

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
FEBRUARY 18, 2020 7:02 P.M.  
PUBLIC MEETING**

**CALL TO ORDER:** Mayor Anesh called the meeting to order at 7:02 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 Bengivenga	X		
Councilwoman Mott	X		
Councilman Smith	X		
Councilman White	X		
Councilman Wolak	X		
Council President Faustini	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		

**Flag Salute:** was led by Mayor Anesh and Councilman White 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:**

- February 3, 2020 – Agenda Meeting
- February 3, 2020 - Public Meeting
- February 3, 2020 – Executive Session

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilwoman Mott		x	X				
Councilman Smith			X				
Councilman White	x		X				
Councilman Wolak			X				
Council President Faustini			X				
		VOTE:	6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**Proclamation** - National Black History Month – was read in full by Mayor Anesh. Mayor Anesh called forward the business owners that were in the audience to accept the proclamation. Everyone extended a round of applause and photographs were taken by the media present.

**ORDINANCES:**

The following Ordinance 2168 was read by Clerk Antonides by title on second reading. Mayor Anesh opened the floor for public hearing. With no comments from the public, closed the floor.

**ORDINANCE NO. 2168  
AN ORDINANCE AMENDING CHAPTER 216, ARTICLE III, SECTION 216-7,  
OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD  
TITLED “MISCELLANEOUS FEES”**

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



**RESOLUTION 2020-88  
AUTHORIZING A 2020 TEMPORARY BUDGET AMENDMENT  
OF \$475,000.00 IN THE CURRENT FUND**

**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 2020 Budget, and

**WHEREAS**, the temporary budget set forth below 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.

<b>CURRENT FUND</b>			<b>AMOUNT</b>
0-01-20-100-000-101	Boro Administration	S&W	<b>5,000</b>
0-01-20-130-000-101	Finance	S&W	<b>10,000</b>
0-01-20-145-000-101	Tax Collection	S&W	<b>10,000</b>
0-01-20-155-000-221	Legal	O&E	<b>10,000</b>
0-01-21-185-000-221	Board of Adjustment	O&E	<b>2,000</b>
0-01-23-220-000-601	Health Benefits	O&E	<b>400,000</b>
0-01-26-290-002-101	Road Repairs & Maintenance	S&W	<b>10,000</b>
0-01-31-440-001-541	Telephone	O&E	<b>10,000</b>
0-01-36-472-000-675	SSI	Statutory	<b>18,000</b>
<b>Total CURRENT FUND</b>			<b>475,000</b>

<b>COUNCIL</b>	<b>MOTION</b>	<b>2<sup>ND</sup></b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>RECUSE</b>
Councilman Bengivenga	x		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 20-89  
AUTHORIZING 2019 APPROPRIATION TRANSFERS IN THE AMOUNT OF  
\$6,000.00 FOR THE CURRENT FUND PURSUANT TO N.J.S.A. 40A:4-58**

**WHEREAS**, in accordance with N.J.S.A. 40A:4-58 permits appropriation transfers during the last two months of the fiscal year and the first three months of the fiscal year, for the purposes specified and in excess of sums appropriated in the Budget; and

**WHEREAS**, such transfers must be approved by a vote of not less than two-thirds of the full membership of the governing body.

**NOW, THEREFORE, BE IT RESOLVED** that the below transfers be approved.

<b>CURRENT FUND</b>				
<b>FROM:</b>				<b>AMOUNT</b>
9-01-20-100-000-101	Administration		S&W	<b>1,000.00</b>
9-01-20-150-000-101	Assessing		S&W	<b>1,000.00</b>
9-01-20-155-000-221	Legal		O&E	<b>4,000.00</b>
<b>Total FROM:</b>				<b>6,000.00</b>
<b>TO:</b>				<b>AMOUNT</b>
9-01-21-185-000-221	Board of Adjustment		O & E	<b>1,500.00</b>
9-01-30-415-001-101	Accumulated Leave		O & E	<b>4,500.00</b>
<b>Total TO:</b>				<b>6,000.00</b>

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini		x	X				
	<b>VOTE:</b>		<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2020-90**

**AUTHORIZING APPLICATION TO THE MIDDLESEX COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR A 2020 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE PURPOSE OF IMPROVEMENTS**

**WHEREAS**, the Borough of South Plainfield wishes to apply to Middlesex County Housing and Community Development Agency for discretionary aid; and

**WHEREAS**, the Borough’s Citizen Advisory Committee met to discuss possible uses of the 2020 CDBG funding; and

**WHEREAS**, the Governing Body of the Borough of South Plainfield held a public hearing on February 18, 2020 to elicit input from Borough residents on the best uses for the 2020 CDBG;

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of South Plainfield do hereby make application to Middlesex County Housing and Community Development for discretionary aid to be used for the following proposed uses:

Senior Center Salary	\$12,500
Pitt Street Park Playground Equipment & Other Various Improvements	\$67,080
<b>TOTAL</b>	<b>\$79,580</b>

**BE IT FURTHER RESOLVED** that a certified copy of this resolution will be forwarded to the Director of the Middlesex County Housing and Community Development Agency.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini		x	X				
	<b>VOTE:</b>		<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2020-91**  
**AUTHORIZING CONSENT FOR ACCESS TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**FOR ACCESS TO PROPERTY KNOWN AS**  
**CORNELL-DUBILIER ELECTRONICS SUPERFUND SITE**

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of South Plainfield hereby consents to officers, employees, contractors, and authorized representative of the United States Environmental Protection Agency (U.S. EPA) entering and having access to the property known as the Cornell-Dubilier Electronics Superfund Site in the Borough of South Plainfield for the first of a four part component that will involve excavation and removal of contaminated soil.

**BE IT FURTHER RESOLVED** the Borough Council of the Borough of South Plainfield hereby authorizes the Mayor and Municipal Clerk to execute the Consent for Access form;

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

1. Municipal Clerk
2. Borough Administrator

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2020-92**  
**AUTHORIZING THE TEMPORARY CLEANING SERVICES OF DUBLIN MAINTENANCE CONTRACTORS IN AN**  
**AMOUNT NOT TO EXCEED \$689.09 PER WEEK**  
**FOR THE MUNICIPAL BUILDING**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the temporary cleaning services of Dublin Maintenance Contractors in an amount not to exceed \$689.09 per week for the municipal building; 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
3. Len Miller, DPW Superintendent

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 20-93**  
**AUTHORIZING AWARD OF BID TO ALL PHASE CONTRACTORS, SECOND LOWEST BIDDER, FOR**  
**CONSTRUCTION OF THE COMMUNITY POOL CLUB BUILDING IN THE BASE BID AMOUNT OF**  
**\$346,000.00**  
**AND AUTHORIZING THE MAYOR AND MUNICIPAL CLERK**  
**TO EXECUTE CONTRACT FOR SAME, PENDING ATTORNEY REVIEW**

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

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

**WHEREAS**, a need has been determined that refurbishment to the community pool club building is necessary; and

**WHEREAS** bids were solicited and opened on Tuesday, February 11, 2020 at 11:00 a.m. and the following picked-up bid packages from the Borough Engineer and submitted base bids as follows:

Pattie Construction	\$312,500.00
All Phase Contractors	\$346,000.00
Hahr Construction	\$414,000.00
Salazar & Associates	\$464,000.00
Commercial Construction Mgmnt.	\$568,992.00

**WHEREAS**, the bids have been reviewed by the Borough’s Engineer (and are pending Borough Attorney review) and as such it has been determined that the lowest bidder; Patti Construction had several critical flaws in their bid and as such must be rejected and therefore it is recommended that the second lowest bidder; All Phase Contractors be awarded said bid in the base bid amount of \$346,000.00 of which excludes the Alternate 4 option pursuant to bid specification and that the bid be accepted, and a contract be awarded to All Phase Contractors contingent upon Borough Attorney review; and

**WHEREAS**, funds for said purpose have been certified by the Chief Financial Officer and are available through capital funding;

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Mayor and Municipal Clerk are hereby authorized to execute a contract for the construction of the community pool building.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 20-94  
AUTHORIZING THE SERVICES OF NAJARIAN ASSOCIATES FOR  
ENGINEERING SERVICES FOR CONSTRUCTION ADMINISTRATION  
PERTAINING TO CORPORATE BLVD. & CRAGWOOD ROAD  
IN AN AMOUNT NOT TO EXCEED \$47,000.00**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for Najarian Associates for engineering services for construction administration pertaining to Corporate Blvd. & Cragwood Road in an amount not to exceed \$47,000.00; and

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

1. Municipal Clerk
2. Chief Financial Officer
3. Najarian Associates
4. Len Miller, DPW Superintendent

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 20-95**  
**AUTHORIZING THE SERVICES OF NAJARIAN ASSOCIATES FOR**  
**ENGINEERING SERVICES FOR CONSTRUCTION ADMINISTRATION**  
**PERTAINING TO ST. NICHOLAS AVENUE**  
**IN AN AMOUNT NOT TO EXCEED \$39,000.00**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for Najarian Associates for engineering services for construction administration pertaining to St. Nicholas Avenue in an amount not to exceed \$39,000.00; and

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

1. Municipal Clerk
2. Chief Financial Officer
3. Najarian Associates
4. Len Miller, DPW Superintendent

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2020-96**  
**AUTHORIZING THE CANCELLATION OF AN OUTSTANDING CHECK NOW STALE-DATED**  
**FOR THE MUNICIPAL COURT TOTALING \$200.00**

**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 check(s) issued from Borough bank accounts pertaining to the Municipal Court have been outstanding for more than one year and as such, are now stale-dated;

CHECK	DATE	AMOUNT	PAYEE
4604	1/24/2019	\$200.00	Rayanthony Bugarin
			Reference Ticket/Complaint
			#S-2019-000018

**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
3. Yolanda Diaz, Court Administrator

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	x		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini		x	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:**

- Zoning Board Minutes – October 15<sup>th</sup>, December 3<sup>rd</sup>, and December 17, 2019,
- Board of Health Monthly Report – January 2020

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White	x		X				
Councilman Wolak		x	X				
Council President Faustini			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**PAYMENT OF BILLS**

Current Fund	19-01	15,145.41
Current Fund	20-01	307,230.60
Pool Utility	20-26	0.00
Pool Utility	19-26	0.00
Sewer Utility	20-07	47,068.26
Sewer Utility	19-07	11,659.05
Sewer Utility Capital	C-08	0.00
General Capital	C-04	231,905.36
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	869.50
Dog Trust	T-12	1,170.60
Treasurers Trust	T-13	8,479.84
Recreation Trust	T-14	1,337.50
Senior Citizen Trust	T-16	200.00
<b>TOTAL ALL FUNDS</b>		<b>\$625,066.12</b>

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White	x		X				
Councilman Wolak		x	X				
Council President Faustini			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**COUNCIL REPORTS:**

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – advised that the work zone around the pool has expanded to accommodate deliveries and the baby pool is new being worked on. Mr. Cullen said a census meeting is scheduled for tomorrow and Middlesex County Complete Count is seeking a designated area for their work. It has been decided that the Library is best suited to be the census location.

Engineer Miller – reported that the first road project of the year should be out to bid shortly and we continue to move ahead to bid earlier in an attempt to hopefully have lower bid prices.

Clerk Antonides – reported progress.

Councilman Smith – reported progress.

Councilman Wolak – reported progress.

Councilman White – thanked the Council for the proclamation this evening and went on to say that the Portuguese BBQ by Cicio's Pizza will be having their grand opening this week and Aldi's and LA Fitness are still moving along.

Councilwoman Mott – thanked Mr. Miller for always being so responsive. He recently took care of some pothole requests by some residents. There now are some dead tree limbs that need to be tended to. Mr. Miller said he put in a request to PSE&G for that.

Councilman Bengivenga – reported progress.

Council President Faustini – advised that on behalf of Cultural Arts the photo of the month theme last month was Winter. The picture will be hung at Borough Hall. February's there will be Up Close and Personal in South Plainfield. Buddy Ball Basketball began last night, and anyone interested can still sign-up. The Friends of the Library is sponsoring a night out on March 26<sup>th</sup> and to conclude, the auditions for the talent show will be this Saturday and again on March 1<sup>st</sup>.

Mayor Anesh – reported progress.

#### **COMMENTS FROM THE PUBLIC:**

Mayor Anesh opened the floor for public comment.

Roberto Sayers of West Crescent asked for clarification of resolution 20-90 specifically what the funds will be used for. Councilman Bengivenga explained that they will be used for improvements to Pitt Street Park and the Senior Director Salary.

Jon Dean inquired what resolution 20-90 will be applied to. Councilman Bengivenga explained it can be used for census blocks, ADA compliance, park improvements etc. Mr. Dean asked if we are going to do anything with Conch Park. Mr. Miller said yes DPW will get back there. Mr. Dean asked pertaining to resolution 20-93 if the money will take care of everything, including the parking lot. Mr. Cullen explained what the money will be applied to. Mr. Dean said he was concerned with the sanitary lines. Mr. Dean asked if the architect is under estimating. Mr. Cullen said yes it appears so. Mr. Dean asked how the parking lot will be handled. Councilman Bengivenga said there should be enough money left over for the pool parking lot, but our main focus at the moment is the pool and having it open on time. Mr. Dean asked if the concrete was shot at the pool yet. Mr. Cullen said no, it will probably be done sometime in March.

Nancy Grennier reminded the Council of Career Day next Wednesday and said she looks forward to seeing everyone there.

#### **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 7:58 p.m., seconded by Councilman Bengivenga and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC/CMR  
Municipal Clerk