

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
NOVEMBER 15, 2021 7:03 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 7:03 p.m. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this remote hybrid meeting having been provided to the Borough's two official newspapers and also published on the Borough's website. Instructions for accessing the remote public meeting are found on the Borough's website next to the agendas. Documentation pertaining to the remote meeting can be found electronically on the Borough's website.

The roll call was administered by Clerk Antonides as follows:

COUNCIL	Present	Absent	Late
Councilman Bengivenga		X	
Councilwoman 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 Council President White 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:**

October 18, 2021 – Agenda Meeting

October 18, 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				
Council President White	X		X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**Proclamation** – World Pancreatic Cancer Day was read by Mayor Anesh in full. Mr. Bill Price was present to accept the proclamation noting that this Thursday was World Pancreatic Cancer Day and everyone is encouraged to wear purple.

The below ordinance 2216 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for December 6, 2021 at approximately 7 p.m. There were no comments from Council.

**ORDINANCE 2216**  
**AN ORDINANCE AMENDING CHAPTER 52, ARTICLE III OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD ENTITLED "FIRE DEPARTMENT -LENGTH OF SERVICE AWARD PROGRAM"**

**WHEREAS**, the Mayor and Council of the Borough of South Plainfield deemed it appropriate and necessary to amend the Borough's Length of Service Award Program to ensure retention of existing members and to provide incentives for recruiting new volunteer firefighters and first aid organization members; and

**WHEREAS**, a Length of Service Award Program (LOSAP) was created effective January 1, 2000 to provide for fixed annual contributions to a deferred income account for each volunteer member of the South Plainfield Fire Department and South Plainfield Volunteer Rescue Squad at a maximum cost of \$50,000.00; and

**WHEREAS**, Ordinance No. 1545 creating LOSAP and approved by the voters as a public question in the general election of November 7, 2000 was amended by Ordinance No. 1690 to increase the maximum amount of contributions per volunteer for the years 2004 through 2007; and

**WHEREAS**, there have been no further amendments to the LOSAP program since the adoption of Ordinance No. 1690; and

**WHEREAS**, amendment to the Borough's Length of Service Award Program to increase contributions to the Program to a maximum of \$1,787.00 and to provide for automatic Consumer Price Index adjustments as calculated by the Director of the Division of Local Government Services will enhance the ability of the South Plainfield Fire Department and the South Plainfield Rescue Squad to retain and recruit volunteer firefighters and first aid organization members;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Code of the Borough of South Plainfield, Chapter 52, Article III entitled "Fire Department - Length of Service Award Program" shall be amended as follows:

Section 52-27. MAXIMUM AMOUNT OF CONTRIBUTIONS.

The maximum amount of contributions per volunteer shall be \$1,787.00 for the year 2021.

The maximum amount of contributions shall be adjusted in accord with the Annual Consumer Price Index, which adjustments shall be calculated on an annual basis by the Director of the Division of Local Government Services.

Section 52-29. ESTIMATED COST.

The estimated cost of this program has been calculated as follows: For regular services, excluding administration, not to exceed \$100,000.00.

This Ordinance shall take effect upon 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				
Council President White	X		X				
		VOTE:	5	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTIONS**

**RESOLUTION 21-314**

**WHEREAS** the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

**WHEREAS** the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of South Plainfield, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the South Plainfield Municipal Alliance grant for fiscal year 2023 in the amount of:  
     DEDR \$11,578  
     Cash Match \$ 2,894.50  
     In-Kind \$ 8,683.50
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-315  
 ACCEPTING THE RESIGNATION OF TIMOTHY DZIOMBA FROM THE  
 RECREATION COMMISSION EFFECTIVE 10/01/2021**

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

It hereby accepts the resignation of Timothy Dziomba from the Recreation Commission as Alternate II effective 10/01/2021; and

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

1. Amy Antonides, Municipal Clerk
2. Elizabeth Yarus, Recreation Director

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-316**  
**AUTHORIZING MEMBERSHIP IN SOURCEWELL,**  
**A COOPERATIVE PURCHASING AUTHORITY.**

**WHEREAS**, the Borough of South Plainfield is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use alternative procurement methods by entering to nationally recognized cooperative contracts; and

**WHEREAS**, Sourcewell is a public corporation or agency serving as a municipal contracting agency which creates national cooperative contracting solutions for government and public education agencies, and which is established pursuant to Minnesota statute 123A.21; and

**WHEREAS**, Sourcewell is authorized to contract with eligible entities for the purchase of goods and services; and

**WHEREAS**, the Borough of South Plainfield desires to contract with Sourcewell for the purchase of certain goods and services;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute any and all documents, including the Sourcewell Joint Powers Agreement attached hereto, in order for the Borough to participate with Sourcewell in the procurement of certain goods and services.

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-317**  
**AUTHORIZING THE NJ STATE CONTRACT SERVICES OF MOTOROLA SOLUTIONS INC. FOR SIX PORTABLE**  
**RADIOS FOR THE FIRE DEPARTMENT**  
**IN AN AMOUNT NOT TO EXCEED \$17,424.90**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ state contract services of Motorola Solutions Inc. for six portable radios for the Fire Department in an amount not to exceed \$17,424.90 pursuant to state contract number 83909, 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. John Abbruzzese, IT
4. Joe Abbruzzese, Fire Marshal

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION: 21-318**  
**AUTHORIZING A CONSTRUCTION PERMIT REFUND IN THE AMOUNT OF \$285.00 TO LUTHERAN SOCIAL**  
**MINISTRIES OF NJ**

**WHEREAS**, the Construction Official confirms that a permit was for a construction related project for Lutheran Social Ministries regarding reinspections and as such, the applicant cancelled and has requested a refund of the \$285.00;

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South  
 {A1298313.1 }

Plainfield that the Chief Financial Officer is hereby authorized to issue a refund check(s) in the amount(s) of \$285.00 to the following:

**South Plainfield Urban Renewal, LP  
3 Manhattan Drive  
Burlington, NJ 08016**

**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				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman Wolak	x		X				
Council President White		x	X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-319**

**AUTHORIZING RENEWAL OF A SHARED SERVICE CONTRACT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND COUNTY OF MIDDLESEX FOR PUBLIC HEALTH SERVICES FOR 2022 IN THE AMOUNT OF \$130,490.89**

**WHEREAS**, the Borough of South Plainfield and the County of Middlesex (Lead Agency) previously entered into a Shared Services Agreement for Middlesex County Health Department to provide Municipal Health Services of a technical and professional nature; and

**WHEREAS**, both the Borough and the County wish to continue this Shared Service Agreement of which term is for one (1) year, January 1, 2022 through December 31, 2022; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that authorization is hereby given for the Mayor and Municipal Clerk to execute the Shared Services Agreement with Middlesex County to provide Municipal Health Services of a technical and professional nature for a one-year (1) year period, January 1, 2022 through December 31, 2022 in the amount of \$130,490.89.

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 2021-320**

**RESOLUTION AUTHORIZING SETTLEMENT OF 2020 AND 2021 TAX APPEALS FILED BY HSP CENTER LP BY REGAL CINEMA, INC. FOR THE PROPERTY KNOWN AS 1000 CORPORATE COURT AND IDENTIFIED AS BLOCK 528, LOT 47.09 ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS**

**WHEREAS**, HSP Center LP by Regal Cinema, Inc. (hereinafter referred to as “Taxpayer”) is the owner/tenant of the property known as 1000 Corporate Court and identified as Block 528, Lot 47.09, on the Borough of South Plainfield’s Tax Assessment Maps (“Property”); and

**WHEREAS**, the assessed value of the Property was set at \$3,401,100 for 2020 and \$2,260,000 for 2021; and

**WHEREAS**, Taxpayer filed appeals of its 2020 and 2021 tax assessments in the Tax Court of the State of New Jersey under docket numbers 009389-2020 and 003182-2021; and  
{A1298313.1 }

**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, recommended that the settlement be approved and therefore, this proposed settlement is reasonable and reflects the correct market value for the Property which was over assessed for the years under appeal; and

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

The 2020 original assessment in the amount of \$3,401,100 shall be reduced to \$3,100,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2020;

- The 2021 total tax assessment in the amount of \$2,260,000 shall be affirmed and remain unchanged;
- Taxpayer agrees to waive statutory interest provided the subject refund is paid within sixty (60) days from the date of entry of the Tax Court Judgment;
- Any refunds regarding overpayment shall be made payable to “Peter Davidson, Esq. and HSP Center LP by Regal Cinema, Inc.” and mailed to The Davidson Legal Group, LLC, 154 South Livingston Avenue, Suite 207, Livingston, NJ 07039 within sixty (60) days of entry of the Tax Court Judgment;
- The Property’s tax assessment for Tax Year 2022 shall be set at a total tax assessment of \$2,160,000 “on the books” conditioned upon there being no “change in value” [as that phrase has been defined pursuant to N.J.S.A. 54:51-A-8 (Freeze Act)] of the Property prior to the close of the 2022 tax assessment books and the Property not being sold at a higher market value prior to the close of the 2022 tax assessment books; and
- Taxpayer agrees that a tax appeal for Tax Year 2022 will not be filed provided the 2022 total tax assessment is set at \$2,160,000.

**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 \$3,100,000 total tax assessment for the 2020 tax year for Block 528, Lot 47.09 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 HSP Center LP by Regal Cinema, Inc. under Docket Nos.: 009389-2020 and 003182-2021 for the property known as 1000 Corporate Court and identified as Block 528, Lot 47.09 on the Borough of South Plainfield Tax Assessment Maps which reduces the 2020 total tax assessment on the Property from \$3,401,100 to \$3,100,000; which affirms the 2021 total tax assessment on the Property in the amount of \$2,260,000; which provides that Taxpayer agrees to waive statutory interest on any refund or overpayment due provided the refund is paid within sixty (60) days of entry of the Tax Court Judgment; which provides that any refunds shall be made payable to “Peter Davidson, Esq. and HSP Center LP by Regal Cinema, Inc.” and mailed to The Davidson Legal Group, LLC, 154 South Livingston Avenue, Suite 207, Livingston, NJ 07039 within sixty (60) days of entry of the Tax Court Judgment; which provides that The Property’s tax assessment for Tax Year 2022 shall be set at a total tax assessment of \$2,160,000 “on the books” conditioned upon there being no “change in value” [as that phrase has been

defined pursuant to N.J.S.A. 54:51-A-8 (Freeze Act)] of the Property prior to the close of the 2022 tax assessment books and the Property not being sold at a higher market value prior to the close of the 2022 tax assessment books; and which provides that Taxpayer agrees that a tax appeal for Tax Year 2022 will not be filed provided the 2022 total tax assessment is set at \$2,160,000.

- 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
<b>Councilman Bengivenga</b>						x	
<b>Councilwoman Faustini</b>			X				
<b>Councilwoman Mott</b>			X				
<b>Councilman Smith</b>			X				
<b>Councilman Wolak</b>	x		X				
<b>Council President White</b>		x	X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-321  
ACCEPTING THE RETIREMENT OF DOROTHY PARADISO  
FROM THE FINANCE OFFICE**

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

It hereby accepts the retirement of Dorothy Paradiso from the Municipal Finance Office effective August 1, 2022; and

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

- Glenn Cullen, Administrator/CFO
- Amy Antonides, Municipal Clerk
- Anne Daley, Benefits
- Carmela Sutor, Payroll

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
<b>Councilman Bengivenga</b>						x	
<b>Councilwoman Faustini</b>			X				
<b>Councilwoman Mott</b>			X				
<b>Councilman Smith</b>			X				
<b>Councilman Wolak</b>	x		X				
<b>Council President White</b>		x	X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-322  
AUTHORIZING THE NJ STATE CONTRACT SERVICES OF QUADIENT LEASING FOR  
A 60-MONTH LEASE FOR THE BOROUGH’S MAIL MACHINE  
IN AN AMOUNT NOT TO EXCEED \$355.96 PER MONTH**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ state contract services of Quadient Leasing for a 60-month lease for the Borough’s mail machine in an amount not to exceed \$355.96 per month pursuant to state contract number A41267 and current lease number: N16101290, and

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Anne Daley, Secretary
- John Abbruzzese, IT

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				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 21-323**  
**AUTHORIZING THE NJ STATE CONTRACT SERVICES OF 1<sup>ST</sup> CHOICE SAFETY**  
**EQUIPMENT FOR THE PURCHASE OF A FLIR THERMAL IMAGING CAMERA**  
**FOR THE FIRE DEPARTMENT**  
**IN AN AMOUNT NOT TO EXCEED \$5,915.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ state contract services of 1<sup>st</sup> Choice Safety Equipment for the purchase of a FLIR Thermal Imaging Camera for the Fire Department in an amount not to exceed \$5,915.00 pursuant to state contract number #17-FLEET-00804, 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. Anne Daley, Secretary
4. Joe Abbruzzese, Fire Official

