

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
FEBRUARY 6, 2023 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 7:04 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
Councilwoman Faustini	X		
Councilwoman Mott	X		
Councilman Smith	X		
Councilman White	X		
Councilman Wolak	X		
Council President Bengivenga	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	Virtual		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		

Flag Salute: was led by Mayor Anesh and Councilwoman Faustini said 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:

- January 23, 2023 – Agenda Meeting
- January 23, 2023 - Public Meeting
- January 23, 2023 – Executive Session

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

Proclamation: Black History Month – was read in full by Mayor Anesh. Mayor Anesh invited members of the public to come forward who in turn said a few words. Photographs were taken by the media present, and everyone extended a round of applause.

American Heart Month – was read in full by Mayor Anesh. The Observer requested all women in the room come forward for a photograph.

Presentation: Public Celebrations Luminary Donation to SPVFD - Mayor Anesh called members present from the Public Celebrations Committee to come forward to present the donation in the amount of \$710.00 to the Fire Department. The Fire Department thanked the Public Celebrations Committee and the Borough Council for all their support. Everyone extended a round of applause and photographs were taken by the media present.

ORDINANCES:

The following ordinance #2253 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment and council comment. With no comments from the public or council, Mayor Anesh closed the floor.

ORDINANCE 2253

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD AKNOWLEDGING THE BOROUGH OF SOUTH PLAINFIELD’S ACCEPTANCE OF THE TRAFFIC CONTROL SIGNAL LOCATED AT THE INTERSECTION OF NEW BRUNSWICK AVENUE AND CARLTON AVENUE

BE IT ORDAINED by the Borough Council of the Borough of South Plainfield, in the County of Middlesex and State of New Jersey as follows:

SECTION 1. The intersection of New Brunswick Avenue (County Route 647) and Carlton Avenue shall be controlled by a Traffic Control Signal in accordance with the As-Built Traffic Signal Plan , bearing the date of September 13, 2022.

SECTION 2, The Traffic Control Signal shall be in accordance with provisions of the Manual on Uniform Traffic Control Devices, Title 39 of the Revised Statutes AND the New Jersey Administrative Code, AND SHALL BE OPERATED IN CONFORMANCE WITH THE DESIGNATED PLAN,

SECTION 3, All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed,

SECTION 4, If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjusted and the remainder of the ordinance shall be deemed valid and effective, upon adoption.

SECTION 5, This Ordinance shall take effect upon final passage and publications provided by law,

SECTION 6, Upon final passage and adoption, the Borough Clerk shall forward a certified copy of this Ordinance to Ronald Sendner, P.E., Middlesex County Engineer, 75 Bayard, New Brunswick, NJ 08903 for submission to the Middlesex County Board of Chosen Freeholders for a Consenting Resolution,

SO ORDAINED, as aforesaid.

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

The following ordinance #2254 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment and council comment. With no comments from the public or council, Mayor Anesh closed the floor.

BOND ORDINANCE #2254

BOND ORDINANCE REAPPROPRIATING \$400,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR IMPROVEMENTS TO NEW MARKET AVENUE AND PITT STREET IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY. 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. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$400,000 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Borough of South Plainfield, in the County of Middlesex, New Jersey (the “Borough”), are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Reappropriated</u>
Bond Ordinance #2164	Various road improvements, including Saint Nicholas Avenue, Corporate Boulevard and Cragwood Road, including all work and materials necessary therefor and incidental thereto, finally adopted January 27, 2020	\$207,800
Bond Ordinance #2110, as reappropriated by Bond Ordinances #2124 and #2164	Various road improvements, including Saint Nicholas Avenue, Corporate Boulevard and Cragwood Road, including all work and materials necessary therefor and incidental thereto, finally adopted April 16, 2018, as reappropriated February 4, 2019 and January 27, 2020	\$67,200
Bond Ordinance #2187	Improvements to Durham Avenue, including, but not limited to, milling, paving and storm sewer improvements, and milling and resurfacing of Helen Street and further including all work and materials necessary therefor and incidental thereto, finally adopted December 21, 2020	\$125,000
Total:		\$400,000

Section 2. The \$400,000 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby reappropriated to provide for improvements to New Market Avenue and Pitt Street, including all work and materials necessary therefor and incidental thereto.

Section 3. 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 4. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

The following ordinance #2255 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment and council comment. With no comments from the public or council, Mayor Anesh closed the floor.

**NOTICE OF INTRODUCTION BY SUMMARY
ORDINANCE 2255**

AN ORDINANCE AMENDING ORDINANCE 2225 THAT PROVIDES FOR THE COMPENSATION OF PART-TIME EMPLOYEES FOR THE BOROUGH OF SOUTH PLAINFIELD FOR THE YEARS 2019 THROUGH 2023 TO AMEND GROUNDSKEEPER LEVEL 1 2023 SALARY TO COMPLY NJ'S MINIMUM WAGE

The ordinance #2255 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 January 23, 2023. In summary, this ordinance amends Ordinance 2225 that provides for the compensation of employees of the Borough of South Plainfield and the method of payment of such compensation of part-time employees for the Borough of South Plainfield for the years 2019 through 2023 to amend Groundskeeper Level 1 2023 salary from \$14.00/hour to \$14.13/hour to comply with New Jersey's minimum wage law. The public hearing where further consideration will be made will be held on February 6, 2023 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.

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

The following ordinance #2256 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment and council comment. With no comments from the public or council, Mayor Anesh closed the floor.

BOND ORDINANCE #2256

BOND ORDINANCE PROVIDING FOR THE PUTNAM PARK IMPROVEMENT PROJECT AND IMPROVEMENTS TO OTHER PARKS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,495,773 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$855,000 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 \$1,495,773, including a \$595,773 Middlesex County Open Space, Recreation and Farmland and Historic Preservation Trust Fund Grant for the Putnam Park Improvement Project (the "County Grant") and further including the sum of \$45,000 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 and the County Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$855,000 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 Putnam Park Improvement Project and improvements to other parks, including all work and materials necessary therefor and incidental thereto.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the

extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 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 \$855,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$235,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or, if other than the County Grant referred to in Section 1 hereof, 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
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White	x		X				
Councilman Wolak		x	X				
Council President Bengivenga			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2257 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment and council comment. With no comments from the public or council, Mayor Anesh closed the floor.

ORDINANCE 2257

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD ESTABLISHING 2023 SUMMER CAMP RATES

BE IT ORDAINED by the Borough Council of the Borough of South Plainfield, in the County of Middlesex and State of New Jersey that the following will be the 2023 Summer Camp Rates:

**South Plainfield Legends Camp
2023 Rates**

Weekly Rate (-\$50 for shortened Holiday Week)	\$250.00
Non-Resident Additional Fee (per week)	\$25.00
Additional Child Discount (per week)	(\$10.00)
1-time Seasonal Registration Fee	\$50.00
Weekly Early Drop-Off Fee (-\$6 for shortened Holiday Week)	\$30.00
Weekly Late Pick-Up Fee (-\$6 for shortened Holiday Week)	\$30.00
CIT Volunteer Registration Fee	\$50.00
The 1x seasonal registration fee is non-refundable.	
If cancellation is made prior to 5/5/23, a full refund (except registration fee) will be provided. If cancellation between 5/6/23-6/2/23 will receive refund minus \$50 per week and registration fee. No refunds to be provided after 6/2/23.	
CIT Volunteer Registration will be refunded contingent upon successful completion.	
Full Payment must be received by 6/2/2023 or your spot may be forfeited. After 6/2/23, a \$25 late/change request fee will be incurred.	

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

This ordinance shall become effective after publication in accordance with the laws of New Jersey.

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

The following ordinance #2258 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for February 21, 2023 at approximately 7:00 p.m.

ORDINANCE 2258
AN ORDINANCE FOR THE BOROUGH OF SOUTH PLAINFIELD AMENDING
CHAPTER 17, ARTICLE IV OF THE CODE OF THE BOROUGH

BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 17, titled Boards, Committees and Commissions, Article IV titled Business and Economic Development Advisory Group be revised as follows:

DELETE: Section 17-26. Meetings; Chairperson.

ADD: Section 17:26. Meeting; Chairperson.

The Business and Economic Development Advisory Group shall meet regularly as they shall deem necessary and shall, at the first meeting, elect one from its members a chairperson, who shall preside over all meetings.

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

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

RESOLUTIONS:

RESOLUTION 23-81

AUTHORIZING THE RENEWAL OF A CONTRACT FOR ANIMAL CONTROL SERVICES BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND THE PLAINFIELD AREA HUMANE SOCIETY IN AN AMOUNT NOT TO EXCEED \$65,000.00 PER YEAR FOR A THREE-YEAR TERM

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

authorization is hereby given for the Mayor and Borough Administrator and/or Municipal Clerk to execute the renewal of a three-year contract for Animal Control Services between the Borough of South Plainfield and the Plainfield Area Humane Society for the term of January 1, 2023 through December 31, 2025 in an amount not to exceed \$65,000.00 per year; and

BE IT FURTHER RESOLVED THAT pursuant to NJSA 40:48-5.1, the Plainfield Area Humane Society, being an association not organized for pecuniary profit, is exempt from all laws requiring advertisement of bids.

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

RESOLUTION 23-82

AUTHORIZING THE REFUND OF A TAX OVERPAYMENT IN THE AMOUNT OF \$747.04 PERTAINING TO BLOCK 53, LOTS 5 AND 7

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

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

OWNER/ADDRESS

Block 53, Lot 5

Roberto Roman
Sprague Avenue
South Plainfield, NJ 07080
\$383.18

Block 53, Lot 7

Roberto Roman
Leonard Street
South Plainfield, NJ 07080
\$363.86

MAKE CHECK PAYABLE TO:

Roberto Roman
141 Sprague 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 in the amount of **\$747.04** as mentioned above.

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

TABLED – REMOVED FROM AGENDA

RESOLUTION 23-83

AUTHORIZING THE RELEASE OF A PERFORMANCE BOND REDUCTION POSTED BY JSM AT SOUTH CLINTON AVENUE FOR PUBLIC IMPROVEMENTS TO BLOCK 448, LOT 4.06

RESOLUTION: 23-84
AUTHORIZING THE CANCELLATION OF TAXES FOR 100% DISABLED VETERAN PERTAINING TO 254
SPRAGUE AVENUE IN SOUTH PLAINFIELD

WHEREAS, property known as Lot **10.02** in Township Block **57** more commonly known as **254 Sprague Avenue** in **South Plainfield, NJ** is owned by **Gerard & Cynthia Green**; and

WHEREAS, **Gerard Green**, 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 **January 20, 2023** as verified by the Tax Assessor; and

WHEREAS, the Tax Bills for the four quarters of Calendar Year 2023 were generated from the 2022 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 2023, 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 monies levied for the 1st quarter of 2023 in the amount of **\$1,546.63**; and

BE IT FURTHER RESOLVED, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for 2nd quarter of 2023 in the amount of **\$1,960.52**.

BE IT FURTHER RESOLVED, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 3rd and 4th quarters of 2023, and 1st and 2nd quarters of 2024 once the preliminary bills are determined.

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

RESOLUTION 23-85

AUTHORIZING THE DISPOSAL OF IT EQUIPMENT THAT IS DEEMED TO HAVE OUTLIVED ITS USEFUL LIFE, IS PERMANENTLY DAMAGED, OR HOLDS NO MONETARY VALUE

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes John Abbruzzese, IT Officer, to dispose of the following items deemed to have outlived its useful life and/or is permanently damaged, and/or that holds no monetary value:

BE IT RESOLVED that the aforementioned item(s) are also to be removed from the Borough of South Plainfield’s asset inventory; and

- 2861 PowerConnect 5424**
- 2231 PowerConnect 5424**
- 2233 PowerConnect 6224**
- 1401 PowerConnect 6248**
- 2234 PowerConnect 6224**
- No Tag PowerConnect RPS600**

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 Department

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

**RESOLUTION 23-86
AMENDING RESOLUTION 23-75 THAT AUTHORIZED THE PURCHASE OF EPOXY COATED PUMPS FOR
RECREATION FROM RECREONICS
TO NOW SHOW THE NOT TO EXCEED AMOUNT OF \$18,535.32**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby amends Resolution 23-75 that authorized the purchase of epoxy coated pumps for Recreation from Recreonics in an amount not to exceed \$17,785.32 to now show the not to exceed amount of \$18,535.32 which now includes postage; 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. Elizabeth Yarus, Recreation Director

