

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
JULY 25, 2022 7:03 P.M.
SPECIAL 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 7:03 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 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 Councilwoman Faustini said the invocation.

Mayor Anesh again reviewed some basic rules for conducting the hybrid 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.

**RESOLUTION 22-256
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 – Affordable Housing Agreement – Edgewood Properties
- Contractual – Affordable Housing Agreement – Durham Plaza LLC

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		X				
Councilman White			X				
Councilman Wolak		X	X				
Council President Faustini			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

ORDINANCES:

The following ordinance #2238 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment and with no comments made, closed the floor. The council had no comments.

ORDINANCE NO. 2238

AN ORDINANCE THAT PROVIDES FOR THE COMPENSATION OF SEASONAL SPECIAL LAW ENFORCEMENT OFFICERS FOR THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION

BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY THAT:

SECTION 1.

The rates of compensation for each seasonal special law enforcement officer of the Borough of South Plainfield shall be on an annual basis as follows except where indicated. Such rates of pay shall be effective upon hiring:

EMPLOYEE TYPE	RATE PER HOUR
Seasonal Special Law Enforcement Officers	\$35.00 - \$45.00

SECTION 2. INCONSISTENCY – All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency.

SECTION 3. EFFECTIVE DATE: This Ordinance shall become effective and operative twenty days after publication thereof after final passage.

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

The following ordinance #2239 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for August 15, 2022 at 7:00 pm. Mr. Cullen advised that a portion of these funds are being contributed to by the Library Board.

ORDINANCE 2239

A CAPITAL ORDINANCE AUTHORIZING “CAPITAL IMPROVEMENTS” TO WILLOW PARK, MONUMENT PARK AND THE MUNICIPAL COMPLEX AT A COST OF \$67,750.39, 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 by Capital Fund Surplus:

Capital Surplus	\$67,750.39
Totals	<u>\$67,750.39</u>

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 \$67,750.39.

- B. That the cost for the improvements shall be paid from Capital Surplus Fund totaling \$67,750.39.
- 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 \$10,000.00.

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

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

RESOLUTIONS:

RESOLUTION 22-257

RESOLUTION OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING PROVISIONAL APPOINTMENT OF OFFICER JOSEPH M. INDANO

WHEREAS, a vacancy exists in the Police Department of the Borough of South Plainfield in a position of police sergeant; and

WHEREAS, the Civil Service Commission has not promulgated a current list of eligible candidates for appointment to the position of police sergeant; and

WHEREAS, the Chief of Police has recommended that Police Officer Joseph M. Indano be provisionally promoted to the position of sergeant in the Police Department of the Borough of South Plainfield effective July 25, 2022;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Police Officer Joseph M. Indano is hereby provisionally promoted to the position of sergeant of the Police Department of the Borough of South Plainfield effective July 25, 2022 at a salary pursuant to ordinance and/or PBA contract; and

BE IT FURTHER RESOLVED that the promotion of Police Officer Joseph M. Indano is a provisional promotion, and Police Officer Joseph M. Indano recognizes and understands that if he is not selected, for any reason, to be promoted to the position of sergeant after the Civil Service Commission promulgates a current list of eligible candidates for promotion to the position of sergeant, he shall be returned to his permanent title of police officer.

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

Mayor Anesh swore in Sgt. Indano with his wife and family present. Everyone extended a round of applause and photos were taken by family, friends, and media present. The Mayor and each governing body member expressed their congratulations to Sgt. Indano’s promotion and wished him well.

PAYMENT OF BILLS

Current Fund	1-01	1,100.00
Current Fund	2-01	340,002.12
Pool Utility	1-26	0.00
Pool Utility	2-26	3,058.60
Sewer Utility	1-07	0.00
Sewer Utility	2-07	6,321.91
Sewer Utility Capital	C-08	0.00
General Capital	C-04	266,863.88
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	1,701.24
Dog Trust	T-12	0.00
Treasurers Trust	T-13	3,111.52
Recreation Trust	T-14	6,720.00
Senior Citizen Trust	T-16	0.00
Total All Funds:		\$628,879.27

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

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment reiterating the aforementioned remote directions for making remote public comment.

Mr. Jeff Seider asked what the status of the rescue squad is. Mayor Anesh said they are in the process of becoming a fully paid rescue squad. Mr. Seider asked what happened to the equipment. Mayor Anesh said it depends on what the Borough paid for and what the EMS paid for. Mr. Seider asked what the \$67,000 is going towards tonight. Mr. Cullen said some improvements to the back lot, some at Monument Park and some at Willow Park. Mr. Seider asked if any will be used on the municipal building, Mr. Cullen said no. Mr. Seider asked when Council will look into a new police station as the current one is antiquated. Mayor Anesh said it is something that is on our minds, however we don't have anything planned at this time. Mr. Seider moved on to ask for the status of the road projects in town. Mr. Miller said that the engineer recently finished preparing the punch list which will be issued soon. Mr. Seider expressed an issue with ponding in front of his home at 208 O'Donohue. Mr. Miller said he will make sure it gets checked. Mr. Seider asked who is responsible to make sure Najarian did their jobs. Mr. Miller said he reviews their work. Mr. Seider asked if there is a way he can see the punch list to make sure all the items are really being addressed. Mr. Miller said he doesn't want external review from citizens. Mayor Anesh suggested that Mr. Seider provide a list of his concerns and we will show it to Najarian. Mr. Seider wants to know what is going on with all the asphalt that is lifting soon after paving. Mr. Miller said he has contacted the NJDOT about this issue but is not getting the support from the state to indicate that there really is any problem. Mr. Seider expressed concerns for who will bare the costs for these repairs. Mayor Anesh said that maybe we can reach out to the NJDOT. Councilman Bengivenga said that he did reach out to Senator Diegnan about this, who turned him over to another senator who is more involved with road contractor issue. Councilman Bengivenga said he will need to reach out again to better clarify that the concerns are with the asphalt mix and not with the contractors performing the work. Mr. Seider concluded by asking if the bonds were released yet. Mr. Miller said no.

Debbie Boyle of Van Fleet thanked the Mayor, Council and all those who contributed to the successful Christmas in July event this past weekend and went onto congratulate Sgt Indano on his promotion this evening.

Darlene Cullen of Hamilton Blvd. congratulated Michael Boyle on recently becoming a doctor.

Without further comment from the public, Mayor Anesh closed the floor from the public and advised that we will be going into Closed Session at this time, 7:35 p.m., and everyone is welcome to stay if they choose.

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 8:27 p.m., seconded by Councilman Wolak and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk