

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
MAY 7, 2018, 2018 7:04 P.M.
PUBLIC MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:04 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 Dean	X		
Councilwoman Faustini	X		
Councilman Vesce		X	
Councilman White	X		
Councilman Wolak	X		
Council President Bengivenga	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen		X	
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		

Flag Salute: was led by Councilwoman Faustini and Mayor Anesh 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:

April 16, 2018 – Agenda
April 16, 2018 – Public

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

Proclamation - Elk's Youth Week – was read in full by Mayor Anesh and then he called up the Elk's Antlers to receive the proclamation. Everyone extended a round of applause and photos were taken by the media present.

ORDINANCE 2111 – SECOND READING BY TITLE – was read by Clerk Antonides for the following Ordinance 2111. Mayor Anesh asked for council comments and no comments were made. Mayor Anesh the floor for public hearing and with no comments from the public closed the floor.

ORDINANCE # 2111

CALENDAR YEAR 2018

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

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

previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

WHEREAS, the COLA for 2018 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as .5% and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5%, may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of South Plainfield in the County of Middlesex finds it advisable and necessary to increase its 2018 budget by more than 2.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$804,261.29 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2018 budget year, the final appropriations of the Borough of South Plainfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$804,261.29 and that the 2018 municipal budget for the Borough of South Plainfield be approved and adopted in accordance with this ordinance; and,

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

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

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

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

RESOLUTIONS

**RESOLUTION #18-195
AUTHORIZING THE RELEASE OF PERFORMANCE BONDS POSTED BY
RUSSOMANNO SUBDIVISION FOR PUBLIC IMPROVEMENTS TO
BLOCK 26, LOT 5 AND ACCEPTANCE
OF THE MAINTENANCE BOND IN THE AMOUNT OF \$10,306.50**

WHEREAS, the Borough of South Plainfield is in possession of a Performance Bond from Russomanno Subdivision for public improvements located at Block 26, Lot 5; and

WHEREAS, has submitted the Maintenance Bond in the amount of \$10,306.50; 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 26, Lot 5.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce						X	
Councilman White			X				
Councilman Wolak	x		X				
Council President Bengivenga		x	X				
			5	0			

**RESOLUTION 18-196
AUTHORIZING THE APPOINTMENT OF JACK ANDERSON AS JUNIOR 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:

Jack Anderson
116 Kenwood Avenue
South Plainfield, NJ 07080

for the South Plainfield Volunteer Fire Department as a Junior Firefighter 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 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce						X	
Councilman White			X				
Councilman Wolak	x		X				
Council President Bengivenga		x	X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 2018-197
AUTHORIZING A REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$26,937.60 PERTAINING TO 2313-
2325 PLAINFIELD AVENUE**

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

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>
RCJ Inc. 2313-2325 Plainfield Avenue South Plainfield, NJ 07080	188	57	2017	\$26,937.60

Make check payable to:

Michael A. Vespasiano
Attorney Trust Account
331 Main Street
Chatham, NJ 07928

Total **\$26,937.60 ***

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 Dean			X				
Councilwoman Faustini			X				
Councilman Vesce						X	
Councilman White			X				
Councilman Wolak	x		X				
Council President Bengivenga		x	X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 2018-198

AUTHORIZING THE REFUND AND CANCELLATION OF TAXES PERTAINING TO 407 EAST HENDRICKS BOULEVARD IN SOUTH PLAINFIELD

WHEREAS, property known as Lot 20, in Township Block 60, more commonly known as **407 East Hendricks Boulevard** in South Plainfield, NJ is owned by **Francis & Joan Lasko**;

AND, WHEREAS, a house fire occurred in January 2018 at this property, causing the Tax Assessor to reduce the assessed value from \$116,600 to \$75,600;

AND, WHEREAS, the Tax Bills for the four quarters of Calendar Year 2018 were 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 fire, 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 cancel taxes for the 1st quarter of 2018 in the amount of **\$400.16**; and

BE IT FURTHER RESOLVED, that the tax collector be, and she hereby is, authorized and directed to cancel taxes for the 2nd quarter of 2018 in the amount of **\$600.24**; and

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 credit(s) in the Amount(s) of **\$1000.40** as mentioned above.

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

**RESOLUTION 2018-199
AUTHORIZING THE DISPOSAL OF SURPLUS COMPUTER HARDWARE THAT HAS OUTLIVED ITS USEFUL LIFE
AND HOLD NO MONETARY VALUE
FOR THE BOROUGH OF SOUTH PLAINFIELD**

WHEREAS, the Borough of South Plainfield is the owner of certain surplus property which is no longer needed for public use;
and

WHEREAS, the Borough is desirous of disposing said surplus property, specifically, computer hardware that hold no monetary;

NOW THEREFORE, be it RESOLVED by the Borough of South Plainfield, that the items to be disposed of are as follows:

1. (5) Dell Dimension 310
2. (1) Dell Precision T 5400
3. (1) HP DC5700 Micro tower
4. (1) Dell Dimension 4100
5. (2) HP Compaq DC 2000 Micro tower
6. (1) Dell dimension 3000

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

**RESOLUTION 2018-200
AUTHORIZING THE CANCELTION OF AN OUTSTANDING CHECK TOTALING \$550.00**

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield that based upon the recommendation of the Borough Auditor the below list of checks issued from Borough bank accounts have been outstanding for more than one year and as such, are now stale-dated;

CHECK #	AMOUNT
#67062 Dated 4/4/2016	550.00
TOTAL:	\$550.00 to apply to MRNA

BE IT FURTHER RESOLVED that the attached list of stale-dated checks be hereby canceled and that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer

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

RESOLUTION 18-201

AUTHORIZING TRAFFIC AND PARKING MODIFICATIONS FOR THE OLC FAIR FROM JUNE 5, 2018 THROUGH JUNE 9, 2018

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby approves of traffic and parking modifications for the OLC Fair from June 5, 2018 through June 9, 2018 pursuant to the attached recommendations of Lt. David DeLair, Traffic Safety Unit of the South Plainfield Police Department.

BE IT FURTHER RESOLVED that copies of this resolution be distributed to the following:

1. Amy Antonides, Municipal Clerk
2. Lt. David DeLair, Traffic Safety Unit

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

RESOLUTION 18-202

AUTHORIZING TRAFFIC AND PARKING MODIFICATIONS FOR THE HOLY SAVIOR ACADEMY 5K RUN JUNE 2, 2018

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby approves of traffic and parking modifications for the Holy Savior Academy 5K Run June 2, 2018 pursuant to the attached recommendations of Lt. David DeLair, Traffic Safety Unit of the South Plainfield Police Department.

BE IT FURTHER RESOLVED that copies of this resolution be distributed to the following:

1. Amy Antonides, Municipal Clerk
2. Lt. David DeLair, Traffic Safety Unit

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

**RESOLUTION 2018-203
AUTHORIZING APPOINTMENT OF 2018 SUMMER HELP
EMPLOYEES FOR THE DPW**

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

WHEREAS, a need exists to supplement the workforce of the Department of Public Works and Borough Hall during the summer months; and

WHEREAS, the list below has been recommended by the Administrator and the Superintendent of Public Works with salaries as per the salary Ordinance, and

WHEREAS, the below summer employees for DPW will begin for the working periods on May 14, 2018 through Labor Day, 2018;

{A0961100.1}

NOW THEREFORE BE IT RESOLVED by the South Plainfield Borough Council that the persons listed below be employed as seasonal employees, at the hourly rate of \$13.29 with no benefits effective May 14, 2018, for the Department of Public Works and Borough Hall as indicated:

Nicholas Pezzolla

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

1. Municipal Clerk
2. Len Miller, DPW Superintendent
3. Anne Daley, Benefits
4. Carmela Sutor, Payroll

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

**RESOLUTION 18-204
AUTHORIZING THE SERVICES OF PINTO BROTHERS DISPOSAL
FOR PUBLIC LITTER CAN REMOVAL FOR A ONE YEAR TERM
IN AN AMOUNT NOT TO EXCEED \$5,700.00**

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

WHEREAS, a need has been determined to provide public litter can removal services; and

WHEREAS, since it was anticipated the contractual amount for said services to be under \$17,500 RFP's were solicited instead of formal bids to four local trash haulers. There was only one provider that submitted a proposal by the deadline. The following one RFP was submitted by the April 21, 2018 deadline:

- Pinto Brother Disposal \$5,700.00 (\$475.00/month)

WHEREAS, the RFP's have been reviewed by the Borough Recycling Coordinator, and it is their recommendation that the RFP of Pinto Brother Disposal for public litter can removal service for a one year term in an amount not to exceed \$5,700.00 be accepted and a contract be awarded; and

WHEREAS, funds for said purpose have been certified by the Chief Financial Officer and are available in the 2018 current budget;

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given to award a contract for public litter can removal services for a period of a one-year term from June 1, 2018 to May 31, 2019 at a cost not to exceed \$5,700.00 be awarded to Pinto Brother Disposal.

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute the necessary agreement if applicable with Pinto Brother Disposal, the lowest responsible contractor for the services described.

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

RESOLUTION 2018-205
AUTHORIZING THE PART-TIME RE-HIRING OF ADRIANA BAYONE,
WITHOUT BENEFITS, FOR THE MUNICIPAL COURT OFFICE EFFECTIVE MAY 8, 2018

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the Borough to hire Adriana Bayone on a part-time hourly basis without benefits to assist in the Municipal Court Office at the hourly rate of \$13.22 and also to assist the Court with Spanish interpretation at the hourly rate of \$1.02 effective May 8, 2018:

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. Karen Costantino, Court Administrator
4. Carmela Sutor, Payroll
5. Anne Daley, Benefits

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

RESOLUTION 2018-206
AUTHORIZING THE APPOINTMENT OF CARMELA SUTOR AS SECRETARY TO TRAFFIC SAFETY ADVISORY
COMMITTEE AT AN ANNUAL SALARY OF \$1,223.00
EFFECTIVE MAY 7, 2018

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

It hereby appoints Carmela Sutor as Secretary to the Traffic Safety Advisory Committee at the annual salary of \$1,223.00; and

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

1. James Parker, Police Chief
2. Amy Antonides, Municipal Clerk
3. Anne Daley, Benefits
4. Carmela Sutor, Payroll

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

RESOLUTION 2018-207
AUTHORIZING THE AGREEMENT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND MITCHELL
HUMPHREY & CO. FOR SOFTWARE LICENSE
AND MAINTENANCE SUPPORT

BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that they hereby approve and authorize an agreement between the Borough and Mitchell Humphrey & Co., a Missouri Corporation, for provision by Mitchell Humphrey & Co. of use of a software products license, installation and maintenance support, such contract to be in the form attached hereto; and

BE IT FURTHER RESOLVED by the Mayor and Council that they do further authorize the Mayor and Borough Clerk to execute the attached software license and maintenance support agreement on behalf of the Borough of South Plainfield.

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

**RESOLUTION NO. 2018-208
A RESOLUTION APPOINTING ANAND VERMA AS CONFLICT
ASSESSOR AND ROBERT F. RENAUD, ESQ. AS CONFLICT ATTORNEY FOR TAX APPEALS.**

WHEREAS, tax appeals have been filed with regard to the following properties:

- 119 Hamilton Boulevard (Block 265, Lot 23)
- 147 Hamilton Boulevard (Block 265, Lot 9.01)
- 2800 Woodland Avenue (Block 95, Lot 4.01)
- West End Avenue (Block 536, Lot 2)
- Easton Boulevard (Block 537, Lot 6)
- West End Avenue (Block 537, Lot 5)
- Easton Avenue (Block 537, Lot 7)
- 200 Easton Avenue (Block 537, Lot 1)
- 2806 Woodland Avenue (Block 95, Lot 5)
- 212 Eastern Boulevard (Block 537, Lot 4); and

WHEREAS, a conflict exists so that neither the Borough Tax Assessor, the law firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., or Emil H. Philibosian, Esq. can represent the Borough with regard to such tax appeals; and

WHEREAS, Anand Verma, Tax Assessor for the Borough of Metuchen, has agreed to represent the Borough with regard to these tax appeals; and

WHEREAS, the firm of Palumbo, Renaud & DeAppolonio, LLC has agreed to represent the Borough with regard to these tax appeals; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., more specifically, N.J.S.A. 40A:11-5, allows for the awarding of a contract for “professional services” without public advertising for bids; and

WHEREAS, this Contract was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4; and

WHEREAS, compensation for the professional services of Anand Verma shall be a fee of \$750.00; and

WHEREAS, compensation for the professional services of Palumbo, Renaud & DeAppolonio, LLC shall be paid at the rate of \$175.00 per hour for attorneys, and \$75.00 per hour for paralegals, respectively, not to exceed \$4,000.00;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Mayor and Borough Clerk are hereby authorized and directed to execute a Contract for Professional Services with Anand Verma to represent the Borough as special tax assessor for the cases referenced herein; and to execute a Contract for Professional Services with Palumbo, Renaud & DeAppolonio, LLC to represent the borough as Special Council for the tax appeal cases referenced herein;

These Contracts are hereby awarded without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5, because the services in question are of a specialized, technical and professional nature; and

Anand Verma and Palumbo, Renaud & DeAppolonio, LLC shall report directly to the Borough Administrator who will be the primary contact for the Borough of South Plainfield

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

RESOLUTION 18-209
AUTHORIZING THE SERVICES OF J&L AUTO BODY FOR THE REPAIRS
TO A DPW VEHICLE IN AN AMOUNT NOT TO EXCEED \$4,786.47
OF WHICH WILL BE PARTIALLY REIMBURSED BY
THE MUNICIPAL JOINT INSURANCE FUND

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of J&L Auto Body for the repairs to a DPW vehicle in an amount not to exceed \$4,786.47 of which a portion will be reimbursed by the Municipal Joint Insurance Fund: and

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk

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

RESOLUTION 2018-210
AUTHORIZING CHANGE ORDER NO. 1 TO BLACK ROCK ENTERPRISE FOR THE 2018 ROAD AND DRAINAGE
IMPROVEMENTS TO LONSDALE DRIVE, ORCHARD DRIVE,
AND RISOLI TERRACE PROJECT TO INCREASE THE SCOPE OF WORK
TO INCLUDE ADDITIONAL MILLING, REPAVING
AND MISCELLANEOUS ROAD REPAIRS, FOR \$80,000.00.

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorized the additional project scope of the 2018 Road and Drainage Improvements to Lonsdale Drive, Orchard Drive, Risoli Terrace to include additional milling, repaving and miscellaneous road repairs on Ledden Terrace and other streets. The improvements shall be installed in accordance with unit prices and will result in an increase to the original contract amount of \$411,040.00 and additional \$80,000.00 for a new contract amount of \$491,040.00.

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. Black Rock Enterprise

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

**RESOLUTION 2018-211
AUTHORIZING A 2018 TEMPORARY BUDGET AMENDMENT
OF \$800,000 IN THE CURRENT FUND AND \$1,000,000 IN THE SEWER 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 2018 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.

CURRENT FUND			AMOUNT
8-01-20-145-000-101	Tax Collection	S&W	5,000
8-01-22-195-001-102	Code Enforcement	S&W	15,000
8-01-25-240-001-101	Police	S&W	500,000
8-01-25-240-001-204	Police	O&E	25,000
8-01-25-240-003-241	Crossing Guards	O&E	25,000
8-01-25-265-002-101	Fire Official	S&W	25,000
8-01-26-290-003-102	Snow Removal	S&W	10,000
8-01-26-305-003-101	Recycling	O&E	5,000
8-01-26-315-000-102	Vehicle Maintenance	S&W	5,000
8-01-29-390-000-235	Library	O&E	140,000
8-01-30-420-000-235	Public Celebrations	O&E	5,000
8-01-31-465-001-565	Gasoline	O&E	25,000
8-01-43-490-000-101	Court	S&W	15,000
Total CURRENT FUND			800,000
SEWER UTILITY			
Sewer Utility Fund			AMOUNT
8-07-55-515-001-585	Sewer Charges	O&E	1,000,000
Total SEWER FUND			1,000,000

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

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Zoning Board of Adjustment Minutes – April 3, 2018
- Letter of Appreciation – DPW
- Planning Board Minutes – April 10, 2018
- Recycling Monthly Report – March 2018

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

PAYMENT OF BILLS

Current Fund	8-01	699,119.25
Current Fund	7-01	0.00
Pool Utility	7-26	0.00
Pool Utility	8-26	131.50
Sewer Utility	7-07	0.00
Sewer Utility	8-07	17,170.88
Sewer Utility Capital	C-08	0.00
General Capital	C-04	49,695.15
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	47,655.01
Dog Trust	T-12	753.11
Treasurers Trust	T-13	10,906.24
Recreation Trust	T-14	2,662.00
TOTAL ALL FUNDS		\$828,093.14

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

COUNCIL REPORTS:

Borough Attorney Rizzo Esq. – reported progress.

Administrator Cullen – was absent this evening.

Engineer Miller – updated the council on the status of the various road projects for 2018 and explained the change order that was approved this evening.

Clerk Antonides –reported progress.

Councilman Vesce – was absent this evening.

Councilman Wolak – reported progress.

Councilman White – advised that the In and Out Bagel has been sold to a new owner and as such will soon have a new name and then went on to report progress.

Councilman Dean – reported that the Clean-Up Day was a huge success with over 140 volunteers that came out to help. Councilman Dean asked Mr. Miller to look at a bad strip of pavement on New Market Avenue. Mr. Miller said he will take a look at it and see about repairing it with this year's road projects.

Councilwoman Faustini – reminded everyone that it is only 45 day until Summer and the pool sign-ups have begun as well as the park sign-ups for sport camps. All information is available at the PAL. The Library will be closed this Sunday for Mother's Day. The Festival of Colors is forthcoming.

Council President Bengivenga – This past Friday we had a luncheon at the Senior Center in honor of Older Americans Month. Everyone had a great time. The Senior Center is thriving. Our Lady of Czestochowa will be having their Feast of St. Anthony in June. Volunteers are welcome for this event. On another note we will be meeting with department heads on May 9th and 14th to review the budget. The public hearing for the budget is scheduled for May 21st at 7:00 p.m.

Mayor Anesh – thanked everyone for coming out on April 28th for the Mayor's Wellness fair and the following day we had an Autism event co-sponsored by the Library. This Fall we may be looking into doing a Mayor's Wellness 5K.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Suzanne Lepore of Bullard Place asked if the Hadley Road project will include Corporate Blvd up to Target? Mr. Miller said it is not in the plan for this year but may be considered for next year. Council President Bengivenga asked if we can go in a little bit. Mr. Miller said the first 50 feet or so should not be a problem. Cultural Arts has their line dancing event on May 19th at the Senior Center.

Debbie Boyle of Van Fleet advised that she recently attended a county meeting in which United Way was present who said they do work with municipalities for grant funding and then went on to report on various upcoming events throughout the Borough.

Nancy Grennier thanked all those who attended the Taste of South Plainfield. The Junior Journalist contest is open to everyone. Mrs. Grennier asked is anyone knew why there was a lot of recent helicopter activity. Council President Bengivenga said it was for state police training.

Kristine Keefe of 3177 Park Avenue said she noticed overflow from a storm on April 16th that effected Willow Park from a sewer line owned by PARSA and asked what the status is. Mr. Miller said PARSA investigated and plans for repair are in the works. Ms. Keefe said she is glad to hear that as she is concerned with children playing in it. Mr. Miller said some of his staff who have been her for some 30 years said this is probably only the second time this has ever occurred. Council President Bengivenga said he had read her letter to the editor about this matter and wanted to point out that there is no sewer line directly under the park as her letter indicated. The line that is there is in the back and is a PARSA line and their responsibility to pay for any necessary repairs.

ADJOURNMENT

Without further comment and no more action necessary for this evening, Mayor Anesh called for a motion to adjourn. Councilman White made a motion to adjourn at 7:29 p.m., seconded by Councilman Wolak and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk

{A0961100.1}