

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
DECEMBER 7, 2020 7:01 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 remote meeting having been provided to the Borough's two official newspapers and also published on the Borough's website. Instructions for accessing the remote public meeting are found on the Borough's website next to the agendas. Documentation pertaining to the remote meeting can be found electronically 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		
<b>ALSO PRESENT</b>			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo			ARRIVED 7:08 PM
Engineer Miller	X		

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

Mayor Anesh again reviewed some basic rules for conducting the 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. To unmute the microphone, just click on the red microphone picture that has a line through it. It will then turn green indicating you have been unmuted and may begin to speak. Callers may dial 1-646-922-2010 followed by the access code of 126 663 1990 #. Using the pound button will mute and unmute the voice feature for any phone callers.

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

**Authorizing the Approval of Council Minutes:**

November 16, 2020 – Agenda Meeting  
November 16, 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>							

The below ordinance 2183 was and read by title by Clerk Antonides on second reading. Mayor Anesh opened the floor for public comment and with no comments from the public, closed the floor.

**ORDINANCE 2183  
AN ORDINANCE AMENDING CHAPTER 187, TITLED VEHICLES AND TRAFFIC.**

**WHEREAS**, the Zoning Board of Adjustment of the Borough has granted a variance to All Seasons Sports Academy, LLC for fence height; granted preliminary and final site plan approval for an expansion of use; amended conditions of a prior approval; and for expansion of a non-conforming use, all to add outdoor sports fields;

**WHEREAS**, one of the conditions for approval is that All Seasons Sports Academy, LLC shall prohibit left turns from its site from 7:00 a.m. to 9:00 a.m., and 4:00 p.m. and 7:00 p.m.;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 187, titled Vehicles and Traffic, shall be amended as follows:

ARTICLE VI: Prohibited Turns, Section 187-28(A) shall be amended to add Section 187-28(A)(18) as follows:

No left turns from exiting the site of 2700 Hamilton Boulevard onto Hamilton Boulevard from 7:00 a.m. to 9:00 a.m., and 4:00 p.m. to 7:00 p.m. on all days of the week.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

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				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

The below ordinance 2184 was and read by title by Clerk Antonides on second reading. Mayor Anesh opened the floor for public comment and with no comments from the public, closed the floor.

**ORDINANCE 2184**

**A CAPITAL ORDINANCE AUTHORIZING THE “PURCHASE OF EQUIPMENT AND FACILITY UPGRADES” DURING THE COVID-19 PANDEMIC FOR MUNICIPAL OFFICES IN THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY** as follows:

Section 1. The aforementioned assets be funded through the CARES ACT:

Filling Stations	\$ 4,568.76
Bathroom Upgrades	\$ 50,430.84
Messaging Boards	\$ 17,300.00
Temperature Screening System	\$ 10,000.00
Computer Equipment	\$ 69,909.00
<b>Totals</b>	<b>\$ 152,208.60</b>

Section 2. That the improvements described in Section 1 hereof shall be authorized as Capital Improvements for the Borough of South Plainfield in the County of Middlesex, New Jersey.

Section 3. It is hereby determined and declared by this Mayor and Borough Council as follows:

- A. That the maximum estimated amount of money to be raised from all sources for the purposes stated in Section 1, hereof, is \$152,208.60.
- B. That the cost for the Equipment and Upgrades shall be \$152,208.60 from the CARES ACT.
- C. The estimated useful life of said improvements is hereby determined to be Five (5) years.

Section 4. That the total amount of the appropriation to be expended for Architectural and inspection costs, legal costs, advertisement of ordinance and other expenses as provided in Section 48:2-20 of the

Revised Statutes, is not to exceed \$2,500.00.

Section 5. This ordinance shall take effect after final passage and publication in accordance with the law.

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				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

The below ordinance 2185 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for December 21, 2020 at approximately 7 p.m.

**ORDINANCE 2185**  
**AN ORDINANCE TO AMEND CHAPTER 90 OF THE CODE OF THE**  
**BOROUGH OF SOUTH PLAINFIELD TITLED “PUBLIC WORKS DEPARTMENT”.**

**WHEREAS**, the position of Superintendent of Public Works was previously created and is recognized by the Borough of South Plainfield; and

**WHEREAS**, the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey wish to establish tenure eligibility pursuant to New Jersey statute;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 90 entitled “Public Works Department”, Article I, Organization and Functions, be amended as follows:

DELETE: Section 90-4 - Superintendent of Public Works

ADD: Section 90-4 - Superintendent of Public Works

A. The office of Superintendent of Public Works shall be a full-time office, and the Superintendent of Public Works is hereby authorized and empowered to undertake and supervise all the tasks as shall be necessary to construct, operate and maintain, as the case may be, streets, sidewalks, storm and sanitary sewers, curbs, pumping stations, street lighting, Street Department equipment and supplies, buildings and real property, and to achieve snow removal and street cleaning, and he shall perform such other duties as may be assigned to him, and he shall hold himself available for consultation and advice to all municipal officials, boards and commissions upon request and shall render such reports and recommendations as may be required at any time or upon special request, and shall give his time exclusively to the Borough of South Plainfield and shall not accept any other employment directly or indirectly.

B. Any person who shall hold the position of Superintendent of Public Works for five consecutive years or more shall be granted tenure of office and shall continue to hold the position of Superintendent of Public Works during good behavior and efficiency, and shall be granted tenure pursuant to the provisions of N.J.S.A. 40A:9-154.6.

C. Any person who shall obtain tenure in the position shall not be removed from said position except upon a public, fair and impartial hearing in accordance with the provisions of N.J.S.A. 40A:9-154.6.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

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				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

The below ordinance 2186 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for December 21, 2020 at approximately 7 p.m.

**ORDINANCE 2186  
AN ORDINANCE VACATING THE BOROUGH'S AUTHORITY AND CONTROL  
OVER TEXAS AVENUE IN THE BOROUGH OF SOUTH PLAINFIELD,  
MIDDLESEX COUNTY, NEW JERSEY**

**WHEREAS**, Texas Avenue is a right-of-way depicted on the Borough's current Tax Map; and

**WHEREAS**, 150 Durham Realty, LLC is a developer who wishes to develop Lot 11, Block 525 which it owns, and which property is immediately to the south of Texas Avenue; and

**WHEREAS**, the Borough believes there is no public benefit to continuing Texas Avenue; and

**WHEREAS**, Texas Avenue is primarily an unpaved road, with a small portion of pavement; and

**WHEREAS**, 150 Durham Realty, LLC has entered into a Developer's Agreement with the Borough pursuant to which the Borough has agreed to vacate its rights to Texas Avenue, with the Developer agreeing to pay the Borough for that portion of Texas Avenue which has been paved; and

**WHEREAS**, the paved portion of Durham Avenue has been appraised by Russell K. Sterling at a value of \$4,200.00, which amount the Developer has agreed to pay to the Borough; and

**WHEREAS**, the Developer has obtained all necessary unappealable land development approvals necessary for the development of the property in accordance with the agreement of the Borough; and

**WHEREAS**, Buckstin Associates, which owns the property to the north of Texas Avenue, has provided a waiver of any rights to any of the land within the bed of Texas Avenue; and

**WHEREAS**, N.J.S.A. 40:67-19 authorizes the Borough to release and extinguish public rights, and the rights of the Borough, arising from the dedication of a street;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey as follows:

1. The rights of the public and the Borough of South Plainfield in and to Texas Avenue as described more particularly in the attached Schedule A are hereby extinguished and vacated;
2. The Borough Clerk shall, within 60 days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the Borough to be a true copy thereof, together with proof of publication thereof in the Office of the Clerk of the County of Middlesex in accordance with the provisions of N.J.S.A. 40:67-21.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

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				
Council President Faustini		x	X				
			6	0			
Mayor Anesh – TIE ONLY							

The below ordinance 2187 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for December 21, 2020 at approximately 7 p.m.

**BOND ORDINANCE #2187**

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO DURHAM AVENUE AND RELATED IMPROVEMENTS TO HELEN STREET IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,125,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$675,000 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 \$1,125,000, including a grant in the amount of \$438,225 from the State of New Jersey Department of Transportation (the "State Grant"). Although no down payment is required pursuant to N.J.S.A. 40A:2-11(c) as the improvement or purpose described in Section 3(a) hereof is being partially funded by the State Grant, an amount equal to \$11,775 is, nevertheless, provided for as a down payment for this purpose. 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 and the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$675,000 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 improvements to Durham Avenue, including, but not limited to, milling, paving and storm sewer improvements, and milling and resurfacing of Helen Street 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 10 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 \$675,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$175,000 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, if other than the State Grant referred to in Section 1 hereof, 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				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak		x	X				
Council President Faustini	x		X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

The below ordinance 2188 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for December 21, 2020 at approximately 7 p.m.

**BOND ORDINANCE #2188**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,050,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$995,000 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,050,000, and further including the aggregate sum of \$55,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made 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 several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$995,000 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) Improvements to Cady Lane, PAL parking lot and pool parking lot, including, but not limited to, milling, resurfacing, storm water piping and lighting and further including all work and materials necessary therefor and incidental thereto.	\$470,000	\$446,000	10 years
b) The acquisition of vehicles, including, but not limited to, police vehicles, fire prevention vehicles and Department of Public Works vehicles and further including all related costs and expenditures incidental thereto.	\$550,000	\$521,000	5 years
c) The acquisition of heating, ventilation and air-conditioning equipment and traffic signage, including all related costs and expenditures incidental thereto.			



		<u>\$30,000</u>		<u>\$28,000</u>		10 years
Total		<u>\$1,050,000</u>		<u>\$995,000</u>		

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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 improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.38 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 \$995,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$80,000 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 purposes or improvements.

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 or improvements described in Section 3 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 purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements 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				
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>							

The below ordinance 2189 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for December 21, 2020 at approximately 7 p.m.

**ORDINANCE 2189**

**AN ORDINANCE AMENDING ORDINANCE 2176**

**TITLED “BOARDS, COMMITTEES AND COMMISSIONS”**

**UNDER CHAPTER 17, ARTICLE VIII WITHIN THE BOROUGH CODE**

**WHEREAS**, South Plainfield is a wonderful place to live, work, and raise our families, in large part because of our wealth of diverse bodies, minds, and backgrounds.

**WHEREAS**, the Mayor and Council of the Borough of South Plainfield have determined that it is in the best interest of the Borough to create a Human Relations Committee of the Borough of South Plainfield;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 17, Article VIII, “Human Relations Committee” Sections 17-45 and 17-46 the Code of the Borough of South Plainfield titled, shall be amended as follows:

**17-45. Appointment.**

For the initial year the Committee is established, appointments shall be made by the respective Commissions, Committees, groups and individuals as referenced in Section 17-44 by September 1 of each year to serve the remainder of the calendar year. For each year thereafter, appointments shall be made by February 15 of the calendar year. Upon each appointment being made, the person making such appointment shall notify the Borough Clerk of the appointment and provide the name and contact information to the Borough Clerk who shall maintain a record of same. No chair or President of a Committee shall appoint themselves as a member of the Human Relations Committee unless all members of the respected committee have declined to be appointed to the Human Relations committee.

**17-46. Powers and Duties.** The Committee shall have the following powers and duties:

- A. To establish, amend, and supplement its own bylaws to the extent not inconsistent with this article nor with any other municipal, state or federal regulation or law. The Committee shall meet regularly and at a minimum of bi-monthly (every two months).
- B. To foster, through community effort, good will, cooperation and conciliation among the groups and elements of the inhabitants of this Borough, and to make recommendations to the Mayor and Council for ~~the development of policies and procedures in general~~ and for programs of formal and informal education that will aid in eliminating all types of discrimination based upon race, creed, color, national origin, ancestry, age, gender, sexual preference, marital status, or developmental, mental, or physical disabilities.
- C. To investigate, mediate and attempt to resolve without resort to the judicial system or other form of adjudication any allegations of unlawful discrimination by residents of the Borough.
- D. To make a written annual report in June of each year to the Mayor and Council detailing its activities for the previous year and to make presentations before the Mayor and Council at such time as the Council shall request ~~or the Committee deems desirable~~.
- E. The Human Relations Committee shall advise the Mayor and Borough Council on ways to promote social and cultural harmony throughout the Borough. The Committee shall  
 propose educational and cultural programs to promote awareness and foster an inclusive sense of community within South Plainfield. It will also provide guidance to the Mayor and Council and other Borough Committees on ways to encourage kindness, cooperation, and unity among the multicultural residents of our town.
- F. The Committee is dedicated to cultivating an atmosphere of understanding and acceptance in South Plainfield that ensures residents and visitors of all backgrounds and circumstances can feel safe and welcome here.
- G. The Human Relations Committee shall be advisory in nature, it nor its members have the authority to contract, bind or act on behalf of the Borough of South Plainfield. Its sole function is to assist the Mayor, Council, Committees, Boards, Agencies and Administration of the Borough of South Plainfield in matters provided for above in the Borough of South Plainfield.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

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				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

The below ordinance 2190 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for December 21, 2020 at approximately 7 p.m.

## ORDINANCE 2190

### AN ORDINANCE AMENDING ORDINANCE 2177 THAT ESTABLISHES RATES FOR USE OF THE SOUTH PLAINFIELD COMMUNITY POOL TO PROVIDE RATES FOR THE YEAR 2020 TO NOW PROVIDE RATES FOR 2021

**BE IT ORDAINED BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD** that the following rates shall be established for use of the South Plainfield Community Pool for 2021:

#### Pool 2021 Rates

Membership Type

Membership Type	Before 4/30/2021	After 4/30/2021	# Guest Passes Included with Membership
Resident - Individual	\$210.00	\$250.00	2
Resident - Individual + 1	\$315.00	\$350.00	2
Resident - Family	\$365.00	\$425.00	5
Resident - Senior Citizen	\$85.00	\$125.00	3
Non-Resident - Individual	\$350.00	\$390.00	2
Non-Resident - Individual + 1	\$475.00	\$525.00	2
Non-Resident - Family	\$625.00	\$700.00	2
Non-Resident - Senior Citizen	\$155.00	\$200.00	2

**Infant: Under 2 years of age FREE (age as of 5/31/2021)**

**Individual: Age 13 & Over (as of 5/31/2021). Applicants under 18 must have parental consent.**

**Individual + 1: Adult plus one additional adult or child**

**Family: Adult plus 2 or more**

**Senior Citizen: 60 years of age (as of 5/31/21)**

All adults must show proof of residency. Group Memberships (Individual + 1 and Family) must reside in the same home. Children 12 and under must be accompanied by an adult.

**Day Passes (2 years and older)**

Day Pass	Weekday (Mon-Friday)	Weekends & Holidays
Resident - 2 years and older (before 5pm)	\$14.00	\$18.00
Resident - 2 years and older (after 5pm)	\$12.00	\$13.00
Non Resident - 2 years and older (before 5pm)	\$25.00	\$30.00
Non-Resident - 2 years and older (after 5pm)	---	---

**Guest Passes**

Pack of 10 Guest Passes (for members only - members must accompany guests)	Rate
10 Guest Passes	\$125.00

**Swim Team**

Members Only	Rate
Swim Team rate Individual	\$40.00
Swim Team rate for each additional family member after 1	\$25.00

**Swim Lessons**

Session (8 - 30 minute lessons)	Rate
Member	\$40.00
Non-Member Resident	\$80.00
Non-Member Non-Resident	\$120.00

**Picnics/Group Events**

<b>Pool Members ONLY. Minimum party of 15 or more. No Guest Passes. Limit 2 parties per household per season. Parties not available for booking on holidays.</b>	
	\$10.00 per person

This ordinance shall take effect upon final adoption and publication according to law.

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>							

**RESOLUTIONS**

**RESOLUTION 20-307  
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;

- 451 HP MXD4420933 Windows XP
- 2061 HP 2VA515002D
- 324 Machine no longer booting up. HP Desktop
- 328 Machine no longer booting up. HP Desktop
- 350 HP Compaq, unable to read information
- 1396 SonicWALL Appliance
- 1404 Dell Network Switch
- 1403 Dell Network Switch
- 1683 Dell Network Switch

**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: 20-308  
AUTHORIZING THE REFUND OF \$610.00 TO SHOP RITE FOR A DUPLICATE RETAIL FOOD LICENSE FEE  
PAYMENT**

**WHEREAS**, the Municipal Clerk confirms that Shop Rite of 3600 Park Avenue in South Plainfield had inadvertently paid twice for their annual food license renewal, and as such has requested a refund of the \$610.00 representing the duplicate payment;

**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 refund check(s) in the amount(s) of \$610.00 to the following:

**Saker ShopRites, Inc.  
Attn: Cara Forcella  
10 Centerville Road  
Holmdel, NJ 07733  
(\$610.00 Retail Food License Refund)**

**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 <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 20-309**  
**AUTHORIZING THE SERVICES OF TYLER TECHNOLOGIES INC.**  
**AS A SOLE SOURCE PROVIDER FOR THE CY2021 RENEWAL AND MAINTENANCE**  
**OF INSPECTION SOFTWARE FOR THE FIRE PREVENTION BUREAU**  
**IN AN AMOUNT NOT TO EXCEED \$7,980.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Tyler Technologies Inc. as a sole source provider for the CY2021 renewal and maintenance of inspection software for the Fire Prevention Bureau in an amount not to exceed \$7,980.00; 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. Joe Abbruzzese, Fire Official

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 # 20-310**  
**AUTHORIZING THE SERVICES OF RJR ENGINEERING CO. TO CLOSE AND WINTERIZE THE COMMUNITY**  
**POOL**  
**IN AN AMOUNT NOT TO EXCEED \$10,200.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of RJR Engineering Co. to close and winterize the community pool in an amount not to exceed \$10,200.00; 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

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 # 20-311**  
**AUTHORIZING THE CAPITAL PURCHASE OF 25 TOUCHLESS FAUCETS**  
**FROM GENERAL PLUMBING SUPPLY**  
**IN AN AMOUNT NOT TO EXCEED \$7,533.25**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the capital purchase of 25 touchless faucets from General Plumbing Supply in an amount not to exceed \$7,533.25 to be paid for from Capital Ordinance 2184 using Covid-19 Cares Act funding; 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, Superintendent of 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>							

**RESOLUTION # 20-312**  
**AUTHORIZING THE CAPITAL PURCHASE OF 13 TOUCHLESS HAND DRYERS**  
**FROM GENERAL PLUMBING SUPPLY**  
**IN AN AMOUNT NOT TO EXCEED \$6,916.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the capital purchase of 13 touchless hand dryers from General Plumbing Supply in an amount not to exceed \$6,916.00 to be paid for from Capital Ordinance 2184 using Covid-19 Cares Act funding; 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, Superintendent of 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>							

**RESOLUTION # 20-313**  
**AUTHORIZING THE CAPITAL PURCHASE OF 27 BATHROOM**  
**TOUCHLESS FLUSH VALVES**  
**FROM GENERAL PLUMBING SUPPLY**  
**IN AN AMOUNT NOT TO EXCEED \$11,769.84**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the capital purchase of 27 bathroom touchless flush valves from General Plumbing Supply in an amount not to exceed \$11,769.84 to be paid for from Capital Ordinance 2184 using Covid-19 Cares Act funding; 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, Superintendent of 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>							

**RESOLUTION 20-314  
AUTHORIZING THE RENTAL SERVICES OF JESCO FOR  
A FRONT-END LOADER FOR THE DPW IN AN AMOUNT  
NOT TO EXCEED \$13,500.00 FOR THREE MONTHS**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the rental services of Jesco for a front-end loader for the DPW to assist with snow removal during the winter months in an amount not to exceed \$13,500.00 for three months; 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				
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: 20-315  
AUTHORIZING A CONSTRUCTION PERMIT REFUND IN THE AMOUNT OF \$234.00 TO VIVINT SOLAR INC. DUE TO  
A CANCELLATION OF PROJECT**

**WHEREAS**, the Construction Official confirms that permit number 20-0934 was for a solar installation project and as such, the applicant has cancelled the project and requested a refund of the \$234.00 permit fee;

**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 refund check(s) in the amount(s) of \$234.00 to the following:

**Vivint Solar Inc.  
Attn: AR Department  
1800 W. Ashton Blvd.  
Lehi, UT 84043**

**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 <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 20-316**  
**AUTHORIZING THE MUNICIPAL CLERK ON BEHALF OF THE**  
**BOROUGH OF SOUTH PLAINFIELD TO SEEK RFP'S FOR**  
**EMERGENCY MEDICAL SERVICES**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the Municipal Clerk on behalf of the Borough of South Plainfield to advertise and seek RFP's for emergency medical services; 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

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 20-317**  
**AUTHORIZING AMENDMENT TO SERVICE AGREEMENT BETWEEN**  
**THE BOROUGH OF SOUTH PLAINFIELD AND RWJ HEALTH NETWORK INC.**

**WHEREAS**, the Borough of South Plainfield, having its principal place of business at 2480 Plainfield Avenue, South Plainfield, New Jersey 07080, and RWJ Health Network Inc., having its principal place of business at 126 Paterson Street, New Brunswick, New Jersey 08901, entered into a Service Agreement in February 2018 pursuant to which RWJ Health Network Inc. agreed to provide basic life support and emergency medical services to the Borough for medical emergencies, fire scene responses (including fire scene stand-by responses), mutual aid responses, and mutual aid responses to surrounding areas as needed; and

**WHEREAS**, on January 22, 2018 the Council of the Borough of South Plainfield authorized award of a contract to RWJ Health Network Inc. for such services for two years commencing February 1, 2018, and further provided that such agreement could be extended for one, one-year year terms to expire on January 31, 2021; and

**WHEREAS**, the Borough is currently in the process of requesting proposals for such services, and does not anticipate receiving proposals and awarding a contract prior to January 31, 2021; and

**WHEREAS**, basic life support and emergency medical services are essential to the Borough and its citizens; and

**WHEREAS**, RWJ Health Network Inc. has consented to extend the existing Service Agreement by one additional month, through and to February 28, 2021, in order to permit the Borough to receive proposals and award a contract for basic life support and emergency medical services;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that it hereby approves of the Agreement annexed hereto as Exhibit A and authorizes the Mayor and Municipal Clerk to execute said Agreement.

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 20-318  
A RESOLUTION OF THE BOROUGH OF SOUTH PLAINFIELD,  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
REGARDING WIDENING OF NEW MARKET AVENUE.**

**WHEREAS**, Bridgepoint South Plainfield, LLC (hereinafter “Bridgepoint) has applied to the Planning Board of the Borough of South Plainfield for preliminary and final site plan approval to construct a 189,059 sq. ft. warehouse which includes 9,000 sq. ft. of office space on property known as Lot 18, Block 284 on the Tax Map of the Borough, also known as 602 New Market Avenue; and

**WHEREAS**, the Planning Board has approved the preliminary and final site plan with a request that Bridgeport widen New Market Avenue in the area of 602 New Market Avenue which will include relocation of utilities; and

**WHEREAS**, the Mayor and Council are aware of the plans and approval, and wish to confirm that the widening of New Market Avenue in the area of 602 New Market Avenue is necessary and important to public safety;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that it does hereby find and conclude that New Market Avenue in the area of 602 New Market Avenue must be widened in the interest of public safety, which work will include the relocation of utilities in said area.

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 20-319  
AUTHORIZING THE NJ STATE CONTRACT SERVICES OF OCEAN COMPUTER GROUP  
FOR SONIC WALL VPN SECURE MOBILE ACCESS  
TO ENABLE EMPLOYEES TO WORK FROM HOME  
IN AN AMOUNT NOT TO EXCEED \$44,743.85**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the state contract services of Ocean Computer Group for sonic wall VPN secure mobile access to enable employees to work from home in an amount not to exceed \$44,743.85 pursuant to state contract number 19-TELE-00656 & 89968, 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

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 20-320**  
**AUTHORIZING 2020 APPROPRIATION TRANSFERS IN THE AMOUNT OF**  
**\$135,000.00 FOR THE CURRENT FUND AND \$5,000.00 IN THE POOL UTILITY**  
**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>
0-01-20-155-000-221	Legal	O&E		5,000.00
0-01-23-210-000-655	Other Insurance	O&E		5,000.00
0-01-25-240-001-102	Police	S&W		10,000.00
0-01-25-240-003-241	Crossing Guards	O&E		23,000.00
0-01-25-265-003-581	Fire Service Charges	O&E		12,500.00
0-01-26-290-001-101	Public Work's Administrative	S&W		17,500.00
0-01-26-290-002-445	Road Repairs & Maintenance	O&E		5,000.00
0-01-26-305-002-101	Compactor	S&W		2,000.00
0-01-26-315-000-401	Vehicle Maintenance	O&E		5,000.00
0-01-28-370-001-104	Recreation	S&W		5,000.00
0-01-28-370-002-102	Office on Aging	S&W		10,000.00
0-01-30-415-001-101	Accumulated Leave	O&E		35,000.00
<b>Total FROM:</b>				<b>135,000.00</b>
<b>TO:</b>				<b>AMOUNT</b>
0-01-20-110-000-101	Executive	S&W		1,500.00
0-01-20-150-000-225	Assessing	O & E		2,500.00
0-01-20-130-000-101	Finance Administration	S&W		2,000.00
0-01-20-165-000-101	Engineering	S&W		2,500.00
0-01-21-180-001-403	Zoning Board	O & E		2,000.00
0-01-22-195-001-225	Code Enforcement	O & E		8,500.00
0-01-25-240-001-204	Police	O & E		5,000.00
0-01-26-290-002-101	Road Repairs & Maintenance	S&W		30,000.00
0-01-26-290-003-102	Snow	S&W		5,000.00
0-01-26-290-003-321	Snow	O & E		15,000.00
0-01-26-310-000-101	Public Buidings & Grounds	S&W		35,000.00
0-01-30-410-001-204	Municipal Support	O & E		1,000.00
0-01-31-440-001-541	Telephone	O & E		5,000.00
0-01-31-445-001-581	Water	O & E		3,000.00
0-01-31-465-001-565	Gasoline	O & E		4,000.00
0-01-32-465-001-545	Landfill	O & E		4,000.00
0-01-43-490-000-101	Court	S&W		9,000.00
<b>Total TO:</b>				<b>135,000.00</b>
<b>POOL UTILITY</b>				
<b>FROM:</b>				<b>AMOUNT</b>
0-26-55-520-000-101	Pool Salaries	S&W		5,000.00
<b>Total FROM:</b>				<b>5,000.00</b>
<b>TO:</b>				<b>AMOUNT</b>
0-26-55-520-000-215	Repairs	O & E		5,000.00
<b>Total TO:</b>				<b>5,000.00</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				
Councilman Wolak	x		X				
Council President Faustini			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 20-321**

**AUTHORIZING THE REFUND OF A TAX OVERPAYMENT IN THE AMOUNT OF \$1901.07 PERTAINING TO 320 EDGAR AVENUE 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 190 Lot 15  
320 EDGAR AVENUE  
SOUTH PLAINFIELD, NJ 07080  
\$1901.07**

**MAKE CHECK PAYABLE TO:  
FIS GLOBAL  
5430 DATA COURT, SUITE 100  
ANN ARBOR, MI 48108**

**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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilwoman Mott			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 20-322**

**AUTHORIZING THE CANCELLATION OF CURRENT YEAR UNEXPENDED BALANCES IN THE POOL UTILITY FUND TO BE CREDITED TO SURPLUS**

WHEREAS, the following CY2020 Pool Utility Fund budget appropriation reserve balances remain unexpended:

***POOL UTILITY FUND***

<u>ACCT #</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
0-26-55-520-000-101	Pool S&W	\$60,000.00
0-26-55-520-000-215	Pool O&E	\$ 3,000.00
<b>Total Pool Utility Operations</b>		<b><u>\$100,000.00</u></b>

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey, that the above listed unexpended balances in the Current Fund be cancelled.

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>			
Mayor Anesh – TIE ONLY							

**RESOLUTION 20-323  
AUTHORIZING A PERSON TO PERSON TRANSFER  
TO SHREEJI AKSHAR LLC,  
FROM WINE COUNTRY SOUTH PLAINFIELD LOCATED AT  
124 MAPLE AVENUE IN SOUTH PLAINFIELD**

**WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License 1222-44-011-006 heretofore issued to Wine Country South Plainfield for premises located at 124 Maple Avenue in South Plainfield, New Jersey; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed, and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

**WHEREAS**, pursuant to South Plainfield Borough Code 136-6 and in accordance with Resolution 2018-41, the Mayor and Council of the Borough may, after the hearing and upon review of the location and availability of other licensed establishments to persons living in and utilizing the facilities located in and around the proposed location and of general neighborhood characteristics and boundaries, determine that approval of the transfer shall not result in an undue crowding and concentration of licensed establishments, shall render a convenience and service to an extent not otherwise available to persons in the area of the location and shall be consonant with and be an asset to the neighborhood, and upon making findings substantiating the foregoing, the Mayor and Council of the Borough of South Plainfield hereby waive and forgo the 2000 foot restriction pursuant to Code 136-6; and

**WHEREAS**, in response to inquiries of the Mayor and the Council pertaining to the January 8, 2018 hearing for the Place to Place Transfer to the present location of 124 Maple Avenue in South Plainfield whereby in accordance with Resolution 2018-41, Wine Country South Plainfield LLC agreed as a condition of said license that it would not sell mini liquor bottles as individual bottles, reserving the right to sell such bottles in combination with other products, or in sets of multiple bottles, to which the Mayor and Council did not object; and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of South Plainfield does hereby approve effective December 7, 2020, the transfer of the aforesaid Plenary Retail Distribution License to Shreeji Akshar LLC and does hereby direct the Municipal Clerk to enforce the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Shreeji Akshar LLC with the same conditions held by Wine Country South Plainfield LLC, effective December 7, 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>			
Mayor Anesh – TIE ONLY							

**RESOLUTION # 20-324  
AUTHORIZING THE PURCHASE OF RAM DRYER FOR TURNOUT GEAR  
FROM FIREFIGHTER ONE  
IN AN AMOUNT NOT TO EXCEED \$10,920.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of ram dryer for the turnout gear from Firefighter One in an amount not to exceed \$10,920.00; 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

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 20-325  
AUTHORIZING 2020 APPROPRIATION TRANSFERS IN THE AMOUNT OF  
\$30,000.00 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>2020</b>							
<b>CURRENT FUND</b>							
<b>FROM:</b>						<b>AMOUNT</b>	
0-01-27-330-001-235	Board of Health			O&E		30,000.00	
<b>Total FROM:</b>						<b>30,000.00</b>	
<b>TO:</b>						<b>AMOUNT</b>	
0-01-44-901-000-235	CIF			Capital		30,000.00	
<b>Total TO:</b>						<b>30,000.00</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				
Councilman Wolak	x		X				
Council President Faustini			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 20-326**  
**AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF TURNOUT GEAR**  
**FROM SKYLANDS AREA FIRE EQUIPMENT & TRAINING**  
**IN AN AMOUNT NOT TO EXCEED \$23,303.42**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of turnout gear from Skylands Area Equipment & Training in an amount not to exceed \$23,303.42 pursuant to NJ State Contract #17-FLEET-00810; 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. Fire Chief

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>							

**CORRESPONDENCE**

- Board of Health Monthly Report – November 2020
- Environmental Commission Monthly Report – October 2020
- Recreation Commission Minutes – September 8<sup>th</sup> and October 13, 2020

COUNCIL	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	0.00
Current Fund	20-01	642,229.11
Pool Utility	20-26	10,180.00
Pool Utility	19-26	0.00
Sewer Utility	20-07	9,414.40
Sewer Utility	19-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	402,930.70
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	2,766.49
Dog Trust	T-12	0.00
Treasurers Trust	T-13	200.96

Recreation Trust	T-14	0.00
Senior Citizen Trust	T-16	0.00
<b>TOTAL ALL FUNDS</b>		<b>\$1,067,721.66</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				
Council President Faustini		X	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 – reported that Ordinance 2187 this evening includes the 2021 NJDOT Grant which will cover road improvements to Durham Avenue and maybe a little bit of Helen Street. Resolutions 311,312, 313, and 319 will be covered under the Cares Act and are reimbursable. To conclude we are continuing to close out the year.

Engineer Miller – advised that we are getting ready to begin work on the Durham Avenue road project and went on to report progress.

Clerk Antonides – reported progress.

Councilman Wolak – reported progress.

Councilman White – announced that the Aldi’s has moved to it’s new location on Oak Tree Road and they will be having their grand opening this Thursday. On another note, Councilman White thanked the American Legion and VFW for their ceremony in memory of Pearl Harbor.

Councilman Smith – advised that he will be attending the Board of Health meeting this week as well as the Environmental Commission which will soon be needed some Council action. They will soon make recommendation regarding a bamboo ordinance. They would like Council to concentrate on filling the vacant Alternate II position on their Commission. The signage ordinance will also need to be reviewed. The County Forestry Plan also needs to be reviewed to determine if we need to adopt it or drop it. Also, the removal and replacement of healthy trees that are already in the right-of-way needs to be looked at.

Councilman Bengivenga – congratulated both Councilman White and Council President Faustini on winning the recent election. Councilman Bengivenga before reporting progress wished Councilman Smith a happy belated birthday.

Councilwoman Mott – reported progress.

Council President Faustini – all indoor sports are on hold, which also effects our Recreation Department as well. Both our basketball and wrestling programs we do hope to get up and running again as soon as the restrictions are lifted. We will be having a Take and Make arts and craft sessions that will include Zoom class instruction. Sign-ups are required. More details to follow. The virtual tree lighting was postponed to this weekend around sunset. The Senior Center will be doing a luminary light pick-up sponsored by the Public Celebrations Committee which a donation toward the South Plainfield Fire Department and Rescue Squad is required with pick-up of the luminary. Your generosity is appreciated, if you can. Council President Faustini went on to report the staggered time for the drive through pick-up of the luminary. Santa’s mailbox will be available to drop off letters to Santa. A map of all the homes to be decorated will be forthcoming. To conclude the Senior Center is also busy with Zoom Zumba and Yoga classes.

Mayor Anesh – reiterated the Governors outdoor limit to 25 people and indoor to 10 people. There was an additional 17 Covid-Positive cases in South Plainfield today and 496 in the County.



**COMMENTS FROM THE PUBLIC:**

Mayor Anesh opened the floor for public comment reiterating the aforementioned remote directions for making remote public comment. Covid testing sights are all around the County, you can refer to their website for the location of these sites. If you are experiencing symptoms or if you were in contact with someone who has Covid, you are encouraged to go get tested. Also, regular flu shots are still available, and you are encouraged to get your flu shot.

Debbie Boyle of Van Fleet expressed thoughts and prayers all those who have lost loved ones due to Covid. Ms. Boyle wished Councilman Smith a happy birthday. It was a nice ceremony the American Legion did in honor of Pearl Harbor. Ms. Boyle asked what the change(s) are in Ordinance 2189. Council President Faustini advised that there was a few changes made, first the deadline was extended to February 15th, second the intent of the ordinance was clarified to make sure that all Presidents and Chairs share with the members of their committees the opportunity for appointments and lastly there was some language removed pertaining to the development of policies and procedures to avoid misinterpretation. Ms. Boyle said the committee doesn't do the policies just makes recommendations. Council President Faustini said yes, we just wanted to clarify that language.

Mr. Cullen reminded everyone that the Toys for Tots program is available again this year at Borough Hall and has been very busy so far with collection toys.

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 7:38 p.m., seconded by Council President Faustini and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC/CMR  
Municipal Clerk