

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
AUGUST 15, 2022 7:02 P.M.
PUBLIC MEETING**

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

CALL TO ORDER: Councilman Bengivenga called the meeting to order at 7:02 p.m. Councilman Bengivenga 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 Mott | X | | |
| Councilman Smith | X | | |
| Councilman White | X | | |
| Councilman Wolak | X | | |
| Council President Faustini | | X | |
| Mayor Anesh | | X | |
| ALSO PRESENT | | | |
| Administrator Cullen | Virtual | | |
| Clerk Antonides | X | | |
| Attorney Paul Rizzo | X | | |
| Engineer Miller | X | | |

Flag Salute: was led by Councilman Bengivenga and Councilwoman Mott said the invocation.

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

Authorizing the Approval of Council Minutes:

- July 11, 2022 – Agenda Meeting
- July 11, 2022 - Public Meeting
- July 11, 2022 – Executive Session
- July 25, 2022 – Special Meeting
- July 25, 2022 – Executive Session

July 11, 2022:

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

July 25, 2022:

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

ORDINANCES:

The following ordinance #2239 was read by Clerk Antonides by title for a second reading. Councilman Bengivenga opened the floor for public comment and with no comments made, closed the floor. The council had no comments.

ORDINANCE 2239

A CAPITAL ORDINANCE AUTHORIZING “CAPITAL IMPROVEMENTS” TO WILLOW PARK, MONUMENT PARK AND THE MUNICIPAL COMPLEX AT A COST OF \$67,750.39, IN 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:

Section 1. The aforementioned assets be funded by Capital Fund Surplus:

| | |
|------------------------|---------------------------|
| Capital Surplus | \$67,750.39 |
| Totals | <u>\$67,750.39</u> |

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 \$67,750.39.
- B. That the cost for the improvements shall be paid from Capital Surplus Fund totaling \$67,750.39.
- C. The estimated useful life of said improvements is hereby determined to be five (5) 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 \$10,000.00.

Section 5. This ordinance shall take effect after final passage and publication in accordance with the law.

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

The following ordinance #2240 was read by Clerk Antonides by title for a first reading. Councilman Bengivenga set the public hearing for September 6, 2022 at approx. 7pm.

BOND ORDINANCE #2240

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VEHICLES AND EQUIPMENT IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$419,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$399,000 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 improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$419,000, including the sum of \$20,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$399,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of vehicles and equipment, including, but not limited to, a garbage truck and further including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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

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

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

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 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 \$399,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

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

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

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

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

The following ordinance #2241 was read by Clerk Antonides by title for a first reading. Councilman Bengivenga set the public hearing for September 6, 2022 at approx. 7pm.

ORDINANCE 2241

AN ORDINANCE THAT AMENDS ORDINANCE 2129 AND 2160 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

The ordinance #2241 read by title upon first reading herewith has been introduced at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on August 15, 2022. In summary, this ordinance amends Ordinances 2129 and 2160 to now include the positions of Recreation Leader and Chief Assistant Assessor and it further eliminates the position of Assistant Zoning Officer. The public hearing where further consideration will be made will be held on September 6, 2022, at approximately 7:00 p.m. at the Municipal Building located at 2480 Plainfield Avenue, South Plainfield, NJ. A full complete copy of this ordinance shall be provided, free of charge prior to adoption, to all those who request said copy at the Borough Clerk's office during normal business hours of 8 a.m. to 4 p.m. or emailed upon request. A copy is also located on the municipal website and may be freely viewed and printed.

Introduction of Ordinance #2241: August 15, 2022

| COUNCIL | MOTION | 2 ND | AYES | NAYS | ABSTAIN | ABSENT | RECUSE |
|----------------------------|--------|-----------------|------|------|---------|--------|--------|
| Councilman Bengivenga | | | X | | | | |
| Councilwoman Mott | | x | X | | | | |
| Councilman Smith | | | X | | | | |
| Councilman White | x | | X | | | | |
| Councilman Wolak | | | X | | | | |
| Council President Faustini | | | | | | X | |
| | | | 5 | 0 | | | |
| Mayor Anesh – TIE ONLY | | | | | | | |

RESOLUTIONS:

RESOLUTION 22-258

AUTHORIZING THE REFUND OF A TAX OVERPAYMENT IN THE AMOUNT OF \$311.63 PERTAINING TO 1113 MALTBY AVE. 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 18 Lot 19
 William & Eva McKnight
 1113 Maltby Ave
 South Plainfield, NJ 07080
\$311.63

MAKE CHECK PAYABLE TO:

William & Eva McKnight
 1113 Maltby Ave
 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 ND | AYES | NAYS | ABSTAIN | ABSENT | RECUSE |
|----------------------------|--------|-----------------|------|------|---------|--------|--------|
| Councilman Bengivenga | | | X | | | | |
| Councilwoman Mott | | | X | | | | |
| Councilman Smith | | | X | | | | |
| Councilman White | x | | X | | | | |
| Councilman Wolak | | x | X | | | | |
| Council President Faustini | | | | | | X | |
| | | VOTE: | 5 | 0 | | | |
| Mayor Anesh – TIE ONLY | | | | | | | |

RESOLUTION 22-259

RESCINDING RESOLUTION 22-255 TITLED “THE NJ STATE CONTRACT SERVICES OF OCEAN COMPUTER GROUP FOR A SONIC WALL SUBSCRIPTION IN AN AMOUNT NOT TO EXCEED \$7,603.16” DUE TO DUPLICATION OF RESOLUTION 22-217

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby rescinds Resolution 22-255 that applies to the state contract services of Ocean Computer Group for a sonic wall subscription in an amount not to exceed \$7,603.16 pursuant to state contract number 19-TELE-00656 & 89968 due to a duplication of Resolution 22-217, and

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

1. Glenn Cullen, CFO
{A1298313.1 }

2. Amy Antonides, Municipal Clerk
3. John Abbruzzese, IT

| COUNCIL | MOTION | 2 ND | AYES | NAYS | ABSTAIN | ABSENT | RECUSE |
|-------------------------------|--------|-----------------|----------|----------|---------|--------|--------|
| Councilman Bengivenga | | | X | | | | |
| Councilwoman Mott | | | X | | | | |
| Councilman Smith | | | X | | | | |
| Councilman White | X | | X | | | | |
| Councilman Wolak | | X | X | | | | |
| Council President Faustini | | | | | | X | |
| | | VOTE: | 5 | 0 | | | |
| Mayor Anesh – TIE ONLY | | | | | | | |

RESOLUTION 22-260
AMENDING RESOLUTION 22-249 THAT CANCELLED CAPITAL IMPROVEMENT
AUTHORIZATION BALANCES TO NOW CORRECT THE BALANCES FOR CANCELLATION

WHEREAS, Resolution 22-249 approved on July 11, 2022, indicated incorrect balances for cancelation; and

WHEREAS, the following capital improvement authorization balances remain unexpended and reflect the correct balances:

| Ordinance Number | Description | Amount |
|------------------|---------------------------|---------------------|
| 2164 | Various Road Improvements | |
| | Total: | \$268,316.06 |
| | Grants Receivable Total: | \$268,316.06 |
| | Total | \$268,316.06 |

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey, hereby authorizes that Resolution 22-249 be amended to indicate the corrected unexpended balances to be cancelled as shown above.

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

RESOLUTION 22-261
AUTHORIZING THE ACCEPTANCE OF AN APPLICATION FOR DMHS GRANT FUNDING

FORM 1B – DMHAS Youth Leadership Grant

WHEREAS the Governor’s Council on Alcoholism and Drug Abuse (GCADA) 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. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

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 DMHAS Youth Leadership funding through the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex;

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

1. The Borough Council does hereby authorize acceptance of an application for DMHAS Grant funding for the South Plainfield Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:
DMHAS Grant Funding - \$5,000.00
2. The Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

RESOLUTION 22-262

AMENDING RESOLUTION 2013-183 THAT AWARDED A BID FOR A HOUSING REHABILITATION PROJECT FOR GUERRERO OF 112 OAKMOOR AVENUE IN THE AMOUNT OF \$14,775.00 TO NOW INCLUDE AN ADDITIONAL \$252.52

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

It hereby amends Resolution 2013-183 that Authorized an award of a contract to Utopia Corporation LLC for housing rehabilitation project for Guerrero of 112 Oakmoor Avenue of in an amount not to exceed \$14,775.00 to now include an additional \$252.52 to cover the cost of repairing a gas piping leak on a furnace.

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

RESOLUTION 22-263

ACCEPTING THE RETIREMENT OF OFFICER SHERI COURTNEY FROM THE POLICE DEPARTMENT EFFECTIVE 02/01/2023

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

It hereby accepts the retirement of Officer Sheri Courtney from the Police Department effective 02/01/2023; and

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

1. Glenn Cullen, Administrator/CFO
2. Amy Antonides, Municipal Clerk
3. Anne Daley, Benefits
4. Carmela Miller, Payroll
5. James Parker, Chief of Police

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

RESOLUTION 22-264
AUTHORIZING THE FULL-TIME HIRING OF ANDREA JERONIMO TO THE POSITION OF
CLERK I FOR THE ASSESSING DEPARTMENT EFFECTIVE AUGUST 16, 2022
AT THE ANNUAL SALARY OF \$32,550.20

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 full-time Andrea Jeronimo in the position of Clerk I for the Assessing Department effective August 16, 2022, at the annual salary of \$32,550.20 pursuant to Ordinance #2150.

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. Mary Frances Hildebrandt, CTA
6. John Abbruzzese, IT

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

RESOLUTION 22-265
AUTHORIZING STILO EXCAVATION INC. TO MILL AND REPAVE THE OLD HOCKEY RINK AREA BEHIND
WILLOW PARK IN AN AMOUNT NOT TO EXCEED \$36,650.00

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it hereby authorizes Stilo Excavation Inc. to mill and repave the old hockey rink area behind Willow Park in an amount not to exceed \$36,650.00.

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 ND | AYES | NAYS | ABSTAIN | ABSENT | RECUSE |
|-------------------------------|--------|-----------------|----------|----------|---------|--------|--------|
| Councilman Bengivenga | | | X | | | | |
| Councilwoman Mott | | | X | | | | |
| Councilman Smith | | | X | | | | |
| Councilman White | x | | X | | | | |
| Councilman Wolak | | x | X | | | | |
| Council President Faustini | | | | | | X | |
| | | VOTE: | 5 | 0 | | | |
| Mayor Anesh – TIE ONLY | | | | | | | |

**RESOLUTION 2022-266
BOROUGH OF SOUTH PLAINFIELD
COUNTY OF MIDDLESEX**

**AUTHORIZING INSERTION OF ITEM OF REVENUE FOR BUDGET YEAR 2022 FOR THE
NEW JERSEY MUNICIPAL ALLIANCE GRANT IN THE AMOUNT OF \$11,578.00**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of South Plainfield in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2022 in the total sum of \$11,578.00 which is now available and is broken down as follows:

| | |
|-------------------------------------|--------------------|
| New Jersey Municipal Alliance Grant | \$11,578.00 |
| Total Grants | \$11,578.00 |

BE IT FURTHER RESOLVED that the like sum of \$11,578.00 is hereby appropriated under the aforementioned Grants;

BE IT FURTHER RESOLVED that two copies of this Resolution shall be forwarded to the Director of the Division of Local Government Services, and one copy shall be forwarded to the Chief Financial Officer.

| COUNCIL | MOTION | 2 ND | AYES | NAYS | ABSTAIN | ABSENT | RECUSE |
|-------------------------------|--------|-----------------|----------|----------|---------|--------|--------|
| Councilman Bengivenga | | | X | | | | |
| Councilwoman Mott | | | X | | | | |
| Councilman Smith | | | X | | | | |
| Councilman White | X | | X | | | | |
| Councilman Wolak | | X | X | | | | |
| Council President Faustini | | | | | | X | |
| | | VOTE: | 5 | 0 | | | |
| Mayor Anesh – TIE ONLY | | | | | | | |

**RESOLUTION 2022-267
ACCEPTING THE 2021 MUNICIPAL AUDIT**

WHEREAS, N.J.S.A. 40:A5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transaction, and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by Resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and,

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

As evidenced by the group affidavit form of the Governing Body, and

WHEREAS, such Resolution of Certification shall be adopted by the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgation’s of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52-27BB-52 to wit: R.S. 52:27BB-52 – “A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of South Plainfield, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said audit.

