

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
FEBRUARY 3, 7:00 P.M.**

***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. 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
Councilman Bengivenga	X		
Councilwoman Faustini	X		
Councilwoman Mott	X		
Councilman Smith	X		
Councilman Wolak	X		
Council President White	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 Wolak 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 opened the floor for public comment. Mayor Anesh also awaited virtual hand raises and unmuted all microphones.

Debbie Boyle thanked Councilwoman Mott for all her help with the pictures for the environmental science club at the high school for the windows of understanding project, which were painted on canvas. The girl scouts made a poster for the environment and humanity. Thank you to Councilman Smith for all his support. All the pictures are displayed at Mr. Subs.

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

Authorizing the Approval of Council Minutes:

January 21, 2025 – Council Meeting
January 21, 2025 – Executive Session

COUNCIL	MOTION	2 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith		X	X				
Councilman Wolak			X				
Council President White	X				X		
			5	0			

Proclamation: American Heart Month – accepted by Councilwomen Faustini and Mott and Debbie Boyle
Black History Month – accepted by Council President White

Mayor Anesh read each proclamation in full and everyone extended a round of applause.

Public Hearing – CDBG -Use of the Community Development Block Grant Funds for the year 2025. Mayor Anesh turned the floor over to Councilwoman Faustini who advised that the Housing and Community Development Committee met on January 28, 2025 at 7:00 p.m. and at length discussed various possibilities of projects to apply this year's grant funding. The use of this grant funding can only be used for certain types of projects. The committee discussed what the parameters are. The committee discussed a vital need for the Senior Center's kitchen as the building usage continues to rise. The Senior Center provides meals that are provided both within and delivered to the homebound senior citizens. The construction estimate by Mr. Jim Patti is \$142,000.00. As such, for 2025, the Housing and Community Development Committee unanimously recommended the following proposed project(s) for consideration:

Senior Center Salary	\$ 12,500
Senior Center Kitchen Project	\$100,000
TOTAL	\$112,500

Mayor Anesh thanked Councilwoman Faustini and asked the Council if they have any questions or comments. With no comments from the Council at this time, Mayor Anesh then thanked Councilwoman Faustini for the committee's input.

ORDINANCES:

The following ordinance #2336 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment. With no comments from the public, and no comments from the Council, closed the floor. Councilman Smith said that he had abstained at the introduction because he needed more time to review this ordinance, but is now ok with it.

ORDINANCE 2336
AN ORDINANCE TO CREATE A NEW CHAPTER ENTITLED,
“SALE OF ELECTRONIC SMOKING DEVICES AND ELECTRONIC
SMOKING DEVICE PRODUCTS” FOR THE
BOROUGH OF SOUTH PLAINFIELD

BE IT ORDAINED by the Borough Council of the Borough of South Plainfield, in the County of Middlesex and State of New Jersey, that the Code of the Borough of South Plainfield shall be amended to create a new chapter entitled “Sale of Electronic Smoking Devices and Electronic Smoking Device Products” as follows:

Section 1. Purpose

The purpose of this ordinance is to license and limit the establishments that sell electronic smoking devices and prevent the sale of electronic smoking devices to those under the age of 21. A portion of the funds collected by licensing of such establishments may be designated by the Borough Council for salient purposes such as funding smoking cessation, prevention or control programs by the Borough of South Plainfield Police Department and/or other organizations deemed appropriate.

Section 2. Definitions

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number shall 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.

Electronic Smoking Device – an electronic or other powered device that can be used to deliver a product such as or containing nicotine or any other substances to the person inhaling from the device, including but not limited to, an electronic cigarette, cigar, cigarillo, hookah or pipe.

Electronic Smoking Device Product – any product such as or containing nicotine or any other substance designed for consumption through inhalation from an electronic smoking device.

Electronic Smoking Device Establishment – any individual, partnership, corporation or other legal entity that sells or offers for sale electronic smoking devices and/or electronic smoking device products designed for consumption through inhalation, regardless of whether the sale of such devices or products is the establishment’s primary purpose. Any reference to “an establishment” herein shall be to an Electronic Smoking Device Establishment.

Sale – shall mean every delivery of electronic smoking devices or electronic smoking device products, whether the same is by direct sale or the solicitation or acceptance of any order, including the exchange, barter, traffic in, keeping and exposing for sale, displaying for sale, delivering for value, peddling, and possessing with intent to sell.

Borough – the term “Borough” as used herein shall refer to the Borough of South Plainfield, its officers, employees, and representatives.

Section 3. Licensing Fees

- A. No person shall conduct, maintain or operate an establishment that sells electronic smoking devices without first having obtained a license from the Borough Clerk or his/her designee.
- B. Each person or establishment wishing to sell electronic smoking devices or electronic smoking device products must submit a completed license application on a form obtained from the Borough Clerk’s office, together with the appropriate fee as set forth herein, to be considered for an Initial License.
- C. Fees in accordance with the following schedule shall be paid before any license required in this article shall be issued:
 - Electronic Smoking Device Establishment Initial License: \$750.00
 - Electronic Smoking Device Establishment Annual Renewal License: \$250.00
 - All license fees are non-refundable.
 - Licenses expire annually on March 31st. Renewal applications submitted after March 31st will be considered an “initial” license request.
- D. Initial or Renewal Licenses issued under the provisions of this ordinance, unless revoked earlier by the Health Officer or Borough Clerk, shall expire annually on the 31st day of March of each year.
- E. The annual license renewal fee must be paid annually by the 31st day of March, or a renewal license shall not be issued and the person or establishment wishing to continue to sell electronic smoking devices or electronic smoking device products shall be prohibited from selling them. Any person or establishment that has failed to renew the annual license fee as required herein cannot sell electronic smoking devices or electronic smoking device products until they have again applied for a license which shall be considered an initial license application.
- F. Licenses are not transferable; and
- G. The license issued by the Borough shall be posted conspicuously in the establishment, in a location and manner visible to all customers and all police officers or other inspectors on behalf of the Borough.
- H. The Borough shall inspect each such establishment prior to the issuance of an Initial License to determine if the applicant satisfies the requirements of this chapter in order to qualify to obtain a license. The Borough shall thereafter conduct random periodic inspections during normal business hours of the establishment after issuance of an Initial or Renewal license to determine whether the establishment is acting in compliance with the provisions of this Chapter. Such inspections may be conducted by members of the Borough of South Plainfield Police Department, Zoning Officer, the Health Officer, or Code Enforcement Officer.

Section 4. Penalties for Sale without license

- A. Any establishment found to be selling or offering any electronic smoking device or any electronic smoking device product without having first obtained a valid license issued by the Borough shall pay a fine of \$500.00 for a first such offense. In addition, any such person or establishment found to be selling or offering any electronic smoking device or electronic smoking device product shall be ineligible to sell any such devices or products unless and until a license is obtained from the Borough of South Plainfield. For a second or subsequent offense, any person or establishment violating this section shall be subject to a fine of not less than \$1,000.00 and not exceeding \$2,000.00. In addition, any establishment violating this section for a second or more time may be subject to permanent disqualification for obtaining an electronic smoking device license, within the discretion of the Borough Clerk or Borough Council.
- B. Each sale shall constitute a separate offense for purposes of this section.

Section 5. Display Regulations

- A. No electronic smoking device, electronic smoking device product or advertisement relating to either an electronic smoke device or electronic smoking device product shall be displayed in such a manner so as to be visible from the exterior of the establishment.

Section 6. Restriction on Sale of Electronic Smoking Device Establishment:

- A. No electronic smoking establishment shall be located within 500 feet of a school or public park.

Section 7. Sale to any persons under the age of twenty-one years old prohibited.

- A. No person or electronic smoking device establishment shall sell electronic smoking devices or electronic smoking device products to anyone under the age of twenty-one (21) years old.

Section 8. Penalties for Sale to any persons under the age of twenty-one years old; Display Regulations; or Location violation

- A. Penalties for sale to persons under the age of twenty-one years old. Any person or establishment found to have sold an electronic smoking device or an electronic smoking device product to any person under the age of twenty-one years old shall pay a fine of not less than \$500.00 for a first such offense. In addition, any establishment found to be in violation of this section may have their license revoked for the remainder of the calendar year. Upon conviction for a second or subsequent offense of selling an electronic smoking device or electronic smoking device product to anyone under the age of twenty-one (21) years old, any establishment shall be subject to a fine of not less than \$1,000.00, nor more than \$2,000.00. In addition, any establishment violating this section for a second time shall have their license revoked for 90 days. In addition to the other penalties as set forth herein, an establishment found guilty of selling an electronic smoking device or electronic smoking device product for a third time shall have their license permanently revoked.
- B. Jurisdiction for Enforcement of this section shall be laid in the Municipal Court of the Borough of South Plainfield, or any other court so designated by the Municipal Court of the Borough of South Plainfield.
- C. These penalties are in addition to any penalties that may be imposed pursuant to the New Jersey Code of Juvenile Justice, N.J.S.A. §2A:170-51 *et seq.* and N.J.S.A. 2C:33-13.1 *et seq.* or any other statute of the State of New Jersey which pertains to the sale of electronic smoking devices or the consumption of electronic smoking device products.
- D. Penalties for Display or Location Violations. Any establishment found guilty of the improper display of an electronic smoking device, product or advertisement as set forth in Section 5 of this chapter, or the sale of an electronic smoking device or product at any location in violation of Section 4 of this chapter shall, for a first such offense, be subject to a fine of \$500.00. For a second or subsequent violation of this section, any such establishment shall be subject to a fine of not less than \$1,000.00, nor more than \$2,000.00. In addition, any establishment violating this section for a second or subsequent time shall have their license revoked for the remainder of the calendar year. Any establishment found guilty of this section for a third or subsequent time shall have their license permanently revoked.

Section 9. Enforcement

- A. Enforcement shall be by the Borough of South Plainfield Police Department, Zoning Officer, Health Officer, or Code Enforcement Officer.

BE IT FURTHER ORDAINED that the Municipal Clerk shall publish this ordinance in an official newspaper of the municipality at least one week prior to the hearing on the adoption of this ordinance; and

BE IT FURTHER ORDAINED that this ordinance shall become effective after second reading and publication as required by law.

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

The following ordinance #2337 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment. With no comments from the public, and no comments from the Council, closed the floor.

ORDINANCE 2337

**AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY
OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 17
OF THE CODE OF THE BOROUGH REGARDING BOARDS,
COMMITTEES AND COMMISSIONS**

BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 17, titled Boards, Committees and Commissions, Article IX ,titled Board of Recreation Commissioners, be amended to add to Section 17-40 - Establishment; Members; Terms, new paragraph C as follows:

The Mayor may, in his or her discretion, appoint two alternate members to be designated at the time of appointment as “Alternate #1” and “Alternate #2”. The length of the terms of the alternate shall be the same as the length of the terms of the regular members of the Board of Recreation Commissioners. No alternate member shall be permitted to act on any matter in which the alternate has either directly or indirectly a personal or financial interest. An alternate member may, after a public hearing if he requests one, be removed by the Governing Body for cause. Alternate members may participate in discussion of the proceedings, but may not vote except in the absence or disqualification of a regular member of the Board of Recreation Commissioners. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate members can vote, Alternate #1 shall vote.

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

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

The following ordinance #2338 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment. With no comments from the public, and no comments from the Council, closed the floor.

BOND ORDINANCE #2338

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO SOUTH
PLAINFIELD AVENUE, VAIL COURT, MINFORD AVENUE AND OTHER
VARIOUS ROADS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD,
IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING
\$1,089,747 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$650,000
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST
THEREOF.

BE IT ORDAINED BY THE BOROUGH 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 \$1,089,747, including a \$414,747 grant expected to be received from the New Jersey Department of Transportation Local Aid Infrastructure Fund (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 \$25,000 is, nevertheless, provided for as a down payment for this purpose. Said 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 in anticipation of the receipt of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$650,000 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 South Plainfield Avenue, Vail Court, Minford Avenue and other various roads, 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 \$650,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 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, 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
Councilman Bengivenga			X				
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith		X	X				
Councilman Wolak	X		X				
Council President White			X				
			6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2339 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment. With no comments from the public, and no comments from the Council, closed the floor.

BOND ORDINANCE #2339

BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OF AND IMPROVEMENTS TO THE HADLEY ROAD SEWER LINES IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$500,000 THEREFOR AND

AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE
BOROUGH TO FINANCE THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH 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 \$500,000. 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 \$500,000 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 the reconstruction of and improvements to the Hadley Road sewer lines, 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 \$500,000, 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 \$32,000 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(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable 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
Councilman Bengivenga			X				
Councilwoman Faustini		X	X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman Wolak			X				
Council President White	X		X				
			6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2340 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for February 18, 2025 at approximately 7pm.

ORDINANCE 2340
AN ORDINANCE AMENDING CHAPTERS 510 AND 515 OF THE CODE OF
BOROUGH OF SOUTH PLAINFIELD ENTITLED “FEES” AND
“DEVELOPMENT REVIEW FEES”, RESPECTIVELY

BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapters 510 and 515 of the Code of the Borough titled “Fees” and “Development Review Fees”, respectively, be amended as follows:

Section 510-3(B)(1)(c)(1) shall be amended to add the following:

- (f) Retaining walls greater than 550 square feet: \$500.00
- (g) Retaining walls equal to or less than 550 square feet: \$250.00

Section 510-3(B)(1)(c)(2) shall be amended to add the following:

- (e) Wall construction based on cost of construction.
- (f) All retaining walls with a height of 48 inches or greater shall require a building permit. This measurement shall be from the base of the footing to the top of the wall.

Section 510-3(B)(1)(c)(12) shall be amended as follows:

Delete subparagraph (d) “Renewal of temporary certificate of occupancy”, and replace with the following:

(d) Renewal of temporary certificate of occupancy:

- (1) R-3 and R-5: \$100.00
- (2) All other groups: \$250.00

Under Subsection 12, add the following:

(j) Change of contractor fee:

- (1) R-3 and R-5: \$75.00
- (2) All others: \$125.00

Delete Subsections (13), (14), (15) and (17) of Section 510-3(B)(1)(c) and renumber former subparagraph 16 as paragraph 13.

Delete Section 515-73 “Development Review Fees” and replace with the following:

515-73 Development review fees.

The developer shall, at the time of application, pay the following nonresidential fees to the Borough of South Plainfield by cash, certified check or bank money order. Proposals involving more than one use shall pay a fee equaling the sum of the fees for component elements of the plat. Proposals requiring a combination of approvals, such as subdivision, site plan and/or a variance, shall pay a fee equal to the sum of the fee for each element.

A.

Minor subdivision: \$300 per lot.

B.

Major subdivision.

(1)

Sketch plat: \$600.

(2)

Preliminary plat: \$250 per lot.

(3)

Final plat: \$250 per lot.

(4)

Resubmission of any revised plan: 1/3 of original submission fee.

C.

Site plans.

(1)

Preliminary approval: \$250 base fee plus \$0.02 per square foot of site area being disturbed, subject to \$500 minimum fee and \$7,500 maximum fee.

(2)

Final approval: \$100 base fee plus \$0.004 per square foot of site area being disturbed, subject to \$200 minimum fee and \$2,500 maximum fee.

(3)

Amended site plan (not to exceed 20% of original site plan): \$250 base fee plus \$0.02 per square foot of site area being changed subject to \$500 minimum fee and \$7,500 maximum fee.

(4)

Conceptual site plan: \$200.

(5)

Resubmission of revised plan: 1/3 of original submission fee.

D.

Minor site plan: \$200

E.

Variances.

(1)

Hear and decide appeals:

(a)

Single-family: \$200

(b)

All others: \$350

(2)

Interpretation of zoning regulations or map or decision upon other special question:

(a)

Single-family: \$100.

(b)

All others: \$250.

(3)

Hardship (bulk), per variance

(a)

Single-family: \$350 for first variance and \$50 for each additional

(b)

All others: \$450 for first variance and \$50 for each additional

C.

Accessory Building and Structures Residential only: \$350 Flat fee

(4)

Use variance:

(a)

Residential: \$300 plus \$50 per dwelling unit

(b)

Non-Residential: \$500

C.

Mixed-Use Development: \$400 plus \$25 per dwelling unit

(5)

Building permit in conflict with Official Map or building permit for lot not related to a street: \$250.

F.

Conditional uses: \$500.

G.

Informal submissions, revisions or Site Plan Committee meetings: \$150 per hearing.

H.

Other matters not otherwise specified: \$100.

I.

Inspection fees for all inspections through the release of the performance guarantee: 10% of performance guarantee.

J.

Inspection for release of maintenance guarantee: \$250.

K.

Public hearing, list of property owners within 200 feet: \$0.25 per name or \$10, whichever is greater.

L.

Publication of all public notices, per application: \$50.

M.

Minutes per meeting in print, per page:

(1)

1 to 10: \$0.75.

(2)

11 to 20: \$0.50.

(3)

21 or more: \$0.25.

N.

Zoning Ordinance: \$50.

O.

Development Review Ordinance: \$35.

P.

Court stenographer: \$500 deposit.

Q.

Special meetings of Planning or Zoning Board, at Board's discretion: \$2,500.

R.

Tree removal and site clearing permit: See Chapter 444 Trees.

S.

Master Plan: \$50.

T.

Zoning permit:

(1)

New Residential: \$100 each unit.

(2)

New Commercial Construction: \$250

(3)

Residential Renovations:

Application Review Fee \$25 Non-Refundable

Permit fee: \$50

(4)

Commercial, including renovation/additions:

Application Review Fee \$25 Non-Refundable

Permit fee: \$100

(5)

Signs:

Application review fee: \$75 Non-Refundable

Permit Fee: \$1 per square foot, with minimum of \$25 per sign.

(6)

Any Accessory Structure and Sheds, Fences, Retaining Walls, and improvements to Driveways: \$50

(7)

Grading Plans: Initial Review by Township Engineer \$300 per lot. Revised Review by Engineer \$150 per lot

U.

Subdivision certification: \$50.

V.

Zoning verification letter: \$100

W.

Waivers:

(1)

Environmental Impact Study: \$100

(2)

Traffic Study: \$100

(3)

Drainage/Storm Water: \$100

(4)

Exempt from site plan: \$100

(5)

Design (i.e., parking space size): \$100

All other not included above: \$100 per waiver

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

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

The following ordinance #2341 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for February 18, 2025 at approximately 7pm.

ORDINANCE 2341
AN ORDINANCE OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY AUTHORIZING THE SALE OF PROPERTY
KNOWN AS LOT 12 IN BLOCK 364 NO LONGER NEEDED FOR PUBLIC USE.

WHEREAS, the Borough of South Plainfield is the owner of Lot 12 in Block 364 on the Borough Tax Map (referred to hereinafter as the “Property”), which is located along Arlington Avenue and is a 50 foot by 100 foot tract of vacant land; and

WHEREAS, the Property is located in an R-10 residential zone which requires a 10,000 square foot minimum lot size and a 100 foot minimum lot width and, therefore, the property is less than the minimum size and width required for development and has no capital improvements; and

WHEREAS, the Property is not needed by the Borough for any purpose; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., allows the sale of municipally owned property at a private sale, instead of an auction, and in certain circumstances, N.J.S.A. 40A:12-13(b)(5) providing in part as follows:

A sale to the owners of the real property contiguous to the real property being sold; provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that where there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners. Any sale shall be for not less than the fair market value of said real property; and

WHEREAS, the Mayor and Council are of the opinion that the criteria set forth in N.J.S.A. 40A:12-13(b)(5) are present, namely: the Property is less than the minimum size required for development in its zone district and without any capital improvements; and

WHEREAS, the Borough has had an appraisal performed by Sterling DiSanto & Associates which has valued the Property at \$100,000.00; and

WHEREAS, there are three (3) owners of real property contiguous to the Property; and

WHEREAS, the Mayor and Council are of the opinion that the sale of the Property is beneficial to the welfare of the residents of the Borough as the Property is not useful to the Borough and requires expenditure of public resources for maintenance and does not generate any real estate tax revenue;

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 Mayor and Council hereby authorize the sale of the Property identified on Exhibit A attached hereto, such sale to be by auction among the contiguous property owners for a minimum price of \$100,000.00.
2. The contiguous property owners shall be notified that the Borough is authorizing the sale of the Property at the minimum price of \$100,000.00, and such contiguous property owners shall be invited to make offers for the purchase of the Property.
3. The Property shall be sold to the highest bidding contiguous property owner for a price of no less than \$100,000.00.
4. Pursuant to N.J.S.A. 40A:12-13(b), the Borough Clerk shall advertise the sale of the Property in the official newspapers of the Borough within five (5) days following enactment of the Ordinance.
5. The Borough Clerk shall transmit, via certified mail, a copy of this Ordinance to each owner of the contiguous properties who shall then have a period of 20 calendar days following the advertisement herein required to advise the Borough of their intention to purchase the Property.
6. In the event more than one contiguous property owner notifies the Borough of their interest in purchasing the Property, the Borough Clerk and Borough Attorney are authorized to conduct an auction among the contiguous property owners at a time and date to be set by the Borough Clerk and Borough Attorney and upon such terms as may be established by the Borough Clerk and Borough Attorney.
7. The Borough Attorney is hereby authorized to prepare the necessary closing documents to convey the Property to the highest bidding contiguous property owner.
8. The Mayor and Borough Clerk are hereby authorized to sign all necessary closing documents for the sale of the Property.

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

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

RESOLUTIONS

RESOLUTION #25-79

AUTHORIZING THE SERVICES OF GOVDEALS INC. FOR THE ELECTRONIC AUCTION OF MUNICIPAL OR UNCLAIMED SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE BY THE BOROUGH OF SOUTH PLAINFIELD

WHEREAS, the Borough of South Plainfield is the owner of certain surplus property which is no longer needed for public use, and

WHEREAS, the Borough is desirous of selling said surplus property in an “as-is” condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield hereby authorizes the following:

1. The sale of the surplus property shall be conducted through GovDeals, Inc. pursuant to Sourcewell National Cooperative in accordance with the terms and conditions of said Cooperative. The terms and conditions of the agreement entered into with GovDeals, Inc. are available online at govdeals.com and also available from the Chief Financial Officer.

2. The sale will be conducted online, and the internet address of the auction site is govdeals.com. The online auction will begin Friday, February 14, 2025 through February 21, 2025 at staggering times between 4:30 p.m. to 7:30 p.m..
3. The sale is being conducted pursuant to Local Finance Notice 2019-5.
4. A list of the surplus property to be sold at auction is as follows: See Schedule A for a complete list of items as identified on the "Notice of Sale of Property-Public Notice".
5. The surplus property as identified shall be sold in "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Borough reserves the right to accept or reject any bid submitted.

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

1. Glenn Cullen, Chief Financial Officer/BA
2. Division of Local Government Services, Department of Community Affairs
3. Amy Antonides, Municipal Clerk
4. Chief Papa, Police Department
5. Sgt. Grasso, Traffic Safety Department
6. Ret. Officer John Petriello Jr., Police Department

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

RESOLUTION #25-80

**AUTHORIZING THE BOROUGH'S IT DEPARTMENT TO AUCTION
A "TRIPP-LITE SMARTRACK ENCLOSURE" THAT IS NO LONGER NEEDED
FOR PUBLIC USE BY THE BOROUGH OF SOUTH PLAINFIELD**

WHEREAS, the Borough of South Plainfield is the owner of certain surplus property which is no longer needed for public use, and

WHEREAS, the Borough is desirous of selling said surplus property in an "as-is" condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it hereby authorizes the Borough's IT Department to auction the following surplus property that is no longer needed for public use by the Borough of South Plainfield and may be removed the Borough's asset inventory:

Tripp – Lite SmartRack Enclosure
24U – This is the amount of rack space
Model #SR24UBffg
Borough Asset #2340

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

1. Glenn Cullen, Chief Financial Officer/BA
2. Division of Local Government Services, Department of Community Affairs
3. Amy Antonides, Municipal Clerk
4. John Abbruzzese, IT Department

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

RESOLUTION 25-81
AUTHORIZING THE SERVICES OF NAJARIAN ASSOCIATES
FOR PROFESSIONAL ENGINEERING SERVICES FOR THE 2025 TRANSPORTATION
ALTERNATIVES SET-ASIDE PROGRAM GRANT
IN AN AMOUNT NOT TO EXCEED \$3,500.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Najarian Associates for professional engineering services for the 2025 transportation alternatives set-aside program grant in an amount not to exceed \$3,500.00.

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
Councilman Bengivenga			X				
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman Wolak	X		X				
Council President White		X	X				
			6	0			
Mavor Anesh – TIE ONLY							

RESOLUTION 25-82
AMENDING RESOLUTION 25-54 THAT AUTHORIZED RATES FOR USE
OF THE SOUTH PLAINFIELD COMMUNITY POOL FOR 2025 TO CORRECT A
TYPOGRAPHICAL ERROR WITH THE RATE FOR RESIDENT-INDIVIDUAL +1

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of the Director of Recreation, authorization is hereby given to establish the 2025 Community Pool Fees as follows:

Membership

Membership Type	Guest Passes	Rates Until 5/1/2025 @ 4:30PM	Beginning 5/1/2025 @ 4:31PM
Resident - Individual	2	\$225.00	\$280.00
Resident - Individual + 1	2	\$240.00 \$340.00	\$400.00
Resident - Family	5	\$390.00	\$460.00
Resident - Senior Citizen	3	\$95.00	\$150.00
Non-Resident - Individual	2	\$380.00	\$450.00
Non-Resident - Individual + 1	2	\$515.00	\$600.00
Non-Resident - Family	2	\$675.00	\$800.00
Non-Resident - Senior Citizen	2	\$180.00	\$235.00

Infant: Under 3 years of age FREE (age as of 5/31/2025)

Individual: Age 13 & Over (as of 5/31/2025). Applicants under 18 must have parental consent.

Individual + 1: Adult plus one additional adult or child

Family: Adult plus 2 or more. No family unit can have more than a total of two adults aged 26 or over.

Senior Citizen: 60 years of age (as of 5/31/25)

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 (3 years and older)

Day Pass	Weekday	Weekend/Holiday
Resident - 3 years and older (before 5pm)	\$20.00	\$30.00
Resident - 3 years and older (after 5pm)	\$15.00	\$25.00
Non Resident - 3 years and older (before 5pm)	\$35.00	\$50.00
Non-Resident - years and older (after 5pm)	---	---

Guest Passes

(for members only - members must accompany guests)	
10 Guest Passes (sold online in advance only)	\$160.00
5 Guest Passes (sold online in advance only)	\$90.00
1 Guest Pass (sold at front gate only)	\$20.00

Swim Team

Members Only	
Swim Team rate Individual	\$60.00
Swim Team rate for each additional family member after 1	\$35.00

Swim Lessons

Session (8 - 30 minute lessons)	
Member	\$70.00
Non-Member Resident	\$125.00
Non-Member Non-Resident	\$175.00

Private Swim Lessons

1 x 30-minute Lesson (For Teens, Adults, and Individuals with Special Needs)	
Member	\$25.00
Non-Member Resident	\$45.00

Picnics/Group Events

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.	
per person	\$20.00

Concession Stand

Authorize the sale of snack stand and miscellaneous items and merchandise	
per item	\$1 up to \$75

Lifeguard Training Certification Course

Discounted course offered to new employees	
	\$200.00

Policy

Membership: Once registration is completed and up until Opening Day, there will be a \$10.00 processing fee for all refund requests. Once the season begins, there are NO Refunds.

Guest Passes: Guest Pass purchases are non-refundable, non-transferable, and only valid for the current pool season.

Programs: Once registration is completed and up until the program begins, there will be a \$10.00 processing fee for all refund requests. Once a program begins there are NO refunds. Exception: a full refund of fees will be provided for a program participant providing medical documentation demonstrating participant will miss 50% or more of the program due to medical condition.

Birthday Parties: Birthday party payments are non-refundable and non-transferable. Exception: If the pool is closed by staff, the party will be offered a make-up date or full refund.

Day Passes: The purchase of a Day Pass is non-refundable and non-transferable. Day Passes are only valid for the date purchased. There are NO Rain Checks.

Community Pass Policy: a transaction fee of no more than 4% may be charged on card transactions in Community Pass.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the following:

1. Elizabeth Yarus, Recreation Director
2. Glenn Cullen, Chief Financial Officer

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

RESOLUTION 25-83
AUTHORIZING 2024 APPROPRIATION TRANSFERS IN THE AMOUNT OF
\$25,000.00 FROM 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.

CURRENT FUND					
FROM:					AMOUNT
4-01-21-185-000-221	Zoning Board		O&E		3,000.00
4-01-22-195-001-102	Code Enforcement		S&W		2,000.00
4-01-25-265-002-431	Fire Official		O&E		3,000.00
4-01-26-290-003-102	Snow		S&W		4,000.00
4-01-26-310-000-235	Public Buildings & Grounds		O&E		2,000.00
4-01-26-315-000-101	Vehicle Maintenance		S&W		2,000.00
4-01-32-465-001-545	Landfill		O&E		3,000.00
4-01-36-471-000-681	PERS		Statutory		3,000.00
4-01-43-490-000-101	Court		S&W		3,000.00
Total FROM:					25,000.00
TO:					AMOUNT
4-01-23-210-000-651	Other Insurance		O&E		5,000.00
4-01-27-330-001-235	Board of Health		O&E		4,000.00
4-01-28-370-002-204	Office on Aging		O&E		2,000.00
4-01-30-415-001-101	Accumulated Absence		O&E		14,000.00
Total TO:					25,000.00

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

RESOLUTION 25-84
AUTHORIZING A 2025 TEMPORARY BUDGET AMENDMENT
FOR \$2,278,415.00 IN THE CURRENT FUND, AND \$1,500,000.00 IN THE SEWER UTILITY AND
\$44,000.00 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 2025 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
5-01-20-130-000-204	Finance	O&E	5,000
5-01-20-140-000-204	Computer	O&E	10,000
5-01-20-145-000-101	Tax Collection	S&W	10,000
5-01-21-185-000-101	Zoning Board	S&W	10,000
5-01-23-210-000-655	Health Insurance	O&E	10,000
5-01-25-240-003-241	Crossing Guard	O&E	50,000
5-01-25-240-004-101	Tow Yard	S&W	10,000
5-01-25-240-004-225	Tow Yard	O&E	25,000
5-01-26-290-003-102	Snow	S&W	5,000
5-01-26-290-003-321	Snow	O&E	10,000
5-01-26-310-000-101	Public Buildings & Grounds	S&W	100,000
5-01-26-315-000-101	Vehicle Maintenance	S&W	10,000
5-01-26-315-000-401	Vehicle Maintenance	O&E	25,000
5-01-27-330-002-101	Youth Aid	S&W	5,000
5-01-28-370-002-204	Office on Aging	O&E	5,000
5-01-36-472-000-675	SSI	Statutory	50,000
5-01-36-473-000-684	DCRP	Statutory	3,000
5-01-45-920-000-801	Bond Principal	Debt	1,749,000
5-01-45-930-000-802	Bond Interest	Debt	186,415
Total CURRENT FUND			2,278,415
SEWER UTILITY			
			AMOUNT
5-07-55-515-001-585	Sewer Charges	O&E	1,500,000
Total SEWER UTILITY			1,500,000
POOL UTILITY			
			AMOUNT
5-26-55-902-000-801	Bond Principal	Debt	36,000
5-26-55-903-000-802	Bond Interest	Debt	8,000
Total POOL UTILITY			44,000

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

RESOLUTION 25-85

AUTHORIZING APPLICATION TO THE MIDDLESEX COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR A 2025 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE PURPOSE OF IMPROVEMENTS

WHEREAS, the Borough of South Plainfield wishes to apply to Middlesex County Housing and Community Development Agency for discretionary aid; and

WHEREAS, the Borough's Citizen Advisory Committee met to discuss possible uses of the 2025 CDBG funding; and

WHEREAS, the Governing Body of the Borough of South Plainfield held a public hearing on January 28, 2025 to elicit input from Borough residents on the best uses for the 2025 CDBG;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of South Plainfield do hereby make application to Middlesex County Housing and Community Development for discretionary aid to be used for the following proposed uses:

Senior Center Salary

\$ 12,500.00

Senior Center Kitchen Project
TOTAL

\$100,000.00
\$112,500.00

BE IT FURTHER RESOLVED that a certified copy of this resolution will be forwarded to the Director of the Middlesex County Housing and Community Development Agency.

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

RESOLUTION 25-86

**AMENDING RESOLUTION 24-340 THAT AUTHORIZED THE ESCNJ COOPERATIVE PURCHASE
AND INSTALLATION OF A CATERPILLAR POWER SYSTEM
GENERATOR FOR BOROUGH HALL FROM FOLEY POWER SYSTEMS
IN AN AMOUNT NOT TO EXCEED \$119,132.00
TO THE NEW PURCHASE PRICE OF \$131,459.00**

WHEREAS, Borough of South Plainfield is currently a member of the Educational Services Commission of New Jersey which is a state approved cooperative; and

WHEREAS, Foley Power Systems located at 2975 Galloway Road, Bensalem, PA 19020 is an approved vendor under Educational Services Commission of New Jersey Co-Op bid #ESCNJ 22/23-46; and

WHEREAS Foley Power Systems under ESCNJ bid #22/23-46 (Quotation #AXA240930-1) has provided a proposal to furnish and install a Caterpillar Power System Generator for Borough Hall at a cost of \$119,132.00 which was authorized under Resolution 24-340, however, a change due to the upgrades necessary to comply with NJDEP Flood Hard Regulations has increased the price to the new purchase amount of \$131,459.00;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby amends Resolution 24-340 and authorizes the ESCNJ cooperative purchase and installation of a Caterpillar Power System Generator for Borough Hall from Foley Power Systems located at 2975 Galloway Road, Bensalem, PA 19020 in a total amount not to exceed \$131,459.00 pursuant to the ESCNJ cooperative contract number #ESCNJ 22/23-46; 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
4. Kelly Cupit, Purchasing Agent

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

RESOLUTION 25-87

**AUTHORIZING AN ADDITIONAL SPECIAL RATE FOR TRIPS AND SPECIAL EVENTS
PERTAINING TO THE LEGENDS CAMP FOR 2025**

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of the Director of Recreation, authorization is hereby given to apply the additional fee of \$25.00 for camp weeks that include a trip and/or a special event for the 2025 year.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the following:

1. Elizabeth Yarus, Recreation Director
2. Glenn Cullen, Chief Financial Officer

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

CORRESPONDENCE - Mayor Anesh Accepted all Correspondence:

- CDBG Minutes – January 28, 2025

PAYMENT OF BILLS

Current Fund	4-01	69,327.47
Current Fund	5-01	294,204.54
Pool Utility	4-26	0.00
Pool Utility	5-26	0.00
Sewer Utility	4-07	0.00
Sewer Utility	5-07	35,721.87
Sewer Utility Capital	C-08	5,370.00
General Capital	C-04	152,933.83
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	0.00
Land for Rec & Consv.	T-10	0.00
Legends Camp Trust	T-11	0.00
Dog Trust	T-12	0.00
Treasurers Trust	T-13	1,495.00
Recreation Trust	T-14	140.00
Senior Citizen Trust	T-16	0.00
Total All Funds:		\$559,192.71
Plus wires totaling:		\$331,102.60
GRAND TOTAL:		\$890,295.31

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

**RESOLUTION 25-88
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:

- Legal – Harris Steel Redevelopment
- Legal – Block 17, Lot 13 and Block 17, Lot 7
- Contractual - PARSA

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. 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		X				
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith		X	X				
Councilman Wolak			X				
Council President White			X				
			6	0			
Mayor Anesh – TIE ONLY							

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – said there will be water main work by Middlesex Water Company this year conducted on Maple Avenue, South Plainfield Avenue and Oak Tree Road. The Ordinance on the agenda tonight reflects \$414,000 NJDOT grant.

Engineer Miller – said we have a few capital projects underway now; we have authorized a new roof for the Senior Center, we just awarded new backup generators for Borough Hall, a sewer project for Hadly Road and additional road projects.

Clerk Antonides – announced that the free rabies clinic is scheduled for Saturday, May 3, 2025, from 9am to 12 noon at the DPW garage and that she also posed a calendar of all the free rabies clinics in Middlesex County on the Borough's website.

Chief Papa – thanked the governing body for their support for resolution 25-86 this evening.

Councilwoman Mott – thanked Debbie Boyle for all the work she put into the Windows of Understanding project. Councilwoman Mott confirmed with Clerk Antonides the rabies clinic time is from 9am to 12 noon on May 3rd.

Councilman Smith – thanked Debbie Boyle for the Windows of Understanding project and also for applying for the PSE&G grant and thank you to Kristina Nieradka for her work with the Windows of Understanding project and thank you to Chairwoman Leporino for her work with the Committee, and thank you to Bob Longo for his work efforts with the Green Team. This year they are going to try for a silver award instead of the bronze award. Councilman Smith said he thinks our environmental committee is going to do wonders for us this year.

Councilwoman Faustini – Stem program registration is now open and is available online to sign-up. Ponytail registration is also open. This February, Friday the 21st from 6pm to 8pm at the PAL will be the annual Buddy Ball which will have a superhero theme this year. Registration for this is also available. Pool registration should be

available tomorrow. The Cultural Arts Committee is hosting an event for Black History Month at the Library on February 25th at 6 pm. It will be a discussion of the arts with a historian, Dr. Lacey Hunter.

Councilman Wolak – reported progress.

Councilman White – reported progress.

Council President Bengivenga – reported progress.

Mayor Anesh – reported progress.

Mayor Anesh announced at this time, 7:26 pm, we will be going into closed session of which no further action is anticipated for this evening.

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 8:20 p.m., seconded by Councilman Smith and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk