

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
SEPTEMBER 12, 2016, 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 Amy Antonides as follows:

COUNCIL	Present	Absent	Late
Councilman Barletta	X		
Councilman Richkus	X		
Councilman Rusnak	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 Esq.	X		
Engineer Miller	X		

**Review of Agenda Items:** Clerk Antonides reviewed all the items on the agenda for this evening. Clerk Antonides advised that there is a very slight typo on resolution #16-295 in that it is a 2016 Interceptor not a 206 Interceptor.

Mayor Anesh asked if the Council had any comments about the agenda this evening. Council President Bengivenga asked to have resolution #16-273 separated out to be voted on separately. Councilman Richkus asked for clarification of resolution #16-272 of which Mayor Anesh provided.

Councilman Barletta advised that he ran into Mr. Daniel Chin over the weekend who resides at 408 Hamilton Blvd. stating that he purchased property at 303 New Market Avenue and subsequently discovered that the property was at one time sold by the Borough and contains a deed restriction prohibiting subdivision. He is requesting the governing body to remove said deed restriction. Mr. Rizzo Esq. provided some further background on the matter.

Councilman Barletta made a motion to remove the deed restriction.

Mayor Anesh wished to exercise caution asking if anyone knows why the deed restriction was put in place to begin with. Mayor Anesh said he is reluctant to do this without further information. Mr. Rizzo said no one seemed to know why this had occurred some 40 years ago through research efforts.

Councilman White added that originally Mr. Chin's request had come before the governing body of which was then turned over to the Planning Board for their recommendation. Mr. Rizzo pointed out that the Planning Board has provided their recommendation in the form of a resolution stating that they recommend the restriction be lifted. Should Mr. Chin then seek to subdivide this parcel, he would then need to go before the Planning Board for approval. Councilman White suggested we put this on the next meeting for consideration giving everyone more time to consider the matter. Councilman Richkus concurred that waiting another two weeks at this point for consideration is not going to cause any harm.

The general consensus was to put the matter on the next agenda for consideration.

There was not a second to Councilman Barletta's motion to remove the aforementioned deed restriction, thus the motion dies.

**RESOLUTION #16-271  
AUTHORIZING A CLOSED SESSION MEETING**

There were no matters for closed session this evening.

**PUBLIC COMMENT ON AGENDA ITEMS ONLY:** Mayor Anesh opened the floor for public comments. With no 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. Councilman White made a motion to adjourn from the Agenda Meeting at 7:14 p.m., seconded by Councilman Barletta and unanimously carried by an all in favor.

Respectfully Submitted By:

*Amy Antonides*

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Amy Antonides, RMC/CMC