

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
OCTOBER 21, 2019 7:03 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:02 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 White		X	
Council President Wolak	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		

Flag Salute: was led by Mayor Anesh and Councilman Bengivenga led the invocation and called for a moment of silence for Councilman White's mother who passed away earlier today.

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:

- October 7, 2019 – Agenda Meeting
- October 7, 2019 – Public Meeting
- October 7, 2019 – Executive Session

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

Proclamation – Domestic Violence Month – was read in full by Mayor Anesh.
Breast Cancer Awareness Month – was read in full by Mayor Anesh.
2019 Mischief Night & Halloween - was read in full by Mayor Anesh.

ORDINANCES:

The following Ordinance 2157 was read by Clerk Antonides by title on second reading. Mayor Anesh opened the floor for a public hearing and with no public comments made, closed the floor.

ORDINANCE 2157

AN ORDINANCE AMENDING ORDINANCE 2137 THAT PROVIDES FOR THE COMPENSATION OF PART-TIME EMPLOYEES FOR THE BOROUGH OF SOUTH PLAINFIELD FOR THE YEARS 2019 THROUGH 2023 TO NOW INCLUDE THE POSITION OF RECREATION LEADER

The ordinance #2157 read by title upon first reading herewith has been introduced at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on October 7, 2019. In summary, this ordinance amends ordinance 2137 that provides for the compensation of employees of the Borough of South Plainfield and the method of payment of such compensation for the years 2019

through 2023 for part-time employees to now include the position of Recreation Leader. The public hearing where further consideration will be made will be held on October 21, 2019 at approximately 7:00 p.m. at the Municipal Building located at 2480 Plainfield Avenue, South Plainfield, NJ. A full complete copy of this ordinance shall be provided, free of charge prior to adoption, to all those who request said copy at the Borough Clerk's office during normal business hours of 8 a.m. to 4 p.m. or emailed upon request. A copy is also located on the municipal website and may be freely viewed and printed.

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

RESOLUTIONS:

**RESOLUTION 19-318
AUTHORIZING A REFUND OF A TAX OVERPAYMENT IN THE AMOUNT OF \$182.96
PERTAINING TO BLOCK 308, LOT 7**

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

WHEREAS, the Tax Collector advises that the following taxpayers and/or their agents have overpaid their tax and have requested refunds:

**Block 308 ; Lot 7
Monica Jackson
PO Box 51734
Myrtle Beach, SC 29579
\$182.96**

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

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

**RESOLUTION 2019-319
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 \$28,708.00 WITH A MUNICIPAL IN-KIND MATCH OF \$21,531.00 AND A CASH MATCH OF \$7,177.00 FOR FY2021**

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 that:

1. The South Plainfield Borough Council does hereby authorize submission of a strategic plan for the South Plainfield Municipal Alliance grant for fiscal year FY2021 in the amount of DEDR 28,708.00, with a municipal in-kind match of \$21,531.00 and a cash match of \$7,177.00.
2. The South Plainfield Borough Council acknowledges the terms and conditions for the administering of the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

RESOLUTION 19-320

AUTHORIZING THE REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$9,195.20 PERTAINING TO 50 CRAGWOOD PLAZA

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

WHEREAS, the following list of taxpayer(s) 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>
50 Cragwood Plaza, LLC	528.01	45.01	2016	\$4,637.60
50 Cragwood Road South Plainfield, NJ 07080			2015	\$4,557.60

Make check payable to:

50 Cragwood Plaza, LLC as Plaintiff
& Garrippa, Lotz & Giannuario, Attorney
66 Park Street
Montclair, NJ 07042

Total **\$9,195.20 ***

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

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

RESOLUTION 19-321
AUTHORIZING THE REJECTION OF ALL BIDS RECEIVED ON 09/20/19
FOR 2019 ROAD AND SEWER IMPROVEMENTS ON VARIOUS ROADS PURSUANT TO
N.J.S.A. 40A:11-13.2(A) CITING THAT THE LOWEST BID SUBSTANTIALLY
EXCEEDS THE COST ESTIMATES FOR GOODS OR SERVICES

WHEREAS, on September 20, 2019, three bids were received for 2019 Road and Sewer Improvements on various roads as follows;

- | | |
|------------------------------|--------------|
| 1. Stilo Paving & Excavating | \$639,957.74 |
| 2. Z Brothers Concrete | \$699,823.49 |
| 3. Top Line Construction | \$766,522.15 |

WHEREAS, upon review by the Borough Engineer and Borough Administrator/CFO it is their recommendation that the bid(s) be rejected for 2019 Road and Sewer Improvements on various roads pursuant to N.J.S.A. 40A:11-13.2 (a) citing that the lowest bid substantially exceeds the cost estimates for goods or services;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of South Plainfield hereby reject all bid(s) and authorize the Borough Clerk to return all bid bonds to the bidder(s); and

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Len Miller, DPW Superintendent

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

RESOLUTION 19-322
AUTHORIZING THE REFUND OF A SENIOR CENTER SECURITY DEPOSIT IN THE AMOUNT OF \$100.00 TO BIPIN
SHAH

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

Bipin Shah
206 Wadsworth Avenue
South Plainfield, NJ 07080
\$100.00 – 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 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean		x	X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman White						X	
Council President Wolak			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 19-323
ACCEPTING THE RESIGNATION OF LINDA NGUYEN
FROM THE BUILDING DEPARTMENT EFFECTIVE OCTOBER 25, 2019**

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

It hereby accepts the resignation of Linda Nguyen from the Building Department effective October 25, 2019; and

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

1. Amy Antonides, Municipal Clerk
2. Carmela Sutor, Payroll

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

RESOLUTION 19-324

RESOLUTION OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY APPROPRIATION FOR THE PURPOSE OF A SANITARY SEWER REPAIR ON NEW BRUNSWICK AVENUE IN THE SEWER UTILITY IN THE AMOUNT OF \$118,470.41 PURSUANT TO N.J.S.A. 40A:4-46 TO PROVIDE FOR EXTRAORDINARY EXPENSES RESULTING FROM A SANITARY SEWER MAIN BREAK

WHEREAS, it has been found necessary to make an emergency appropriation to meet certain expenses incurred or to be incurred as a result of the extraordinary findings of a sanitary sewer main break and as such requires the appropriation of funds of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey (the “Borough”)in the Sewer Utility, in the amount of an additional \$118,470.41; and

WHEREAS, N.J.S.A 40A:4-46 provides that it shall be lawful to make such appropriation and such appropriations shall be raised in full as a deferred charge in the subsequent year:

NOW, THEREFORE BE IT RESOLVED (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:

1. Pursuant to N.J.S.A. 40A:4-46, a special emergency appropriation is hereby made in the additional amount of \$118,470.41,
2. The appropriation set forth in Section 1 hereof shall be raised in the 2019 Current Fund Budget.
3. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.
4. This resolution shall take effect immediately

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

RESOLUTION 19- 325
AUTHORIZING THE EMERGENT SERVICES OF STILO EXCAVATING
FOR AN EMERGENCY REPAIR OF A SANITARY SEWER ON
NEW BRUNSWICK AVENUE IN THE AMOUNT OF \$118,470.41

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for the emergent services of Stilo Excavating for an emergency repair of a sanitary sewer, that took place on New Brunswick Avenue, in the amount of \$118,470.41; and

BE IT FURTHER RESOLVED that funds for this purpose, which could not be bid out due to the extreme nature of the emergency that took place, are provided through Resolution 19-324 that authorizes an emergency appropriation pursuant to N.J.S.A. 40A:4-46 to provide for extraordinary expenses resulting from a sanitary sewer main break;

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute the contract for said emergent services and copies of this Resolution shall be forwarded as follows:

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

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

RESOLUTION 19-326
AUTHORIZING AGREEMENT TO PERMIT A SHED TO
REMAIN WITHIN A RIGHT-OF-WAY LOCATED AT
116 ELLIOTT PLACE, SOUTH PLAINFIELD, NEW JERSEY.

WHEREAS, Lee Bedatsky and Eileen Bedatsky are the owners of property known as 116 Elliott Place, South Plainfield, New Jersey; and

WHEREAS, Lee and Eileen Bedatsky have applied for a continuing certificate of occupancy to allow the sale of their property; and

WHEREAS, Lee and Eileen Bedatsky have been advised that a continuing certificate of occupancy cannot be issued as there is a shed located on their property which is partially located over sanitary sewer easement owned by the Borough unless the Borough agrees to allow the shed to continue in place; and

WHEREAS, the shed has been in place since at least 1986 when the Bedatskys purchased the property and has not detrimentally affected the property or the purpose of the right-of-way, and such placement does not appear that it will detrimentally affect the property or the purpose of the right-of-way in the future, the Borough has no objection to allowing the location to continue with the understanding that the shed will be removed at the expense of the Bedatskys or any subsequent owner if deemed necessary by the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that permission is granted to Lee Bedatsky and Eileen Bedatsky to allow the shed at the rear of their property to remain partially in the right-of-way owned by the Borough on the property known as 116 Elliott Place conditioned upon the Bedatskys or any subsequent owner of record agreeing to remove the shed at their expense in the event the Borough should deem it necessary in the future.

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

**RESOLUTION 19-327
AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE SITE ACCESS
AGREEMENT WITH HOME DEPOT INC.**

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

**RESOLUTION 19-328
AUTHORIZING THE AWARD OF SURPLUS MUNICIPAL PROPERTY KNOWN AS
LOT 3, BLOCK 362 TO DENNIS HADO
PURSUANT TO PUBLIC AUCTION HELD ON OCTOBER 7, 2019**

WHEREAS, Lot 3 in Block 362 is owned by the Borough of South Plainfield and was authorized to be sold at public sale to the highest bidder by Ordinance No. 2128 on March 4, 2019; and

WHEREAS, Lot 3 in Block 362 was advertised for public sale pursuant to all requirements and procedures as set forth in the Local Lands and Building Law (N.J.S.A. 40A:12-1, et seq.); and

WHEREAS, a public auction was held on October 7, 2019, and Dennis Hado of 100 Dover Place, in South Plainfield, New Jersey was the high bidder, submitting a bid for the minimum sale price of \$120,000.00 of which a 10% deposit in the amount of \$12,000.00 was paid to the Borough of South Plainfield on October 10, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Lot 3 in Block 362 is awarded to Dennis Hado as the high bidder at the public auction for a sale price of \$120,000.00, and the Mayor and Municipal Clerk are authorized to execute any and all documents necessary to sell such property to Dennis Hado in accordance with the terms and conditions set forth in the Notice of Public Sale by Auction as advertised in The Observer on July 19, 2019.

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

RESOLUTION 2020-329

ENDORISING THE SUBMISSION OF THE 2020 RECYCLING ENHANCEMENT GRANT APPLICATION

WHEREAS A resolution authorizing this municipality to apply for the **2020 Recycling Enhancement Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of Borough of South Plainfield, in the County of Middlesex, to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations;

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of South Plainfield in the County of Middlesex, that the Borough of South Plainfield hereby endorses the submission of the 2020 Recycling Enhancement Grant application to Middlesex County and designates Dr. Alice Temple, C.R.P., as the Recycling Coordinator of the Borough of South Plainfield to ensure that the application is properly executed, administered, and filed; and

BE IT FURTHER RESOLVED that the monies received from the 2020 Recycling Enhancement Grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling, and in this case, used to pay for enhanced signage at the Recycling Center in the Borough of South Plainfield.

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

RESOLUTION 19-330

AUTHORIZING THE PURCHASE OF AN FMS RTK GPS PUBLIC SAFETY POSITIONING SYSTEM IN AN AMOUNT NOT TO EXCEED \$7,981.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of an FRM RTK GPS Public Safety Positioning System in an amount not to exceed \$7,981.00; 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. Lt. David DeLair, Police Department

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

RESOLUTION 19-331

AUTHORIZING THE PURCHASE OF VIRTUAL CRASH SOFTWARE FOR THE POLICE DEPARTMENT FROM VCRASH AMERICAS INC. IN AN AMOUNT NOT TO EXCEED \$3,100.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of virtual crash software for the Police Department from vCrash Americas Inc. in an amount not to exceed \$3,100.00; 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. Lt. David DeLair, Police Department

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

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Environmental Commission Minutes – August 14, 2019
- Property Maintenance Monthly Report – September 2019
- Najarian Associates – Recommendation to Bid Road/Sewer Improvements in Spring 2020

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

PAYMENT OF BILLS

Current Fund	8-01	0.00
Current Fund	9-01	133,678.70
Pool Utility	9-26	365.00
Pool Utility	8-26	0.00
Sewer Utility	9-07	0.00
Sewer Utility	8-07	0.00
Sewer Utility Capital	C-08	7,449.00
General Capital	C-04	93,328.54
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	580.00
Dog Trust	T-12	875.00
Treasurers Trust	T-13	54,073.42
Recreation Trust	T-14	2,045.00
Senior Citizen Trust	T-16	1,745.00
TOTAL ALL FUNDS		\$594,139.66

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – said that last week the added and omitted bills were sent out. It is the largest added and omitted bill we’ve had since 2007. We expect to see an increase in our ratable base at the end of 2019. The demolition of the pool has begun and the line is removed. Nixel alerts have gone out pertaining to the emergency sewer main repair on New Brunswick Avenue. They are hoping it will take 4-5 days for the repair to be completed.

Engineer Miller – advised that he has been gathering quotes to repair the lighting at Memorial Park and hopes to have them by the end of this week.

Clerk Antonides – we held our annual poll worker training class at the Senior Center on October 17th. It was a big success and the County is very please with this location for the training as it generates a lot of trainees. Also next year the County is planning on rolling out new touch screen voting machines, so more training will be taking place for this purpose.

Councilman Vesce – gave a shout out to everyone involved with Saturday’s Fall Festival. It was a tremendous turnout. It was very well done and the volunteers are to be congratulated.

Councilwoman Faustini – Echo Councilman Vesce’s comments regarding the Fall Festival, it was wonderful, and thanks also goes to the Library. On November 9th the Public Celebrations Committee will be hosting an alternate celebration due to the fact of not having the Labor Day Parade this year, it will be an event to honor Veteran’s. It will begin at Monument Park and end at Veteran’s Park. The Cappi Awards will be held on November 16th honoring Georgeanna Cochran at 6:30 p.m. at the Senior Center. Basketball and Wrestling sign-ups are still under way. Councilwoman Faustini congratulated everyone who decorated a scarecrow outside and thanked all who participated.

Councilman Bengivenga – said that last week something came to his attention and asked Councilman Dean about a house that was built on Clark Lane that he mentioned a couple months ago, the one that had a fire, saying that he had stated the drainage was from next door and that the neighbor complained saying the water was running off because they had increased the elevation. Councilman Bengivenga expressed his concern when he saw that Councilman Dean’s company did the final grading. Councilman Dean said the issue was before we did the final grading. The neighbors were complaining asking why the house was allowed to be built out further from the ground than the existing property lines. Councilman Bengivenga said you brought that claim to the officials of the Borough, you met with the property owners prior to bringing it to the attention of the Borough officials and then you got the job. Councilman Dean said no, he had the job for building steps and the other contractor was supposed to do the other work but backed out of it and as a result the property owner than asked Councilman Dean to do the job. Councilman Dean reiterated, he did not have that job and did not come to the Borough and do something to try to abuse power to solve an issue. The fireman next door approached him and asked him how this home can be built out of the ground higher than it was originally. Councilman Dean said when asked he said that he doesn’t know to call the town and ask them. Councilman Bengivenga said the point is that he got the contract to do the job and regrade the property. Councilman Dean said that was after the fact. Councilman Bengivenga asked if he sees a problem with him making a complaint to the Borough and then doing the job. Councilman Dean said he didn’t make a complaint to the Borough he just asked if there was a reason why the house was allowed to be built the way it was. Councilman Dean said if he were to make a complaint, he would have made a bigger deal out of it asking how they were allowed to build this house and not remove any dirt off the site. Councilman Bengivenga said that he did ask Mr. Cullen to investigate this matter and after the fact got the contract to grade the property. Councilman Dean said he fixed it. Councilman Bengivenga said that is the point, he can not use his Council position to take

a job. Councilman Dean said he was not using his Council position, he was doing something a neighbor asked him to look into. Councilman Dean said that he never said he is on Council so let's go complain to the town and then try to pick-up a \$2,500 grading job. Councilman Bengivenga then said that both last year and this year he had made a complaint about Dollar General and their weeds, and then went and cleared out the weeds. Councilman Dean said he can't stop a business from calling him. Councilman Bengivenga said the whole point is that you're making a complaint to the Borough and then taking the job. Councilman Dean said he is following-up with a complaint. Councilman Bengivenga said it doesn't matter you can't take on the job and asked Mr. Rizzo Esq. to explain what the ethics laws are in New Jersey because you can not use your position on Council to make a complaint and then get a job regardless if they call you or not. Councilman Dean said his business has been in this town for 15 years and can't stop someone from calling him. Councilman Bengivenga said you made the complaint to John Abbruzzese about the weeds at Dollar General then your company took the job. Councilman Dean said he didn't handle Dollar General his business partner did. Councilman Bengivenga said the point is you made the complaint to John Abbruzzese about the weeds and then your company took the job. It's a financial gain. Mayor Anesh said that he doesn't think Councilman Dean intentionally did something wrong, however, clearly the appearance looks bad. Mayor Anesh said that people in our town will come to us when there is an issue and Councilman Dean has a bit more exposure to it when dealing with these types of complaints hence inadvertently you could end up getting a job. Councilman Bengivenga said he needs to learn how to recuse himself, for example, he just voted on authorization for a tax judgement refund for 50 Cragwood Road who's partnered with Friendwell who you do all the landscaping for. Councilman Dean said that Councilman Bengivenga handles the trash removal for them too. Councilman Bengivenga said he does not, nor does his company; Republic. Councilman Dean said he believes Councilman Bengivenga has a good relationship with Jason who owns Friendwell. Councilman Bengivenga said yes, he knows Jason, however he does not financially benefit from Jason. Councilman Dean said but your company does. Councilman Bengivenga said no they don't, they do one hotel for them of which he does not represent. Councilman Bengivenga said the point is, you should recuse yourself. Mr. Rizzo said the state statute says you can not use your position to gain unwarranted privilege or advantage. There's another section which says you can use information you've obtained to gain a financial advantage. If it's a situation where you cause a complaint and the property owner is then told they have to do something, and you went to the property owner than that would be a problem. The code of ethics does provide that you have to avoid conflict and appearance of a conflict. Councilman Dean said he wasn't the only one with Dollar General to make a complaint, John Abbruzzese said he had received numerous complaints and said he can't stop a company from calling him. Mr. Rizzo said that perhaps you should say that you shouldn't be involved in it. Mr. Rizzo said his philosophy has always been that if there is a question or any doubt, don't do it and avoid it. Councilman Bengivenga said that's his point. Mr. Rizzo said that you can also always ask the Local Finance Board if there is a question in this regard for their opinion.

Councilman Dean - reported progress.

Councilman White – was absent this evening.

Council President Wolak – said his thoughts and prayers go out to Councilman White's family dealing with the loss of his mother.

Mayor Anesh – reported progress.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

With no comments from the public, Mayor Anesh closed the floor at 7:27 p.m. and announced that we are going into a closed session meeting and everyone is welcome to stay if they wish.

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 7:39 p.m., seconded by Councilwoman Faustini and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk