

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
OCTOBER 17, 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
Vacant			
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 advising that there will be an addition to Executive Session for "Personnel-Court", along with the edition of resolutions #16-338 and 339. Clerk Antonides noted a minor typo on the agenda for resolution #16-331 in that the effective date should be 10/24/16. Councilman Richkus made a motion to allow for these additions and amendments, seconded by Councilman White and unanimously carried by an all in favor.

Mayor Anesh asked if the Council had any comments about the agenda this evening. Councilman Rusnak commented on resolution #16-327 that opposes the gas tax saying that he hopes the governing body will lend their support to that resolution this evening. Councilman Rusnak said that he is disgusted that the only way things seemed to be resolved in Trenton is by taking money out of our pockets when we sit here and do all we can to make cuts and live within a reasonable budget. This gas tax averages out to be \$150.00 per driver. So if a household has a husband and wife driving for example that will now cost them \$300.00 a year extra due to this tax. Councilman Rusnak said that the democratic team, the two gentlemen at the top of the ticket, supported that gas tax. Assuming they are a team, it is assumed the whole team supports it. Councilman Rusnak concluded by saying he defiantly does not support this gas tax what-so-ever. Council President Bengivenga said that Senator Kipman has a webpage that you can go on to show your concerns. Mayor Anesh read resolution 16-327 in full. Councilman Richkus then said we are in need of repairing our bridges and infrastructure. Mayor Anesh agreed but pointed out that these repairs can be made without imposing an extra tax onto the citizens of New Jersey. Councilman Richkus agreed though said he is unsure about completely opposing the gas tax. Mayor Anesh pointed out that the Governor had said we do not have a revenue problem but have a spending problem. However, this gas tax indicates the contrary that we do have a revenue problem. Councilman Rusnak pointed out that if our local taxes went up by \$100 per year we would be chastised for it. The state tried to put other incentives into this gas tax but Councilman Rusnak said that when he asked questions about that he was not able to get any answers. Councilman White pointed out that history is the best indicator for the future. That money for road infrastructure was there but was instead used for other things and not used for what it was intended for. So now you are going to the residents of the state of New Jersey to ask for even more money, yet there is no guarantee that it will be used for what it is intended for. At the end of the day if you appropriate funds for what you intend them for you won't have this problem. Councilman Rusnak added that is why you live within a budget and your means. Council President Bengivenga said the problem here is that with the state is similar to the old Popeye show where Whimpie used to say something to the effect of "I'd gladly buy you a hamburger today for payment tomorrow". The state's infrastructure should have been maintained like we do ourselves here on a local level.

There were no further comments from the Council.

**RESOLUTION #16-320
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:

- Litigation – Affordable Housing / COAH
- Personnel - Court

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
VACANT							
Councilman Richkus		x	X				
Councilman Rusnak	x		X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

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 Rusnak made a motion to adjourn from the Agenda Meeting at 7:14 p.m., seconded by Council President Bengivenga and unanimously carried by an all in favor.

Respectfully Submitted By:

Amy Antonides

Amy Antonides, RMC/CMC/CMR