

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
APRIL 4, 2022, 7:00 P.M.
AGENDA MEETING**

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

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:00 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 hybrid 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 Amy 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		

Mayor Anesh reviewed some basic rules for conducting this virtual hybrid 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 *6 button will mute and unmute the voice feature for any phone callers.

Review of Agenda Items: Clerk Antonides reviewed all the items on the agenda. Mayor Anesh asked the Council if they had any comments. Mr. Cullen explained Ordinance 2227 that reflects \$65,000 is for repairs necessary for the pumping stations damaged by Hurricane Ida. We believe that a significant portion of this will be covered through reimbursement from FEMA, however, it's a matter of urgency to begin the repairs now and not wait any longer. Councilman Bengivenga explained Resolution 22-146 which allows for the delineation of the metes and bounds for the dismal swamp area now referred to as the Peter J. Barness III Wildlife Preserve. Councilman Bengivenga said he is in full support of this.

**RESOLUTION 22-138
AUTHORIZING A CLOSED SESSION MEETING**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 and P.L. 2001, C. 404, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council of the Borough of South Plainfield wishes to go into a closed Executive Session and is of the opinion that such circumstances presently exist which should not be discussed in public, and

WHEREAS the Open Public Meetings Act pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12 permits the Borough Council to discuss certain matter(s) in private, and in this case for the purpose of the Borough Council to discuss the below matters all of which requires attorney-client privilege:

- Contractual/Litigation – Rescue Squad
- Litigation – Block 137, Lot 20 – Drainage
- Litigation – Teamsters

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it will go into an Executive Session for the purpose of Borough Council to discuss the aforementioned matters all of which requires attorney-client privilege in this regard.

BE IT FURTHER RESOLVED that the results of such discussion may be revealed at such time as the matter(s) are resolved and/or a contract(s) is signed and/or the negotiations are formally settled. Interested parties may contact the Borough Clerk anytime during normal business hours for periodic updates as to the availability in this regard.

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

Public Hearing– Release of Performance Bonds

- Release of a Performance Bond Posted by JSM at West End Avenue, LLC for Public Improvements to Block 535, Lot 16

Mayor Anesh asked Clerk Antonides if all is in good order for the release of the Performance Bonds. Clerk Antonides said it was. Mr. Doug Wolfson Esq, applicant’s attorney, advised that his client submitted a Maintenance Bond back in 2019 but do to bookkeeping issues on his client’s end, did not perform the other procedural requirements for the release at the time. Mr. Wolfson requested that the Resolution be worded to reflect the Maintenance Bond was submitted in 2019 and is now expired. Mr. Rizzo Esq, said we will assure the Resolution has the correct language in this regard. Mayor Anesh opened the floor for public comment and with no comments made, closed the floor. Mayor Anesh stated that the resolution to authorize the release of the Performance Bonds will be on this evening’s agenda.

PUBLIC COMMENT ON AGENDA ITEMS ONLY: Mayor Anesh opened the floor for public comment reiterating the aforementioned directions for making remote public comments. There were no comments made from the public.

ADJOURN AGENDA MEETING: With no further comments, Mayor Anesh asked for a motion to adjourn from the Agenda Meeting. Councilman White made a motion to adjourn from the Agenda Meeting at 7:11 p.m., seconded by Council President Faustini unanimously carried by an all-in favor.

Respectfully Submitted By:

Amy Antonides, RMC/CMC/CMR