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

RESOLUTION 2022- 268
Borough of South Plainfield
ACCEPTING THE CORRECTIVE ACTION PLAN – 2021 AUDIT

WHEREAS, there exists comments entitled “Recommendations” in the 2021 Audit showing deficiencies in various departments; and

WHEREAS, each department was advised of the weaknesses/deficiencies within their department, and

WHEREAS, the Borough Auditor, in conjunction with the Borough employees and the Borough Council, discussed a Corrective Action Plan for the 2021 Audit;

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, that as per the requirements of the Federal OMB Circular No. A-128 13(d), that the attached Corrective Action Plan for the 2021 Audit Findings be submitted to the Department of Community Affairs for their review.

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

RESOLUTION: 22-269
AUTHORIZING REFUNDS FOR TEEN & ADULT SWIM LESSONS

WHEREAS, the Recreation Director confirms that the following refunds are necessary based upon the request by the applicants as follows:

Nadarajah (2167587)

Joseph Nadarajah

860 Nelson Place

Piscataway, NJ 08854

Check Payment: \$125.00

Nguyen (1378891)

{A1298313.1 }

My Nguyen

1585 Mellon St.
South Plainfield, NJ 07080
Cash Payment: \$85.00

Holmes (1403816)

Bridget Holmes

190 Zwolak Ct
South Plainfield, NJ 07080
Credit Payment: \$45.00

Sylvester (1411763)

Maxson Sylvester

Parent: Jill Sylvester

142 Rahway Ave
South Plainfield, NJ 07080
Swim Team Refund (registered prior to try-outs and was not ready for swim team)
Credit Payment: \$45.00

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

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

**RESOLUTION 22-270
AUTHORIZING THE APPOINTMENT OF SPECIAL LAW ENFORCEMENT OFFICERS (SLEO III) AT THE
HOURLY RATE OF \$35.00 EFFECTIVE AUGUST 29, 2022**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby confirms the appointment of the below individuals as special law enforcement officers (SLEO III) for a one-year appointment at the hourly rate pursuant to ordinance of \$35.00 effective August 29, 2022:

1. Lisa Sanchez-Armstead
2. Joseph Falcone
3. Francis Fusaro
4. Sean O’Leary
5. Stephen Studlack

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. James Parker, Chief of Police
4. Anne Daley, Benefits
5. Carmela Miller, Payroll

| COUNCIL | MOTION | 2 ND | AYES | NAYS | ABSTAIN | ABSENT | RECUSE |
|-------------------------------|--------|-----------------|------|------|---------|--------|--------|
| Councilman Bengivenga | | | X | | | | |
| Councilwoman Mott | | X | X | | | | |
| Councilman Smith | | | X | | | | |
| Councilman White | X | | X | | | | |
| Councilman Wolak | | | X | | | | |
| Council President Faustini | | | | | | X | |
| | | | 5 | 0 | | | |
| Mayor Anesh – TIE ONLY | | | | | | | |

RESOLUTION: 22-271

AUTHORIZING THE CREDIT OF TAX APPEAL JUDGMENTS IN THE AMOUNT OF \$24,913.43 PERTAINING TO MULTIPLE PROPERTIES IN SOUTH PLAINFIELD

WHEREAS, the following list of taxpayers have filed appeals with the Middlesex Tax Court 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> |
|--|--------------|------------|-------------|---------------|
| Scicolone, James & Amy 1309 West 7 th Street South Plainfield, NJ 07080 | 17 | 3 | 2022 | \$626.53 |
| Bengivenga, Robert A 3112 Woodland Avenue South Plainfield, NJ 07080 | 95 | 4 | 2022 | \$2,967.75 |
| Bengivenga, Robert A & April 2800 Woodland Avenue South Plainfield, NJ 07080 | 95 | 4.01 | 2022 | \$989.25 |
| Bengivenga, Robert A 2806 Woodland Avenue South Plainfield, NJ 07080 | 95 | 5 | 2022 | \$659.50 |
| Lacross, Matthew & Kimberly 401 Franklin Avenue South Plainfield, NJ 07080 | 170 | 22 | 2022 | \$989.25 |
| Mangar, Shazad & Uzoamaka O 270 Fairlamb Avenue South Plainfield, NJ 07080 | 188 | 62 | 2022 | \$1,384.95 |
| Ela Rose Properties LLC 158-160 So Plainfield Avenue South Plainfield, NJ 07080 | 249 | 21 | 2022 | \$2,163.16 |
| B Bengi LLC c/o R Bengivenga 21 So Plainfield Avenue South Plainfield, NJ 07080 | 265 | 3 | 2022 | \$1,457.50 |
| Ram Investments, LLC 129 So Plainfield Avenue South Plainfield, NJ 07080 | 267 | 17 | 2022 | \$1,516.85 |
| Singh, Ranbir {A1298313.1 } | 345 | 17 | 2022 | \$4,095.50 |

246 Kosciusco Avenue
 South Plainfield, NJ 07080

Zelano, Donna 409 2 2022 \$659.50
 301 Somerset Street
 South Plainfield, NJ 07080

Teelucksingh, Noel & Mini 427.01 31/C0002 2022 \$1,279.43
 433 Frederick Avenue
 South Plainfield, NJ 07080

Abernathy, David M 498 7 2022 \$659.50
 3812 Fleet Avenue
 South Plainfield, NJ 07080

Somagini, Pavan Kumar Goud 517 1/C0712 2022 \$1,151.62
 712 Strassle Way
 South Plainfield, NJ 07080

Gath, Paola E & Darrin 528 2 2022 \$626.53
 1328 Yurgel Drive
 South Plainfield, NJ 07080

D & H Holdings LLC 535 11 2022 \$3,686.61
 2709 Hamilton Boulevard
 South Plainfield, NJ 07080

Total \$24,913.43*

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

CORRESPONDENCE:

- Board of Health Monthly Report
- Code Enforcement Lien Report
- Environmental Commission Minutes – June 8, 2022
- Community Pool Statistics
- Certificate of Award for Bond Anticipation Note

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

PAYMENT OF BILLS

| | | |
|-------------------------|------|---------------------|
| Current Fund | 1-01 | 56,625.00 |
| Current Fund | 2-01 | 284,744.48 |
| Pool Utility | 1-26 | 3,500.00 |
| Pool Utility | 2-26 | 12,899.91 |
| Sewer Utility | 1-07 | 13,500.00 |
| Sewer Utility | 2-07 | 26,449.37 |
| Sewer Utility Capital | C-08 | 33,540.00 |
| General Capital | C-04 | 234,930.54 |
| Pool Capital | C-27 | 1,480.50 |
| Election Account | E-18 | 0.00 |
| Grant Fund | G-02 | 908.60 |
| Dog Trust | T-12 | 67.80 |
| Treasurers Trust | T-13 | 41,182.56 |
| Recreation Trust | T-14 | 3,984.67 |
| Senior Citizen Trust | T-16 | 0.00 |
| Total All Funds: | | \$713,813.43 |

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – advised that Ordinance 2237 on this evening’s meeting will largely be paid for by a Community Development Block Grant. Mr. Cullen congratulated the new police hires and went on to report progress.

Engineer Miller – reported progress.

Clerk Antonides – reported progress.

Councilman Wolak – reported progress.

Councilman Smith – reported progress.

Councilwoman Mott – reported progress.

Councilman Bengivenga – reported progress.

Council President Faustini – was absent this evening.

Councilman White – reported progress.

Mayor Anesh – was absent this evening.

{A1298313.1 }

COMMENTS FROM THE PUBLIC:

Councilman Bengivenga opened the floor for public comment reiterating the aforementioned remote directions for making remote public comment.

Debbie Boyle of Van Fleet congratulated the newly appointed SLEO officers and welcomed them and then went on to wish Sherri Courtney well on her retirement.

Without further comment from the public, Councilman Bengivenga closed the floor from the public and advised that we will be going into Closed Session at this time, 7:16 p.m., and everyone is welcome to stay if they choose.

ADJOURNMENT

Without further comment and no more action necessary for this evening Councilman Bengivenga called for a motion to adjourn. Councilman Smith made a motion to adjourn at 7:42 p.m., seconded by Councilman White and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk