORIZING THE AMENDMENT OF RESOLUTION 16-387A THAT APPOINTED RENE MARTE III AND ANTHONY LOUISE AS POLICE OFFICERS WITH AN EFFECTIVE DATE OF JANUARY 2, 2017 TO NOW SHOW AN EFFECTIVE DATE OF JANUARY 9, 2017 INSTEAD

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 amends resolution 16-387A that appointed the below police officers with an effective date of January 2, 2017 to now show an effective date of January 9, 2017 instead.

- Rene Marte III
- Anthony Louise

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. Officer Rene Marte III
5. Officer Anthony Louise
6. Anne Daley, Benefits
7. 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 17-135

AUTHORIZING THE APPOINTMENT OF FRANK LEMOS TO THE OFFICE ON AGING TO REPLACE OWEN KELLY FOR THE UNEXPIRED TERM TO 12/31/2019

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

FRANK LEMOS

is hereby appointed to the South Plainfield Office on Aging Committee to fill the unexpired term of Owen Kelly to 12/31/2019.

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: 2017-136

AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1,257.54 FOR SOOKRAM & PERMESHWARIE BEHARI OF 184 HUDSON STREET.

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

Block: 139 Lot: 4
 Sookram & Permeshwarie Behari
 184 Hudson Street
 South Plainfield, NJ 07080
 \$1,257.54

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 2017-137
 AUTHORIZING A 2017 TEMPORARY BUDGET AMENDMENT
 OF \$2,463,805.00 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.

Temporary Budget Amendment
CALENDAR YEAR 2017

CURRENT FUND

			AMOUNT
7-01-20-100-000-101	Administration	S&W	45,000.00
7-01-20-110-000-101	Executive	S&W	5,000.00
7-01-20-120-000-101	Clerk	S&W	10,000.00
7-01-20-130-000-101	Finance	S&W	10,000.00
7-01-20-145-000-255	Tax Collection	O&E	5,000.00
7-01-20-165-001-235	Engineering	O&E	20,000.00
7-01-22-195-001-102	Code Enforcement	S&W	20,000.00
7-01-25-240-001-102	Police	S&W	100,000.00
7-01-25-240-001-225	Police	O&E	20,000.00
7-01-25-252-000-101	Emergency Management	S&W	5,000.00
7-01-25-252-000-311	Emergency Management	O&E	5,000.00
7-01-25-265-001-325	Fire Department	O&E	20,000.00
7-01-25-265-002-101	Fire Official	S&W	20,000.00
7-01-26-290-002-101	Road Department	S&W	20,000.00
7-01-26-290-003-102	Snow	S&W	5,000.00
7-01-26-290-003-321	Snow	O&E	25,000.00
7-01-26-305-003-235	Recycling	O&E	150,000.00
7-01-26-310-000-415	Buildings & Grounds	O&E	15,000.00
7-01-27-335-001-101	Environmental Commission	S&W	5,000.00
7-01-28-370-001-101	Recreation	S&W	5,000.00
7-01-28-370-001-404	Recreation	O&E	5,000.00
7-01-28-370-001-102	Senior Center	S&W	5,000.00
7-01-31-440-001-541	Telephone	O&E	10,000.00
7-01-43-490-000-102	Court	S&W	10,000.00
7-01-36-471-000-681	PERS	Statutory	495,610.00
7-01-36-475-000-683	PFRS	Statutory	1,410,135.00
7-01-41-764-001-301	Senior Center Improv. Grant	Grant	3,060.00
7-01-44-901-000-235	Capital Improvements	CAP	15,000.00

Total CURRENT FUND

2,463,805.00

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 17-138
AUTHORIZING 2016 APPROPRIATION TRANSFERS IN THE AMOUNT OF
\$15,000.00 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
6-01-20-150-000-235	Assessing		O&E	2,000.00
6-01-20-165-001-235	Engineering		O&E	4,000.00
6-01-26-290-002-445	Road Repairs & Maintenance		O&E	2,000.00
6-01-26-315-000-215	Vehicle Maintenance		O&E	1,000.00
6-01-31-435-002-555	Street Lights		O&E	6,000.00
Total FROM:				15,000.00
TO:				AMOUNT
6-01-20-130-000-235	Finance		O & E	3,000.00
6-01-26-290-003-321	Snow		O & E	6,000.00
6-01-30-415-001-101	Accumulated Leave		O & E	2,000.00
6-01-25-240-003-241	Crossing Guard		O & E	1,000.00
6-01-23-220-000-625	Health Insurance		O & E	3,000.00
Total TO:				15,000.00

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 2017-139

AUTHORIZING T&M ASSOCIATES TO PREPARE AS WELL AS TO ADMINISTER BIDS FOR 2017 ROAD IMPROVEMENTS TO LANE AVENUE, MANNING AVENUE, AND RITTER AVENUE IN AN AMOUNT NOT TO EXCEED \$60,000.00

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates to prepare as well as to administer bids for 2017 Road Improvements to Lane Avenue, Manning Avenue and Ritter Avenue for the Borough of South Plainfield in an amount not to exceed \$60,000.00; and

BE IT FURTHER RESOLVED that the Municipal Clerk has authorization to advertise for said bid(s) and that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. T&M Associates
4. Len Miller, DPW Superintendent

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 2017-140

**AUTHORIZING AMENDMENT TO SERVICE AGREEMENT BETWEEN
THE BOROUGH OF SOUTH PLAINFIELD AND JFK MEDICAL CENTER.**

WHEREAS, the Borough of South Plainfield, having its principal place of business at 2480 Plainfield Avenue, South Plainfield, New Jersey 07080, and JFK Medical Center, having its principal place of business at 65 James Street, Edison, New Jersey 08818, entered into a Service Agreement in January 2015 pursuant to which JFK Medical Center agreed to provide basic life support and emergency medical services to the Borough for medical emergencies, fire scene responses (including fire scene stand-by responses), mutual aid responses, and mutual aid responses to surrounding areas as needed; and

WHEREAS, on December 15, 2014, the Borough Council of the Borough of South Plainfield authorized award of a contract to JFK Medical Center for such services for one year, commencing January 1, 2015, and further provided that such agreement could be extended for two one-year terms to expire on December 31, 2017; and

WHEREAS, the parties entered into a Service Agreement in January 2015 providing for a one-year term expiring December 31, 2015, and further providing for automatic renewal for one additional term ending December 31, 2016; and

WHEREAS, the parties wish to extend the Service Agreement authorized by Resolution 2014-346; and

WHEREAS, JFK Medical Center has executed an Amendment to the Service Agreement, a copy of which is attached hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that it hereby approves of the agreement annexed hereto as Exhibit A, and authorizes the Mayor to execute said agreement.

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 17-141

**AMENDING RESOLUTION 2017-98 THAT AUTHORIZED THE MIDDLESEX COUNTY
CO-OPERATIVE PURCHASE OF ROCK SALT FROM ATLANTIC SALT INC.
IN AN AMOUNT NOT TO EXCEED \$17,250.00
TO NOW INCLUDE AN ADDITIONAL \$423.80**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the amendment of Resolution 2017-98 that authorized the Middlesex County Co-operative purchase of rock salt for the DPW from Atlantic Salt Inc. in an amount not to exceed \$17,250.00 to now include an additional \$423.80 pursuant to Middlesex County Co-Op Contract #B-16-560; 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 Superintendent

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 2017-142

AUTHORIZING THE TEMPORARY APPOINTMENT OF YOLANDA DIAZ AS ACTING DEPUTY COURT ADMINISTRATOR AND OTHER TEMPORARY COURT APPOINTMENTS DURING 2017

WHEREAS, the Deputy Court Administrator is temporarily absent from her position due to medical reasons, and as such, a need exists to appoint an Acting Deputy Court Administrator to perform the duties of the Deputy Court Administrator in her absence; and

WHEREAS, this situation may arise at various times during 2017, which may require additional staffing adjustments within the Municipal Court;

NOW THEREFORE, BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for the temporary appointment of Yolanda Diaz as “Acting” Deputy Court Administrator any time the Deputy Court Administrator is absent from her position for at least two consecutive days in 2017 to be paid at an additional rate of \$5.00 per hour; and Savitree Ramrup shall be appointed as Acting Violations Clerk at an additional rate of \$2.00 per hour during the same periods of time; and

BE IT FURTHER RESOLVED that said appointment is effective immediately and that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. Court Administrator
4. Yolanda Diaz, Municipal Court
5. Savitree Ramrup, Municipal Court
6. 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 2017-143
AUTHORIZING THE HIRING OF PART-TIME TELE-COMMUNICATOR OPERATORS FOR THE POLICE DEPARTMENT DISPATCH ON A PER DIEM BASIS WITH NO BENEFITS AT THE TRAINING RATE OF \$20.38 PER HOUR AND THE PER DIEM RATE OF \$28.53 PER HOUR EFFECTIVE MARCH 21, 2017

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 part-time per diem hiring of Alex Nieradka and Charles Pirnichny as Tele-Communicator Operators with an effective date of March 21, 2017 at the hourly training rate of \$20.38 and the per diem hourly rate of \$28.53; 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, Chief of Police
4. 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 2017-144

AUTHORIZING AWARD OF A UNIT PRICE CONTRACT FOR BULK WASTE REMOVAL SERVICES FOR THE COMPACTOR TO SAKOUTIS BROTHERS DISPOSAL IN AN AMOUNT NOT TO EXCEED \$10,856.00 PER YEAR FOR A TWO-YEAR TERM

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

WHEREAS, a need has been determined for the acquisition of bulk waste removal services for the compactor; and

WHEREAS RFP's were solicited and opened on Wednesday, March 15, 2017 by the Borough Engineer/Superintendent of the DPW; and

WHEREAS, the price quotes have been reviewed by the Borough Engineer and it is his recommendation that the unit price RFP be awarded to Sakoutis Brothers Disposal of PO Box 84, Colts Neck, NJ in the amount of \$10,856.00 per year for a two-year term to expire March 31, 2019 representative of \$145/pull and \$78/ton be accepted and a unit price contract be awarded; and

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

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given to award a unit price contract for bulk waste removal services for the compactor; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute the necessary unit price agreement with Sakoutis Brothers Disposal; the lowest responsible contractor.

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

1. Municipal Clerk
2. Chief Financial Officer
3. Len Miller, DPW Superintendent

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:	4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 2017-145

AUTHORIZING THE PART-TIME HIRING OF KEVIN FARRELL FOR THE DPW AT THE HOURLY RATE OF \$13.05 WITH NO BENEFITS EFFECTIVE MARCH 20, 2017

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 Department of Public Works; and

WHEREAS, Kevin Farrell has been recommended by the Administrator and the General Supervisor of Public Works to be hired as a part-time employee for the DPW;

NOW THEREFORE BE IT RESOLVED by the South Plainfield Borough Council that Kevin Farrell be hired, with no benefits, for the Department of Public Works as a part-time employee for the DPW with an effective date of March 20, 2017 at a rate of \$13.05;

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. Len Miller, DPW Supervisor
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 17-146

AUTHORIZING THE NJ STATE CONTRACT PURCHASE FROM OCEAN COMPUTER GROUP FOR INSTALLATION OF SERVER, SWITCHES AND BACK-UP DEVICES FOR THE

MUNICIPAL COURT IN AN AMOUNT NOT TO EXCEED \$15,760.62

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the state contract purchase of server, switches and back-up devices for the Municipal Court from Ocean Computer Group in an amount not to exceed \$15,760.62 pursuant to state contract number A89987; 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. 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							

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Planning Board Minutes – January 24, 2017
- Zoning Board Minutes – February 7, 2017
- Environmental Commission Minutes – January 11, 2017
- Environmental Commission Monthly Report – February, 2017

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	7-01	123,914.40
Current Fund	6-01	13,900.00
Pool Utility	6-26	0.00
Pool Utility	7-26	0.00
Sewer Utility	6-07	0.00
Sewer Utility	7-07	7,039.73
Sewer Utility Capital	C-08	0.00
General Capital	C-04	18,817.71
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	3,778.57
Dog Trust	T-12	3,787.33
Treasurers Trust	T-13	20,161.69
Recreation Trust	T-14	3,451.90
COAH		0.00
TOTAL ALL FUNDS		\$194,851.33

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							

COUNCIL REPORTS:

Borough Attorney Rizzo Esq. – reported progress

Administrator Cullen – advised that the budget hearing with department heads are scheduled for April 10th and 12th. May 1st is the public hearing date for the budget. Mr. Cullen thanked everyone for all their help with getting through the recent snow storm saying everyone did a really good job. Mayor Anesh asked if there will be any impact to the budget due to the snow storm. Mr. Cullen said yes, but nothing too significant.

Engineer Miller – is in receipt of the recycling bids and are now in the process of meeting with the county to see what the rates of the improvement authority is in relation to the bids received. Perhaps their rates will be a little lower. If so, we hope to make an award at the next meeting.

Clerk Antonides – reminded everyone that the new date for the school referendum election is March 28th. The polls are open from 7 a.m. to 8 a.m. and then went on to report progress.

Councilman Dean – reported that he met with Alice Tempel the other day and she is requesting cameras be installed at the nature preserve. The existing ones are not working due to some water damage. Councilman Dean complimented the DPW on their job during the snow storm. There is talk that some suspicious activity is taking place there so the camera is very much needed. Mr. Cullen said it would be covered under the Clean Community Grant. On another note, Councilman Dean in conjunction with an email he sent to the governing body earlier expressed his concern that he has not yet heard what the cost will be for a dog park though he thinks it to be a good idea and great asset to the town. Councilman Dean said he is concerned about the location of it saying that he feels there are better locations in town for it and questioned how it will impact the DPW and who will maintain it and at what cost. Councilman Dean said as he and Councilman Vesce have experience with dog parks that he thinks we should be all working together as a team regarding this so that we can make it happen for the residents of South Plainfield. Councilman Dean went on to inquire about the fence line at the community pool. Mr. Cullen said we will try to save parts of the fence and some other sections may need to be replaced. Councilman Dean said the fence posts are probably still good but maybe we should still look at stretching a new length of chain-link. Mayor Anesh said the dog park concept is nothing new, it has been coming up for a number of years now and he agrees everyone should work together with it. Mayor Anesh said we have looked at other areas such as Putnam Park for example, but when we so some research we determined that due to the other uses taking place it is not a good place for a dog park. Councilman Bengivenga concurred and said that we looked everywhere and found nowhere was conducive for a dog park. Mayor Anesh said we are always open to suggestions. Councilman Dean suggested to explore a location at Putnam Park, and Mayor Anesh said we can take a look at it again, but we need to be cognizant to the trees that are there and how far removed it would be from the parking area. The proposed location now seems to serve a dual purpose. Councilwoman Faustini said she has spoke to Kevin Hughes and they would love to have some overflow parking for ponytail softball. Councilman Dean asked if there is any cost estimate yet to put this park at the bus company site. Councilwoman Faustini said we are working on it now and we should have better figures to provide next month. Mayor Anesh said you need to separate the true cost of the dog park versus what we would do anyway because we can't just leave the site the way it is now.

Councilman Bengivenga said he wanted to clarify that the reason Councilman Dean was not getting any responses to his email regarding the dog park is because it would have been an open public meeting violation to do so. Mr. Rizzo, Esq. concurred and provided a more intricate explanation of violating the Open Public Meeting Act. Circulating information is acceptable but no discussion is allowed.

Councilwoman Faustini – said the DPW did a great job with snow removal during the recent storm but is looking forward to Spring and a lot of activities will be commencing. The Easter Egg Hunt will be April 15th at the Pal, ages 1 through 10 at 2:00 p.m. April 8th will be the opening day for baseball and softball. On another note the recreation meeting is rescheduled for this Thursday due to the snow storm. They are putting together pricing for lighting on the turf field. Again the dog park costs are being worked on.

Councilman Bengivenga – reported progress.

Councilman Vesce – stated that the DPW did an excellent job with the recent snow storm and there were very few complaints which is usually the same old thing about driveways being plowed in. It is unfortunately the nature of the beast. East storm is unique having different elements to it. Councilman Vesce concluded by saying he will be glad to provide any information he can pertaining to a dog park and would have provided such information sooner had he known about it.

Councilman Wolak – reminded everyone the Fire Departments wet-down will be held June 24th. The DPW did do an excellent job with the snow removal and the EMS were able to use their plow to assist in emergency pick-ups during the storm.

Council President White – advised that the Taste of South Plainfield had a great turnout and everyone stayed until the awards were given out. It was a job well done and a very enjoyable evening.

Mayor Anesh – on a personal note, Mayor Anesh publicly thanked the Police and Fire Departments for assisting him recently with a gas leak situation at his home.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Suzanne Lepore of Bullard Place thanked everyone who participated in the Talent Show and hopes everyone left enjoying the show. Mayor Anesh said he understands a formal Councilman was a participant.

Mrs. Ginny O'Brien expressed her concerns regarding the recent enacted bail legislation asking if there was anything out legislators could do to repeal it. Mayor Anesh addressed her concerns.

Debbie Boyle of Van Fleet thanked everyone for attending the Taste of South Plainfield in which 23 businesses and 17 restaurants were in attendance. The South Plainfield Business Association will have their next meeting on March 23, 2017. The school referendum is March 28th. Mrs. Boyle said there is a beautiful dog park in New Brunswick at Community Park if anyone needs to get some ideas for one.

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

At 7:58 p.m. Mayor Anesh called for a recess from the public portion of the meeting to go into Executive Session advising that everyone is welcome to stay if they choose.

Upon return from Executive Session at 8:56 p.m., Mayor Anesh called the public meeting back to order saying the results of this evenings Executive Session has resulted in the necessity of adding the following two resolutions:

RESOLUTION 2017-147

**AUTHORIZING THE TAX ASSESSOR TO FILE AND SETTLE
TAX APPEALS AT THE COUNTY TAX BOARD.**

WHEREAS, in order to revise and correct assessments, from time to time, there is and has been a need for the Borough Tax Assessor, with the assistance of the Borough Special Tax Counsel to

file tax appeals and settle those appeals at the County Tax Board; and

WHEREAS, the Borough Council has consulted with the Borough Attorney, and has reviewed the recommendations of the Borough Tax Assessor, that the filing of appeals and settlements for the 2017 tax year with the County Tax Board to revise and correct assessments, are in the best interests of the Borough of South Plainfield; and

WHEREAS, the Borough Council has authorized the filing of tax appeals and the settlement of those appeals at the County Tax Board by the Borough Special Tax Counsel in consultation with the Borough Tax Assessor, and reaffirms and ratifies those petitions of appeal and settlements made to date;

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

1. The Borough Special Tax Counsel is hereby authorized to file petitions of tax appeals for the 2017 tax year with the Middlesex County Tax Board, and settle those appeals, all in consultation with the Borough Tax Assessor; and

2. The filing of appeals and settlements to date are hereby reaffirmed and ratified by this Resolution.

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

RESOLUTION 2017-148

AUTHORIZING THE BOROUGH TAX ASSESSOR TO FILE AN APPEAL OF THE TAX ASSESSMENT FOR PROPERTY KNOWN AS BLOCK 525.01, LOT 1, FOR THE TAX YEAR 2017.

WHEREAS, the property located on Durham Avenue, known as Block 525.01 Lot 1 on the Tax Map of the Borough of South Plainfield is currently assessed at a value of \$12,000,000.00, and has been so assessed since 2013; and

WHEREAS, the Borough Tax Assessor has expressed an opinion that such property is under assessed, and has requested authorization for the Special Tax Counsel of the Borough to file a complaint for an increase of the assessment;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey, based upon and relying upon the opinion of the Borough Tax Assessor, authorization is hereby granted to the Borough Special Tax Counsel to file a petition of tax appeal for the 2017 tax year, with the appropriate body as determined by the Special Tax Counsel to be appropriate.

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

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 8:59 p.m., seconded by Councilman Bengivenga and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC - Municipal Clerk