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

RESOLUTION 23-87

**AMENDING RESOLUTION 22-370 THAT AUTHORIZED PATTI CONSTRUCTION TO PERFORM GUTTER, CURB
AND ROAD REPAIRS ON SMITH STREET TO SHOW THE NEW NOT TO EXCEED
AMOUNT OF \$20,817.00**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the amendment of Resolution 23-87 that authorized Patti Construction to perform gutter, curb and road repairs on Smith Street to address an area of ponding water in an amount not to exceed \$15,938.00 to now show the new not to exceed amount of \$20,817.00 due to additional storm sewer piping and installation due to unforeseen drainage issues; 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 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini			X				
Councilwoman Mott	X		X				
Councilman Smith			X				
Councilman White		X	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-88
AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
WITH LAKE REGION MEDICAL, INC. FOR ACCESS THROUGH
ROHATYN STREET**

WHEREAS, the Borough is the owner of property known as Rohatyn Street, a “paper road”, which abuts Lot 823, Lot 472 on the Tax Map of the Borough; and

WHEREAS, Lake Regional Medical, Inc. (“LRM”) has undertaken certain environmental activities on the property as approved by the New Jersey Department of Environmental Protection; and

WHEREAS, the Borough and LRM have previously entered into an Access Agreement to allow performance of such work, which Agreement has expired; and

WHEREAS, LRM is continuing to perform such work, and again needs access to Rohatyn Street to install and collect samples from a new groundwater monitoring well to be located on such property and periodically collect samples from the existing groundwater monitoring well on the property; and

WHEREAS, the work being performed by LRM is of benefit to the Borough and does not interfere with or otherwise damage the property of the Borough, and LRM has agreed to indemnify, defend and hold harmless the Borough from any and all claims related to such work and to restore any area disturbed by the work;

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 is hereby authorized to execute an Agreement to provide Lake Region Medical, Inc. access to property known as Rohatyn Street, a copy of which Agreement is attached hereto.

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

**RESOLUTION 23-89
AUTHORIZING THE SERVICES OF NAJARIAN ASSOCIATES FOR ENGINEERING ADMINISTRATION AND
INSPECTION SERVICES FOR THE PUTNAM PARK REVITALIZATION PROJECT
IN AN AMOUNT NOT TO EXCEED \$95,000.00**

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for Najarian Associates to perform engineering administration and inspection services for the Putnam Park Revitalization Project in the Borough of South Plainfield in an amount not to exceed \$95,000.00; and

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

**RESOLUTION 23-90
AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
WITH PRERAK PATEL FOR A SEWER CONNECTION FOR PROPERTY OWNED BY PRERAK PATEL**

WHEREAS, Prerak Patel is the owner of property known as Block 404.05, Lot 8.01 on the Tax Map of the Borough, which is situated at the corner of Perth Place and Duffy Place; and

WHEREAS, Patel is constructing a residence on such property and seeks to connect said property to the sewer main on Duffy Place, which required installation of a sewer lateral in the public right-of-way along Perth Place; and

WHEREAS, Patel will install, own and maintain such lateral; and

WHEREAS, the Borough Engineer has reviewed the proposed plan and agrees with such;

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 is hereby authorized to execute an Agreement to permit installation and completion of connections from Block 404.05, Lot 8.01 to the South Plainfield sewerage system, a copy of which Agreement is attached hereto.

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

**RESOLUTION 23-91
AUTHORIZING 2022 APPROPRIATION TRANSFERS IN THE AMOUNT OF
\$20,00.00 FROM THE CURRENT FUND
PURSUANT TO N.J.S.A. 40A:4-58**

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

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

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

CURRENT FUND				
FROM:				AMOUNT
2-01-20-140-001-235	Data		O&E	1,000.00
2-01-20-150-000-221	Assessing		O&E	1,500.00
2-01-20-165-000-101	Engineering		S&W	1,000.00
2-01-25-265-002-651	Fire Official		O&E	3,000.00
2-01-31-440-001-541	Telephone		O&E	8,500.00
2-01-43-490-000-661	Court		O&E	5,000.00
Total FROM:				20,000.00
TO:				AMOUNT
2-01-26-290-002-435	Road Repairs & Maintenance		O&E	7,000.00
2-01-25-240-001-311	Police		O&E	1,500.00
2-01-31-465-001-565	Gas		O&E	3,500.00
2-01-30-415-001-101	Accumulated Leave		O&E	3,000.00
2-01-30-410-001-685	LOSAP		O&E	5,000.00
Total TO:				20,000.00

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

**RESOLUTION 23-92
AUTHORIZING A 2023 TEMPORARY BUDGET AMENDMENT FOR \$847,123.03
IN THE CURRENT FUND**

WHEREAS, N.J.S.A. 40a:4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is prior to the adoption of the FY 2023 Budget, and

WHEREAS, the temporary budget set forth below does not exceed twenty-six and one quarter percent of the total appropriations in the previous year's budget (exclusive of any appropriations made for Debt Service, Capital Improvements Fund and Public Assistance).

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the temporary appropriations are hereby amended to add the following amounts and that a certified copy of this resolution is transmitted to the Chief Financial Officer.

CURRENT FUND				AMOUNT
3-01-20-130-000-204	Finance		O&E	5,000.00
3-01-23-210-000-655	Other Insurance		O&E	15,000.00
3-01-23-220-000-601	Health Benefits		O&E	450,000.00
3-01-23-220-000-611	Health Benefits-Dental		O&E	150,000.00
3-01-25-240-003-241	Crossing Guards		O&E	20,000.00
3-01-26-290-003-321	Snow		O&E	5,000.00
3-01-26-315-000-401	Vehicle Maintenance		O&E	25,000.00
3-01-27-335-001-515	Environmental Commission		O&E	500.00
3-01-28-370-001-235	Recreation		O&E	10,000.00
3-01-30-415-001-101	Accumulated Leave		O&E	40,000.00
3-01-31-465-001-565	Gas		O&E	25,500.00
3-01-32-465-001-545	Landfill		O&E	20,000.00
3-01-41-772-000-301	DMHAS Youth Leadership Grant		O&E	5,000.00
3-01-41-706-000-301	Body Armor		O&E	3,723.03
3-01-41-716-000-301	Safe & Secure Grant		O&E	32,400.00
3-01-36-472-000-675	SSI		Statutory	25,000.00
3-01-44-901-000-235	Capital Improvement Fund		Capital	15,000.00
Total CURRENT FUND				847,123.03

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

RESOLUTION 23-93
AUTHORIZING THE HIRING OF PART-TIME 2023 SUMMER RECREATION PERSONNEL

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of the Director of Recreation, authorization is hereby given for employing the following people for seasonal work for the South Plainfield Recreation Department at rates pursuant to the Salary Ordinance:

SUMMER PART-TIME RECREATION PERSONNEL:

Summer Employees 2023

Position	First Name	Last Name
Summer Parks		
Head Counselor	Frank	Gaspari
Head Counselor	John	Padovano
Head Counselor	Caroline	Ratti
Legends Camp		
Camp Supervisor	Anthony	Eggert
Assistant Director	Shaun	Boffard
Camp Certified Teacher	Elizabeth	Yarus
Camp Registrar	Nancy	McMahon
Camp Registrar	Thomas	Heim
Community Pool		
Head Manager	William	Nickel
Assistant Manager (Tier 3)	Bridgette	Wahlers
Assistant Manager (Tier 3)	Brendan	Wahlers
Assistant Manager (Tier 2)	Dominic	Faustini

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

RESOLUTION 23-94
AUTHORIZING THE SERVICES OF NAJARIAN ASSOCIATES FOR ENGINEERING ADMINISTRATION AND INSPECTION SERVICES FOR SANITARY SEWER AND ROAD IMPROVEMENTS PURSUANT TO ORDINANCE 2251 IN AN AMOUNT NOT TO EXCEED \$67,000.00

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for Najarian Associates to perform engineering administration and inspection services for sanitary sewer and road improvements pursuant to Ordinance 2251 in the Borough of South Plainfield in an amount not to exceed \$67,000.00; and

