

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
APRIL 3, 2017 7:05 P.M.  
PUBLIC MEETING**

**CALL TO ORDER:** Mayor Anesh called the meeting to order at 7:05 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		
<b>ALSO PRESENT</b>			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo Esq.	X		
Engineer Miller	X		

**Flag Salute:** was led by Mayor Anesh Councilwoman Faustini 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 20, 2017 – Agenda  
March 20, 2017 - Public

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

**Proclamations**

National Library Week  
Volunteer Litter Clean-Up Week  
Autism Awareness Month – April, 2017

Mayor Anesh read the aforementioned proclamations in full and then invited all Library members forward and then invited all Autism Awareness members to come forward to present their proclamations. Photos were taken by family, friends and media present and everyone extended a round of applause.

Mayor Anesh advised that during the last snow storm he held a social media contest for the person to guess the total snow accumulation. The person who guesses correctly will be able to donate 10 times that amount of the snow fall to their favorite charity. Mr. Michael Sarfadi guess correctly at 7.7 inches of

snow. Mayor Anesh said he rounded up to a \$200.00 that will be donated to the American Legion. A giant check was presented to him and everyone extended a round of applause.

**ORDINANCE – FIRST READING BY TITLE** – Mayor sets the public hearing for 5/01/17 at approx. 7p.m.

Clerk Antonides read the following Bond Ordinance #2076 by title on first reading. Mayor Anesh set the public hearing for May 1, 2017 at approximately 7:00 p.m. There were no comments from Council.

**BOND ORDINANCE 2076**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS  
IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF  
MIDDLESEX, NEW JERSEY, APPROPRIATING \$611,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$449,500 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 \$611,000, including a grant in the amount of \$137,500 from the County of Middlesex for the improvement or purpose in Section 3(a) (the "County Grant") and further including the aggregate sum of \$24,000 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 and the County Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$449,500 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 (A0950521)

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 &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) Turf field lighting and other improvements, including all work and materials necessary therefor and incidental thereto.	\$294,500 (includes a \$137,500 grant from the County of Middlesex)	\$149,500	10 years
b) Improvements to the PAL Recreation Center, including, but not limited to, digital message boards and site lighting, and further including all work and materials necessary therefor and incidental thereto.	\$40,000	\$38,000	10 years
c) Improvements to the PAL Recreation Center wrestling room, including, but not limited to, the acquisition of mats and underpadding, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$75,500	\$71,500	15 years
d) Improvements to PAL Recreation storage room, including, but not limited to, a butler building addition, and further including all work and materials necessary therefor and incidental thereto.	\$83,000	\$78,500	15 years
e) The acquisition of air condition units for the PAL Recreation Center, including all related costs and expenditures incidental thereto.	\$8,000	\$7,500	15 years
f) Improvements to Southside Dog Park, including, but not limited to, fencing, stone work and plumbing, and further including all work and materials necessary therefor and incidental thereto.	\$55,000	\$52,250	15 years

g) Sitework, engineering, soil and grading to the former Suburban Bush Company Site, including all work and materials necessary therefor and incidental thereto.	<u>\$55,000</u>	<u>\$52,250</u>	15 years
TOTAL:	<u>\$611,000</u>	<u>\$449,500</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 12.91 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 \$449,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$41,500 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 County 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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce						x	
Councilman Wolak			X				
Council President White	x		X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

Clerk Antonides read the following Ordinance #2077 by title on first reading. Mayor Anesh set the public hearing for April 17, 2017 at approximately 7:00 p.m. There were no comments from Council

**ORDINANCE 2077**

**AN ORDINANCE AMENDING ORDINANCE 2051 THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2015 THROUGH 2018 FOR NON-UNION PROFESSIONALS AND GOVERNING BODY TO ADJUST THE TAX ASSESSORS SALARY RANGE AND REMOVE THE POSITION OF ASSESSOR FIELD REPRESENTATIVE**

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

Position	2015	2016	2017	2018
Administrator	29,009	29,560	30,122	30,694
Municipal Clerk	75,473	76,907	78,368	79,857
Chief Financial Officer	130,735	133,219	135,750	138,329
Confidential Assistant	26,955-48,519	27,467-49,441	27,989-50,380	28,520-51,337
OEM Coordinator	15,000	15,000	15,000	15,000
Registrar Vital Stats/Principal Clerk	56,829	57,908	59,009	60,130
Social Service Director	9,799	9,985	10,175	10,368
Municipal Housing Liaison	2,215	2,257	2,300	2,344
Affordable Housing Trust Reporter	2,215	2,257	2,300	2,344
DVRT Coordinator	5,805	5,916	6,028	6,142
Mayor	8,607	8,607	8,607	8,607
Council President	6,885	6,885	6,885	6,885
Council Person	5,738	5,738	5,738	5,738
Municipal Prosecutor	45,005	45,005	45,005	45,005
Public Defender	8,580	8,580	8,580	8,580
Planning Board Attorney	1,502			

Zoning Board Attorney	1,502			
PACO Compliance Officer	6,000	6,114	6,230	6,349
Municipal Court Judge	50,485	50,485	50,485	50,485
Deputy Registrar	1,551	1,580	1,610	1,641
Secretary to Mayor	1,736	5,000	5,095	5,192
Tax Collector	26,639	27,145	27,661	28,186
Tax Assessor	61,801	62,975	95,000	96,805
Environmental Specialist	69,135	70,449	71,787	73,151
Recycling Coordinator	5,418	5,521	5,626	5,733
Fire Official	81,160	82,702	84,274	85,875
Fire Sub Code	6,412	6,533	6,658	6,784
Construction Officer	109,444	111,523	113,642	115,801
Zoning Officer	15,450	15,744	16,043	16,348
Court Administrator	69,996	71,326	72,681	74,062
Recreation Director	76,044	77,489	78,961	80,461
Pool Administrator	9,338	9,516	9,696	9,881
Health Board Secretary	2,732	2,784	2,837	2,891
Municipal Engineer/Superintendent	N/A	157,000	159,983	163,023

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

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

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

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga							X
Councilman Dean					X		
Councilwoman Faustini	x		X				
Councilman Vesce						X	
Councilman Wolak			X				
Council President White		x	X				
		<b>VOTE:</b>	<b>3</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

## RESOLUTIONS

### RESOLUTION: 2017--150

**AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1,876.14 FOR BRIAN FRESE OF 1455 CLINTON AVENUE.**

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

Block: 152 Lot: 10  
 Brian Frese  
 1455 Clinton Avenue  
 South Plainfield, NJ 07080  
 \$1,876.14

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

**RESOLUTION: 2017-151**

**AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1,440.00 FOR RUBEN PASTUNA OF 134 OAK TREE AVENUE.**

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

Block: 254 Lot: 46  
 Ruben Pastuna  
 134 Oak Tree Avenue  
 South Plainfield, NJ 07080  
 \$1,440.00

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

**RESOLUTION 2017-152**

**RESOLUTION AUTHORIZING TAX IDENTIFICATION STATEMENT**

**WHEREAS**, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS,** There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

**WHEREAS,** Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the “Local Public Contracts Law”, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

**NOW THEREFORE BE IT RESOLVED** by the Borough of South Plainfield that Borough of South Plainfield hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2016 in the amount of (\$1,568.55). Documentation supporting this submission is available at (405 Spicer Avenue, South Plainfield, NJ 07080) and shall be maintained for no less than five years from this date.

REA Tax certified by: Kimberly Clifford

Name of official: Leonard J. Miller

Title of official: Director of Public Works

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

**RESOLUTION 2017-153  
AUTHORIZING THE TRANSFER OF 2016 CDBG FUNDS IN THE AMOUNT OF \$1,518.40 AND  
AUTHORIZING THE REQUEST OF SAID FUNDS  
FROM THE COUNTY OF MIDDLESEX TO BE USED FOR  
SENIOR CENTER IMPROVEMENTS**

**WHEREAS,** the County reports the following balances in the 2015 Community Development Block Grant program in the following amounts:

CD1597 ..... \$15,500.00 ADA RAMPS

**WHEREAS,** one of these amounts are surplus and are not needed for their original purpose; and

**WHEREAS,** funds are needed for Improvements to the Senior Center Kitchen;

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that it hereby approves the transfer of County grant funds in the amount of \$1,518.40 from CD1597 Senior Center ADA Improvements and hereby changes the use of purchase for “Improvements at the South Plainfield Senior Center” and as such authorizes the request of said funds from the County of Middlesex.

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

**RESOLUTION 17-154**  
**AUTHORIZING VARIOUS REFUNDS TO SENIORS FOR CANCELLED LUNCHEON AND RETURN**  
**OF SECURITY DEPOSIT FOR ROOM RENTAL**  
**– REFUNDS RANGING FROM \$20.00 TO \$100.00**

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

Antoniette Riley  
505 East Fairview Ave.  
South Plainfield, NJ 07080  
\$20 St. Pat’s Day Lunch 3/24/17

Arthur Osterberg  
220 West Crescent Parkway  
South Plainfield, NJ 0708  
\$20 St. Pat’s Day Lunch 3/24/17

Geri Diegnan  
25 Gray St.  
South Plainfield, NJ 07080  
\$20 St. Pat’s Day Lunch 3/24/17

Shihnaz Abdeljaber  
112 Wells Drive  
South Plainfield, NJ 07080  
\$100 Security Dep for Party on 3/11/17

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

**RESOLUTION: 2017-156**

**AUTHORIZING THE REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$7,900.53  
PERTAINING TO 220 RYAN STREET IN SOUTH PLAINFIELD**

**WHEREAS**, the following list of taxpayers have filed appeals with the Tax Court of New Jersey and have received judgments reducing their assessments:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be refunded.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
CF 220 Ryan Street, LLC South Plainfield, NJ 07080	477	5	2016	\$2, 689.81
			2015	\$2,643.41
			2014	\$2,567.31

**Make check payable to:**  
Chiesa Shahinian & Giantomasi PC  
Attorneys for CF 220 Ryan Street, LLC

**Mail to:**  
John F. Casey at  
Chiesa Shahinian & Giantomasi PC  
One Boland Drive  
West Orange, NJ 07052  
**Total**

**\$7,900.53**

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

**RESOLUTION: 2017-157**

**AUTHORIZING THE REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT  
OF \$20,636.72 PERTAINING TO 240 RYAN STREET IN SOUTH PLAINFIELD**

**WHEREAS**, the following list of taxpayers have filed appeals with the Tax Court of New Jersey and have received judgments reducing their assessments:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be refunded.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
CF 240 Ryan Street, LLC 240 Ryan Street South Plainfield, NJ 07080	477	9.01	2016	\$7,025.96
			2015	\$6,904.76
			2014	\$6,706.00

**Make check payable to:**

Chiesa Shahinian & Giantomasi PC  
Attorneys for CF 240 Ryan Street, LLC

**Mail to:**

John F. Casey at  
Chiesa Shahinian & Giantomasi PC  
One Boland Drive  
West Orange, NJ 07052

**Total** **\$20,636.72**

**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.

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

**RESOLUTION: 2017-158**

**AUTHORIZING THE REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$31,840.49. PERTAINING TO 260 RYAN STREET IN SOUTH PLAINFIELD**

**WHEREAS**, the following list of taxpayers have filed appeals with the Tax Court of New Jersey and have received judgments reducing their assessments:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be refunded.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
CF 260 Ryan Street, LLC 260 Ryan Street South Plainfield, NJ 07080	477	13.01	2016	\$10,840.39
			2015	\$10,653.39
			2014	\$10,346.71

**Make check payable to:**

Chiesa Shahinian & Giantomasi PC  
Attorneys for CF 260 Ryan Street, LLC

**Mail to:**

John F. Casey at  
Chiesa Shahinian & Giantomasi PC  
One Boland Drive  
West Orange, NJ 07052

**Total** **\$31,840.49**

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

**RESOLUTION 17-159**

**AUTHORIZING WETLAND DELINEATION AND SURVEY SERVICES FOR THE LOCATION OF BURNS AND RIO STREETS FROM NAJARIAN ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$13,250.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Najarian & Associates for wetland delineation and survey services for the location of Burns and Rio Streets in an amount not to exceed \$13,250.00; 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 Superintendent

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

**RESOLUTION: 2017-160**

**AUTHORIZING A REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$415.94 FOR JOSEPH & DEBRA KRAWIEC OF 409 PIERCE STREET.**

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

Block: 248 Lot: 7  
Joseph & Debra Krawiec  
409 Pierce Street  
South Plainfield, NJ 07080  
\$415.94

**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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce						X	
Councilman Wolak	x		X				
Council President White			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			

**RESOLUTION 2017-161  
AMENDING RESOLUTION 17-142 THAT TEMPORARILY APPOINTED  
AN ACTING DEPUTY COURT ADMINISTRATOR AND OTHER TEMPORARY  
COURT APPOINTMENTS IN THE ABSENCE OF THE DEPUTY COURT  
ADMINISTRATOR TO NOW INCLUDE A SENIOR DOCKET CLERK**

**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 \$4.00 per hour, and Janine Calvey shall be appointed as Senior Docket 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. Janine Calvey, Municipal Court
7. Carmela Sutor, Payroll

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

**RESOLUTION 17-162**  
**AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF TWO FORD F450**  
**VEHICLES FOR THE DPW FROM CHERRY HILL WINNER FORD**  
**IN AN AMOUNT NOT TO EXCEED \$107,216.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the state contract purchase of two Ford F450 vehicles for the DPW from Cherry Hill Winner Ford in an amount not to exceed \$107,216.00 pursuant to state contract number A88215; 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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce						X	
Councilman Wolak	x		X				
Council President White			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 2017-163**  
**RESOLUTION AUTHORIZING SETTLEMENT OF 2013 and 2014 TAX APPEALS FILED BY 2332**  
**SOUTH MANAGEMENT c/o CVS PHARMACIES, FOR THE PROPERTY KNOWN AS 2332**  
**PLAINFIELD AVENUE AND IDENTIFIED AS BLOCK 91, LOT 28, ON THE BOROUGH OF SOUTH**  
**PLAINFIELD TAX ASSESSMENT MAPS**

**WHEREAS**, 2332 South Management c/o CVS Pharmacies (hereinafter referred to as “Taxpayer”) is the owner of the property known as 2332 Plainfield Avenue and identified as Block 91, Lot 28, on the Borough of South Plainfield’s Tax Assessment Maps (“Property”); and

**WHEREAS**, the assessed value of the Property was set at \$975,000 for the years under appeal; and

**WHEREAS**, Taxpayer filed appeals of the 2013 and 2014 tax assessments in the Tax Court of the State of New Jersey under docket numbers 012357-2013 and 013366-2014; and

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

**WHEREAS**, the Borough Appraiser, Russ Sterling, MAI, opined that the Borough was not able to defend the assessment for the tax years under appeal and recommended that the settlement be approved and therefore, this

proposed settlement is reasonable and reflects the correct market values for the Property which was over assessed for the tax years under appeal; and

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

- The 2013 tax appeal shall be withdrawn and the 2013 total tax assessment shall remain unchanged;
- The 2014 original assessment in the amount of \$975,000 shall be reduced to \$850,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2014;
- The parties agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply to the assessment;
- Taxpayer has agreed to waive statutory interest provided the refund is paid within 60 days of the entry of Judgment. The tax refund shall be made payable to “CVS Pharmacies and Stavitsky & Associates, LLC as attorneys” and forwarded to counsel for Taxpayer within 60 days of the date of 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 appeals pursuant to the terms and conditions set forth above and in the Stipulation of Settlement annexed hereto based on market conditions as well as the uncertainty and costs associated with continued litigation; and

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

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

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

**WHEREAS**, the Mayor and Borough Council leave the allocation between land and improvements of the aforesaid tax assessment 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 an \$850,000 total tax assessment for the 2014 tax year for Block 91, Lot 28 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 appeals filed by 2332 South Management c/o CVS Pharmacies under Docket Nos.: 012357-2013 and 013366-2014 for the property known as 2332 Plainfield Avenue and identified as Block 91, Lot 28 on the Borough of South Plainfield Tax Assessment Maps which withdraws the 2013 tax appeal; which reduces the 2014 total tax assessment on the Property from \$975,000 to \$850,000; which provides that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply to the assessment; which provides that the Taxpayer has agreed to waive statutory interest; and which further provides that any tax refunds resulting from the settlement shall be made payable to “CVS Pharmacies and Stavitsky & Associates, LLC, as attorneys” and forwarded to counsel for Taxpayer within 60 days of the date of 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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce						X	
Councilman Wolak	x		X				
Council President White			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 2017-164**  
**AUTHORIZING THE TRANSFER OF 2015 CDBG FUNDS IN THE AMOUNT OF \$1,518.40 AND**  
**AUTHORIZES THE REQUEST OF SAID FUNDS**  
**FROM THE COUNTY OF MIDDLESEX TO BE USED FOR**  
**SENIOR CENTER IMPROVEMENTS**

**WHEREAS**, the County reports the following balances in the 2015 Community Development Block Grant program in the following amounts:

CD1597 ..... \$15,500.00 ADA RAMPS

**WHEREAS**, one of these amounts are surplus and are not needed for their original purpose; and

**WHEREAS**, funds are needed for Improvements to the Senior Center Kitchen;

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that it hereby approves the transfer of County grant funds in the amount of \$1,518.40 from CD1597 ADA Ramps and hereby changes the use of purchase for “Improvements at the South Plainfield Senior Center for a new kitchen floor” and as such authorizes the request of said funds from the County of Middlesex.

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

**RESOLUTION 2017-165**  
**AUTHORIZING THE BOROUGH EXECUTION OF DISCHARGE**  
**OF MORTGAGE MADE BY NORMAN CHICARELLI**

**WHEREAS**, Norman Chicarelli received a mortgage through the South Plainfield Home Improvement Program in February 2014 in the amount of \$16,030.00; and

**WHEREAS**, Mr. Chicarelli died and his estate has sold the premises at 1800 Jersey Street, South Plainfield, New Jersey; and

**WHEREAS**, payment has been received in the amount of \$16,030.00 pursuant to the terms of the Mortgage which had been recorded in the office of the County Recording Officer of Middlesex County;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Mayor is authorized to execute a Discharge of Mortgage, a copy of which is attached hereto, to be then forwarded to representatives of the estate of Norman Chicarelli and recorded to discharge the referenced mortgage.

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

**RESOLUTION 17-166**  
**AUTHORIZING THE SERVICES OF FLOORING AMERICA FOR THE INSTALLATION OF A NEW**  
**KITCHEN FLOOR AT THE SENIOR CENTER IN AN AMOUNT NOT TO EXCEED \$3,915.60**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Flooring America for the installation of a new kitchen floor at the Senior Center in an amount not to exceed \$3,915.60; 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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		x	X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce						X	
Councilman Wolak	x		X				
Council President White			X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION No. 2017 - 167**  
**AUTHORIZING A CHANGE ORDER #1 TO STILO EXCAVATING INC. FOR THE ROAD**  
**IMPROVEMENT PROJECT TO FRANKLIN AVENUE, GRAY DRIVE, WORTH DRIVE AND**  
**PERSHING PLACE TO INCREASE THE SCOPE OF WORK TO INCLUDE MILLING, REPAVING AND**  
**MISCELLANEOUS REPAIRS TO MURRAY AVENUE FOR A DISTANCE OF APPROXIMATELY 1,650**  
**LF**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the additional project scope of the 2016 Improvements to Franklin Avenue, Gray Drive, Worth Drive and Pershing Place Project to include additional milling, repaving and miscellaneous repairs on Murray Avenue from Maple Avenue to Eleanor Street for a distance of approximately 1,650 LF. The improvements shall be installed in accordance with the contract unit prices and will **not** result in an increase to the original contract amount of \$686,634.06.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of South Plainfield that a copy of this resolution be distributed to the following:

1. Glenn Cullen, CFO/BA
2. Amy Antonides, Clerk
3. Len Miller, DPW Supervisor
4. Najarian Associates

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

**RESOLUTION 2017-168  
AUTHORIZING A 2017 TEMPORARY BUDGET AMENDMENT  
OF \$1,026,915.60 IN THE CURRENT FUND, \$1,000,000.00 IN THE SEWER UTILITY  
AND \$5,000.00 IN THE POOL UTILITY**

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

**WHEREAS**, the date of this resolution is prior to the adoption of the FY 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
7-01-20-140-000-101	Computer	O&E	5,000.00
7-01-20-165-001-235	Engineering	O&E	5,000.00
7-01-22-195-001-102	Code Enforcement	S&W	50,000.00
7-01-25-240-001-102	Police	S&W	400,000.00

7-01-25-240-001-225	Police	O&E	20,000.00
7-01-25-240-003-241	Crossing Guards	O&E	30,000.00
7-01-25-265-002-101	Fire Official	S&W	10,000.00
7-01-26-290-001-235	Public Works Administration	O&E	2,000.00
7-01-26-290-002-101	Road Repairs & Maintenance	S&W	10,000.00
7-01-26-290-003-102	Snow	S&W	10,000.00
7-01-26-290-003-321	Snow	O&E	15,000.00
7-01-26-305-003-101	Recycling	S&W	5,000.00
7-01-26-310-000-415	Buildings & Grounds	O&E	10,000.00
7-01-27-330-001-101	Board of Health	S&W	10,000.00
7-01-28-370-001-235	Board of Health	O&E	25,000.00
7-01-27-330-002-101	Youth Aid	S&W	1,000.00
7-01-27-335-001-101	Environmental Commission	S&W	3,000.00
7-01-28-370-001-101	Recreation	S&W	25,000.00
7-01-28-370-002-101	Senior Center	S&W	10,000.00
7-01-28-370-002-401	Senior Center	O&E	2,000.00
7-01-29-390-000-235	Public Library	O&E	200,000.00
7-01-31-435-002-555	Street Lights	O&E	40,000.00
7-01-31-440-001-541	Telephone	O&E	10,000.00
7-01-36-472-000-675	SSI	Statutory	100,000.00
7-01-43-490-000-101	Court	S&W	25,000.00
7-01-41-764-001-301	Senior Center Improv. Grant	Grant	3,915.60

**Total CURRENT FUND**

**1,026,915.60**

**SEWER UTILITY**

**AMOUNT**

7-07-55-515-001-585	Sewer Other Expenses	O&E	1,000,000
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**Total SEWER UTILITY**

**1,000,000**

**POOL UTILITY**

**AMOUNT**

7-26-55-520-000-101	Pool S&W	s&w	5,000
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**Total POOL UTILITY**

**5,000**

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

**RESOLUTION 2017-169  
AUTHORIZING A 2017 TEMPORARY BUDGET AMENDMENT  
OF \$50,000.00 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.

**Temporary Budget Amendment**  
CALENDAR YEAR 2017

**CURRENT FUND**

			<b>AMOUNT</b>
7-01-20-145-000-101	Tax	S&W	<b>6,000.00</b>
7-01-20-110-000-101	Executive	S&W	<b>5,000.00</b>
7-01-25-240-001-481	Police	O&E	<b>24,000.00</b>
7-01-25-265-001-475	Fire Department	O&E	<b>15,000.00</b>

**Total CURRENT  
FUND**

**50,000.00**

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

**RESOLUTION 17-170**

**AUTHORIZING THE AMERICAN LEGION CHAUMONT POST 243 AND THE SOUTH PLAINFIELD PARENTS PONYTAIL ASSOCIATION TO INSTALL/ERECT A MILITARY BATTLEFIELD CROSS MONUMENT AT MONUMENT PARK IN THE BOROUGH OF SOUTH PLAINFIELD**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the American Legion Chaumont Post 243 and the South Plainfield Ponytail Parents Association to install/erect a military battlefield cross monument at the Monument Park in the Borough of South Plainfield; 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. Lloyd McNelly – Police Department

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

Councilman Dean said that as an exempt, he believes such purchases as in 2017-171 were paid out of the exempt association. Mayor Anesh said that his understanding is that over the years the Fire Department has approached us on a number of issues to assist them with, this being one of them. Councilman Dean asked if they are going to pay this money back. Mr. Cullen said no it's set up for the Borough to pay this in full. Councilman Dean asked if there were any changes in the lease agreement in this regard. Mr. Cullen said as of right now, no.

**RESOLUTION 17-171**

**AUTHORIZING THE SERVICES OF EDISON HEATING AND COOLING TO REPLACE THE 10-TON ROOFTOP AIR-CONDITIONING UNIT AT THE FIRE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$10,998.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Edison Heating and Cooling to replace the 10-ton air conditioning unit at the Fire Department in an amount not to exceed \$10,998.00; 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

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

**RESOLUTION 17-172**  
**AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF AMMUNITION**  
**FOR THE POLICE DEPARTMENT FROM EAGLE POINT GUN**  
**IN AN AMOUNT NOT TO EXCEED \$24,430.79**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the state contract purchase of ammunition for the Police Department from Eagle Point Gun in an amount not to exceed \$24,430.79 pursuant to state contract number A81296; 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

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

**RESOLUTION No. 2017 – 173**  
**AUTHORIZING A CHANGE ORDER TO NAJARIAN ASSOCIATES TO INCREASE THEIR**  
**ENGINEERING FEES BY AN ADDITIONAL \$4,000.00 TO EXTEND THE SCOPE OF THE 2016**  
**CAPITAL IMPROVEMENT ROAD PROGRAM TO INCLUDE THE ADDITIONAL ENGINEERING**  
**SERVICES NECESSARY FOR IMPROVEMENTS TO MURRAY AVENUE**

**WHEREAS**, the Governing Body of the Borough of South Plainfield would like to extend the scope of the project to include additional roadway repairs for Murray Avenue to 2016 Capital Improvement Road program; and

**WHEREAS**, additional engineering fees in the amount of \$4,000.00 are necessary to extend the scope of the project to include additional roadway repairs to the project; and

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

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that authorization is hereby given to increase the Engineering fees an additional \$4,000.00 to extend the scope of the project to include the addition of the aforementioned roadway repairs to the 2016 Capital Improvement Road Program.

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

**RESOLUTION 2017-174**  
**ACCEPTING THE RESIGNATION OF DAVID MIGLIS FROM THE**  
**ZONING BOARD OF ADJUSTMENT EFFECTIVE IMMEDIATELY**

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

It hereby accepts the resignation of David Miglis from the Zoning Board of Adjustment effective immediately; and

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

1. Amy Antonides, Municipal Clerk
2. Joanne Broderick, Zoning Board Secretary

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

**RESOLUTION 2017-175**  
**AUTHORIZING THE HIRING OF MICHAEL LANZA AND KATHERINE PHILLIPS**  
**AS RECREATION ATTENDANTS TO REPLACE NICK PASQUALE AND JOSEPH**  
**ORANCHAK AT THE RATE OF \$13.04 PER HOUR EFFECTIVE APRIL 4, 2017**

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

Authorization is hereby given to hire Michael Lanza and Katherine Phillips as Recreation Attendants to replace Nick Pasquale and Joseph Oranchak at the rate of \$13.04 per hour effective April 4, 2017;and

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

1. Amy Antonides, Municipal Clerk
2. Kevin Hughes, Recreation Director

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

**RESOLUTION 2017-176**  
**URGING THE STATE SENATE AND ASSEMBLY TO REPEAL SCR128**  
**AND AMENDMENT TO ARTICLE I, PARAGRAPH 11 OF THE CONSTITUTION**  
**OF THE STATE OF NEW JERSEY**

**WHEREAS**, Senate Concurrent Resolution No. 128 proposed an amendment to the New Jersey Constitution that would authorize a court, under certain circumstances, to order the pretrial detention of a person in a criminal case and changing the current constitution right to bail; and

**WHEREAS**, in 2014 Governor Christie called a special session for the proposed amendment to be agreed upon and to be submitted to the People at the General Election on November 4, 2014; and

**WHEREAS**, the companion to SCR128 was Senate Bill S-964 establishing new Pretrial Services and overhauling the bail system in New Jersey; and

**WHEREAS**, these sweeping changes to New Jersey’s laws make the citizens less safe and cost the taxpayers millions of dollars; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of South Plainfield in the County of Middlesex, State of New Jersey, request the Senate and General Assembly of the State of New Jersey to enact legislation to repeal SCR128 and all companion laws and further request Governor Christie to sign that legislation;

**BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to the following:

1. New Jersey Senate President, Stephen M. Sweeney
2. New Jersey Assembly Speaker Vincent Prieto
3. New Jersey State Governor, Christopher Christie
4. New Jersey State League of Municipalities
5. Senator, Patrick J. Diegnan, Jr., District 18
6. Assemblyman, Robert J. Karabinchak, District 18
7. Assemblywoman, Nancy J. Pinkin

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

**AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:**

- Finance Department– Tax Appeal Calculation
- Recycling Monthly Report – January, 2017

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

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

Current Fund	7-01	407,127.66
Current Fund	6-01	15,093.83
Pool Utility	6-26	0.00
Pool Utility	7-26	0.00
Sewer Utility	6-07	0.00
Sewer Utility	7-07	2,064.15
Sewer Utility Capital	C-08	0.00
General Capital	C-04	1,298,266.07
Pool Capital	C-27	0.00
Election Account	E-18	6,575.00
Grant Fund	G-02	0.00

Dog Trust	T-12	0.00
Treasurers Trust	T-13	67,384.50
Recreation Trust	T-14	3,591.46
COAH		0.00
<b>TOTAL ALL FUNDS</b>		<b>1,824,789.39</b>

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			<b>VOTE:</b>	<b>5</b>	<b>0</b>		
<b>Mayor Anesh – TIE ONLY</b>							

### COUNCIL REPORTS:

Borough Attorney Rizzo Esq. – reported progress

Administrator Cullen – advised that the budget hearing with department heads are scheduled for April 10<sup>th</sup> and 12<sup>th</sup>. May 1<sup>st</sup> is the public hearing date for the budget. Mr. Cullen thanked everyone for this support this evening with resolution 170 which will allow Officer McNelly to place a special battle cross monument at monument park.

Engineer Miller – reported that the Franklin Avenue Road project is essentially finished and fell under budget. As such we have enough money left to pave Murry Avenue. Therefore we will get that extra road paved at no additional cost to the contract.

Clerk Antonides – reminded everyone that instructions for the filing of the annual financial disclosure statements will be forthcoming of which the deadline is set for April 30<sup>th</sup>.

Councilman Dean – advised that he Councilman Vesce, Councilwoman Faustini, Mr. Cullen and Mr. Miller all met and went around to visit several parks and while touring these parks he noticed that on New Market Avenue there are no curbs but a complete depression going into the property. Councilman Dean said he would like to see if we can put in a full curb. Councilman Dean then suggested to perhaps contact the county to see what they would charge to do the park. Mayor Anesh asked what he meant by do the park. Councilman Dean said to construct the park. Mayor Anesh asked for more clarification. Councilwoman Faustini said that Councilwoman Vesce said other than fencing they did paving and laid the stone. Councilman Dean concurred adding that they did the bulldozing and grading also. Mayor Anesh asked Mr. Miller what we are doing to obtain quotes. Mr. Miller said we are looking to see if we can do it ourselves, mostly what materials need to be purchased, and see if a contractor is needed. We want to keep the costs down and it appears we will not need to go out to bid. Mayor Anesh said that we do not object to the county assisting us if they are the cheapest cost though we would prefer to obtain some open space funds that were promised for this project. When we acquired this property there was a hold harmless agreement never came in front of the governing body. Mayor Anesh summed up by saying he would prefer a grant from the county, however, if they are going to provide cheaper estimates than anyone else for the Borough to pay for their services we will entertain that. Councilman Dean asked what our bid threshold is. Mr. Cullen said \$40,000 and quotes are still required.

Councilwoman Faustini – concurred with the sentiments expressed for Officer McNelly's battle cross monument and went on to thank the governing body for their support this evening on resolution #17-176 for bail reform. Councilwoman Faustini went on to remind everyone of the dates for the Easter Egg Hunt, Litter Clean-Up, and the opening day of baseball.

Councilman Bengivenga – advised that he will not be around for the next meeting as he and his fiancé will be down in Virginia to honor the memory of her brother who passed away in the Virginia Tech shooting. This year marks the

ten-year anniversary. He had a military career. It is important to note that he did save lives on that day. He was honored two years ago for his heroic act.

Councilman Vesce – was absent this evening.

Councilman Wolak – reported that the new fire truck has arrived. It is expected to be in service sometime in May and the wet down event is scheduled for June 24, 2017. There will be a live burn drill on April 8<sup>th</sup>.

Council President White – reported progress.

Mayor Anesh – reported progress.

**COMMENTS FROM THE PUBLIC:**

Mayor Anesh opened the floor for public comment.

Debbie Boyle of Van Fleet reminded everyone of various dates and events to take place in the coming days throughout the Borough.

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

At 7:55 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 8:30 p.m., Mayor Anesh called the public meeting back to order saying the results of this evenings Executive Session has not resulted in any further business or action needed this evening.

**ADJOURNMENT**

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Councilman Bengivenga made a motion to adjourn at 8:30 p.m., seconded by Council President White and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC - Municipal Clerk