

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
SEPTEMBER 20, 2021 7:04 P.M.  
PUBLIC MEETING**

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

**CALL TO ORDER:** Mayor Anesh called the meeting to order at 7:02 p.m. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this remote hybrid meeting having been provided to the Borough's two official newspapers and also published on the Borough's website. Instructions for accessing the remote public meeting are found on the Borough's website next to the agendas. Documentation pertaining to the remote meeting can be found electronically on the Borough's website.

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		

**Flag Salute:** was led by Mayor Anesh and Councilman Smith led the invocation.

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

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

**Authorizing the Approval of Council Minutes:**

- September 7, 2021 – Agenda Meeting
- September 7, 2021 - Public Meeting
- September 7, 2021 – Executive Session

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

**Proclamation** – Honoring Paul Bosse's 50 Years of Service to the Fire Department – Mayor Anesh read the proclamation in full and then called Fire Chief Scalera forward who gave a brief presentation on the many acts of volunteerism by Paul Bosse over the years with a special thank you to his wife for all her support. The Mayor and each Council member expressed their sincere appreciation for Mr. Bosse's 50 commendable years of volunteerism to our community and Fire Department. Paul Bosse is truly and example of what community service is all about. Everyone extended a standing round of applause and photographs were taken by media and family and friends present.

**Proclamation** –Hispanic Heritage Month – Mayor Anesh read the proclamation in full and called those members present in the audience who represent Hispanic Heritage and handed each one of them a copy of the proclamation. One member read a prepared speech thanking the Mayor and Council for their recognition of their heritage. Everyone extended a round of applause and photographs were taken by media and family and friends present. Councilwoman Faustini gave a warm thank-you for their attendance and pointed out that the Library will be holding a special Hispanic Heritage event on October 2, 2021.

The below ordinance 2212 was and read by title by Clerk Antonides on the second reading. Mayor Anesh opened the floor for public hearing. With no comments from the public, Mayor Anesh closed the floor. Mayor Anesh asked if there were any comments from Council. Councilman Smith followed by various other members of Council thanked Clerk Antonides for the hard work she put into these fees and working with us on this.

**ORDINANCE 2212**  
**AN ORDINANCE AMENDING CHAPTER 216, ARTICLES III AND IV**  
**OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD**  
**AS IT RELATES TO MISCELLANEOUS FEES**

**NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY, THAT:**

the following fees, as established by the South Plainfield Borough Council be and are hereby amended to include the following amended fees:

Article III, Section 216-7 “Fees Established”

A. The following fees are hereby established (~~for the documents listed~~) below:

<b>Description of Activity Under Permit</b>	<b>Fee</b>	<b>Expiration Date</b>
<b>VITAL STATISTICS:</b>		
Marriage License Application	\$ 28.00	
Domestic Partnership or Civil Union Appl.	\$ 28.00	
Certified Copy Fee	\$ 20.00/each	
Burial Permit Fee	\$ 5.00/each	
<b>ANIMAL LICENSING:</b>		
Dog and Cat License-Neutered/Spayed	\$ 15.00 per animal	Annually on January 31 <sup>st</sup>
Dog and Cat License-Non-Neutered/Non-Spayed	\$ 20.00 per animal	Annually on January 31 <sup>st</sup>
Dog and Cat License Replacement Fee	\$ 5.00 per license tag	
<del>Dog and Cat Late Fee</del>	<del>(Remove this late fee section in its entirety)</del>	
<b>ENGINEERING PLOT PLAN REVIEW</b>		
Engineering plot plan review/inspection	\$1,000	
<b>NOTARY</b>		
Notary Public Service Fee	\$ 2.50/each notary act.	
	All South Plainfield charitable, non-profit organizations are exempt from said notary public service fee.	
	All Veterans, who upon showing their veteran card status, are also exempt from this fee.	
<b>USE OF CREDIT/DEBIT CARDS</b>		
For use of all credit and debit cards at any/all Municipal facility:	3% convenience fee	

~~B. SOUTH PLAINFIELD TIGER SHARK SWIM TEAM (remove this section)~~

—Membership Fee:

—One family swim team member	—\$ 90.00
—Additional swim team member	—\$ 70.00

**B. BOARD OF HEALTH FEES:**

**ANIMAL LICENSE TYPES**

Small Animal (except dogs/cats)	\$ 75.00	Annually on March 31 <sup>st</sup>
Large Animal (except dogs/cats)	\$ 75.00	Annually on March 31 <sup>st</sup>
Poultry (Chickens)	\$ 75.00	Annually on March 31 <sup>st</sup>
Poultry – Commercial Establishment	\$ 250.00	Annually on March 31 <sup>st</sup>
Pigeons up to 3 birds	\$ 100.00	Annually on March 31 <sup>st</sup>
Operate a Pigeon Loft	\$ 150.00	

**BEE KEEPING**

Beekeeper Fee	\$ 50.00	Annually on March 31 <sup>st</sup>
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**BUSINESS ESTABLISHMENT**

Animal Hospital	\$ 100.00	Annually on March 31 <sup>st</sup>
Barber Shop	\$ 75.00	Annually on March 31 <sup>st</sup>
Beauty Shop/Salon and/or Nail Salon	\$ 75.00	Annually on March 31 <sup>st</sup>
Pet Shop	\$ 100.00	Annually on March 31 <sup>st</sup>
Spa/Massage Parlor	\$5,000.00	Annually on March 31 <sup>st</sup>
Spa/Tanning Salon	\$ 75.00	Annually on March 31 <sup>st</sup>
Tattoo Parlor	\$1,000.00	Annually on March 31 <sup>st</sup>

**CATERER**

Caterer Permit	\$ 150.00/per day	
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**FARM PRODUCE**

1 Up To 1,000 sq. feet	\$ 75.00	Annually on March 31 <sup>st</sup>
Over 1,000 sq. feet	\$ 125.00	Annually on March 31 <sup>st</sup>

**RETAIL FOOD ESTABLISHMENT**

1-1,000 sq. feet	\$ 150.00	Annually on March 31 <sup>st</sup>
1,001-5,000 sq. feet	\$ 225.00	Annually on March 31 <sup>st</sup>
5,001-10,000 sq. feet	\$ 275.00	Annually on March 31 <sup>st</sup>
Over 10,000 sq. feet	\$ 525.00	Annually on March 31 <sup>st</sup>
Milk Fee	\$ 50.00	Annually on March 31 <sup>st</sup>
Drug Store	\$ 75.00	Annually on March 31 <sup>st</sup>
Ice – Packaged Only	\$ 50.00	Annually on March 31 <sup>st</sup>
Non-Attendance of Food Course	\$ 200.00	
Plan Review for New Food Establishment	\$ 100.00	

**PUBLIC SWIMMING POOLS**

Multiple Residential Dwellings	\$ 375.00	Annually on March 31 <sup>st</sup>
Non-Residential – Seasonal	\$ 375.00	Annually on March 31 <sup>st</sup>
Non-Residential – Yearly	\$ 525.00	Annually on March 31 <sup>st</sup>

**TEMPORARY RETAIL FOOD ESTABLISHMENT**

Temporary Event	\$ 75.00 per day, per tent/per vendor	
Temporary Event	\$ 200.00 per week (per 3-7 days)	
One Day Permit (Food Trucks)	\$ 75.00 per day, per vehicle	

**REINSPECTION FEES**

1st Reinspection by Health Officer	\$ 75.00	
2 <sup>nd</sup> Reinspection by Health Officer	\$ 100.00	
3 <sup>rd</sup> Reinspection by Health Officer	\$ 125.00	
<b>RETAIL FOOD – VEHICLE LICENSE</b>		
Prepackaged Food Only	\$ 150.00	Annually on March 31 <sup>st</sup>
Milk Fee	\$ 50.00	Annually on March 31 <sup>st</sup>
Prepackaged Ice Cream	\$ 150.00	Annually on March 31 <sup>st</sup>
Preparation of Ice Cream	\$ 200.00	Annually on March 31 <sup>st</sup>
Farm Produce Vehicle	\$ 75.00	Annually on March 31 <sup>st</sup>

**VENDING MACHINE LICENSE**

Food/Beverage Vending Machine	\$ 50.00 per machine	Annually on March 31 <sup>st</sup>
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**WHOLESALE FOOD ESTABLISHMENT**

Manufactured	\$ 175.00	Annually on March 31 <sup>st</sup>
Non-Manufactured	\$ 100.00	Annually on March 31 <sup>st</sup>

**LATE FEE** A \$50.00 *PER MONTH* late fee will be assessed for all Board of Health licenses and permit applications received after March 31<sup>st</sup>. A late fee shall not apply to a new business that just opened after March 31<sup>st</sup> of the current licensing year; the annual fee shall apply. The South Plainfield Health Officer has the discretion to issue a summons for those who do not obtain a required permit or license

**VIOLATION**

Article IV “Copies of Public Records”, Section 216-8 “~~Charges Based upon actual costs~~”  
 (~~Remove current paragraph and replace with the following fee structure:~~) = remove

**COPYING COST PURSUANT TO THE OPEN PUBLIC RECORDS ACT N.J.S.A. 47:1A-1 et seq.**

8 ½ x 11	\$ 0.05 per page
8 ½ x 14	\$ 0.07 per page
Emailed Records	\$ 0.00 per page
Special Service Charge	TBD based upon actual costs

All other fees and provisions of these Articles shall remain in full force and effect. This amendment becomes effective January 1, 2022 after final adoption and advertisement in accordance with the law.

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

The below ordinance 2213 was and read by title by Clerk Antonides on the second reading. Mayor Anesh opened the floor for public hearing. With no comments from the public, Mayor Anesh closed the floor. Mayor Anesh asked if there were any comments from Council. There were not comments from Council.

**ORDINANCE 2213**

**A CAPITAL ORDINANCE AUTHORIZING “STORM SEWER IMPROVEMENTS” IN AND THROUGHOUT THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY** as follows:

{A1298313.1 }

Section 1. The aforementioned assets be funded through the American Rescue plan Act:

Storm Sewer Improvements & Grates	<b>\$ 250,000.00</b>
<b>Totals</b>	<b><u>\$ 250,000.00</u></b>

Section 2. That the improvements described in Section 1 hereof shall be authorized as Capital Improvements for the Borough of South Plainfield in the County of Middlesex, New Jersey.

Section 3. It is hereby determined and declared by this Mayor and Borough Council as follows:

- A. That the maximum estimated amount of money to be raised from all sources for the purposes stated in Section 1, hereof, is \$250,000.00.
- B. That the cost for the Storm Sewer Upgrades shall be \$250,000.00 from the AMERICAN RESCUE PLAN ACT.
- C. The estimated useful life of said improvements is hereby determined to be Ten (10) years.

Section 4. That the total amount of the appropriation to be expended for Architectural and inspection costs, legal costs, advertisement of ordinance and other expenses as provided in Section 48:2-20 of the Revised Statutes, is not to exceed \$5,000.00.

Section 5. This ordinance shall take effect after final passage and publication in accordance with the 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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

The below ordinance 2214 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for October 4, 2021 at approximately 7 p.m.

### ORDINANCE 2214

#### AN ORDINANCE OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 187 OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD TITLED “VEHICLES AND TRAFFIC”

**BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 187 of the Code of the Borough titled “Vehicles and Traffic”, Article II, Section 187-10, be amended as follows:

Article II. Parking, Stopping and Standing.

Section 187-10. No Parking, certain sections of roadway.

ADD as follows:

38. Sage Street - both sides, from South Clinton Avenue to Roosevelt Avenue.

All other numbered provisions in this Section shall be adjusted accordingly.

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

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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

The below ordinance 2215 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for October 4, 2021 at approximately 7 p.m.

**ORDINANCE 2215**  
**AN ORDINANCE OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX,**  
**STATE OF NEW JERSEY AUTHORIZING THE SALE OF PROPERTY**  
**KNOWN AS LOT 2.05 IN BLOCK 397 NO LONGER NEEDED FOR PUBLIC USE.**

**WHEREAS**, the Borough of South Plainfield is the owner of Lot 2.05 in Block 397 on the Borough Tax Map (referred to hereinafter as the “Property”), which is located on Jackson Avenue in the Borough and is a 50 foot by 100 foot tract of vacant land; and

**WHEREAS**, the Property is located in an R-10 zone which requires a 100 foot lot width and 10,000 square foot minimum lot size and, therefore, the property is less than the minimum size 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 will require that it retain ownership of a 20 foot wide drainage easement on the Property; and

**WHEREAS**, the Borough has had an appraisal performed by Sterling DiSanto & Associates which has valued the Property at \$60,000.00 with the easement; and

**WHEREAS**, there are three 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 \$60,000.00 with a 20 foot wide drainage easement to be retained by the Borough.

2. The contiguous property owners shall be notified that the Borough is authorizing the sale of the Property at the minimum price of \$60,000.00, subject to the 20 foot wide drainage easement, 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 \$60,000.00, subject to the 20 foot wide drainage easement.

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 <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>							

**RESOLUTIONS**

**RESOLUTION 21-272**

**AUTHORIZING THE REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1753.08 PERTAINING TO 542 CARMINE AVENUE IN SOUTH PLAINFIELD**

WHEREAS, the Tax Collector advises that the following taxpayers and/or their agents have overpaid their tax and have requested refunds:

**OWNER/ADDRESS**

**Block 315.02 Lot 6 Qual -C0001**  
Anisha & Gary Calhoun  
542 Carmine Avenue  
South Plainfield, NJ 07080  
**\$1753.08**

**MAKE CHECK PAYABLE TO:**

**Corelogic**  
**PO Box 9205**  
**Coppell, Texas 75019**

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

COUNCIL	MOTION	2 <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 21-273**  
**AUTHORIZING THE FULL-TIME HIRING OF**  
**KATHLEEN LeBLANC AS TELECOMMUNICATOR**  
**AT THE ANNUAL SALARY OF \$48,378.29**

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

It hereby authorizes the full-time hiring of Kathleen LeBlanc as Telecommunicator for the South Plainfield Police Department to be paid the annual salary of \$48,378.29, 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 21-274**

**AUTHORIZING THE REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$1854.17 PERTAINING TO 325  
LIBOUREL ROAD IN SOUTH PLAINFIELD**

WHEREAS, the Tax Collector advises that the following taxpayers and/or their agents have overpaid their tax and have requested refunds:

**OWNER/ADDRESS**

**Block 129 Lot 3**

**Shilpa Sachdeva & Gurmeet Singh  
325 Libourel Rd  
\$1854.17**

**MAKE CHECK PAYABLE TO:**

**Shilpa Sachdeva & Gurmeet Singh  
325 Libourel Rd  
South Plainfield, NJ 07080**

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

COUNCIL	MOTION	2 <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 21-275**

**AUTHORIZING THE REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$182.16 PERTAINING TO 443  
MICALI WAY IN SOUTH PLAINFIELD**

WHEREAS, the Tax Collector advises that the following taxpayers and/or their agents have overpaid their tax and have requested refunds:

**OWNER/ADDRESS**

**Block 517 Lot 1 Qual. C0443**

**Mustafa Cassubhai  
443 Micali Way  
\$182.16**

**MAKE CHECK PAYABLE TO:**

**Mustafa Cassubhai  
9 Tremblay Road  
East Brunswick, NJ 08816**

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

COUNCIL	MOTION	2 <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: 21-276**

**AUTHORIZING THE REFUND OF \$350.00 FOR A VACANT PROPERTY REGISTRATION FOR 428 DELMORE AVENUE UNTIL JANUARY 1, 2022**

**WHEREAS**, the Construction Official confirms that a permit was initially taken out for new construction for a home on December 31, 2020 for the property located at 428 Delmore Avenue known as Block 364, Lot 5.01 on the tax map and as such has remained vacant to date when a vacant property registration form was filed with the appropriate fee of \$350.00 on September 3, 2021; and

**WHEREAS**, though construction of the new home is still ongoing, the Borough Administrator requested the refund of \$350.00 to the applicant; and

**WHEREAS**, the Code Enforcement Official has agreed to said refund until January 1, 2022, providing applicant with one full year for construction and to assume residency and if the aforementioned parcel is still vacant as of January 1, 2022, the vacant property registration shall be required with the appropriate \$350.00 due within 15 days of January 1, 2022; unless active construction is still taking place that is confirmed by the Construction Official. Upon such time that active construction ceases, and the parcel remains vacant, a vacant property registration shall be required with the appropriate \$350.00 due withing 15 days of notice of such.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a refund check(s) in the amount(s) of \$350.00 to the following:

**Filomeno Palma**  
**805 Lorraine Avenue**  
**South Plainfield, NJ 07080**

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

COUNCIL	MOTION	2 <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: 21-277**

**AUTHORIZING A CONSTRUCTION PERMIT REFUND IN THE AMOUNT OF \$260.00 TO SHILPA SACHDEVA DUE TO A CANCELLATION OF PROJECT**

**WHEREAS**, the Construction Official confirms that a permit was for a construction related project at 325 Libourel Road and as such, the applicant cancelled and has requested a refund of the \$260.00 permit fee for basement work;

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a refund check(s) in the amount(s) of \$260.00 to the following:

**Shilpa Sachdeva**  
**325 Libourel Road**  
**South Plainfield, NJ 07080**

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

COUNCIL	MOTION	2 <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 21-278  
AUTHORIZING VARIOUS SENIOR CENTER REFUNDS FOR A TRIP**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the following refunds for a trip to Doolan’s in Spring Lake:

Joanne Giordano  
216 Clifford St.  
South Plainfield, NJ 07080  
\$90.00

Maria Campagna  
246 Adeline Ave.  
South Plainfield, NJ 07080  
\$90.00

Shelly Costello  
436 Joan St.  
South Plainfield, NJ 07080  
\$90.00

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of South Plainfield that the Finance Office hereby has approval to release the aforementioned refund(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 21-279  
AUTHORIZING THE TEMPORARY WAIVER OF BUILDING PERMIT FEES FOR FLOOD DAMAGE REPAIRS AS A  
RESULT OF TROPICAL STORM IDA**

**WHEREAS**, in the evening hours of September 1, 2021 the Borough of South Plainfield encountered unprecedented flooding caused by Tropical Storm Ida; and

**WHEREAS**, on September 6, 2021 Governor Murphy declared a FEMA Major Disaster Declaration in six Counties in New Jersey (inclusive of Middlesex County) that were impacted by Tropical Storm Ida; and

**WHEREAS** the Borough of South Plainfield recognizes the need to expedite and process construction related permits necessary for the safe and secure return of its residents to their homes; and

**WHEREAS** the State of New Jersey under the New Jersey Uniform Construction Code N.J.A.C. 5:23-4.19(b)5 provides that no fee shall be collected for work consequential to a natural disaster when the local code enforcement agency is waiving its fee.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield that it agrees to waive all construction related permit fees within its jurisdiction associated with the issuance of the required permits for repairs directly {A1298313.1 }

associated with the flood damage caused by Tropical Storm Ida through November 1, 2021, providing that each such applicant submit to the South Plainfield Construction Department the attached executed certification.

**BE IT FURTHER RESOLVED** that a copy of this resolution be provided to the South Plainfield Building 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 21-280**

**AUTHORIZING THE REFUND AND CANCELLATION OF TAXES FOR 100% DISABLED VETERAN PERTAINING TO 141 SPRAGUE AVENUE IN SOUTH PLAINFIELD**

**WHEREAS**, property known as Lot 6 in Township Block 53 more commonly known as 141 Sprague Avenue in South Plainfield, NJ is owned by **Roberto & Janira I Roman**; and

**WHEREAS, Roberta Roman**, who had qualified as a one hundred percent **Disabled Veteran** under the provision of the N.J.S.A. 54:4-3.30, causing his property to be exempt from taxation at the local level commencing on **August 5, 2021** as verified by the Tax Assessor; and

**WHEREAS**, the Tax Bills for the four quarters of Calendar Year 2021 were generated from the 2020 Assessor’s Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with tax bills for 2021, while the property is correctly classified as being Tax Exempt for the same period;

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel and refund monies levied for the 3<sup>rd</sup> quarter of 2021 in the amount of **\$972.62**; and

**BE IT FURTHER RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 4<sup>th</sup> quarter of 2021 in the amount of **\$1,475.30**; and

**BE IT FURTHER RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2022 in the amount of **\$3,020.94**.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a check(s) in the amount(s) of **\$972.62**, as mentioned above.

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 21-281**

**AUTHORIZING THE EMERGENT SERVICES OF SOLTERRA FOR BULK AND CURBSIDE COLLECTION AT THE RATE OF \$1,975 PER TRUCK/PER DAY AND \$95.00 PER TON DISPOSAL FEE DUE TO TROPICAL STORM IDA**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the emergent services of Solterra of 432 Stokes Avenue, Ewing, NJ 08638 for bulk and curbside collection at the rate of \$1,975 per truck/per day and \$95.00 per ton disposal fee due to Tropical Storm Ida: 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 21-282**  
**AUTHORIZING EMERGENCY APPROPRIATIONS LESS THAN 3 PERCENT**  
**OF TOTAL OPERATING APPROPRIATIONS**

**WHEREAS**, an emergency has arisen with respect to the Current Fund for landfill and other costs associated with Tropical Storm Ida. The Borough’s Landfill and Road Repairs and Maintenance expenses did not have adequate funding to cover the costs of Ida’s cleanup in the 2021 budget for the aforesaid purpose, and N.J.S. 40A:4-46 provides for the purpose above mentioned, and

**WHEREAS**, the total amount of emergency appropriation created including the appropriation to be created by this resolution is \$250,000.00, and all of this is for the Current Fund and three percent of the total operations for the Current year 2021 is \$777,930.84, and

**WHEREAS**, the foregoing appropriation, together with prior appropriations, does not exceed three percent of the total current operation appropriations in the 2021 municipal budget,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48,

An emergency appropriation be and the same is hereby made for Landfill Other Expenses in the amount of \$180,000.00.

An emergency appropriation be and the same is hereby made for Road Repairs & Maintenance Salaries & Wages in the amount of \$50,000.00.

An emergency appropriation be and the same is hereby made for Road Repairs & Oher Expenses in the amount of \$20,000.00

4. That said emergency appropriation shall be provided in full in the 2021 Current Fund Budget and is requested to be excluded from CAPS pursuant to N.J.S.A. 40A:4-51

5. That the emergency appropriation not in excess of the above amount, be authorized pursuant to N.J.S.A. 40A:4-48 and in accordance with the provisions of N.J.S.A. 40A4-51 which shall be a deferred charge in the 2022 operational municipal budget.

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be forwarded to the Director of the Local Government Services.

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 21-283**  
**AMENDING RESOLUTION 21-262 THAT AUTHORIZED THE EMERGENT REPAIR**  
**SERVICES OF FISCHER CONTRACTING FOR STORM SEWER REPAIRS IN AN AMOUNT**  
**NOT TO EXCEED \$18,000.00 TO INCLUDE THE ADDITION**  
**OF \$3,795.00 FOR ADDITIONAL WORK**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the amendment of Resolution 21-262 for the emergent repair services of Fischer Contracting for storm sewer repairs at the following locations in a total amount not to exceed \$18,000.00 to now include the addition as indicated below of \$3,795.00 for additional work to 1415 Central Avenue:

1151 Worth Drive      \$ 9,000.00  
 1415 Central Avenue    \$ 9,000.00 \*plus the addition of \$3,795.00 = \$12,795.00  
**NEW TOTAL COST: \$21,795.00**

**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

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**

- Environmental Commission Minutes – July 14, 2021
- Note of appreciation from Senator Diegnan
- Code Enforcement Lien

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

**PAYMENT OF BILLS**

Current Fund	0-01	236,360.92
Current Fund	1-01	0.00
Pool Utility	0-26	0.00
Pool Utility	1-26	2,856.66
Sewer Utility	0-07	0.00
Sewer Utility	1-07	2,180.09
Sewer Utility Capital	C-08	0.00
General Capital	C-04	54,758.78
Pool Capital	C-27	0.00

Election Account	E-18	0.00
Grant Fund	G-02	447.18
Dog Trust	T-12	75.00
Treasurers Trust	T-13	9,895.18
Recreation Trust	T-14	1,913.77
Senior Citizen Trust	T-16	0.00
<b>TOTAL ALL FUNDS</b>		<b>\$308,514.58</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 – advised that the 4<sup>th</sup> quarter tax bills will be going out later this week. Resolution 21-282 that was approved this evening supports the storm IDA clean-up efforts. Mr. Cullen noted that the firemen that were here honoring Mr. Bosse this evening were also involved with many rescues during the recent storm. Mr. Cullen concluded by mentioning that Clerk Antonides will be attending the GFOA conference in Atlantic City this week in which she will be swearing in her husband as President.

Engineer Miller – provided an update on various road projects. Durham Avenue road improvements are making steady progress. There will be a pre-construction meeting this week pertaining to various storm sewer improvements and the work on Metuchen Road should begin soon. To conclude, Mr. Miller said his department continues their clean-up efforts from the recent storm we had.

Clerk Antonides – reported progress.

Councilman Smith – reported progress.

Councilwoman Mott – said she is looking forward to the Parade this Saturday and gave a special shout of appreciation to Len Miller and his department for always being on top of things for our town.

Councilman Wolak – thanked all the first responders, Len Miller and his department for all that they have been doing to help our town recover after storm IDA.

Councilman Bengivenga – thanked Council President White and all who were involved in putting together the 911 ceremony marking the 20<sup>th</sup> anniversary. Councilman Bengivenga advised that his aunt was on the 94<sup>th</sup> floor of the World Trade Tower that infamous day and unfortunately never made it out.

Councilwoman Faustini – advised that the South Plainfield schools did a collection for storm IDA victims of which they will be making a huge donation to social services this week. On another note, the full amount has been reached for the Covid Memorial, however, delivery has been delayed and therefore, we will be looking at the Spring of 2022 for the presentation. The rescheduled Labor Day Parade will begin this Saturday, September 25<sup>th</sup> at 12:30 p.m. at the PAL which will then end at the Middle School. From 3pm-6pm the vendors will be at Veterans Park and at 8:15 pm the day will conclude with fireworks.

Council President White – thanked all who participated with the 911 ceremony, it was a unifying and memorable ceremony and then went on to report progress.

Mayor Anesh – advised that Covid numbers are being reported on a weekly basis. South Plainfield has had an additional 12 cases for a total amount of 3,205 cases to date. Mayor Anesh reminded everyone that vaccines are out there and available. If you are not vaccinated to please do all you can to protect yourself i.e. wear a mask, socially distance yourself, etc. Chief Parker, our OEM Coordinator, said FEMA will be out and around town again tomorrow as we continue to work our way to recovery after storm IDA.

{A1298313.1 }

**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 thanked the Mayor and Council members for paying tribute to everyone involved at the 911 ceremony. Mrs. Boyle said she is very proud of the Cultural Arts Committee for sharing the different cultures in town. Mrs. Boyle went on to express her concerns regarding the recent shortage of bus drivers and advised that the state has recommend that DPW staff can be considered to help out as bus drivers during these times of shortages. Some states are using their local police and National Guard members to assist in this regard.

Without further comment from the public, Mayor Anesh closed the floor from the public.

**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 7:37 p.m., seconded by Councilman Bengivenga and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC/CMR  
Municipal Clerk