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

**RESOLUTION 23-95
AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF
LIGHTING FOR A FIRE DEPARTMENT VEHICLE
FROM EAST COAST EMERGENCY LIGHTING INC.
IN AN AMOUNT NOT TO EXCEED \$21,200.12**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of lighting for a Fire Department vehicle from East Coast Emergency Lighting Inc. in an amount not to exceed \$21,200.12 pursuant to state contract number Whelen 17-FLEET-00761 and Havis 17-FLEET-00719; 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. Joe Abbruzzese, Fire Official

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

CORRESPONDENCE:

- Board of Health Monthly Report – January 2023
- FY23 \$525,000 Grant for PAL Field Replacement
- Environmental Commission Minutes – December 14, 2022

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

PAYMENT OF BILLS

Current Fund	3-01	392,989.83
Current Fund	2-01	79,535.74
Pool Utility	3-26	1,200.00
Pool Utility	2-26	0.00
Sewer Utility	3-07	35,033.02
Sewer Utility	2-07	926.26
Sewer Utility Capital	C-08	0.00
General Capital	C-04	75,015.41
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	37,000.00
Dog Trust	T-12	0.00
Treasurers Trust	T-13	6,535.53
Recreation Trust	T-14	5,232.37
Senior Citizen Trust	T-16	0.00
Total All Funds:		\$633,468.16

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – said that the \$525,000 grant we received from the State of NJ for the police athletic field replacement has not yet been received because the state is still setting it up in their system, so we will most likely be asking for an extension. Mr. Cullen thanked everyone who participated in Friday’s press conference pertaining to a \$370,000 federal grant for the modernization of the South Plainfield emergency response system. On another note we are in the middle of doing our municipal budget. The Chief is in the final stage of finalizing our FEMA application request pertaining to super storm IDA. Due to the recent passed of former DPW employee Kenneth Calderone, the DPW has requested the planting of a tree in his honor and are seeking Council’s approval to proceed to do this. The Council unanimously agreed saying it is a lovely idea.

Engineer Miller – reported progress.

Clerk Antonides – reported progress.

Councilman Smith – thanked Councilwoman Mott and Mr. Miller for an easy transition to chair the DPW and then went on to thank emergency services for keeping us safe and thanked the Fire Department for their recent dinner invitation.

Councilman Wolak – reported progress.

Councilwoman Mott – reported progress.

Council President Bengivenga – expressed condolences to the family of the councilwoman from Sayreville who tragically passed away saying she was a viable part of the County Republican Party with a very bright future ahead of her. She deeply cared about her community and our thoughts and prayers are with her family. Services for her funeral will be held on Wednesday in Sayreville. At this time, Council President Bengivenga called for a moment of silence.

Councilwoman Faustini – Reminded everyone to check-out the South Plainfield Library’s website as they have many events pertaining to Black History Month. The Cultural Arts Commission is hosting at the Library a paper bead making workshop using purses and proverbs which is a relatively new business in town. Councilwoman Faustini thanked the Mayor and Council for all their support with the new summer camp program saying she feels it will be a great asset to the community

Councilman White – reported progress.

Mayor Anesh – said that this past Friday we had Congressman Pallone here for a press conference to officially announce that we will be receiving a \$370,000 federal grant to modernize our emergency response system. Mayor Anesh thanked Captain Papa and a number of members of the community from Board of Education members to this Governing Body and Senator Diegan who wrote letters of support for this. Mayor Anesh thanked the Chief for his assistance and guidance with this. These funds will go a long way in helping South Plainfield modernize their technology and infrastructure. Our communication center received over 68,000 calls in 2022 alone. That is nearly 190 calls for help per day. By updating this technology it will help make our communicators jobs easier and expedite the calls.

COMMENTS FROM THE PUBLIC:

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

Debbie Boyle of Van Fleet expressed condolences to Kenny Calderone and went on to advise that the Cultural Arts Commission will have their ceremony this Saturday for Windows Awareness at Mr. Subs at 3 p.m. Food Insecurities is the theme of the picture that will be hung.

Scott Miller of 19 Babes Drive advised that the Public Celebration Committee is having a contest to pick a theme for the parade for 5th through 8th grade. Gift card will be awarded for the 3 top winners. The winning student will be invited to march in the parade with the Council.

Without no 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, 7:35 p.m., and everyone is welcome to stay if they choose.

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 8:06 p.m., seconded by Councilwoman Mott and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk