

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
APRIL 1, 2024 7:02 P.M.
PUBLIC 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 7:02 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. Mayor Anesh stated that pursuant to Article IV, Section 2 of the By-Laws, “the presiding officer shall limit such discussion to not more than a three-minute duration.”

The roll call was administered by Clerk Antonides as follows:

COUNCIL	Present	Absent	Late
Councilwoman Faustini		X	
Councilwoman Mott		X	
Councilman Smith	X		
Councilman White	X		
Councilman Wolak	X		
Council President Bengivenga	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		
Chief Papa	X		

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

Mayor Anesh 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 126 663 1990 #. Using the pound button will mute and unmute the voice feature for any phone callers.

Public Comment: Mayor Anesh announced that the format for the 2024 agenda has been slightly changed, noting that this will be the only public comment section on the agenda, and you can speak to any matter or those on the agenda. Mayor Anesh opened the floor for public comment. Mayor Anesh also awaited virtual hand raises and unmuted all microphones.

Leon Gwiazdowski of 2309 Selene Avenue said 2301 Selene Avenue is still a mess and needs to be cleaned up. He saw one of our inspectors drive down the street and took a couple of pictures but didn’t get out of his vehicle. It’s the backyard that we are complaining about. Mr. Cullen said the Building and Zoning Officials were both sent out to inspect the property after our last meeting, and they said there is no debris, maybe a small amount of leaves, but that’s it. Mr. Cullen said he will have someone take a look at it again. Mr. Gwiazdowski added that 2224 Woodland Avenue still isn’t cleaning up from the fence to the curb. Mr. Cullen said it’s a matter pending with the court at this time.

Ms. Kathleen Bigelow, of 739 Wadsworth Avenue, said she had recently submitted pictures of the back of her property that is completely flooded. Ms. Bigelow said that her yard is unusable and has been told that the flooding is a townwide problem. Mr. Miller said he has been out to investigate several times. The area in the back of her home is significantly lower than the street. Over sixty years ago when they built the homes in this area, they graded it as-is. All was well until around 2018 when complaints of flooding began. The governing body discussed variable solutions. Ms. Bigelow said that before she spends a lot of money to try to repair this situation she wants to be assured of the exact cause of the flooding. Mr. Miller and Mr. Cullen mentioned a couple of suggestions to help with the problem, but it won’t be a total resolution.

Debbie Boyle of Van Fleet thanked everyone for attending the Mayor’s Wellness webinar on cognitive wellness. There were a good number of questions and answers at the end. Ms. Boyle thanked Mayor Anesh. Ms. Boyle said that a copy of the webinar will be posted on the Borough’s website. Ms. Boyle added that the Meet the Mayor Breakfast will be at the Senior Center on May 4th from 10am to 11:30 am.

With no further comments from the public in-person and virtual, Mayor Anesh closed the floor.

Authorizing the Approval of Council Minutes:

March 18, 2024 – Agenda Meeting
 March 18, 2024 - Public Meeting
 March 18, 2024 – Executive Session

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

Proclamation- Telecommunicator Safety Week – was accepted by Sarah Buttitta of the Police Department
 National Library Week – was accepted by Library staff
 Autism Awareness Month – was accepted by Linda Hansen, Eddie Lin and Mija Clemente,
 Child Abuse Prevention Month – was accepted by Debbie Boyle on behalf of Suburban Women’s Club

Mayor Anesh read all aforementioned proclamations in full. Everyone extended a round of applause and photos were taken by media and friends/family present.

ORDINANCES:

The following ordinance #2299 was read by Clerk Antonides by title for a second reading. Mayor opened the floor for public hearing and with no comments from the public, closed the floor.

ORDINANCE 2299

AN ORDINANCE THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2024 THORUGH 2028 FOR AFSCME UNION EMPLOYEES

Ordinance #2299 was read by title upon first reading herewith has been introduced at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on March 18, 2024. In summary, this ordinance provides for the compensation of employees of the Borough of South Plainfield and the method of payment of such compensation for the years 2024 through 2028 for AFSCME union employees. The public hearing where further consideration will be made will be held on April 1, 2024, at approximately 7:00 p.m. at the Municipal Building located at 2480 Plainfield Avenue, South Plainfield, NJ. A full complete copy of this ordinance shall be provided, free of charge prior to adoption, to all those who request said copy at the Borough Clerk’s office during normal business hours of 8 a.m. to 4 p.m. or emailed upon request. A copy is also located on the municipal website and may be freely viewed and printed.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak			X				
Council President Bengivenga		X	X				
			4	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2300 was read by Clerk Antonides by title for a second reading. Mayor opened the floor for public hearing and with no comments from the public, closed the floor.

ORDINANCE 2300
AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY
OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 403 OF THE
CODE OF THE BOROUGH OF SOUTH PLAINFIELD

BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 403, Stormwater Management, of the Code of the Borough of South Plainfield be amended to add Article III, Privately Owned Salt Storage as follows:

403-14 - PURPOSE.

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Borough of South Plainfield to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

403-15 - DEFINITIONS.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a building or structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets all of the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
- 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
- 3. The structure shall be erected on an impermeable slab;
- 4. The structure cannot be open sided; and
- 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. "Resident" means a person who resides on a residential property where de-icing material is stored.

413-16 - DE-ICING MATERIAL STORAGE REQUIREMENTS.

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 - 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 - 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 - 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 - 5. Containers must be sealed when not in use; and
 - 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
- C. All such temporary and permanent structures must also comply with all other local ordinances, including Building and Zoning Regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
 - 1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

413-17 - EXEMPTIONS.

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

413-18 - ENFORCEMENT.

This ordinance shall be enforced by the South Plainfield Police Department and/or Code Enforcement during the course of ordinary enforcement duties.

413-19 - VIOLATIONS AND PENALTIES.

Any person(s) who is found to be in violation of the provisions of this Ordinance shall have 72 hours to complete corrective action. Violations and/or failure to complete corrective action shall result in a fine of not less than \$50.00 nor more than \$500.00 per day. Each day that a violation continues shall be considered a separate violation. In addition, any persons found to be in violation of the provisions of this Ordinance shall be responsible for costs associated in the event the Borough must take corrective action to correct or remedy a violation.

SEVERABILITY:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

EFFECTIVE DATE:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	x		X				
Councilman Wolak		x	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2301 was read by Clerk Antonides by title for a second reading. Mayor opened the floor for public hearing and with no comments from the public, closed the floor.

BOND ORDINANCE #2301

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE COMMUNITY POOL IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$55,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$55,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE 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"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$55,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$55,000 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 the community pool, including, but not limited to, the acquisition and installation of pumps, a liner and other items 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 self-liquidating purpose of a municipal public utility. 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 \$55,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 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.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

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 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 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 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak			X				
Council President Bengivenga		X	X				
			4	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2302 was read by Clerk Antonides by title for a second reading. Mayor opened the floor for public hearing and with no comments from the public, closed the floor.

BOND ORDINANCE #2302

**BOND ORDINANCE PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS
IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF
MIDDLESEX, NEW JERSEY, APPROPRIATING \$655,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$655,000 BONDS OR NOTES OF THE BOROUGH
TO FINANCE 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"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$655,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$655,000 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 sewer utility improvements, including the repair of sewers and manholes and road resurfacing in connection therewith on Day Street, Wooden Avenue, Smith Street, Scalera Street, Teeple Place and other streets in and around the Borough, 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 self-liquidating purpose of a municipal public utility. 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 40 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 \$655,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$85,000 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.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

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 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 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 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

ORDINANCE 2303 WAS REMOVED FROM THE AGENDA

The following ordinance #2304 was read by Clerk Antonides by title for a second reading. Mayor opened the floor for public hearing and with no comments from the public, closed the floor.

**NOTICE OF INTRODUCTION BY SUMMARY
ORDINANCE 2304**

AN ORDINANCE THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2024 THORUGH 2028 FOR NON-UNION PROFESSIONALS AND GOVERNING BODY

Ordinance #2304 was read by title upon first reading herewith has been introduced at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on April 1, 2024. In summary, this ordinance provides for the compensation of employees of the Borough of South Plainfield and the method of payment of such compensation for the years 2024 through 2028 for non-union professionals and Governing Body. The public hearing where further consideration will be made will be held on April 15, 2024, at approximately 7:00 p.m. at the Municipal Building located at 2480 Plainfield Avenue, South Plainfield, NJ. A full complete copy of this ordinance shall be provided, free of charge prior to adoption, to all those who request said copy at the Borough Clerk’s office during normal business hours of 8 a.m. to 4 p.m. or emailed upon request.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak			X				
Council President Bengivenga		X	X				
			4	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS:

**RESOLUTION 24-145
AUTHORIZING THE APPOINTMENT OF GEORGE HOGAN AS FIREFIGHTER FOR THE SOUTH PLAINFIELD
VOLUNTEER FIRE DEPARTMENT**

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 confirms the appointment of:

*GEORGE HOGAN
of
South Plainfield NJ 07080*

for the South Plainfield Volunteer Fire Department as recommended by Fire Chief Campbell.

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. Jason Campbell, Fire Chief
6. John Abbruzzese, IT

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						x	
Councilwoman Mott						x	
Councilman Smith			X				
Councilman White	x		X				
Councilman Wolak		x	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-146
AMENDING RESOLUTION 24-97 THAT AUTHORIZED THE SERVICES OF
NAJARIAN ASSOCIATES FOR A CONCEPTUAL DESIGN AND BID PERTAINING TO THE
2024 ROAD PROGRAM IN AN AMOUNT NOT TO EXCEED \$61,000.00 TO AN AMOUNT NOT
TO EXCEED \$130,000.00**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby amends Resolution 24-97 that authorized the services of Najarian Associates for a conceptual design and bid pertaining to the 2024 road program in an amount not to exceed \$61,000.00 to an amount not to exceed \$130,000.00.

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
4. John Freeman, Najarian Associates

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION: 24-147

AUTHORIZING THE PUBLIC AUCTION BY THE POLICE DEPARTMENT FOR ABANDONED UNCLAIMED VEHICLE(S)

WHEREAS, the South Plainfield Police Department in accordance with R.S. 39:10A-1, are in possession of abandoned vehicles due to the failure of the owners claiming such and are now desirous of conducting a public auction on Friday, April 12, 2024 at 11:00 a.m. at 2480 Plainfield Avenue, South Plainfield, New Jersey for the following abandoned vehicles:

YEAR	MAKE	MODEL	VIN#	STATUS	MIN. BID
2000	Honda	Odyssey	2HKRL1860YH541769	Fair	\$600.00
2001	Mercedes	E32	WDBJF65J71B368994	Crash	\$500.00
2008	GMC	Acadia	1GKER13708J218699	Fair	\$700.00
2008	Honda	Civic	1HGFA16508L059674	Crash	\$500.00
2009	Chevrolet	Malibu	1G1ZH57B794253075	Fair	\$500.00
2013	Nissan	Roque	JN8AS5MT9DW502917	Crash	\$500.00
2022	Znen	ZN	L5YACBBK5N1160763	Good	\$1,000.00

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the South Plainfield Police Department are hereby authorized to publicly advertise and auction the aforementioned vehicles deemed to be abandoned by their owner(s).

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-148

AUTHORIZING THE REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$117,315.00 PERTAINING TO KARTIK HOSPITALITY LLC

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

WHEREAS, the following list of taxpayers have filed appeals with the Tax Court of New Jersey 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 refunded.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
Kartik Hospitality LLC 2989 Hamilton Boulevard South Plainfield, NJ 07080	535	1.02	2022	\$59,355.00
			2021	\$57,960.00

Make check payable to:
Ventura, Miesowitz, ET AL
Trust Account
783 Springfield Avenue
Summit, NJ 07901-2332
Total

\$117,315.00*

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-149
AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A DISCHARGE OF
MORTGAGE MADE BY SANDRA D. TASSELLO**

WHEREAS, Sandra D. Tassello received a loan through the South Plainfield Home Improvement Program on or about February 12, 2014 in the amount of \$16,680.00; and

WHEREAS, the loan to Ms. Tassello was secured by a Mortgage recorded on March 3, 2014 in Mortgage Book 15602, Page 0655 in the Office of the Recording Officer of Middlesex County; and

WHEREAS, the loan provisions stated that the loan would be forgiven ten years from the date of the note provided the borrower continued to own and occupy the property as her primary residence for the ten-year period and complied with all terms and conditions of the Mortgage Note, Rehabilitation Deferred Loan Agreement and South Plainfield Home Improvement Program Loan Guidelines and Procedures; and

WHEREAS, Ms. Tassello has complied with all conditions required for forgiveness of the loan;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Mayor and Clerk are hereby authorized to execute a Discharge of the Mortgage to Sandra D. Tassello, which Mortgage was recorded in the Office of the of the Clerk of Middlesex County on March 3, 2014 in Mortgage Book 15602, Page 0655.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 2024-150
TO AUTHORIZE AND DIRECT THE PLANNING BOARD TO CONDUCT A
PRELIMINARY INVESTIGATION OF THE CONDITIONS OF CERTAIN
PARCELS FOR DETERMINATION AS AN AREA IN NEED OF
REDEVELOPMENT WITHOUT THE POWER OF CONDEMNATION**

WHEREAS, on April 17, 2023, the Mayor and Council authorized and directed the Planning Board to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether certain properties constituting a study area satisfy the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment, which designation would permit the Borough to utilize all the redevelopment powers under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., except eminent domain; and

WHEREAS, the Planning Board conducted such investigation and a hearing as to the area in question; and

WHEREAS, the area in question included Lot 1 in Block 294 on the Tax Map of the Borough and it has been subsequently determined that such property is not necessary for the determination as to whether the study area meets the criteria;

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the property known as Block 285, Lots 1 and 1.01; Block 286, Lot 1; Block 287, Lots 1, 2 and 3; Block 289, Lots 3, 4 and 5; Block 291, Lots 1, 2, 3 and 4; Block 292, Lot 1; Block 293, Lot 3; Block 547, Lot 2; Block 458, Lots 2, 3, 4, 5 and 6; and Block 463, Lots 1 and 2 on the Official Tax Map of the Borough of South Plainfield, County of Middlesex, State of New Jersey (the “Study Area”) satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment, which designation would permit the Borough to utilize all the redevelopment powers under the Act, except eminent domain.

Section 3. The Planning Board shall conduct this additional investigation and have all authority as set forth in Resolution 23-155 adopted by the Mayor and Council of the Borough of South Plainfield on April 17, 2023.

Section 4. A certified copy of this Resolution shall be forwarded to the Planning Board.

Section 5. This Resolution shall take effect immediately.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-151

AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND AFL-CIO COUNCIL, 63 LOCAL 3970 FOR THE PERIOD OF 2024-2028

BE IT RESOLVED that authorization is hereby given by the Borough Council of the Borough of South Plainfield for the Mayor, Borough Administrator, and/or Municipal Clerk to execute a Memorandum of Agreement between the Borough of South Plainfield and AFL-CIO Council, 63 Local 3970 for the period of January 1, 2024 – December 31, 2028.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-152

AUTHORIZING THE PART-TIME HIRING OF JAYDEN RAMRUP TO THE POSITION OF GROUNDSKEEPER AT THE HOURLY RATE OF \$15.13

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

It hereby authorizes the hiring of Jayden Ramrup to the position of part-time Groundskeeper at the hourly rate of \$15.13, with no benefits, pursuant to Ordinance, effective April 2, 2024, and

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

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

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-153

AUTHORIZING THE PART-TIME APPOINTMENT OF SHERLYN COURTNEY AS SPECIAL LAW ENFORCEMENT OFFICER (SLEO CLASS III) PURSUANT TO CONTRACT EFFECTIVE APRIL 2, 2024

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 confirms the part-time appointment of Sherlyn Courtney as Class III Special Law Enforcement Officer (SLEO III) at the hourly rate pursuant to contract effective April 2, 2024.

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. Peter Papa, Chief of Police
4. Sgt. Zachary Melanson
5. Anne Daley, Benefits
6. Carmela Miller, Payroll
7. John Abbruzzese, IT

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
MAYOR ANESH – TIE ONLY							

RESOLUTION 24-154

AUTHORIZING JOINT DEFENSE/COMMON INTEREST AGREEMENT WITH REGARD TO CLAIMS OF THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Middlesex County Municipal Joint Insurance Fund (“MCMJIF”) has alleged that various members are deficient in their respective contributions and assessments, including the Borough of South Plainfield, and the members deny any liability to the MCMJIF regarding such claims; and

WHEREAS, the various towns and government members against whom the MCMJIF makes claim believe there exists a mutuality of interests between them with regard to such claims, and the entities further believe that the sharing and exchange of certain information would substantially advance their common and mutual interests regarding the MCMJIF claims; and

WHEREAS, the members believe that their respective best interests are served by the mutual cooperation in the investigation and defense of any claim brought by the MCMJIF; and

WHEREAS, the members believe it necessary to procure a forensic audit of the MCMJIF’s accounting, banking and all other financial records associated with their assessments and claims; and

WHEREAS, the members believe that the formation of a joint defense/common interest group would be the most cost effective and efficient manner when defending against the claims of the MCMJIF; and

WHEREAS, the MCMJIF has filed litigation against the Middlesex County Utility Authority, and the Township of Millstone, and has indicated an intention to sue all other members against which it makes claims; and

WHEREAS, it is believed that the MCMJIF has initiated suit against the Township of Millstone with the intention of securing judicial determinations which it may then utilize in pursuit of claims against all other entities; and

WHEREAS, the entities believe they must proceed with a joint defense/common interest agreement at this time to obtain a forensic audit, and defend against the claims of the MCMJIF;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Borough Attorney is authorized to execute a Joint Defense/Common Interest Agreement in the form as attached hereto as Exhibit A and take any and all steps necessary to defend against the claims of the Middlesex County Municipal Joint Insurance Fund.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-155
AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF AUTOMATIC DOORS
FOR THE FIRE DEPARTMENT FROM JANNER DOORS
IN AN AMOUNT NOT TO EXCEED \$57,406.00**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of automatic doors for the Fire Department from Janner Doors in an amount not to exceed \$57,406.00 pursuant to the NJ state contract number 21-GNSV1-01460: 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
4. Fire Department

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-156
AUTHORIZING THE SERVICES OF ALL STATE TECHNOLOGY, INC.
FOR PUMP INSTALLATION FOR THE COMMUNITY POOL
IN AN AMOUNT NOT TO EXCEED \$10,500.00**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of All State Technology, Inc. for pump installation for the community pool in an amount not to exceed \$10,500.00: 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. Elizabeth Yarus, Recreation Director

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-157
AUTHORIZING THE APPOINTMENT OF MICHAEL PELLEGRINO
TO THE POSITION OF ACTING FIRE OFFICIAL**

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

It hereby authorizes the appointment of Michael Pellegrino to the position of Acting Fire Official, effective April 8, 2024, 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. Michael Pellegrino, Acting Fire Official
5. John Abbruzzese, IT

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION: 24-158
AUTHORIZING THE REFUND OF A SEWER OVERPAYMENT IN THE AMOUNT OF \$784.29 PERTAINING TO DTW
ASSOCIATES, LLC**

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

WHEREAS, the Tax Collector advises that Lienholder, **DTW Associates, LLC** has erroneously paid subsequent sewer charges on the following properties and has requested refund:

**Block 8; Lot 11
1164 West 8th Street
South Plainfield, NJ 07080
\$196.07**

**Block 10; Lot 13
1035 Sherman Avenue**

South Plainfield, NJ 07080
\$392.15

Block 393; Lot 2
2007 Hamilton Boulevard
South Plainfield, NJ 07080
\$196.07

Make check payable to:
DTW Associates, LLC
PO Box 69
Plainfield, NJ 07061
Total

\$784.29*

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

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-159
AUTHORIZING AWARD OF CONTRACT TO FLOCK SAFETY TO EXPAND THE SUPPORT,
USE AND MAINTENANCE OF THE FLOCK SAFETY CAMERA AND DATA SYSTEM
AT THE ANNUAL COST OF \$57,000.00**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes award of contract to Flock Safety to expand the support, use and maintenance of the lock Safety Camera and Data System at the annual cost of \$57,000.00; and

BE IT FURTHER RESOLVED that the Mayor and Police Chief are hereby authorized to execute contract for same; 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. Peter Papa, Police Chief

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION: 24-160

AUTHORIZING A REFUND PERTAINING TO LEGENDS CAMP FEE

WHEREAS, the Recreation Director confirms that the below refunds are necessary based upon the request for a refund from Community Pass ID holders that pertain to Legends Camp fees for the 2024 summer season as follows:

Community Pass ID: 1802237

Refund Amount: \$200 (\$50 deposit for each 4-weeks of Legends Camp minus the \$50 registration fee)

{A1298313.1 }

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

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-161

AUTHORIZING THE TRANSFER OF 2021 CDBG FUNDS IN THE TOTAL AMOUNT OF \$6,297.00 AND AUTHORIZE THE REQUEST OF SAID FUNDS FROM THE COUNTY OF MIDDLESEX TO BE USED FOR ADA IMPROVEMENST TO SUSAN TERRACE AND ADJACENT ROADS FOR THE BOROUGH OF SOUTH PLAINFIELD

WHEREAS, the County reports the following balances in the 2021 Community Development Block Grant program in the following amounts:

CD2142 \$6,297.00 Walnut Street Park

WHEREAS, one of these amounts are surplus and are not needed for their original purpose; and

WHEREAS, funds are needed for ADA Improvements for Susan Terrace and adjacent roadways;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, and State of New Jersey that it hereby approves the transfer of County grant funds in the amount of \$6,297.00 from the total remaining Balances in CD2142, and hereby changes the use to ADA Improvements ON Susan Terrace and other adjacent roads and as such authorizes the request of said funds from the County of Middlesex.

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-162

AUTHORIZING A 2024 TEMPORARY BUDGET AMENDMENT FOR \$100,000.00 IN THE CURRENT

WHEREAS, N.J.S.A. 40a:4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is prior to the adoption of the FY 2024 Budget, and

WHEREAS, the temporary budget set forth below does not exceed twenty-six and one quarter percent of the total appropriations in the previous year's budget (exclusive of any appropriations made for Debt Service, Capital Improvements Fund and Public Assistance).

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the temporary appropriations are hereby amended to add the following amounts and that a certified copy of this resolution is transmitted to the Chief Financial Officer.

CURRENT FUND				
				AMOUNT
4-01-20-155-000-221	Legal	O&E		13,703
4-01-22-195-001-101	Code Enforcement	S&W		15,000
4-01-25-240-003-241	Crossing Guard	O&E		10,000
4-01-26-290-001-101	Public Works Administration	S&W		5,000
4-01-26-305-003-101	Recycling	S&W		5,000
4-01-41-758-000-301	ADA Ramps	O&E		6,297
4-01-38-481-000-225	Tax Appeals	O&E		45,000
Total CURRENT FUND				100,000

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-163
AUTHORIZING A 2024 TEMPORARY BUDGET AMENDMENT
FOR \$1,500,000.00 IN THE CURRENT AND \$29,200.00 IN THE POOL UTILITY**

WHEREAS, N.J.S.A. 40a:4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is prior to the adoption of the FY 2024 Budget, and

WHEREAS, the temporary budget set forth below does not exceed twenty-six and one quarter percent of the total appropriations in the previous year's budget (exclusive of any appropriations made for Debt Service, Capital Improvements Fund and Public Assistance).

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the temporary appropriations are hereby amended to add the following amounts and that a certified copy of this resolution is transmitted to the Chief Financial Officer.

CURRENT FUND				
				AMOUNT
4-01-20-130-000-101	Finance	S&W		10,000
4-01-20-130-000-325	Finance	O&E		1,000
4-01-20-140-000-101	Computer	S&W		10,000
4-01-20-150-000-101	Assessing	S&W		10,000
4-01-21-185-000-101	Zoning Board	S&W		15,000
4-01-22-195-001-101	Code Enforcement	S&W		15,000
4-01-25-240-003-241	Crossing Guard	O&E		35,000
4-01-26-290-001-101	Public Works Administration	S&W		10,000
4-01-26-305-003-101	Recycling	S&W		20,000
4-01-26-310-000-102	Public Buildings & Grounds	S&W		10,000
4-01-28-370-001-101	Recreation	S&W		10,000
4-01-43-490-000-102	Court	S&W		5,000
4-01-29-390-000-235	Library	O&E		100,375
4-01-31-440-001-541	Telephone	O&E		10,000
4-01-31-465-001-565	Gasoline	O&E		22,000
4-01-32-465-001-545	Landfill	O&E		10,000
4-01-36-472-000-675	SSI	Statutory		10,000
4-01-45-920-000-801	Bond Principal	Debt		1,100,000
4-01-45-930-000-802	Bond Interest	Debt		96,625
Total CURRENT FUND				1,500,000
POOL UTILITY				
				AMOUNT
4-26-55-902-000-801	Bond Principal	Debt		25,000
4-26-55-903-000-802	Bond Interest	Debt		4,200
Total POOL UTILITY				29,200

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			4	0			
Mayor Anesh – TIE ONLY							

CORRESPONDENCE - Mayor Accepted all correspondence.

- Thank you email regarding Borough Hall Staff
- Note Sale Bid Results

PAYMENT OF BILLS

Current Fund	4-01	506,549.78
Current Fund	3-01	13,944.31
Pool Utility	4-26	2,809.67
Pool Utility	3-26	0.00
Sewer Utility	4-07	6,663.52
Sewer Utility	3-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	37,966.83
Pool Capital	C-27	3,000.00
Election Account	E-18	0.00
Grant Fund	G-02	575.00
Land for Rec & Consv.	T-10	0.00
Legends Camp Trust	T-11	2,660.71
Dog Trust	T-12	0.00
Treasurers Trust	T-13	14,944.07
Recreation Trust	T-14	37,934.03
Senior Citizen Trust	T-16	0.00
Total All Funds:		\$627,047.92
Plus wires totaling:		\$5,600,945.92
GRAND TOTAL:		\$6,227,993.84

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini						X	
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
		VOTE:	4	0			
Mayor Anesh – TIE ONLY							

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – reported that he held a note sale recently with the winning rate of 3.49%. Conrail is in the process of repairing their railroad tracks near Belmont and Metuchen Road. We tried to have the work done while school was on recess with weather permitting for completion. The turf field is now installed at the PAL. Testing was done and we passed. A new flagpole was installed. After a few more minor things, the field should be open very soon. New walking paths were just installed at Putnam Park and we are anticipating reopening the park for Memorial Day. The renovations of the weight room are complete at the PAL and it should be reopen by Wednesday this week.

Engineer Miller – we will be completing the 2023 road improvement program projects over the next couple weeks. We currently have two projects out to bid. The one is for New Market Avenue and the other is for the 2024 Road Program. The bid opening date is April 10th. We hope to be able to award these projects at our April 15th meeting.

Clerk Antonides –reported that we will be permanently relocating District 6 from the Senior Center to Franklin School and District 8 from the Senior Center to Kennedy School. The annual financial disclosure statement filing is due on or before April 30th. Lastly, Clerk Antonides announced the new Property Alert System sponsored by the County Clerk’s Office. It will track our property and you will receive email alerts immediately if a document with your name or property description is recorded in the Middlesex County Clerk’s Office. By registering for this free service, it’s a step in the right direction to help protect your property from fraud. More information and how to register is posted on the Borough’s website.

Chief Papa – reported that the 911 renovations are underway and we will be brining back the Fishing Derby at Spring Lake Park. Our name will be “Cops & Bobbers”.

Councilwoman Mott – was absent this evening

Councilman Smith – thanked police and fire for all they do for our Borough to keep us safe. Councilman Smith said he would like us to be cognizant that the Borough’s 100th anniversary is in 2026 and to assure that the date on the Borough seal is changed to reflect March 10, 1926.

Councilman Wolak – congratulated George Hogan on his appointment of volunteer firefighter and went on to report progress.

Councilwoman Faustini – was absent this evening.

Councilman White – reported progress.

Council President Bengivenga – reported progress.

Mayor Anesh – said that the next Mayor’s Wellness webinar will be held in late May and he will welcome any suggestions for topics for future webinars.

ADJOURNMENT

Without further comment and no more action necessary for this evening Mayor Anesh called for a motion to adjourn. Councilman White made a motion to adjourn at 8:00 p.m., seconded by Councilman Smith and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk