

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
AUGUST 12, 2013, 7:00 P.M.
AGENDA MEETING**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:00 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 Barletta	X		
Councilman Bengivenga	X		
Councilman Diana	X		
Councilman McConville		X	
Councilman White	X		
Council President Rusnak	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Rizzo	X		
Engineer Miller	X		

Review of Agenda Items: Clerk Antonides reviewed all the items on the agenda for this evening. Mayor Anesh asked if the Council has any comments on the agenda this evening.

Councilman Diana asked to have Resolution #13-281 separated out and asked Mr. Cullen to advise of any resolutions that are included in any recent bond ordinances. After Mr. Cullen reviewed these types of resolutions, Councilman Diana asked to separate out Resolutions 273, 282, and 283.

Councilman Bengivenga asked to have Resolution #13-278 separated out.

**RESOLUTION #13-254
AUTHORIZING A CLOSED SESSION MEETING**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 and P.L. 2001, C. 404, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council of the Borough of South Plainfield wishes to go into a closed Executive Session and is of the opinion that such circumstances presently exist which should not be discussed in public, and

WHEREAS the Open Public Meetings Act pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12 permits the Borough Council to discuss certain matter(s) in private, and in this case for the purpose of the Borough Council to discuss the below matters all of which requires attorney-client privilege:

- Personnel – Senior Docket Clerk
- Potential Litigation – COAH Contract
- Potential Litigation – Zoning Issue, Block 401, Lot 8, Hillside Avenue
- Potential Litigation – Woodbrook Road Site

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it will go into an Executive Session for the purpose of Borough Council to discuss the aforementioned matters all of which requires attorney-client privilege in this regard;

BE IT FURTHER RESOLVED that the results of such discussion may be revealed at such time as the matter(s) are resolved and/or a contract(s) is signed and/or the negotiations are formally settled. Interested parties may contact the Borough Clerk anytime during normal business hours for periodic updates as to the availability in this regard.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Barletta			x				
Councilman Bengivenga			x				
Councilman Diana			x				
Councilman McConville						x	
Councilman White	x		x				
Council President Rusnak		x	x				
			5	0			
Mayor Anesh – TIE ONLY							

PUBLIC COMMENT: Mayor Anesh opened the floor for public comments.

Mr. Paul McCullen of Walnut Street questioned the differences between resolution #13-273 on tonight's agenda and the bond ordinance that authorized payment of the road improvements. Mr. Cullen explained the variables of the bond ordinance vs. the bidding process. Other various roads are listed in the bond ordinance which is something that we have been doing for years. Mr. McCullen explained his confusion saying it is easy for one to misinterpret and think we are paying for the same road twice. Mayor Anesh explained the relevance of viewing all documents involved i.e. the contract opposed to reading just one document of which you may be reading the wrong end result. Mr. McCullen said he understands that but wishes the wording in our ordinance was made clearer.

Ms. Chrissy Buteas of 434 Lucy Court said that she had the same question as Mr. McCullen saying that by making the language in the ordinance more clear it would add better transparency in government. Ms. Buteas asked if resolution #280 is to clarify the salary ordinance. Mr. Cullen said yes. Ms. Buteas asked what type of engineering work are we doing in resolution #282 as the fee seems excessive. Mr. Miller explained. Ms. Buteas then questioned why the fee in resolution #260 was reduced. Mr. Cullen explained. To conclude Ms. Buteas asked about resolution #262 of which Mr. Miller explained.

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

ADJOURN AGENDA MEETING: With no further comments, Mayor Anesh asked for a motion to adjourn from the Agenda Meeting. Council President Rusnak made a motion to adjourn from the Agenda Meeting at 7:20 p.m., seconded by Councilman Bengivenga and unanimously carried by an all in favor.

Respectfully Submitted By:

Amy Antonides

Amy Antonides, RMC/CMC