

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
SEPTEMBER 8, 2020 7:05 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 7:05 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 Council President Faustini led the invocation.

Mayor Anesh again reviewed some basic rules for conducting this virtual meeting this evening. All lines will be muted until such time that the floor is open for public comment. Each phone call or virtual hand raise will be taken one at a time.

**Public Comment:** Mayor Anesh opened the floor for public comment on agenda items only. Mayor Anesh awaited virtual hand raises; she then unmuted all microphones. With no comments from the public, Mayor Anesh closed the floor.

**Authorizing the Approval of Council Minutes:**

August 10, 2020 – Agenda Meeting

August 10, 2020 - Public Meeting

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>							

**Proclamation – Hispanic Heritage Month** - was read in full by Mayor Anesh. Ms. Jailene Betancout called into the meeting and verbally accepted the proclamation thanking the Mayor and Council for their support and recognition.

The below ordinance 2180 was and read by title by Clerk Antonides on second reading. Council President Faustini opened the floor for public comment and with no comments made, closed the floor. There were also no comments from Council.

**ORDINANCE 2180**

**AN ORDINANCE AMENDING CHAPTER 146 OF THE CODE OF THE  
BOROUGH OF SOUTH PLAINFIELD TITLED “ANIMALS”**

**WHEREAS**, Chapter 146 of the Code of the Borough of South Plainfield titled “Animals” was established by Ordinance on October 13, 1964 to set rates for Dog and Cat licensing fees; and

**WHEREAS**, there is, on occasion, a need to adjust such rates due to inflation over a period of time, and in this case, such rates have not been amended since February 23, 1995; and

**WHEREAS**, it is the recommendation of the South Plainfield Health Department and the Borough Clerk to amend the licensing fee structure within Chapter 146 of the Borough Code as follows:

***Article I Licensing and Control of Dogs***

***§ 146-4 Fees***

- A. The person applying for the license and registration tag for a dog shall pay the annual fee of \$15.00 for a spayed/neutered dog or the annual fee of \$20.00 for a non-spayed/non-neutered dog. Said license, registration tags and renewals thereof shall expire on the last day of January each year. If a dog license tag has been misplaced or lost, the Board of Health or the Office of the Borough Clerk may issue a duplicate dog license tag for a fee of \$5 per dog.

***Article II Licensing and Control of Cats***

***§ 146-24 Fees***

- A. The person applying for the license and registration tag for a cat shall pay the annual fee of \$15.00 for a spayed/neutered cat or the annual fee of \$20.00 for a non-spayed/non-neutered cat. Said license, registration tags and renewals thereof shall expire on the last day of January each year.

***§ 146-26 Duplicate license tag or sleeve; fee***

If a cat license tag has been misplaced or lost, the Board of Health or the Office of the Borough Clerk may issue a duplicate cat license tag for a fee of \$5 per cat.

***Article III Deadline for Payment of Fees***

***§ 146-31 Applicability***

All fees for licenses issued after February 1 of each year shall include those license and registration tag fees set forth in §146-4, §146-24 and §146-26 of the Code of the Borough of South Plainfield, New Jersey.

**§ 146-32 Violations and Penalties**

Any license renewals and fees not paid by February 1 of each year shall promulgate from either the Board of Health or the Office of the Borough Clerk a reminder notice for the annual renewal of the dog and/or cat license. If after up-to three reminder notices via mail, email and/or phone call have resulted without the licensing of the owner’s dog and/or cat, the Board of Health or the Office of the Borough Clerk shall notify the enforcement entities of this Chapter; the Police Department, the Health Officer and the Code Enforcement Officer of the Borough of South Plainfield. Any person(s) who is found to be in violation of the provisions of this Article shall be subject to a fine not exceeding \$2,000, imprisonment for a term not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof.

**SECTION 1. INCONSISTENCY** - All sections or parts inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 2. EFFECTIVE DATE** - This Ordinance shall take effect January 1, 2021.

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>							

The below ordinance 2181 was and read by title by Clerk Antonides on first reading. Council President Faustini set the public hearing for September 21, 2020 at approximately 7:00 p.m.

**BOND ORDINANCE #2181**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO COTTON STREET PARK, PUTNAM PARK AND SHADYSIDE PARK IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$300,000, including the sum of \$15,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$285,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various improvements to Cotton Street Park, Putnam Park and Shadyside Park, including, but not limited to, new basketball courts, a new walking path at Cotton Street Park and a new pavilion area at Shadyside Park and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to

the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$285,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$45,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

**RESOLUTIONS:**

**RESOLUTION 20-236  
AUTHORIZING AWARD OF BID TO TOPLINE CONSTRUCTION  
FOR ROAD IMPROVEMENTS TO CORPORATE BLVD. & CRAGWOOD RD.  
IN AN AMOUNT NOT TO EXCEED \$423,024.26  
AND AUTHORIZING THE MAYOR AND MUNICIPAL CLERK  
TO EXECUTE CONTRACT FOR SAME**

**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 road improvements on Corporate Blvd. and Cragwood Road is necessary; and

**WHEREAS** bids were solicited and opened on Tuesday, August 18, 2020 at 10:00 a.m. and the following picked-up bid packages from the Borough Engineer and submitted base bids as follows:

Top Line Construction	\$423,024.26
Stilo Excavation Inc.	\$442,674.56
Black Rock Enterprises	\$550,000.00
Capital Paving & Contracting, LLC	\$624,379.00

**WHEREAS**, the bids have been reviewed by the Borough’s Engineer and Attorney and as such it has been determined that Top Line Construction is the lowest bidder and it is recommended they be awarded said bid in the base bid amount of \$423,024.26 and that the bid be accepted, and a contract be awarded to Top Line Construction; and

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

**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 aforementioned project.

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

**RESOLUTION 20-237**  
**AUTHORIZING THE APPROVAL AND RENEWAL OF LIQUOR LICENSES FOR 2020 - 2021 AND**  
**AUTHORIZING THE MUNICIPAL CLERK TO ISSUE 2020-2021 LIQUOR LICENSES TO ALL**  
**LICENSEES THAT HAVE MET ALL STATE AND BOROUGH REQUIREMENTS**  
**AND HAVE PAID ALL APPROPRIATE FEES.**

**WHEREAS**, applications for renewal of Liquor Licenses for the year 2020-2021 have been submitted; and

**WHEREAS**, no objections to said renewals have been filed; and

**WHEREAS**, the proper Borough fees have been paid by all applicants and the renewal retail licensee tax clearance certificate has been issued.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of the Borough of South Plainfield that the following licensees be granted renewals of their liquor licenses for the year commencing July 1, 2020 and expiring June 30, 2021:

	License #	Type	License Name	Trade Name
1	1222-33-013-008	Plenary Retail Consumption	Red Robin International Inc.	Red Robin
2	1222-33-008-011	Plenary Retail Consumption	AALB, Inc.	South Side Clam Bar
3	1222-44-011-006	Plenary Retail Distribution	Wine Country South Plainfield	Wine Country South Plainfield
4	1222-33-007-004	Plenary Retail Consumption	Red Lobster Restaurants LLC	Red Lobster #379
5	1222-33-016-012	Plenary Retail Consumption	Madhusudan LTD Liability Co.	Palace of Jaipur
6	1222-31-021-001	Club	American Legion Post 243	American Legion Post 243
7	1222-33-001-008	Plenary Retail Consumption	Thakur Hospitality LLC	Spice Culture
8	1222-33-020-001	Plenary Retail Consumption	Polish National Home	Polish National Home

**BE IT FURTHER RESOLVED** that the Municipal Clerk is authorized to issue 2020-2021 liquor licenses to the above-named licensees.

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

**RESOLUTION 20-238**  
**AUTHORIZING VARIOUS SENIOR CENTER REFUNDS FOR CANCELLED EVENTS**  
**AND SECURITY DEPOSITS**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the following refund(s) to senior(s):

Carmen Romano  
 22 James Place  
 Metuchen, NJ 08840  
 \$1,100 - cancelled Wildwood Trip, May 18<sup>th</sup>

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of South Plainfield that the Finance Office hereby has approval to release the aforementioned refund(s).

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

**RESOLUTION 20-239  
 AUTHORIZING THE TERMINATION OF JANELLE LLOYD AS, A  
 PART-TIME TELECOMMUNICATOR EFFECTIVE AUGUST 19, 2020**

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

It hereby authorizes the termination of Janelle Lloyd as part-time Telecommunicator for the South Plainfield Police Department effective August 19, 2020, 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. Sgt. James McConville, Police Department

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

**RESOLUTION 20-240  
 AUTHORIZING THE HIRING OF CHRIS MALO AS  
 PART-TIME TELECOMMUNICATOR AT THE PER DIEM TRAINING RATE  
 OF \$21.50 AND UPON COMPLETION OF TRAINING  
 TO BE PAID AT THE HOURLY PER DIEM RATE OF \$30.00**

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

It hereby authorizes the hiring of Chris Malo as part-time Telecommunicator for the South Plainfield Police Department at the per diem training rate of \$21.50 and upon completion of training to be paid at the hourly per diem rate of \$30.00 effective September 8, 2020, 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. Sgt. James McConville, Police Department

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

**RESOLUTION 20-241**

**AUTHORIZING AWARD OF AN RFP TO PABCO INDUSTRIES, LLC FOR BIODEGRADABLE AND RECYCLABLE LEAF BAGS FOR THE BOROUGH OF SOUTH PLAINFIELD IN AN AMOUNT NOT TO EXCEED \$26,340.00**

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

**WHEREAS**, a need has been determined to provide biodegradable and recyclable leaf bags for the Borough of South Plainfield citizens; and

**WHEREAS**, RFP’s were solicited and opened on Thursday, August 27, 2020 at 10:00 a.m. and the following was the only proposal submitted:

- Pabco Industries, LLC \$ 26,340.00 (\$0.439/unit)

**WHEREAS**, the RFP has been reviewed by the Borough Engineer, and the Borough Attorney, and it is their recommendation that the RFP from Pabco Industries, LLC. for biodegradable and recyclable leaf bags in the amount of \$26,340.00 (\$0.439 per bag) be accepted and a unit price contract be awarded; and

**WHEREAS**, funds for said purpose have been certified by the Chief Financial Officer and are available in the 2020 current budget account;

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that authorization is hereby given to award a unit price contract to Pabco Industries, LLC for biodegradable and recyclable leaf bags at a cost not to exceed \$26,340.00 (\$0.439 per bag).

**FURTHER BE IT RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to execute the necessary agreement, if applicable, with Pabco Industries, LLC., the lowest responsible provider for the services described.

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

**RESOLUTION 20-242**  
**AUTHORIZING THE DISPOSAL OF IT EQUIPMENT THAT IS DEEMED TO HAVE OUTLIVED ITS USEFUL LIFE, IS PERMANENTLY DAMAGED, AND HOLDS NO MONETARY VALUE**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes John Abbruzzese, IT Officer, to dispose of the following items deemed to have outlived its useful life and/or is permanently damaged, and that holds no monetary value;

- Cisco Switch – 2835
- Genesis Server – 2635
- L3 Dell Server – 1269
- SonicWALL Appliance – 2288
- SonicWALL Appliance 2135
- Tetrius Server – 2136

**BE IT RESOLVED** that the aforementioned item(s) are also to be removed from the Borough of South Plainfield’s asset inventory; 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. John Abbruzzese, IT Department

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

**RESOLUTION 20-243**  
**AUTHORIZING THE TRANSFER OF UNCLAIMED BAIL FUNDS FROM THE MUNICIPAL COURT TOTALING \$417.00 TO THE BOROUGH OPERATING ACCOUNT**

**BE IT FURTHER RESOLVED** by the Borough Council of the Borough of South Plainfield that based upon the recommendation of the Municipal Court Administrator that \$372.00 for unclaimed bail funds from account 4308909302 and \$45.00 for unclaimed bail funds from account 7850174371 shall be transferred to the Borough’s operating account.

**BE IT FURTHER RESOLVED** 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				
Councilwoman Mott		x	X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak	x		X				
Council President Faustini			X				
<b>VOTE:</b>			<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 20-244**  
**AUTHORIZING THE FULL TIME HIRING OF JAMES MOORE AS LABORER II**  
**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 hire on a full-time basis James Moore as Laborer II for the DPW at the hourly rate of \$18.17, 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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilwoman Mott		x	X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak	x		X				
Council President Faustini			X				
<b>VOTE:</b>			<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION: 20-245**  
**AUTHORIZING THE CREDIT OF TAX APPEAL JUDGMENTS IN THE AMOUNT OF \$20,280.55**  
**PERTAINING TO MULTIPLE PROPERTIES IN SOUTH PLAINFIELD**

**WHEREAS**, the following list of taxpayers have filed appeals with the Middlesex Tax Court and have received judgments reducing their assessments:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be credited.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEARAMOUNT</u>
Cocuzza, Richard & Debra 161 Palmer Avenue South Plainfield, NJ 07080	14	9	2020 \$1,269.20
Barra, Michael & Daniel 410 Tompkins Avenue South Plainfield, NJ 07080	24	15	2020 \$1,242.55

Conte, Deborah Ann & Beverly M 1216 McDonough Street South Plainfield, NJ 07080	136	4	2020	\$3,547.41
Jijo, Rohini 305 So Plainfield Avenue South Plainfield, NJ 07080	205	4	2020	\$1,459.58
Zakrevski, Albina 301 So Plainfield Avenue South Plainfield, NJ 07080	205	5	2020	\$1,015.36
Spall, Zunaira & Shabbir, Mohammad 275 So Plainfield Avenue South Plainfield, NJ 07080	207	8	2020	\$2,538.40
Kapadia, Naresh 230 Hamilton Boulevard South Plainfield, NJ 07080	259	8	2020	\$951.90
Toukara, Sekou 2444 Willow Avenue South Plainfield, NJ 07080	275	3	2020	\$1,351.70
Jiang, Sean & Yang, Zhun 11 Trista's Way South Plainfield, NJ 07080	282	50.07	2020	\$1,186.70
Patel, Akshay 597 Arlington Avenue South Plainfield, NJ 07080	366	6	2020	\$4,067.79
Naeem, Muhammad & Razia & Sale 116 Hopkinson Street South Plainfield, NJ 07080	393	13	2020	\$1,649.96
<b>Total</b>				<b>\$20,280.55*</b>

\* No refund check to be issued. Credit will be applied to outstanding taxes.

**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 credit(s) in the amount(s) as mentioned above.

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

**RESOLUTION 20-246**  
**ACCEPTING THE RESIGNATION OF JOANNE BRODERICK FROM THE POSITION OF PLANNING BOARD AND ZONING BOARD SECRETARY**

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

It hereby accepts the resignation of Joanne Broderick from the position of Planning Board and Zoning Board Secretary effective September 25, 2020 or at the time a replacement is found, whichever comes first, 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. Dominic Demico, Building Department
5. Joanne Broderick, Building Department

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

**RESOLUTION 20-247**  
**AUTHORIZING THE SERVICES OF T&M ASSOCIATES FOR ENVIRONMENTAL AND ENGINEERING SERVICES ASSOCIATED WITH GROUNDWATER MONITORING ACTIVITIES AT THE SOUTH PLAINFIELD SANITARY LANDFILL IN AN AMOUNT NOT TO EXCEED \$15,975.00**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates for professional environmental and engineering services associated with groundwater monitoring activities at the South Plainfield Landfill in an amount not to exceed \$15,975.00.

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

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

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

**RESOLUTION 20-248**

**AMENDING RESOLUTION 20-224 THAT AUTHORIZED KIMBERLY ORTIZ  
TO EXTEND HER UNPAID FAMILY LEAVE OF ABSENCE FROM THREE MONTHS  
TO SIX MONTHS TO NOW SHOW THE EXENTION  
AS ONE ADDITIONAL MONTH INSTEAD OF THREE**

**WHEREAS**, Kimberly Ortiz has been on a three-month unpaid family leave of absence from May 1, 2020 to July 31, 2020; and

**WHEREAS**, Kimberly Ortiz had requested to extend her unpaid family leave of absence by another three months; from August 1, 2020 to return to her full-time employment on November 1, 2020, for a total of a six-month unpaid family leave as per the AFSME contract, but now has requested to return back to her full-time employment status earlier;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Mayor and Council of the Borough of South Plainfield, that Resolution 20-224 be amended to now authorize Kimberly Ortiz to extend her unpaid family leave of absence though August 30, 2020, and as such, to return to her full-time employment on Monday, August 31, 2020.

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

**RESOLUTION # 20-249  
AUTHORIZING THE SERVICES OF D&L PUMP COMPANY  
FOR EMERGENCY REPAIRS TO FIX WELL AT THE COMMUNITY POOL  
IN AN AMOUNT NOT TO EXCEED \$6,516.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of D&L Pump Company for emergency repairs to fix the well at the community pool in an amount not to exceed \$6,516.00; 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, Borough Engineer/Superintendent DPW

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

**AUTHORIZING THE ACCEPTANCE OF CORRESPONDENCE:**

- Environmental Monthly Report – June/July 2020
- Recycling Monthly Report – July 2020
- Board of Health Monthly Report – August 2020

OUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**PAYMENT OF BILLS**

Current Fund	19-01	325.00
Current Fund	20-01	1,026,911.99
Pool Utility	20-26	17,611.74
Pool Utility	19-26	0.00
Sewer Utility	20-07	1,141,483.19
Sewer Utility	19-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	507,305.00
Pool Capital	C-27	139,514.30
Election Account	E-18	4,970.00
Grant Fund	G-02	2,355.85
Dog Trust	T-12	4,063.00
Treasurers Trust	T-13	659.92
Recreation Trust	T-14	0.00
Senior Citizen Trust	T-16	1,100.00
<b>TOTAL ALL FUNDS</b>		<b>\$2,846,299.99</b>

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				
		<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 we did roll over notes on August 20<sup>th</sup> to T-Securities who had the best rate out of the 4 bidders at .448%. There will be a decline in our outstanding debt and our current fund will be paying down some debt this year. So far, the pool has had 3900 visitors. Due to some pool staff's return to school and such there will be a change in the hours at the pool. Two days are set aside for our Seniors due to Covid-19 during the week.

Engineer Miller – the contractor has finished road repairs on St. Nicholas, and we will be moving forward with the Cragwood and Corporate Road Project which was awarded this evening. Mr. Miller concluded by thanking the Council for their support in hiring James Moore this evening as he is an asset to the DPW.

Clerk Antonides – stated that the November 3<sup>rd</sup> General Election will be a Vote by Mail paper ballot election. There will be 4 options for submitting your Vote by Mail Ballot; 1. Mail it to the County Clerk, 2. Place it in the election ballot drop box that will soon be located at the back entrance of Borough Hall, 3. Drop it off at your usual polling location on election day or 4. Hand deliver it to the County Clerk's Office in New Brunswick. All usual polling locations will be open from 6 am to 8 pm on election day for paper provisional ballot voting only. A machine will be provided for ADA use only. Clerk Antonides emphasized that though this method doesn't please everyone it is a directive from the Governor's Office and not on a local level. Clerk Antonides advised that she will be issuing press releases in the coming days about the election to keep the public as informed as possible. Mayor Anesh clarified that at the polling location it will be a paper provisional ballot only. Clerk Antonides said yes. Councilwoman Mott asked how the ballot box will be secured and monitored. Clerk Antonides advised it is under 24/7 surveillance and is locked. The County will have staff members periodically pick-up the contents. The county will monitor exactly how many ballots are removed at the time of pick-up as well as again when dropping off at the County. Checks and balances are in place. Councilman Bengivenga inquired about the number of ballots allowed for a messenger to carry. Was the law changed to increase the number from three to something more. Clerk Antonides advised that she has not heard of any update in that regard. Mayor Anesh inquired when the results will be ready. Clerk Antonides advised that her office will not have any results that evening but the County has until sometime around November 30<sup>th</sup> to certify the results.

Councilman Wolak – reported progress.

Councilman White – advised that the Governor did recently allow for 25% indoor dining with some restrictions. The Park Avenue Diner did a wonderful job with their outdoor dining set-up. This Saturday was a ribbon cutting at the Vitamin Shop located on Hadley Road which was the second ribbon cutting we've been able to do all year due to the Covid-19 situation.

Councilman Smith – mentioned that the bamboo issue needs to be rectified and we need to start discussing how we will handle this. One suggestion is to have a permit process which must comply with an ordinance compelling people to maintain the bamboo properly. It seems to be a growing concern and an issue. There are two types of bamboo; one invasive, one not. Banning it all together seems like a violation of homeowners to plant what they want on their property, but invasive bamboo can cause harm to others when it creeps onto their property. A permit process should be looked into. Mayor Anesh said he doesn't totally disagree with this and it is negatively effecting neighbors and their quality of life. What we really need is something that will give code enforcement the ability to prompt a homeowner to take care of the situation. Mr. Rizzo Esq. said the Council does have the private right of action and believes they do have the power to regulate it. Council President Faustini asked if it is possible to contain it. Councilman Smith said that resident, Mr. Longo, has it 3 feet deep with a steel barricade for over 10 years without any issues, however, nothing is guaranteed because it is so invasive. Mr. Longo does maintain it properly. Councilman Smith said he wants to have a process and procedure to maintain it and he would rather be proactive than reactive. If we do nothing the problems will continue. It's something we need to look into. Councilman Wolak said he is not a fan of telling people what they can and can't put in their yards. Councilwoman Mott asked if this matter would be considered a public safety issue like poison oak. Councilman Bengivenga said he feels Councilman Smith is taking this in the right direction but is concerned about what happens when the next homeowner moves in and doesn't maintain it. Also, who administers this permit process.

On another note when an applicant comes before us to develop a piece of land and they do not replace the tree for tree allotment there's a fee they pay into the Borough Tree Fund. With that said the Green Team is looking to use some of those funds to have more trees planted throughout the town. Councilman Smith said he spoke to Dr. Tempel about developing a grant to help small business owners to have the town pay for the tree from the Tree Fund, but the owner/landlord has to maintain the trees. This would help beautify the town. Councilwoman Mott said she would be concerned with putting a deed restriction on the property. Councilman Smith clarified and said this is for businesses only. Councilman Bengivenga said he doesn't believe this to be a deed restriction but maybe a developer's agreement or grant agreement between the town and the property owner. Not an actual deed restriction.

To conclude, Councilman Smith said the Environmental Commission is working on South Plainfield becoming a solar friendly town.

Councilman Bengivenga – Congratulated James Moore on his promotion this evening saying he will be an asset to the department. Councilman Bengivenga went on to thank the DPW and everyone over the past couple weeks especially with the pool and the hurricane. Everyone came together to get it all done.

Councilwoman Mott – echoed Councilman Bengivenga's comments and went on to report progress.

Council President Faustini – thanked Councilman Smith for getting the ground running with the Environmental Commission. Council President Faustini thanked the DPW, Mr. Cullen, and the Recreation Commission for getting the pool open. We are presently working on putting together our second movie night scheduled for September 26<sup>th</sup> at Jose Field. Sign-ups will be required so social distancing can be maintained. The Public Celebrations is working on the details for having a Trunk or Treat event and managing any crowds.

Mayor Anesh – reported progress.

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

Mayor Anesh opened the floor for public comment.

Debbie Boyle of Van Fleet asked what the difference is between a Provisional Ballot and a Vote by Mail Ballot. Clerk Antonides said essentially there is no difference. Both are paper ballots that contain the same exact candidate information whereas the Vote by Mail is a ballot mailed to your home, and a Provisional Ballot is a paper ballot you would receive at the polling location on election day.

Without further comments 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 Smith made a motion to adjourn at 7:57 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