

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
JUNE 1, 2020 7:04 P.M.
PUBLIC MEETING**

***Due to the COVID-19 outbreak, this meeting was transmitted virtually via the Webex platform**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:04 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 Bengivenga 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:

May 18, 2020 – Agenda Meeting

May 18, 2020 - Public Meeting

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

Proclamation – PTSD Awareness Month was read in full by Mayor Anesh. Council President Faustini read a prepared statement from Kristy Lowrie thanking the governing body for their acknowledgement and support of this issue.

The below ordinance 2175 was and read by title by Clerk Antonides on second reading. Mayor Anesh opened the floor for public comment. With no comments made, closed the floor.

ORDINANCE # 2175

CALENDAR YEAR 2020

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A:4-45.14**

WHEREAS, the Local Government Cap Law, N.J.S. A. 40A:4-45.1 *et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference

between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of South Plainfield find it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of its citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$862,510.25 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2020 budget year, the final appropriations of the Borough of South Plainfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$862,510.25 and that the 2020 municipal budget for the Borough of South Plainfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

RESOLUTIONS:

RESOLUTION: 20-176

AUTHORIZING THE REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1566.39 PERTAINING TO 643 BERGEN STREET IN SOUTH PLAINFIELD

WHEREAS, the Tax Collector advises that the following taxpayers and/or their agents have overpaid their tax and have requested refunds:

OWNER/ADDRESS

Block 320 Lot 9
643 BERGEN STREET
SOUTH PLAINFIELD, NJ 07080
\$1566.39

MAKE CHECK PAYABLE TO:

CHE & LORA BOWMAN
643 BERGEN STREET
SOUTH PLAINFIELD, NJ 07080

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a check(s) in the amount(s) as mentioned above.

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

RESOLUTION 20-177
AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN
AGREEMENT WITH THE COUNTY OF MIDDLESEX TO RECEIVE
STIMULOUS FUNDING PURSUANT TO THE CORONAVIRUS
AID, RELIEF AND ECONOMIC SECURITY ACT.

WHEREAS, the Borough of South Plainfield and its residents have become victims of the COVID-19 virus and pandemic (the “Coronavirus”); and

WHEREAS, the Coronavirus has caused economic damage and hardship to the Borough and its residents; and

WHEREAS, on March 27, 2020, the Coronavirus Aid, Relief and Economic Security Act (the “CARES Act”) was enacted; and

WHEREAS, the CARES Act was enacted, among other purposes, in order to combat the economic damage caused to States, counties and municipalities because of the Coronavirus; and

WHEREAS, the County of Middlesex has received CARES Act funds to be used to reimburse the County, municipalities, and agencies within the County, including the Borough of South Plainfield, due to economic damage caused by the Coronavirus; and

WHEREAS, the County is taking steps toward a procedure for distribution of CARES Act funds, including a requirement that any municipality seeking such funds enter into an interlocal agreement for such distribution with the County;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that they hereby authorize the Shared Service Agreement between the Borough of South Plainfield and the County of Middlesex to be executed by the Mayor and Municipal Clerk in the form attached hereto to apply for and receive funds pursuant to the CARES Act.

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

RESOLUTION: 2020-178

AUTHORIZING THE REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1997.19 PERTAINING TO 234
LEDDEN TERRACE IN SOUTH PLAINFIELD

WHEREAS, the Tax Collector advises that the following taxpayers and/or their agents have overpaid their tax and have requested refunds:

OWNER/ADDRESS

Block 160 Lot 39
234 LEDDEN TERRACE
SOUTH PLAINFIELD, NJ 07080
\$1997.19

MAKE CHECK PAYABLE TO:
ALL AHEAD TITLE AGENCY, LLC
407 PINE STREET
RED BANK, NJ 07701

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a check(s) in the amount(s) as mentioned above.

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

RESOLUTION 20-179
ACCEPTING THE RESIGNATION OF DOMINIC ALEXANDER
FROM THE POSITION OF PART TIME LEVEL-1 DPW EMPLOYEE
EFFECTIVE IMMEDIATELY

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:

It hereby accepts the resignation of Dominic Alexander from the position of part-time Level-1 DPW employee effective immediately, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Amy Antonides, Municipal Clerk
2. Carmela Miller, Payroll
3. Anne Daley, Benefits
4. Len Miller, DPW Superintendent

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

RESOLUTION 20-180
AUTHORIZING THE PART-TIME RE-HIRING OF NICOLEA SUTOR
ON AN AS-NEEDED BASIS TO ASSIST
IN THE DPW WITH ADMINISTRATIVE DUTIES AT AN HOURLY RATE OF \$13.75

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the Borough Administrator to re-hire Nicolea Sutor, on a part-time hourly as needed basis without benefits for the hourly rate of \$13.75 to assist in the DPW with administrative duties during times of employee vacation/sick absences or as work load deems necessary;

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
4. Anne Daley, Benefits
5. Carmela Miller, Payroll

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

RESOLUTION 20-181
AUTHORIZING THE PART-TIME LEVEL-I HIRING OF CODY O’CONNOR AND THE PART-TIME LEVEL-II HIRING OF JOHN PELLEGRINO FOR THE DPW

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the Borough to re-hire on a part-time basis Cody O’Connor as Level-I employee for the DPW without benefits at the hourly rate of \$14.00, and John Pellegrino as Level-II employee for the DPW without benefits at the hourly rate of \$17.75 pursuant to the salary ordinance for such.

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. Carmela Miller, Payroll
4. Anne Daley, Benefits
5. Len Miller, DPW Superintendent

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

RESOLUTION 20-182
AUTHORIZING A 2020 TEMPORARY BUDGET AMENDMENT OF \$650,000.00 IN THE CURRENT FUND, \$500,000.00 IN THE SEWER UTILITY AND \$25,000.00 IN THE POOL UTILITY

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.

CURRENT FUND	DESCRIPTION	TYPE	AMOUNT
0-01-20-140-000-204	Computer	O&E	10,000
0-01-20-155-000-221	Legal	O&E	25,000
0-01-20-165-000-101	Engineering	S&W	10,000
0-01-22-195-001-102	Code Enforcement	S&W	10,000
0-01-25-240-001-101	Police	S&W	117,000
0-01-25-240-001-225	Police	O&E	5,000
0-01-25-250-000-101	911	S&W	15,000
0-01-25-265-001-201	Fire Department	O&E	15,000
0-01-25-265-002-101	Fire Official	S&W	10,000
0-01-25-265-003-581	Fire Service Charges	O&E	40,000
0-01-26-290-001-325	Public Works Admin	O&E	1,000
0-01-26-290-002-101	Road Repairs & Maintenance	S&W	15,000
0-01-26-305-003-101	Recycling	S&W	5,000
0-01-26-305-003-235	Recycling	O&E	15,000
0-01-26-310-000-101	Public Buildings & Grounds	S&W	10,000
0-01-26-310-000-415	Public Buildings & Grounds	O&E	10,000
0-01-26-315-000-401	Vehicle Maintenance	O&E	10,000
0-01-27-335-001-101	Environmental Commission	S&W	1,000
0-01-28-370-001-101	Recreation	S&W	5,000
0-01-28-370-001-204	Recreation	O&E	1,000
0-01-28-370-002-101	Office on Aging	S&W	15,000
0-01-31-440-001-541	Telephone	O&E	15,000
0-01-29-390-000-235	Public Library	O&E	250,000
0-01-36-472-000-675	SSI	Statutory	25,000
0-01-43-490-000-101	Court	S&W	15,000
Total CURRENT FUND			650,000
SEWER UTILITY			
0-07-55-515-001-585	SEWER UTILITY	O&E	500,000
POOL UTILITY			
0-26-55-520-000-101	POOL - S&W	S&W	5,000
0-26-55-520-000-215	POOL - S&W	O&E	20,000
TOTAL POOL UTILITY			25,000

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

RESOLUTION # 20-183

AUTHORIZING THE PURCHASE OF A COMPUTER OPERATING SYSTEM FOR THE COMMUNITY POOL FROM ID EDGE IN AN AMOUNT NOT TO EXCEED \$5,999.06

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of a computer operating system for the Community Pool from ID Edge in an amount not to exceed \$5,999.06; 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. Elizabeth Yarus, Recreation Director

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

AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:

- Environmental Monthly Report – April 2020

COUNCIL	MOTION	2 ND	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

PAYMENT OF BILLS

Current Fund	19-01	0.00
Current Fund	20-01	442,270.27
Pool Utility	20-26	0.00
Pool Utility	19-26	2,668.85
Sewer Utility	20-07	988.79
Sewer Utility	19-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	944.34
Pool Capital	C-27	98,675.69
Election Account	E-18	0.00
Grant Fund	G-02	0.00
Dog Trust	T-12	3,750.00
Treasurers Trust	T-13	26,182.68
Recreation Trust	T-14	1,494.00
Senior Citizen Trust	T-16	0.00
TOTAL ALL FUNDS		\$576,974.62

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – pointed out that resolution 20-177 executes an interlocal service agreement with the County that pertains to COVID-19 relief as the state has given Middlesex County some \$143 million to delegate out within the County. Mr. Cullen said that he will be meeting with the county soon regarding this agreement. We have requested \$200,000 in funding relief. Unfortunately, this relief does not cover losses in revenue. Mr. Cullen advised that last week he submitted a survey to the County regarding the status of our fiscal COVID-19 expenditures. Mr. Cullen said that this borough had taken a large loss in revenue. Mr. Cullen said we are looking forward to meeting with the County and any reimbursement that we can get is welcome, but we will still have a shortfall to makeup for.

Engineer Miller – reported that the road projects are underway, and the contractor is working on the milling and paving with a punch list to follow. The road project for St. Nicholas has a bid opening for this Thursday morning which will be funded by a NJ DOT grant. We are also in the process of making a new application to the NJ DOT for the 2021-year road improvements.

Clerk Antonides – reported progress.

Councilman Wolak – reported progress

Councilman White – advised that Charlie's Philly Steaks are now open for take out and delivery service. Also, the state has released it's second round of funds for NJ Economic Development.

Councilman Smith – reported progress.

Councilwoman Mott – reported progress.

Councilman Bengivenga – reported progress.

Council President Faustini – reported progress.

Mayor Anesh – advised that this Borough has had a total of 500 positive COVID-19 cases, however, the numbers are coming down. The Governor issued today a new Executive Order that will allow for outdoor dining and non-essential businesses to open beginning June 15th with some restrictions in place, and Salons and Barbers can also open June 22nd with some restrictions in place. Gyms will soon follow. Mayor Anesh commended all Borough employees who have been working hard getting things done. Residents for the most part can get what they need. Mayor Anesh said that with the recent George Floyd situation that's on everyone's minds he just asks everyone to keep it civil and peaceful. Mayor Anesh concluded by thanking residents for how they've been handling everything they've been through in recent months so well.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment.

Debbie Boyle of Van Fleet mentioned the availability of all kinds of different grants being available and hopes that the federal government will come through.

Without any further comment from the public, Mayor Anesh closed the floor.

ADJOURNMENT

Without further comment and no more action necessary for this evening Mayor Anesh called for a motion to adjourn. Councilman Bengivenga made a motion to adjourn at 7:28 p.m., seconded by Councilman Smith and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk