

RESOLUTION 19-91

**A RESOLUTION OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, FOR THE PURPOSE OF AUTHORIZING A
NON-BINDING REFERENDUM QUESTION
THROUGH A TRADITIONAL “DEMOCRACY WEEK” METHOD
THAT SEEKS VOTER SENTIMENT FOR THE DEVELOPMENT,
CONSTRUCTION AND REFURBISHMENT OF THE COMMUNITY POOL**

WHEREAS, it has been requested by the Mayor and Borough Council of the Borough of South Plainfield to develop, construct and refurbish a new community pool in the Borough; and

WHEREAS, information sessions available to the public pertaining to the proposed development, construction, and refurbishment of the community pool shall be held in the Council Chambers of Borough Hall located at 2480 Plainfield Avenue, South Plainfield, NJ 07080 at 7:00 p.m. on February 28, 2019, March 7, 2019 and March 18, 2019 in which the floor will be open for public comment; and

WHEREAS, the proposed development, construction and refurbishment of said new community pool is estimated to cost approximately \$2,475,000.00; and

WHEREAS, the Borough Council of the Borough of South Plainfield desire to ascertain the sentiment of the legal voters of the Borough of South Plainfield regarding the proposal to fund the development, construction and refurbishment of said new community pool through a capital bond ordinance by way of a non-binding referendum utilizing South Plainfield’s traditional “Democracy Week” method; and

WHEREAS, the Borough Council of the Borough of South Plainfield wishes to establish a “Democracy Week” for the week commencing on the dates and times as follows in the office of the Municipal Clerk during which the aforementioned non-binding referendum regarding the funding for the proposed new community pool may be posed to the legal registered voters of the Borough of South Plainfield as of March 1, 2019:

Tuesday, March 19, 2019	8:00 a.m. to 4:00 p.m.
Wednesday, March 20, 2019	8:00 a.m. to 4:00 p.m.
Thursday, March 21, 2019	7:00 a.m. to 7:30 p.m.
Friday, March 22, 2019	8:00 a.m. to 4:00 p.m.
Saturday, March 23, 2019	8:00 a.m. to 12 Noon

WHEREAS, N.J.S.A. 19:37-1 authorizes the Governing Body, when there is no other statute by which the voters’ sentiment can be ascertained, to submit such a question to a vote of the legally registered electors; and

WHEREAS, the non-binding referendum shall be organized and operated by the Borough Clerk by way of paper ballot to be conducted and received in the Borough Clerk’s Office at the Borough Municipal Building located at 2480 Plainfield Avenue, South Plainfield, New Jersey, from Tuesday March 19, 2019 through Saturday March 23, 2019, as part of South Plainfield Borough’s traditional “Democracy Week”; and

WHEREAS, the form of any public question put to the voters must follow the guidelines indicated in N.J.S.A. 19:3-6, which requires the phrasing of any public question on a ballot to clearly set forth the true purpose of the matter being voted upon, in simple language that can be easily understood by the voter;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey that it hereby declares that the week of March 19, 2019 through March 23, 2019 be and hereby is declared “Democracy Week” in the Borough of South Plainfield at the aforementioned specific dates and times; and

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey that during said “Democracy Week” the Borough Clerk is hereby authorized to organize and operate a non-binding referendum election through the traditional “Democracy Week” method by way of paper ballots within the Borough Clerk’s Office in the Borough of South Plainfield in which all legal voters of the Borough of South Plainfield that have been registered to vote by March 1, 2019 or sooner may participate; and

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey that during said “Democracy Week” the Borough Clerk is hereby authorized to prepare, distribute and collect paper ballots for the said non-binding referendum election to obtain the public’s sentiment for the following proposition:

“Shall the Borough Council of the Borough of South Plainfield adopt a bond ordinance in the maximum amount of \$2,475,000.00 to be authorized in order to fund the development, construction and refurbishment of a new community pool within the Borough of South Plainfield?”

To vote upon the public question printed below:

if you are in favor – check the box next to the word “yes”

if you are opposed – check the box next to the word “no”

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey that the Borough Clerk shall include the following Interpretive Statement to accompany the aforesaid proposition:

INTERPRETIVE STATEMENT:

The proposed bond ordinance would be used to fund the development, construction and refurbishment of a new community pool within the Borough of South Plainfield. The estimated cost for the development, construction and refurbishment of a new community pool is \$2,475,000.00. The bond ordinance requires a 5 % down payment in the estimated minimum amount of \$123,750.00, which would have to be included in the municipal budget.

A “Yes” vote on the above question means that you do want the Borough Council to authorize the adoption of a bond ordinance to fund the development, construction and refurbishment of a new community pool.

A “No” vote on the above question means that you do not want the Borough Council to authorize the adoption of a bond ordinance to fund the development, construction and refurbishment of a new community pool.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey that the Borough Clerk shall advertise the date and time of said Democracy Week along with the non-binding referendum question by publishing a notice of same in the official newspaper not less than seven (7) days prior to March 19, 2019; and

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey that the Borough Clerk shall publish a copy of this Resolution in the official newspaper within 10 days of its passage.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilman Dean			X				
Councilwoman Faustini			X				
Councilman Vesce			X				
Councilman White		x	X				
Council President Wolak			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

I do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Mayor and Borough Council of South Plainfield Borough on
February 19, 2019

Amy Antonides, RMC/CMC/CMR
Municipal Clerk – South Plainfield Borough