

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
FEBRUARY 16, 2021 7:00 P.M.  
PUBLIC MEETING**

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

**CALL TO ORDER:** Mayor Anesh called the meeting to order at 7:05 p.m. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this remote meeting having been provided to the Borough's two official newspapers and also published on the Borough's website. Instructions for accessing the remote public meeting are found on the Borough's website next to the agendas. Documentation pertaining to the remote meeting can be found electronically on the Borough's website.

The roll call was administered by Clerk Antonides as follows:

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

**Flag Salute:** was led by Mayor Anesh and Councilwoman Mott led the invocation.

Mayor Anesh again reviewed some basic rules for conducting the virtual meeting this evening. All lines will be muted until such time that the floor is open for public comment. Each phone call or virtual hand raise will be taken one at a time. To unmute the microphone, just click on the red microphone picture that has a line through it. It will then turn green indicating you have been unmuted and may begin to speak. Callers may dial 1-646-922-2010 followed by the access code of 126 663 1990 #. Using the pound button will mute and unmute the voice feature for any phone callers.

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

**Authorizing the Approval of Council Minutes:**

February 1, 2021 – Agenda Meeting

February 1 2021 - Public Meeting

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

The below ordinance 2192 was and read by title by Clerk Antonides on the second reading. Mayor Anesh opened the floor for public comment and with no comments from the public, closed the floor.

**BOND ORDINANCE #2192**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL  
IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD,**

**IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING  
\$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$665,000  
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE  
COST THEREOF.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$700,000, and further including the aggregate sum of \$35,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$665,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) Improvements to Camden Avenue, Clark Lane, Roosevelt Avenue and Redding Avenue, including, but not limited to, reconstruction and milling, and further including all work and materials necessary therefor and incidental thereto.	\$340,000	\$323,000	10 years
b) The acquisition of a roll-off truck for the Department of Public Works and sport utility vehicles for the Fire Department, including all related costs and expenditures incidental thereto.	\$360,000	\$342,000	5 years
<b>Total</b>	<b><u>\$700,000</u></b>	<b><u>\$665,000</u></b>	

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial

officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.42 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 \$665,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$60,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that

the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

The below ordinance 2193 was and read by title by Clerk Antonides on the second reading. Mayor Anesh opened the floor for public comment and with no comments from the public, closed the floor.

**ORDINANCE - 2193**

**ORDINANCE THAT AMENDS ORDINANCE 2167 THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2020 THROUGH 2023 FOR NON-UNION PROFESSIONALS AND GOVERNING BODY TO NOW INCLUDE POOL ADMINISTRATOR**

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

**SECTION 1:** The rates of compensation for each employee of the Borough of South Plainfield shall be on an annual basis as follows except where indicated. Such rates of pay shall be effective on January 1st of the years show, except if otherwise noted:

	2.25	2.5	2.5	2.5
<b>Position</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Administrator	32,091	32,893	33,715	34,558
Municipal Clerk	88,719	90,936	93,210	95,540
Deputy Clerk	\$225.00 per meeting as needed basis only	\$225.00 per meeting as needed basis only	\$225.00 per meeting as needed basis only	\$225.00 per meeting as needed basis only
Chief Financial Officer	144,624	148,239	151,945	155,744
Confidential Assistant - I	28,520- 42,945	28,520- 44,019	28,520- 45,119	28,520- 46,247
Confidential Assistant - II	46,410	47,571	48,760	49,979
OEM Coordinator	15,000	15,000	15,000	15,000
Registrar Vital Statistics	15,000	15,375	15,759	16,153
Social Service Director	10,368- 20,382	10,368- 20,383	10,368- 20,384	10,368- 20,385
Municipal Housing Liaison	2,451	2,512	2,575	2,639
Affordable Housing Trust Reporter	2,451	2,512	2,575	2,639
Health Benefits Coordinator	5,470	5,607	5,747	5,891
SIAG Coordinator	3,500	3,500	3,500	3,500
DVRT Coordinator	6,421	6,582	6,747	6,915
Mayor	8,607	8,607	8,607	8,607
Council President	6,885	6,885	6,885	6,885
Council Person	5,738	5,738	5,738	5,738
Municipal Prosecutor	46,018	47,168	48,347	49,556
Public Defender	8,773	8,992	9,217	9,448
PACO Compliance Officer	6,638	6,804	6,974	7,148
Municipal Court Judge	51,621	52,911	54,234	55,590
Deputy Registrar & Alt. Deputy Registrar	1,716	1,759	1,803	1,848
Secretary to Mayor	5,428	5,564	5,703	5,846
Tax Collector	29,469	30,205	30,960	31,735
Tax Assessor	101,210	103,740	106,334	108,992
Environmental Specialist	76,480	78,392	80,352	82,360
Recycling Coordinator	5,994	6,144	6,297	6,455
Fire Official	97,101	99,529	102,017	104,568
Fire Sub Code	7,093	7,270	7,452	7,638
Construction Officer	121,071	124,097	127,200	130,380
Zoning Officer (Full-Time)	70,000- 80,000	71,750- 82,000	73,544- 84,050	75,383- 86,151
Zoning Officer (Part-Time)	17,092	17,519	17,957	18,406
Assistant Zoning Officer (Part-Time)	17,092	17,519	17,957	18,406
Court Administrator	77,432	79,368	81,352	83,386
Recreation Director	63,158 - 81,767	64,737 - 83,811	66,355 - 85,907	68,014 - 88,054
Municipal Engineer/Superintendent	170,442	174,703	179,070	183,547
Electrical Sub-Code Official	14,381	14,740	15,109	15,487
Purchasing Agent	\$3,500- \$7,500	\$3,500- \$7,500	\$3,500- \$7,500	\$3,500- \$7,500
Executive Director of the Office on Aging	49,939	51,187	52,467	53,778
Pool Administrator	0	10,589	10,854	11,125

**SECTION 2. INCONSISTENCY** - All ordinance or parts inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**§ 270B-3.1 EFFECTIVE DATE** - This ordinance shall become effective after publication in accordance with the law.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTIONS**

**RESOLUTION 21-76  
AUTHORIZING THE APPOINTMENT OF GLENN CULLEN  
AS PARSA COMMISSIONER FOR SOUTH PLAINFIELD  
FOR A 5 YEAR TERM EFFECTIVE RETROACTIVELY  
FROM FEBRUARY 1, 2021 THROUGH JANUARY 31, 2026  
(MAYORAL APPOINTMENT WITH ADVICE AND CONSENT OF COUNCIL)**

**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 authorizes the appointment of Glenn Cullen as PARSA Commission for South Plainfield for a 5 year term effective retroactively from February 1, 2021 through January 31, 2026; and

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

1. Glenn Cullen, CFO
2. PARSA
3. Amy Antonides, Municipal Clerk

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2021-77**

**RESOLUTION AUTHORIZING SETTLEMENT OF 2017, 2018, 2019 and 2020 TAX APPEALS FILED BY CRAGWOOD ASSOCIATES LLC FOR THE PROPERTY KNOWN AS 51 CRAGWOOD ROAD AND IDENTIFIED AS BLOCK 528.01, LOT 45.09 ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS**

**WHEREAS**, Cragwood Associates LLC (hereinafter referred to as “Taxpayer”) is the owner of the property known as 51 Cragwood Road and identified as Block 528.01, Lot 45.09 on the Borough of South Plainfield’s Tax Assessment Maps (“Property”); and

**WHEREAS**, the assessed value of the Property was set at \$1,700,000 for the Tax Years under appeal; and

**WHEREAS**, Taxpayer filed appeals of the 2017, 2018, 2019 and 2020 tax assessments in the Tax Court of the State of New Jersey under Docket Numbers 006445-2017, 006614-2018, 003467-2019 and 005375-2020; and

**WHEREAS**, a proposed settlement of the aforesaid tax appeals was negotiated between Taxpayer and the Borough Tax Assessor and Borough Tax Attorney as set forth in the Stipulation of Settlement annexed hereto; and

**WHEREAS**, the Borough Appraiser, Russ Sterling, MAI, opined that the Borough was not able to defend the assessments for the Tax Years under appeal and recommended that the settlement be approved and therefore, this proposed settlement is reasonable and reflects the correct market values for the Property which was over assessed for the Tax Years under appeal; and

**WHEREAS**, pursuant to the proposed Stipulation of Settlement annexed hereto, the aforesaid tax appeals are to be resolved as follows:

- The 2017 tax appeal is being withdrawn by Taxpayer;
- The 2018 tax appeal is being withdrawn by Taxpayer;
- The 2019 tax appeal is being withdrawn by Taxpayer;
- The 2020 original assessment in the amount of \$1,700,000 shall be reduced to \$1,400,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2020;
- Taxpayer has agreed to waive statutory interest provided that the tax overpayment refund is paid within 60 days of the date of entry of the Tax Court Judgment;
- Refunds regarding overpayment shall be made payable to “Cragwood Associates LLC and Wolf Vespasiano LLC, as attorneys” within 60 days of the date of entry of the Tax Court Judgment;
- As an integral part of the settlement, the 2021 total tax assessment has been set “on-the-books” by the Tax Assessor at \$1,050,000 and Taxpayer has waived its right to file an appeal for Tax Year 2021.

**WHEREAS**, the Borough of South Plainfield Tax Assessor agrees that it is in the best interests of the Borough of South Plainfield to resolve the aforesaid tax appeals pursuant to the terms and conditions set forth above and in the Stipulation of Settlement annexed hereto based on market conditions as well as the uncertainty and costs associated with continued litigation; and

**WHEREAS**, the aforesaid settlement is based on the specific and identifiable facts and circumstances pertaining to the Property and has no general application to other properties within the Borough of South Plainfield; and

**WHEREAS**, the Mayor and Borough Council of South Plainfield having reviewed and considered the pending tax appeals and the proposed settlement thereof agree and confirm it is in the best interests of the Borough of South Plainfield to resolve the tax appeals as set forth herein and in the Stipulation of Settlement attached hereto; and

**WHEREAS**, the Mayor and Borough Council make this settlement with the Taxpayer without prejudice to its dealing with any other South Plainfield taxpayer’s request for tax assessment reduction; and

**WHEREAS**, the Mayor and Borough Council leave the allocation between land and improvements of the aforesaid tax assessment reduction to the Borough Tax Assessor’s discretion with the direction that same be set so as to be most beneficial to the Borough.

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

1. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$1,400,000 total tax assessment for the 2020 tax year for Block 528.01, Lot 45.09 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
2. The Borough Attorney is authorized to execute on behalf of the Borough of South Plainfield the attached Stipulation of Settlement pertaining to the tax appeals filed by Cragwood Associates LLC under Docket Nos.: 006445-2017, 006614-2018, 003467-2019 and 005375-2020 for the Property known as 51 Cragwood Road and identified as Block 528.01, Lot 45.09 on the Borough of South Plainfield Tax Assessment Maps which withdraws the tax appeals for Tax Years 2017, 2018 and 2019; which reduces the 2020 total tax assessment on the Property from \$1,700,000 to \$1,400,000; which provides that the Taxpayer has agreed to waive statutory interest on any refund or overpayment due provided the refund check is paid within 60 days from the issuance of Judgment; which further provides that the refund check shall be made payable to “Cragwood Associates LLC and Wolf Vespasiano, as attorneys” and forwarded to Chad E. Wolf, Esq., 331 Main Street, Chatham, NJ 07928 within 60 days of the date of entry of the Tax Court Judgment; and which also provides that as an integral part of the settlement, the 2021 total tax assessment has been set “on-the-books” by the Tax Assessor at \$1,050,000 and the Taxpayer has waived its right to file an appeal for Tax Year 2021.
3. This settlement shall be without prejudice to the Borough’s dealings with any other taxpayer’s request or appeal for a tax assessment reduction.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-78**  
**AUTHORIZING THE RELEASE OF PERFORMANCE BONDS POSTED BY**  
**TOMMASO GRASSO FOR PUBLIC IMPROVEMENTS**  
**TO BLOCK 365, LOT 14,**  
**AND ACCEPTANCE OF THE MAINTENANCE BONDS**  
**IN THE AMOUNT OF \$900.00**

**WHEREAS**, the Borough of South Plainfield is in possession of a Performance Bond from Tommaso Grasso for public improvements located at Block 365, Lot 14; and

**WHEREAS**, has submitted the Maintenance Bond in the amount of \$900.00; and

**WHEREAS**, the Borough Engineer has given approval of the form and content of the aforementioned Maintenance Bond.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Mayor and Council of the Borough of South Plainfield, that the Borough Clerk is hereby authorized to accept the aforementioned Maintenance Bond and release the Performance Bond held for the Public Improvements located at the aforementioned Block(s) and Lot(s).

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-79**  
**AUTHORIZING THE FULL TIME HIRING OF EMIN GOLEV**  
**AS LABORER V-BUILDING MAINTENANCE I FOR THE DPW**

**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 authorizes the Borough to hire on a full-time basis Emin Golev as Laborer V-Building Maintenance I for the DPW at the hourly rate of \$24.66, pursuant to the salary ordinance for such.

**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. Len Miller, DPW Superintendent

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2021-80**  
**AMENDING RESOLUTION 21-74 THAT AUTHORIZED THE MAYOR & CLERK TO EXECUTE**  
**AN AGREEMENT WITH ROBERT WOOD JOHNSON HEALTH NETWORK INC.**  
**FOR BASIC LIFE SUPPORT AND EMERGENCY MEDICAL SERVICES**  
**TO AMEND THE TERM OF THE CONTRACT**

**WHEREAS**, the Borough of South Plainfield has a need for emergency medical ambulance services to exist and supplement the Borough Rescue Squad; and

**WHEREAS**, Robert Wood Johnson Health Network Inc. (hereinafter “RWJ”) is a hospital duly licensed and certified to provide such services; and

**WHEREAS**, the Borough Rescue Squad, is a volunteer, non-profit organization that provides first aid services to the Borough when such service is not provided by RWJ; and

**WHEREAS**, the Borough advertised and received proposals for said services on December 21, 2020; and

**WHEREAS**, the proposals and Agreement for Services were reviewed and approved by the Borough Attorney and the Borough Council’s Public Safety Committee.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to execute an Agreement for basic life support and emergency medical services with Robert Wood Johnson Health Network Inc. for a period to commence effective March 1, 2021 for two years to expire on February 28, 2023 with the option of awarding a one year extension of services from March 1, 2023 through February 29, 2024.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
<b>VOTE:</b>			<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION: 21-81**

**AMENDING RESOLUTION 21-69 THAT AUTHORIZED THE PUBLIC AUCTION BY THE POLICE DEPARTMENT FOR ABANDONED UNCLAIMED VEHICLE(S) TO CHANGE THE AUCTION DATE FROM 2/12/21 TO 2/26/21**

**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 February 26, 2021 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
1997	Toyota	4Rn	JT3HN87R5V0084030	FAIR	\$500.00
2002	Chevrolet	Sub	1GNFK16Z72J126991	FAIR	\$500.00
2006	Chevrolet	Col	1GCDT146668188143	FAIR	\$500.00
2008	Kia	Sed	KNDMB233X86203998	FAIR	\$200.00

**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	2 <sup>ND</sup>	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				
<b>VOTE:</b>			<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-82**

**ACCEPTING THE RESIGNATION OF CATHERINE PHILLIPS FROM THE RECREATION DEPARTMENT**

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

It hereby accepts the resignation of Catherine Phillips from the Recreation Department effective February 4, 2021, 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. Elizabeth Yarus, Recreation Director

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 21-83**  
**AUTHORIZING THE PURCHASE OF THERMAL IMAGING CAMERAS**  
**FROM USIQ FOR THE POLICE DEPARTMENT**  
**IN AN AMOUNT NOT TO EXCEED \$7,960.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase 4 Flir Scout III 640 Thermal Image Cameras from USIQ for the Police Department in an amount not to exceed \$7,960.00: 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. Captain Peter Papa, Police Department

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 21-84**  
**ACCEPTING THE RESIGNATION OF CHRIS MALO AS PART-TIME PER DIEM TELECOMMUNICATOR IN**  
**TRAINING FOR THE SOUTH PLAINFIELD POLICE DEPARTMENT**

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

It hereby accepts the resignation of Chris Malo from the position of Part-Time Per Diem Telecommunicator in training for the South Plainfield Police Department effective February 6, 2021, 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. Sgt. James McConville, Police Department

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-85  
AUTHORIZING 2020 APPROPRIATION TRANSFERS IN THE AMOUNT OF  
\$27,000.00 FOR THE CURRENT FUND  
PURSUANT TO N.J.S.A. 40A:4-58**

**WHEREAS**, in accordance with N.J.S.A. 40A:4-58 permits appropriation transfers during the last two months of the fiscal year and the first three months of the fiscal year, for the purposes specified and in excess of sums appropriated in the Budget; and

**WHEREAS**, such transfers must be approved by a vote of not less than two-thirds of the full membership of the governing body.

**NOW, THEREFORE, BE IT RESOLVED** that the below transfers be approved.

<b>CURRENT FUND</b>				
<b>FROM:</b>				<b>AMOUNT</b>
0-01-23-210-000-655	Other Insurance		O&E	<b>5,000.00</b>
0-01-23-220-000-601	Health Insurance		O&E	<b>22,000.00</b>
<b>Total FROM:</b>				<b>27,000.00</b>
<b>TO:</b>				<b>AMOUNT</b>
0-01-20-130-000-204	Finance		O&E	<b>2,000.00</b>
0-01-20-155-000-221	Legal		O&E	<b>2,000.00</b>
0-01-25-240-001-321	Police		O&E	<b>3,000.00</b>
0-01-25-265-001-475	Fire Department		O&E	<b>2,000.00</b>
0-01-26-290-003-321	Snow		O&E	<b>4,000.00</b>
0-01-26-305-003-102	Recycling		S&W	<b>2,000.00</b>
0-01-26-310-000-415	Public Buildings & Grounds		O&E	<b>2,000.00</b>
0-01-26-315-000-401	Vehicle Maintenance		O&E	<b>2,000.00</b>
0-01-30-410-001-685	LOSAP		O&E	<b>1,000.00</b>
0-01-31-435-002-555	Streets Lights		O&E	<b>5,000.00</b>
0-01-32-465-001-545	Landfill		O&E	<b>2,000.00</b>
<b>Total TO:</b>				<b>27,000.00</b>

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-86**  
**AUTHORIZING A 2021 TEMPORARY BUDGET AMENDMENT**  
**OF \$425,000.00 IN THE CURRENT FUND**

**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 2021 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.

<b>CURRENT FUND</b>				<b>AMOUNT</b>
1-01-20-100-000-101	Borough Administration	S&W		<b>15,000</b>
1-01-20-120-000-101	Clerk	S&W		<b>10,000</b>
1-01-20-140-000-101	Computer	S&W		<b>5,000</b>
1-01-20-145-000-101	Collection	S&W		<b>10,000</b>
1-01-20-195-001-101	Code Enforcement	S&W		<b>5,000</b>
1-01-23-220-000-601	Health Insurance	O&E		<b>100,000</b>
1-01-25-250-000-101	911	S&W		<b>25,000</b>
1-01-25-265-001-201	Fire	O&E		<b>5,000</b>
1-01-25-265-002-101	Fire Official	S&W		<b>10,000</b>
1-01-26-290-003-102	Snow	S&W		<b>65,000</b>
1-01-26-290-003-321	Snow	O&E		<b>100,000</b>
1-01-29-390-000-235	Library	O&E		<b>25,000</b>
1-01-31-445-001-541	Telephone	O&E		<b>25,000</b>
1-01-36-472-000-675	SSI	Statutory		<b>15,000</b>
1-01-44-901-000-235	Capital Improvement Fund	Capital		<b>10,000</b>
<b>Total CURRENT FUND</b>				<b>425,000</b>

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

**RESOLUTION 21-87**  
**AUTHORIZING THE TEMPORARY WAIVER OF LICENSING RESTRICTIONS IN ACCORDANCE WITH CHAPTER**  
**342 OF THE BOROUGH CODE TITLED “SPECIAL SALES” FOR THE SOUTH PLAINFIELD ELKS LODGE 2298**

**WHEREAS**, the South Plainfield Elks Lodge 2298 located at 1254 New Market Avenue, South Plainfield, NJ 07080 has suffered detrimental monetary loss as a result of the Covid-19 Pandemic; and

**WHEREAS**, the Elks Lodge 2298 has proposed holding yard sales on their property located at 1254 New Market Avenue in South Plainfield in which they intend to rent 10’x10’ space on the east side of their building at \$20.00 each to qualified vendors who will supply their own tables on Saturdays, on a monthly to every other month basis, From March 1, 2021 through December 31, 2021 as a means to help off-set their revenue losses due to the aforementioned pandemic;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield that they hereby grant a temporary waiver to expire on December 31, 2021 of licensing restrictions and fees pursuant to Chapter 342, Section 342-3 (A) and Section 342-2 of the Borough Code of South Plainfield; and

{A1298313.1 }

**BE IT FURTHER RESOLVED** that the South Plainfield Elks Lodge 2298 shall abide by the following conditions:

1. Assure that no alcoholic beverages are to be sold or served to non-members of the Elks Club during said event.
2. Assure that temporary food handlers permit(s) and inspections are conducted for each event in which any food product is being sold or served to members of the general public by any outside vendor.
3. Assure that the Elks Club will meet at least once with the South Plainfield Health Officer to review food safety and sanitation standards for their serving of food outdoors to the general public during these yard sale events.
4. Assure that fire/building permit(s) and inspections are conducted for each event in which a grill is used for the preparation of food products, use of any tents, and the running of any electric lines or cords in accordance with New Jersey and/or local fire and building codes.
5. Assure that all refuse is collected and contained after each event and that recycling containers are made available to the general public to use during each event.
6. Assure that the Borough's Traffic Safety Department will be contacted for assistance should a need arise in which traffic needs to be managed for the safety and welfare of the public.

Failure to follow the conditions set forth above may risk the rescinding of this resolution by the Borough Council.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-88  
AUTHORIZING THE SERVICES OF PUMPING SERVICES INC. FOR  
EMERGENT PUMP REPAIRS IN AN AMOUNT NOT TO EXCEED \$10,212.37**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Pumping Services Inc. for emergent pump repairs in an amount not to exceed \$10,212.37: and

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Len Miller, DPW Superintendent

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

**RESOLUTION 2021-89  
AUTHORIZING APPLICATION TO THE MIDDLESEX COUNTY DEPARTMENT OF HOUSING AND COMMUNITY  
DEVELOPMENT FOR A 2021 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 2021 CDBG funding; and  
{A1298313.1 }

**WHEREAS**, the Governing Body of the Borough of South Plainfield held a public hearing on February 16, 2021 to elicit input from Borough residents on the best uses for the 2021 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
Walnut Street Park Playground Equipment & Other Various Improvements (Add additional \$462.00 of funding)	\$67,542.00
<b>TOTAL</b>	<b>\$80,042.00</b>

**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 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-90**

**AUTHORIZING THE APPOINTMENT OF JUSTIN DITMARS TO THE POSITION OF SUPERVISING MECHANIC – LEVEL I AT THE RATE OF \$38.79 PER HOUR. EFFECTIVE FEBRUARY 24, 2021.**

**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 authorizes the Borough to appoint Justin Ditmars to the position of Supervising Mechanic – Level I at the rate of \$38.79 per hour and furthermore he shall obtain a CDL license and A.S.E. recertification within the first 6 months of said appointment; 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. Carmela Miller, Payroll
4. Len Miller, DPW Superintendent
5. Anne Daley, Benefits
6. Justin Ditmars

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**CORRESPONDENCE**

- Recycling Monthly Report – December 2020
- Board of Health Monthly Report – January 2021
- Environmental Commission Minutes – December 9, 2020

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

## **PAYMENT OF BILLS**

Current Fund	0-01	44,507.19
Current Fund	1-01	90,831.38
Pool Utility	0-26	0.00
Pool Utility	1-26	0.00
Sewer Utility	0-07	0.00
Sewer Utility	1-07	10,718.87
Sewer Utility Capital	C-08	0.00
General Capital	C-04	97,205.44
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	0.00
Dog Trust	T-12	0.00
Treasurers Trust	T-13	284.42
Recreation Trust	T-14	0.00
Senior Citizen Trust	T-16	0.00
<b>TOTAL ALL FUNDS</b>		<b>\$243,547.30</b>

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

## **COUNCIL REPORTS:**

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen -was absent this evening.

Engineer Miller – thanked the Mayor and Council for supporting the hiring of the DPW members this evening. Scott Smith will be leaving in two weeks, so the hiring of a new mechanic was necessary, and we look forward to a smooth transition.

Clerk Antonides – announced that we will be having an outdoor rabies clinic on Saturday, May 1<sup>st</sup> from 9am to 12 noon at the DPW garage. Pet licenses will also be processed that day as well.

Councilman Wolak – reported progress.

Councilman Smith – advised that the environmental Commission is working with Mr. Bucco and Mr. Miller on preparing the stormwater retention paperwork. We hope to have a resolution to submit the grant at a forthcoming meeting.

Councilman Bengivenga – reported progress.

Councilwoman Mott – reported progress.

Councilwoman Faustini – advised that while everyone is home to check out the Cultural Arts section of the website as they have a few activities to keep you busy from home such as a photo contest, a black history trivia, a kindness quilt project where you can sign-up to get a square, which Councilwoman Faustini said she did (sample shown during meeting by her daughter). You can put on it whatever message you wish to help spread the message of kindness. Please also be sure to check-out the senior section on Facebook which you will find several drive-by events to take place. There will be a St. Patrick's Day event too for our seniors. A shout-out to the staff on the great Valentine's Day drive-by event. The seniors were very appreciative.

Council President White – reported progress.

Mayor Anesh – reported that the Covid virus seven-day average is now sitting around nine. There is a total of 2,177 cases reported for South Plainfield. The Mayor's Wellness Committee will be hosting a virtual workshop with Dr. Stephanie Marcello who will focus on maintaining emotional health during the stressful times of Covid-19. It will be held at 7 p.m. on Thursday, February 25<sup>th</sup>. On another note we did submit a request of several locations in South Plainfield to be a site for Covid vaccinations, but they were not approved by the County. There are some 2,000 vaccinations taking place per week in our County and more vaccines have been requested.

### **COMMENTS FROM THE PUBLIC:**

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

Debbie Boyle of Van Fleet expressed thoughts and prayers to the Teller family due to the recent loss of their loved one. Mrs. Boyle added that during the aforementioned Mayor's Wellness workshop Dr. Marcello will hold a question and answer session as well. Mrs. Boyle thanked the Governing Body for the Elks resolutions this evening saying she looks forward to the vendor day.

Without further comment from the public, Mayor Anesh closed the floor at 7:50 p.m.

### **ADJOURNMENT**

Without further comment and no more action necessary for this evening Mayor Anesh called for a motion to adjourn. Council President White made a motion to adjourn at 7:50 p.m., seconded by Councilman Smith and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC/CMR  
Municipal Clerk