

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
NOVEMBER 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		
<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 and Council President White 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.

**Presentation** – South Plainfield Women's Leadership Team Essay Contest – Debbie Boyle said the subject of this year's essay was "Hidden Figures" and then proceeded to recognize the 3<sup>rd</sup>, 2<sup>nd</sup> and 1<sup>st</sup> place winners. Everyone extended a round of applause and photographs were taken by friends, family and media present.

**Proclamations** South Plainfield Special Athletics Team - Mayor Anesh read the proclamation in full inviting each member of the team forward with their coaches. Everyone extended a round of applause and photographs were taken by friends, family and media present.

**Authorizing the Approval of Council Minutes:**

November 6, 2017 – Agenda

November 6, 2017 - Public

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>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**ORDINANCE – SECOND READING BY TITLE** – was read by Clerk Antonides for the following Ordinance 2095. Mayor Anesh asked for council comments and no comments were made. Mayor Anesh then opened the floor for public hearing and with not comments from the public, closed the floor.

2095

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE TWO DEEDS FOR THE TRANSFER OF PORTIONS OF LOT 19, BLOCK 329 ALSO KNOWN AS 321 HANCOCK STREET TO ANTONIO AND BARBARA GARCIA**

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

**ORDINANCE – FIRST READING BY TITLE** for Ordinance 2096 was read by title by Clerk Antonides and Mayor Anesh set the public hearing for December 4th approximately 7:00 p.m.

2096

**AN ORDINANCE AMENDING ORDINANCE 2083 FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2016 THROUGH 2018 TO NOW INCLUDE THE POSITIONS OF VIOLATIONS CLERK AND SPANISH INTERPRETING SERVICES**

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				
		VOTE:	4	0			
Mayor Anesh – TIE ONLY							

**ORDINANCE – FIRST READING BY TITLE** for Ordinance 2097 was read by title by Clerk Antonides and Mayor Anesh set the public hearing for December 4th approximately 7:00 p.m.

2097

**AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING ORDINANCE 2088 WHICH AMENDED AND SUPPLEMENTED SECTION 540-51 OF THE BOROUGH ZONING ORDINANCE ENTITLED “MUD-MIXED USE DEVELOPMENT”**

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				
		VOTE:	3	0			
Mayor Anesh – TIE ONLY							

**ORDINANCE – FIRST READING BY TITLE** for Ordinance 2098 was read by title by Clerk Antonides and Mayor Anesh set the public hearing for December 4th approximately 7:00 p.m.

**2098 AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 504 OF THE BOROUGH CODE ENTITLED “AFFORDABLE HOUSING” TO ADDRESS THE REQUIRMENTS OF THE NEW JERSEY FAIR HOUSING ACT AND THE NEW JERSEY UNIFORM AFFORDABILITY CONTROLS AS THEY PERTAIN TO COMPLIANACE WITH MUNICIPAL AFFORDABLE HOUSING OBLIGATIONS**

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				
		VOTE:	3	0			
Mayor Anesh – TIE ONLY							

**ORDINANCE – FIRST READING BY TITLE** for Ordinance 2099 was read by title by Clerk Antonides and Mayor Anesh set the public hearing for December 4th approximately 7:00 p.m.

**2099 AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE VII, ENTITLED “ZONE DISTRICT REGULATIONS,” OF THE BOROUGH OF SOUTH PLAINFIELD ZONING ORDINANCE, ESTABLISHING THE REQUIREMENTS FOR AN AFFORDABLE HOUSING OVERLAY ZONE DISTRICT IN ACCORDANCE WITH THE ADOPTED HOUSING PLAN ELEMENT AND FAIR SHARE PLAN OF THE BOROUGH OF SOUTH PLAINFIELD**

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				
		VOTE:	3	0			
Mayor Anesh – TIE ONLY							

**RESOLUTIONS**

**RESOLUTION No. 17-401  
 AUTHORIZING THE AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF SOUTH PLAINFIELD FOR ACCEPTANCE OF THE SOUTH PLAINFIELD MUNICIPAL ALLIANCE GRANT ALLOCATION IN THE AMOUNT OF \$20,586.00 WITH A MUNICIPAL IN-KIND MATCH OF \$15,439.50 AND A CASH MATCH OF \$5,146.50 FOR THE TERM COMMENCING JULY 1, 2018 TO JUNE 30, 2019**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, the Borough of South Plainfield, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages and therefore has an established Municipal Alliance Committee; and

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

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

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

The South Plainfield Borough Council does hereby authorize submission of a strategic plan for the South Plainfield Municipal Alliance grant for fiscal year 2018/2019 in the amount of:

DEDR: \$20,586.00  
 Cash Match: \$ 5,146.50  
 In-Kind: \$15,439.50

the Mayor and Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 17-402  
 AUTHORIZING A REFUND TO MELISSA MILLER OF 167 W. NASSAU AVE. FOR A \$100.00  
 SECURITY FEE FOR A PARTY AT THE SENIOR CENTER**

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

Melissa Miller  
 167 W. Nassau Avenue  
 South Plainfield, NJ 07080  
 \$100.00 – 10/21/17 Security Deposit

**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				
Council President White	x		X				
		<b>VOTE:</b>	<b>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2017-403  
AUTHORIZING THE AFFORDABLE HOUSING ADMINISTRATOR  
TO BID HOME IMPROVEMENT SERVICES**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for the Affordable Housing Administrator, Maureen Fullaway to bid home improvement services for 1400 Irving Street and 3114 Park Avenue in the Borough of South Plainfield.

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

1. Municipal Clerk
2. Chief Financial Officer
3. Maureen Fullaway

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>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 17-404  
AUTHORIZING THE APPOINTMENT OF MICHAEL SAMPOGNA AS FIREFIGHTER FOR THE  
SOUTH PLAINFIELD VOLUNTEER FIRE DEPARTMENT**

**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 appointment of:

Amit Persaud  
213 Pomponio Avenue  
South Plainfield, NJ 07080

for the South Plainfield Volunteer Fire Department as recommended by Fire Chief Scalera.

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

1. Glenn Cullen, CFO
2. Carmela Sutor, Payroll
3. Anne Daley, Benefits
4. Amy Antonides, Municipal Clerk
5. Fire Chief Scalera

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>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2017-405**

**REJECTING ALL RFP'S RECEIVED ON NOVEMBER 1, 2017 FOR EMERGENCY MEDICAL SERVICES AND AUTHORIZING THE ADVERTISING FOR SAME**

**WHEREAS** on November 1, 2017, the Municipal Clerk opened and received three (3) RFP's for emergency medical services (EMS) in the Borough of South Plainfield; and

**WHEREAS** upon professional review of the proposals received, it was discovered that insufficient language was used in the RFP proposal and became evident that better clarification was needed;

**NOW THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of Borough Administrator and Borough Attorney, that all RFP's received on November 1, 2017 for emergency medical services in the Borough of South Plainfield be rejected in their entirety and furthermore, authorization is hereby given to restructure said proposal request to clearly define the requirements accordingly.

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

**RESOLUTION #17-406  
AUTHORIZING THE RELEASE OF PERFORMANCE BONDS POSTED BY  
TUAN LA FOR PUBLIC IMPROVEMENTS TO BLOCK 145, LOT 10  
AND ACCEPTANCE OF THE MAINTENANCE BOND IN THE AMOUNT OF \$630.00**

**WHEREAS**, the Borough of South Plainfield is in possession of a Performance Bond from Tuan La for the improvements located at Block 145, Lot 10; and

**WHEREAS**, has submitted the Maintenance Bond in the amount of \$630.00; and

**WHEREAS**, the Borough Engineer has given approval of the form and content of the aforementioned Maintenance Bond.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Mayor and Council of the Borough of South Plainfield, that the Borough Clerk is hereby authorized to accept the aforementioned Maintenance Bond and release the Performance Bond held for the Public Improvements located at Block 145, Lot 10

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>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2017-407**

**WHEREAS**, property known as Lot 7, in Borough Block 446, more commonly known as **167 Somerset Street** in **South Plainfield, NJ** is owned by **Socha Enterprises, LLC**;

**AND, WHEREAS**, a demolition occurred at this property during Calendar Year 2017, causing the Tax Assessor to reduce the assessed value from \$350,000 to \$100,600;

**AND, WHEREAS**, the Tax Bill for Calendar Year 2018 was generated from the 2017 Assessor's Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with a tax bill based on the original assessment *prior* to the demolition, while the assessment has since been reduced;

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to adjust taxes levied for Calendar Year 2018 to reflect the reduced assessment on the property known and designated as Lot 7, in Township Block 446;

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

**RESOLUTION #17-408**

**AUTHORIZING THE RELEASE OF PERFORMANCE BONDS POSTED BY MOON BUILDERS, LLC FOR PUBLIC IMPROVEMENTS TO BLOCK 3, LOT 7 AND ACCEPTANCE OF THE MAINTENANCE BOND IN THE AMOUNT OF \$2,286.00**

**WHEREAS**, the Borough of South Plainfield is in possession of a Performance Bond from Moon Builders, LLC for the improvements located at Block 3, Lot 7; and

**WHEREAS**, has submitted the Maintenance Bond in the amount of \$2,286.00; and

**WHEREAS**, the Borough Engineer has given approval of the form and content of the aforementioned Maintenance Bond.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Mayor and Council of the Borough of South Plainfield, that the Borough Clerk is hereby authorized to accept the aforementioned Maintenance Bond and release the Performance Bond held for the Public Improvements located at Block 3, Lot 7

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

**RESOLUTION 2017-409**  
**AUTHORIZING THE SERVICES OF T&M ASSOCIATES TO ASSIST THE**  
**BOROUGH OF SOUTH PLAINFIELD WITH THE SUBMISSION**  
**OF THE NJ DOT LOCAL FREIGHT IMPACT FUND GRANT**  
**APPLICATION IN AN AMOUNT NOT TO EXCEED \$22,000.00**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates to assist the Borough of South Plainfield with the submission of the NJ DOT Local Freight Impact Grant application in an amount not to exceed \$22,000.00

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

1. Municipal Clerk
2. Chief Financial Officer
3. T&M Associates

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

**RESOLUTION 17-410**  
**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.

<b>Borough of South Plainfield</b>			
<b>Transfers</b>			
<b>2017</b>			
<b>CURRENT FUND</b>			
FROM:			AMOUNT
7-01-20-150-000-221	Assessing	O&E	8,000.00
7-01-20-155-000-221	Legal	O&E	9,000.00
7-01-23-220-000-621	Health Insurance	O&E	58,000.00
7-01-25-240-003-241	Crossing Guards	O&E	5,000.00
7-01-26-290-001-101	Public Works Admin	S&W	3,000.00
7-01-26-315-000-101	Vehicle Maintenance	S&W	5,000.00
7-01-32-465-001-545	Landfill	O&E	12,000.00
<b>Total FROM:</b>			<b>100,000.00</b>
TO:			AMOUNT
7-01-20-120-000-101	Clerk	S&W	1,000.00
7-01-20-140-000-204	Computers	O & E	5,000.00
7-01-20-145-000-102	Tax	S&W	6,000.00
7-01-22-195-001-101	Code	S&W	5,000.00
7-01-22-195-001-661	Code	O & E	5,000.00
7-01-23-210-000-855	Other Insurance	O & E	4,000.00
7-01-25-240-001-102	Police	S&W	3,000.00
7-01-25-240-001-321	Police	O & E	1,000.00
7-01-25-240-002-101	Traffic Safety	S&W	500.00
7-01-25-260-000-101	Rescue Squad	S&W	1,000.00
7-01-25-260-000-209	Rescue Squad	O & E	1,000.00
7-01-25-265-001-101	Fire Department	S&W	2,000.00
7-01-25-265-001-405	Fire Department	O & E	2,000.00
7-01-25-265-002-101	Fire Official	S&W	2,000.00
7-01-26-290-002-101	Road Repairs & Maintenance	S&W	15,000.00
7-01-26-290-003-102	Snow	S&W	1,000.00
7-01-26-290-003-321	Snow	O & E	2,000.00
7-01-26-310-000-404	Public Buildings & Grounds	O & E	2,000.00
7-01-27-330-002-101	Youth Aid	S&W	1,000.00
7-01-28-370-003-101	Cultural Arts	S&W	500.00
7-01-28-370-002-401	Office on Aging	O & E	2,000.00
7-01-31-440-001-541	Telephone	O & E	8,000.00
7-01-31-465-001-565	Gasoline	O & E	5,000.00
7-01-43-490-000-101	Court	S&W	5,000.00
7-01-43-490-000-225	Court	O & E	1,000.00
7-01-44-901-000-235	Capital Improvement Fund	Capital	18,000.00
7-01-45-920-000-801	Bond Principal	Debt	1,000.00
<b>Total TO:</b>			<b>100,000.00</b>

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

**RESOLUTION 2017-411  
ACCEPTING THE RESIGNATION OF RANDY VARGAS  
FROM THE POSITION OF MECHANIC IN DPW EFFECTIVE NOVEMBER 24, 2017**

**BE IT RESOLVED** that The Governing Body of the Borough of South Plainfield that it hereby accepts the resignation of Randy Vargas from the DPW as Mechanic effective November 24, 2017.

**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
4. Anne Daley, Benefits
5. 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				
Council President White	x		X				
		VOTE:	4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 17-412  
AMENDING RESOLUTION 17-222 THAT AUTHORIZED THE SUMMER SEASONAL  
PART-TIME HIRING OF ANTHONY CELENTANO AT THE HOURLY RATE OF  
\$12.50 WITH NO BENEFITS FOR THE POSITION OF GROUNDSKEEPER TO NOW  
SHOW HIM AS A PERMANENT PART TIMER**

**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 17-222 and authorizes the Borough to hire Anthony Celentano as a permanent part-timer instead of a summer seasonal hourly part-timer, without benefits, in the position of Groundskeeper, at the same hourly rate of \$12.50:

**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. Carmela Sutor, Payroll
4. Anne Daley, Benefits
5. Alice Tempel, Recycling/Environmental Specialist

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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 17- 413**  
**AMENDING RESOLUTION 17-396 THAT AUTHORIZED 2017 APPROPRIATION TRANSFERS IN**  
**THE AMOUNT OF \$300,000.00 FOR THE CURRENT FUND AND \$10,000.00 IN THE**  
**POOL UTILITY PURSUANT TO N.J.S.A. 40A:4-58 TO NOW CORRECT A LINE ITEM**  
**ERROR**

**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 resolution 17-396 be amended to now show line item 7-01-20-140-000-101 as “computers” instead of “tax” in the amount of \$5,000.00.

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				
Council President White	x		X				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2017-414**  
**BOROUGH OF SOUTH PLAINFIELD**  
**COUNTY OF MIDDLESEX**

**AUTHORIZING INSERTION OF ITEM OF REVENUE FOR BUDGET YEAR 2017 FOR THE**  
**BODY ARMOR GRANT IN THE AMOUNT OF \$4,758.29**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of South Plainfield in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2017 in the total sum of \$4,758.29 which is now available and is broken down as follows:

Body Arbor Grant	\$4,758.29
<b>Total Grants</b>	<b>\$4,758.29</b>

BE IT FURTHER RESOLVED, that the like sum of \$4,758.29 is hereby appropriated under the aforementioned Grants;

BE IT FURTHER RESOLVED, that two copies of this Resolution shall be forwarded to the Director of the Division of Local Government Services, and one copy shall be forwarded to the Chief Financial Officer.

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

**RESOLUTION 2017-415**

**RESOLUTION AUTHORIZING SETTLEMENT OF 2013, 2014, 2015 AND 2016 TAX APPEALS FILED BY O'DONNELL PROPERTY ASSOCIATES FOR THE PROPERTY KNOWN AS 3610 KENNEDY ROAD AND IDENTIFIED AS BLOCK 446, LOT 4.03, ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS**

**WHEREAS**, O'Donnell Property Associates, LLC (hereinafter referred to as "Taxpayer") is the owner of the property known as 3610 Kennedy Road and identified as Block 446, Lot 4.03, on the Borough of South Plainfield's Tax Assessment Maps ("Property"); and

**WHEREAS**, the assessed value of the Property was set at \$300,000 for 2013, 2014, 2015 and 2016; and

**WHEREAS**, Taxpayer filed appeals of the 2013, 2014, 2015 and 2016 tax assessments in the Tax Court of the State of New Jersey under Docket Numbers 011763-2013, 012656-2014, 010661-2015 and 009859-2016; and

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

**WHEREAS**, the Borough Appraiser, Russ Sterling, MAI, opined that the Borough was not able to defend the assessments for the 2013, 2014, 2015 and 2016 Tax Years under appeal and recommended that the settlement be approved and therefore, this proposed settlement is reasonable and reflects the correct market values for the Property which was over assessed for Tax Years 2013, 2014, 2015 and 2016; and

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

- The 2013 tax appeal shall be withdrawn by Taxpayer;
- The 2014 tax appeal shall be withdrawn by Taxpayer;
- The 2015 tax appeal shall be withdrawn by Taxpayer;
- The 2016 original assessment in the amount of \$300,000 shall be reduced to \$245,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2016;
- Taxpayer has agreed to waive statutory interest provided that the tax overpayment refunds are paid within 60 days of the date of entry of the Tax Court Judgments;
- Refunds regarding overpayments shall be made payable to "Daniel G. Keogh, Trustee" and forwarded to Daniel G. Keogh, Esq. c/o Ventura, Miesowitz, Keough & Warner, P.C., 783 Springfield Avenue, Summit, NJ 07901 within 60 days of the date of entry of the Tax Court Judgments.

**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 a \$245,000 total tax assessment for the 2016 tax year for Block 446, Lot 4.03 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
  
2. The Borough Attorney is authorized to execute on behalf of the Borough of South Plainfield the attached Stipulation of Settlement pertaining to the tax appeals filed by O’Donnell Property Associates, LLC under Docket Nos.: 011763-2013, 012656-2014, 010661-2015 and 009859-2016 for the Property known as 3610 Kennedy Road and identified as Block 446, Lot 4.03 on the Borough of South Plainfield Tax Assessment Maps which withdraws the tax appeals for Tax Years 2013, 2014 and 2015; which reduces the 2016 total tax assessment on the Property from \$300,000 to \$245,000; which provides that the Taxpayer has agreed to waive statutory interest on any refund or overpayment due provided the refund check is paid within 60 days from the issuance of Judgment; and which further provides that the refund check shall be made payable to “Daniel G. Keough, Esq.” as Trustee for 601 Hadley Road, LLC” and forwarded to Daniel G. Keough, Esq. c/o Ventura, Miesowitz, Keough & Warner, P.C., 783 Springfield, NJ 07901 within 60 days of the date of entry of the Tax Court Judgments.
  
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				
Council President White	x		X				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2017-416**  
**RESOLUTION AUTHORIZING SETTLEMENT OF 2013, 2014, 2015, 2016 and 2017 TAX APPEALS**  
**FILED BY HOLLYWOOD AVENUE, LLC FOR THE PROPERTY KNOWN AS 448 HOLLYWOOD**  
**AVENUE AND IDENTIFIED AS**  
**BLOCK 388, LOT 7.01, ON THE BOROUGH OF SOUTH PLAINFIELD**  
**TAX ASSESSMENT MAPS**

**WHEREAS**, Hollywood Avenue, LLC (hereinafter referred to as “Taxpayer”) is the owner of the property known as 448 Hollywood Avenue and identified as Block 388, Lot 7.01, on the Borough of South Plainfield’s Tax Assessment Maps (“Property”); and

**WHEREAS**, the assessed value of the Property was set at \$457,300 for the Tax Years under appeal; and

**WHEREAS**, Taxpayer filed appeals of the 2013, 2014, 2015, 2016 and 2017 tax assessments in the Tax Court of the State of New Jersey under Docket Numbers 011762-2013, 012657-2014, 010666-2015, 009860-2016 and 010300-2017; and

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

**WHEREAS**, the Borough Appraiser, Russ Sterling, MAI, opined that the Borough was not able to defend the assessments for the 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 Tax Years 2013, 2014, 2015, 2016 and 2017; and

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

- The 2013 tax appeal shall be withdrawn by Taxpayer;
- The 2014 tax appeal shall be withdrawn by Taxpayer;
- The 2015 tax appeal shall be withdrawn by Taxpayer;
- The 2016 original assessment in the amount of \$457,300 shall be reduced to \$315,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2016;
- The 2017 original assessment in the amount of \$457,300 shall be reduced to \$315,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2017;
- Taxpayer has agreed to waive statutory interest provided that the tax overpayment refunds are paid within 60 days of the date of entry of the Tax Court Judgments;
- Refunds regarding overpayments shall be made payable to “Daniel G. Keogh, Trustee” and forwarded to Daniel G. Keogh, Esq. c/o Ventura, Miesowitz, Keough & Warner, P.C., 783 Springfield Avenue, Summit, NJ 07901 within 60 days of the date of entry of the Tax Court Judgments.

**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:

4. the Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$315,000 total tax assessment for the 2016 and 2017 tax years for Block 388, Lot 7.01 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
  
5. 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 Hollywood Avenue, LLC under Docket Nos.: 011762-2013, 012657-2014, 010666-2015, 009860-2016 and 010300-2017 for the Property known as 448 Hollywood Avenue and identified as Block 388, Lot 7.01 on the Borough of South Plainfield Tax Assessment Maps which withdraws the tax appeals for Tax Years 2013, 2014 and 2015; which reduces the 2016 and 2017 total tax assessments on the Property from \$457,300 to \$315,000; which provides that the Taxpayer has agreed to waive statutory interest on any refund or overpayment due provided the refund check is paid within 60 days from the issuance of Judgment; and which further provides that the refund check shall be made payable to “Daniel G. Keough, Esq.” as Trustee for Hollywood Avenue, LLC” and forwarded to Daniel G. Keough, Esq. c/o Ventura, Miesowitz, Keough & Warner, P.C., 783 Springfield, NJ 07901 within 60 days of the date of entry of the Tax Court Judgments.
  
6. 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				
Council President White	x		X				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 17-418**  
**AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE A**  
**SHARED SERVICE AGREEMENT WITH THE BOARD OF EDUCATION**  
**FOR THE PROVISION OF A SAFE SCHOOLS RESOURCE OFFICER**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes Mayor and Municipal Clerk to execute a shared service agreement with the South Plainfield Board of Education for the provision of a Safe Schools Resource Officer of who’s salary shall be paid for by the South Plainfield Board of Education in the amount of \$57,000.00 annually (2 years) from September 1, 2017 through June 30, 2019 based upon the school’s annual calendar; 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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION No. 2017-419**  
**AUTHORIZING CHANGE ORDER NO. 1 TO STILO EXCAVATING INC.**  
**FOR THE INSTALLATION OF STORM SEWERS AT BELMONT AVENUE**  
**AND THE INTERSECTION OF PIERCE STREET AND DESEPIO AVENUE PROJECT TO INCREASE**  
**THE SCOPE OF WORK TO INCLUDE TEST PITS FOR \$3,725.00.**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorized the additional project scope of the Installation of Storm Sewers at Belmont Avenue and the Intersection of Pierce Street and DeSepio Avenue Project to include test pits on Pierce Street and DeSepio Avenue. The work shall be performed in accordance with the attached unit price change order dated November 13, 2017 and will result in an increase to the original contract amount of \$34,052.00 an additional \$3,725.00 for a new contract amount of \$37,777.00.

**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, Borough Engineer/Superintendent DPW
4. Najarian Associates
5. Stilo Excavating

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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2017-420  
AUTHORIZING THE APPOINTMENT OF JANINE CALVEY AS COURT CLERK/DOCKET CLERK  
FOR AN ADDITIONAL \$2.50 HOURLY RATE**

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

It hereby appoints Janine Calvey as Court Clerk/Docket Clerk for an additional \$2.50 to be added to her current hourly rate of \$19.37 effective November 21, 2017; and

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

1. Janine Calvey, Municipal Court
2. Amy Antonides, Municipal Clerk
3. Anne Daley, Benefits
4. 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				
Council President White	x		X				
		<b>VOTE:</b>	4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:**

- Environmental Commission Minutes – September 13, 2017
- Environmental Monthly Report – October, 2017

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

**PAYMENT OF BILLS**

Current Fund	7-01	172,849.12
Current Fund	6-01	0.00
Pool Utility	6-26	0.00
Pool Utility	7-26	1,937.65
Sewer Utility	6-07	0.00

Sewer Utility	7-07	40,637.68
Sewer Utility Capital	C-08	0.00
General Capital	C-04	22,330.61
Pool Capital	C-27	0.00
Election Account	E-18	14,025.00
Grant Fund	G-02	1,191.15
Dog Trust	T-12	0.00
Treasurers Trust	T-13	12,727.74
Recreation Trust	T-14	4,175.78
<b>TOTAL ALL FUNDS</b>		<b>\$269,874.73</b>

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

**COUNCIL REPORTS:**

Borough Attorney Rizzo Esq. – reported progress.

Administrator Cullen – was absent this evening.

Engineer Miller – advised that he’s working with the road contractor for completion of the rest of the road improvement items for 2017 as well as working on leaf removal.

Clerk Antonides – reported progress.

Councilman Dean – was absent this evening.

Councilwoman Faustini – was absent this evening.

Councilman Bengivenga – reminded everyone of UNICO’s Pig Roast on December 1<sup>st</sup> to benefit scholarships and then went on to wish everyone a Happy Thanksgiving.

Councilman Vesce – advised that Alice Tempel had to undergo a special “Call to Recycle” online quiz in order to allow us to recycle batteries. All the operators of the site have to take it. Alice did pass it thus we are compliant and can recycle our rechargeable batteries. Regarding another matter, Councilman Vesce said he noticed that we noticed a position for Mechanic at the DPW and was wondering if that is a civil service position. Mr. Miller said it is a civil service position. Councilman Vesce asked if that should be included in the notice. Mr. Miller said he will check with Mr. Cullen on that. To conclude Councilman Vesce wished everyone a happy and safe holiday.

Councilman Wolak – wished everyone a Happy Thanksgiving and reported progress.

Council President White – congratulated the Green Team for their recertification with the bronze level and congratulated Zachery on his recent eagle scout award. Council President White concluded by welcoming Metropolitan Dermatology to town. Council President White wished everyone a happy and safe Thanksgiving and asked everyone to remember all those serving overseas who cannot be with their families at this time.

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 events forthcoming throughout South Plainfield through December. Such events are posted on the Borough website.

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

**ADJOURNMENT**

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Council President White made a motion to adjourn at 7:32 p.m., seconded by Councilman Bengivenga and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC/CMR  
Municipal Clerk