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				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 21-324**  
**AUTHORIZING THE PURCHASE OF A FORCIBLE ENTRY DOOR SIMULATOR FROM EAST COAST RESCUE**  
**SOLUTIONS FOR THE FIRE DEPARTMENT**  
**IN AN AMOUNT NOT TO EXCEED \$8,445.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of a forcible entry door simulator from East Coast Rescue Solutions for the Fire Department in an amount not to exceed \$8,445.00, 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. Anne Daley, Secretary
4. Joe Abbruzzese, Fire Official

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				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 21-325**  
**AMENDING RESOLUTION 21-222 THAT AUTHORIZED THE SERVICES OF**  
**NAJARIAN ASSOCIATES FOR PRELIMINARY PLANNING AND ENGINEERING**  
**ADMINISTRATION SERVICES FOR STORM SEWERS AND THE 2021 ROAD**  
**RESURFACING PROGRAM, INCLUDING PSE&G ROADS**  
**FOR AN AMOUNT NOT TO EXCEED \$60,000.00 TO NOW INCLUDE**  
**CONSTRUCTION ADMINISTRATION WITH THE**  
**NEW NOT TO EXCEED AMOUNT OF \$106,000.00**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby granted to amend Resolution 21-222 that authorized the services of Najarian Associates to perform preliminary planning and engineering administration services for storm sewers and the 2021 Road Resurfacing Program, including PSE&G Roads for an amount not to exceed \$60,000.00 to now include construction administration with the new not to exceed amount of \$106,000.00

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. Najarian Associates
4. Len Miller, DPW Superintendent

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-326**  
**AUTHORIZING THE APPOINTMENT OF MICHAEL COPPOLA TO THE POSITION OF**  
**MECHANIC CLASS B AT THE RATE OF \$32.90 PER HOUR, EFFECTIVE NOVEMBER 16, 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 Michael Coppola to the position of Mechanic Class B at the rate of \$32.90 per hour and furthermore he shall obtain a CDL license 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. Michael Coppola – DPW Mechanic Class B

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-327**

**AUTHORIZING THE AWARD OF A BID TO CLEANING SERVICES OF HUDSON VALLEY FOR JANITORIAL SERVICES FOR THE MUNICIPAL BUILDING FOR A ONE-YEAR CONTRACT IN AN AMOUNT NOT TO EXCEED \$3,073.00 PER MONTH**

**BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, State of New Jersey, that:

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40A:11, any expenditure of public funds in excess of \$17,500 requires municipalities to advertise for proposals for delivery of said goods or services; and

**WHEREAS**, a need has been determined that janitorial cleaning services are necessary for the municipal building; and

**WHEREAS** bids were solicited and opened on Tuesday, November 9, 2021 at 10:00 a.m. and the following picked-up bid packages from the Borough Engineer and submitted bids as follows:

Cleaning Services of Hudson Valley	\$3,073.00 per month for 1 <sup>st</sup> year
Dublin Cleaning Services	*Bidder Disqualified for fatal flaw in rate structure of bid
Amigos Cleaning Services	*Bidder Disqualified for fatal flaw in rate structure of bid

**WHEREAS**, the bids have been reviewed by the Borough’s Engineer and Attorney and as such it has been determined that Cleaning Services of Hudson Valley is the lowest qualified bidder and it is recommended the bid be awarded to them at the rate of \$3,073.00 per month for a one-year contract term commencing January 1, 2022 to expire at midnight on December 31, 2022; and

**WHEREAS**, funds for said purpose have been certified by the Chief Financial Officer and are available through the current fund budget.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Mayor and Municipal Clerk are hereby authorized to execute a one-year contract term for the aforementioned vendor.

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>	5	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-328**

**AUTHORIZING THE CREDIT OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$5,058.50 PERTAINING TO BLOCK 255, LOT 23.02 IN SOUTH PLAINFIELD**

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

**WHEREAS**, the following list of taxpayers have filed a Correction of Error Complaint with the Tax Court of New Jersey and have received judgments reducing their assessments:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be credited.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
Robert Stewart c/o American Steel Erectors 11 Harmich Road South Plainfield, NJ 07080 {A1298313.1 }	255	23.02	2021	\$1,725.92
			2020	\$1,700.73

2019 \$1,631.85

**Total** **\$5,058.50 \***

**\* No refund check to be issued. Credit will be applied to outstanding taxes.**

**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 credit(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				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman Wolak	x		X				
Council President White		x	X				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION # 21-329**

**AUTHORIZING THE PROFESSIONAL SERVICES OF BRANDSTETTER CARROLL INC. FOR CONSULTING RELATED TO CONSTRUCTION DRAWINGS & DESIGN FOR THE PUMP AND FILTER REPLACEMENT FOR THE COMMUNITY POOL  
IN AN AMOUNT NOT TO EXCEED \$4,500.00**

**WHEREAS** the Borough of South Plainfield is in need of retaining a professional for consulting related to construction drawings & design for the pump and filter replacement for the community pool; and

**WHEREAS** the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of the contracts as “Professional Services” without competitive bidding must be publicly advertised:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute an agreement with **Brandstetter Carroll Inc., 2360 Chauvin Drive, Lexington, KY 40517** to provide engineering and architectural services for the community in an amount not to exceed \$4,500.00.
2. This contract is being awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. A copy of this resolution shall be published in The Observer as required by law within ten (10) days of its passage.

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-330**

**AUTHORIZING 2021 APPROPRIATION TRANSFERS IN THE AMOUNT OF \$125,000.00 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>
1-01-20-120-000-101	Clerk		S&W	<b>6,000.00</b>
1-01-20-130-000-235	Finance Administration		O&E	<b>5,000.00</b>
1-01-20-150-000-221	Assessing		O&E	<b>3,000.00</b>
1-01-21-185-000-101	Zoning Board		S&W	<b>11,000.00</b>
1-01-23-210-000-661	Other Insurance		O&E	<b>30,000.00</b>
1-01-25-240-001-475	Police		O&E	<b>10,000.00</b>
1-01-25-265-003-581	Fire Service Charges		O&E	<b>16,000.00</b>
1-01-27-330-001-235	Board of Health		O&E	<b>15,000.00</b>
1-01-26-290-002-101	Road Repairs & Maintenance		S&W	<b>5,000.00</b>
1-01-28-370-002-102	Office on Aging		S&W	<b>6,000.00</b>
1-01-30-425-001-101	Salary & Wage Adjustment		O&E	<b>1,000.00</b>
1-01-31-440-001-541	Telephone		O&E	<b>17,000.00</b>
<b>Total FROM:</b>				<b>125,000.00</b>
<b>TO:</b>				<b>AMOUNT</b>
1-01-20-110-000-101	Executive		S&W	<b>4,000.00</b>
1-01-20-130-000-101	Finance Administration		S&W	<b>5,000.00</b>
1-01-20-145-000-403	Tax Collection		O&E	<b>2,000.00</b>
1-01-21-180-001-221	Planning Board		O & E	<b>3,000.00</b>
1-01-22-195-001-102	Code Enforcement		S&W	<b>5,000.00</b>
1-01-25-240-001-102	Police		S&W	<b>10,000.00</b>
1-01-25-250-000-102	911		S&W	<b>16,000.00</b>
1-01-25-260-000-101	Rescue Squad		S&W	<b>2,000.00</b>
1-01-25-265-001-101	Fire Department		S&W	<b>3,000.00</b>
1-01-26-290-002-461	Road Repairs & Maintenance		O&E	<b>6,000.00</b>
1-01-26-310-000-101	Public Buildings & Grounds		S&W	<b>10,000.00</b>
1-01-26-310-000-415	Public Buildings & Grounds		O&E	<b>10,000.00</b>
1-01-26-315-000-401	Vehicle Maintenance		O&E	<b>7,000.00</b>
1-01-27-330-001-101	Board of Health		S&W	<b>1,000.00</b>
1-01-27-330-002-101	Youth Aid		S&W	<b>1,000.00</b>
1-01-28-370-001-101	Recreation		S&W	<b>2,000.00</b>
1-01-28-370-001-204	Recreation		O&E	<b>2,000.00</b>
1-01-28-370-002-236	Office on Aging		O&E	<b>3,000.00</b>
1-01-30-410-001-204	Municipal Support		O & E	<b>2,500.00</b>
1-01-30-420-000-235	Public Celebrations		O & E	<b>2,500.00</b>
1-01-31-465-001-565	Gasoline		O & E	<b>9,000.00</b>
1-01-32-465-001-545	Landfill		O & E	<b>9,000.00</b>
1-01-36-472-000-675	SSI		Statutory	<b>7,000.00</b>
1-01-45-934-000-235	Principal on Notes		Debt	<b>3,000.00</b>
<b>Total TO:</b>				<b>125,000.00</b>

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-332**  
**AMENDING RESOLUTION 21-294 THAT AUTHORIZED THE TEMPORARY APPOINTMENT OF JOSEPH PARILLO TO THE POSITION OF CLERK I TO NOW PERMANENTLY APPOINT HIM TO THE POSITION OF CLERK I AT THE ANNUAL SALARY OF \$31,756.29**

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

It hereby amends resolution 21-294 that authorized the temporary appointment of Joseph Parillo from the position of Clerk I effective October 5, 2021 at the hourly rate of \$17.45 to now permanently appoint him to the position of Clerk I at the annual salary of \$31,756.29, 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. Mary Frances Hildebrandt, Tax Assessor
5. John Abbruzzese, IT

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**CORRESPONDENCE**

- Environmental Commission Monthly Report – August, September, October 2021
- Lien report from Property Maintenance Officer
- NJDOT Grant Notice – New Market Ave. - \$417,100.00
- Board of Health Monthly Report – October 2021
- Recycling Monthly Report – October 2021
- S&P Global Rating

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**PAYMENT OF BILLS**

Current Fund	0-01	6,175.00
Current Fund	1-01	990,841.48
Pool Utility	0-26	0.00
Pool Utility	1-26	159,834.00
Sewer Utility	0-07	0.00
Sewer Utility	1-07	250,304.93
Sewer Utility Capital	C-08	0.00
General Capital	C-04	1,085,956.48
Pool Capital	C-27	0.00
Election Account	E-18	15,370.00
Grant Fund	G-02	45,907.23
Dog Trust	T-12	24.60
Treasurers Trust	T-13	33,334.69
Recreation Trust	T-14	7,070.00
Senior Citizen Trust	T-16	0.00
<b>Total All Funds:</b>		<b>\$2,594,818.41</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				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

## COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – advised that the S&P affirmed our existing credit rating and is very pleased with our results. Mr. Cullen pointed out resolution 21-321 that approves Dotty Paradiso’s retirement saying after 41 years we will miss her greatly. Mr. Cullen advised that he attended a FEMA meeting earlier today and as a result is hopeful of receiving a significant amount due to tropical storm Ida’s damages.

Engineer Miller – advised that the Metuchen Avenue road improvements will soon be complete and that we are looking to do a change order to add a few more things to repair. Durham Avenue is also complete but working on completing some punch list items. Mr. Miller also reported that we received a NJDOR Grant for New Market Avenue and then went on to thank the Council for their support tonight for hiring the new mechanic for the shop.

Clerk Antonides – thanked all the poll workers for the wonderful and professional job they all did on election day, especially under some difficult circumstances. Clerk Antonides said she feels South Plainfield poll workers are the best in the County who really put their best foot forward on election day. Mayor Anesh asked if anything was said as to why there were such difficulties that day. Clerk Antonides said nothing has been said to date about it, but said the main issues were with the new technology and with new technology sometimes there will be kinks that need to be ironed out and hopes that the elections will run a lot smoother next year.

Councilman Smith – advised that the Environmental Commission wishes for Council to consider having posters on the lampposts to remind everyone of the NJ Clean Community Bag it Up NJ law in which no single use bags will be allowed effective January 1<sup>st</sup>. Also, the Environmental Commission is seeking to have \$73,500.00 placed into the tree fund. Mr. Cullen explained it is the funding of the tree money received from a recent project and has received some interpretation from the Borough Attorney as to the funding of it. It is presently in the Capital Fund and can only be spent through an ordinance. If it were in the forestry trust it could be spent through a resolution. Councilman Smith congratulated the Green Team for their bronze status and went on to thank Clerk Antonides and her staff and the Health Office for what they do. Councilman Smith concluded by congratulating Councilmen Bengivenga and Wolak on their election win and said that Councilwoman Mott did a great job running for Assembly.

Councilwoman Mott – reported that the Human Relations Committee will be hosting a ball on December 3<sup>rd</sup> from 6-8 p.m. at the Pal. Attire is casual and rubber shoes required. It is a free event, refer to the Human Relations webpage. Councilwoman Mott wished Dotty Paradiso a happy retirement and thanked all voters who came out to the vote despite the difficulties of the day.

Councilman Wolak – congratulated Mr. Cullen for his AA S&P rating and went on to report progress.

Councilman Bengivenga – was absent this evening.

Councilwoman Faustini – congratulated Dotty Paradiso on her retirement and thanked her for the many years of service to our town and then congratulated Councilmen Bengivenga and Wolak on their reelection. Councilwoman Faustini announced an invitation to the community for the annual tree lighting with the theme of “Making Spirits Bright”. Caroling will take place along with Santa being present. Illuminated kits will be done again this year with the \$15 donation going to the South Plainfield Volunteer Fire Department.

Council President White – advised that Clare’s opening at the Hadley Center next to Kinko’s and FedEx and went on to congratulate Councilmen Bengivenga and Wolak on their reelection and concluded by wishing everyone a Happy Thanksgiving.

Mayor Anesh – reported progress.

**COMMENTS FROM THE PUBLIC:**

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

Carol Christatos of 2305 Selene Avenue complimented all the poll workers on election day saying how very kind they all were and then went on to thank the Governing Body for their communication with her saying ow much better she feels knowing the inspectors were all there. Mr. Cullen advised that some patches were done to the roof area over the front door and as a result some liens are placed on the parcel. Contractors should be soon working on the interior followed by inspections after that. Ms. Christatos said she is glad to see things are moving forward.

Nancy Grennier asked for confirmation of when the Tree Lighting will be. Councilwoman Faustini said December 5<sup>th</sup> at 5:00 p.m. Mrs. Grennier thanked Mr. Miller for putting up the South Plainfield Business Association signs. One sign is up so far on Hadley Blvd. Mrs. Grennier concluded by asking if the town is planning on suing Middlesex Water Company. Mayor Anesh advised there is a class action lawsuit pending of which we will be discussing in closed session this evening.

Debbie Boyle of Van Fleet thanked Clerk Antonides for all her effort on election day saying how she kept everyone informed at to what was going on and why there were delays. Mrs. Boyle congratulated Dotty Paradiso on her retirement, the Green Team for achieving their Bronze Certificate and concluded by congratulating both Councilmen Bengivenga and Wolak on their reelection.

Without further comment from the public, Mayor Anesh closed the floor from the public and advised that we will be going into Closed Session at this time, 7:43 p.m., and everyone is welcome to stay if they choose.

Upon return from the closed session meeting at 8:39 p.m., Mayor Anesh said there is the addition of two more resolutions: The following vote reflects the addition of resolutions 21-331 and 21-333 to this evening’s agenda:

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				
		VOTE:	5	0			
<b>Mayor Anesh – TIE ONLY</b>							

Mayor Anesh opened the floor for public comment. With no comments from the public, closed the floor.

**RESOLUTION 21-331  
AUTHORIZING NOTICE TO MIDDLESEX COUNTY MUNICIPAL JOINT  
INSURANCE FUND OF THE BOROUGH’S INTENTION TO WITHDRAW.**

**WHEREAS**, the Borough of South Plainfield is a member of the Middlesex County Municipal Joint Insurance Fund (“the Fund”); and

**WHEREAS**, the Fund has failed to comply with certain bylaws as required; and

**WHEREAS**, the actions of the Fund have created financial issues, and continuing as a member of the Fund would expose the Borough to potential serious financial consequences.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Borough Administrator and/or Borough Attorney are directed to forward correspondence to the Middlesex County Municipal Joint Insurance Fund advising of the Borough’s intention to withdraw from the Fund effective January 1, 2022 and take any all actions necessary to withdraw.

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 21-333**  
**AUTHORIZING EXECUTION OF A RETAINER AGREEMENT WITH BERGER MONTAGUE, P.C.**  
**AND VLASAC SHMARUK, LLC FOR REPRESENTATION IN LEGAL ACTION AGAINST**  
**MIDDLESEX WATER COMPANY**

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>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**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 8:41 p.m., seconded by Councilwoman Faustini and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC/CMR  
Municipal Clerk