

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
APRIL 17, 2023 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
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	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		

Flag Salute: was led by Mayor Anesh and Councilman White 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:

April 3, 2023 – Agenda Meeting
April 3, 2023 - Public Meeting

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							

Proclamation – Volunteer Litter Cleanup Week was read in full by Mayor Anesh. No one was present to accept it.

ORDINANCES:

The following ordinance #2263 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public hearing and with no comments from the public, closed the floor.

ORDINANCE 2263

AN ORDINANCE CREATING THE AH-5 AFFORDABLE HOUSING ZONE

WHEREAS, Durham Plaza is the owner of certain property identified as Block 541, Lot 10.02 (the "Property") as shown on the Tax Map of the Borough of South Plainfield, which consists of approximately 3.399 acres in total;

WHEREAS, on December 30, 2008, the Borough petitioned the Council on Affordable Housing (COAH) for substantive certification of a Housing Element and Fair Share Plan addressing its total 1987-2018 affordable housing obligation based on rules appearing at N.J.A.C.5:97 and on October 14, 2009 received substantive certification from COAH; and

WHEREAS, the rules that appear at N.J.A.C. 5:97 and on which the Borough's substantive certification was based were subsequently invalidated by the Superior Court, Appellate Division, in a decision that was affirmed by the New Jersey Supreme Court; and

WHEREAS, in a decision dated March 10, 2015, In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015)(Mount Laurel IV), the New Jersey Supreme Court found that COAH did not provide an adequate forum for demonstrating compliance with the Mount Laurel doctrine; and

WHEREAS, the New Jersey Supreme Court established a transitional process in which municipalities, instead of proceeding through the COAH process, could file declaratory judgment actions focused on whether the municipality's housing plan meets its Mount Laurel obligations; and

WHEREAS, the New Jersey Supreme Court provided that a trial court's evaluation of a municipality's plan that had received substantive certification, as supplemented or amended, may result in the municipality's receipt of the judicial equivalent of substantive certification and accompanying protection as provided under the Fair Housing Act of 1985; and

WHEREAS, on July 7, 2015, in accordance with the Supreme Court's decision, the Borough filed a declaratory action that is captioned In the Matter of the Borough of South Plainfield for a Judge of Compliance of Its Third Round Housing Element and Fair Share Plan, Docket No. MID-L-3994-15 ("Litigation"); and

WHEREAS, on February 15, 2017, the Borough entered into a settlement agreement with Fair Share Housing Center ("FSHC") with regard to the Litigation ("FSHC Agreement"); and

WHEREAS, the Settlement Agreement provided for, *inter alia*, the construction of 750 units with a 20% set aside, yielding 150 affordable units as part of the Colonial Oaks project ("Colonial Oaks"); and

WHEREAS, the Borough received a Final Unconditional Judgment of Repose on February 21, 2018 (the "Final Judgment"); and

WHEREAS, due to environmental constraints, the Colonial Oaks project yielded 36 fewer affordable units than had been anticipated; and

WHEREAS, due to the inaction of the Legislature, the Borough is required to address the shortfall of affordable units with the creation of new affordable units on this site; and

WHEREAS, Durham Plaza proposes to develop the Property with a residential development to provide affordable housing, which will assist in meeting the shortfall of affordable units from the Colonial Oaks project; and

WHEREAS, on or about March 2, 2022, Durham Plaza filed a motion to vacate the Borough’s Final Judgment, in the alternative conduct a midpoint review hearing, appoint a special master, and permit intervention (“the Litigation”); and

WHEREAS, the Borough and Durham Plaza entered into a Settlement Agreement dated December 19, 2022 in order to resolve the Litigation, which required the adoption of the AH-5 Affordable Housing Zone herein.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of South Plainfield, that the Municipal Code is amended to include Section 540-51.2, titled AH-5 Affordable Housing Zone as provided for herein.

Section 1. Amending the Municipal Code to add Section 540-51.2, titled AH-5 Affordable Housing Zone.

§ 540-51.2 — AH-5 Affordable Housing Zone.

- A. Purpose.
 - (1) The purpose of the AH-5 Zone District is to provide multifamily residential development that contributes to the Borough of South Plainfield’s municipal affordable housing obligation.
 - (2) This section is designed to implement and effectuate the terms of the Consent Order in connection with an action captioned In the Matter of the Borough of South Plainfield for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan (MID-L-3994-15).
- B. Permitted uses. A building may be erected, altered, or used and a lot or premises may be occupied and used for any of the following purposes:
 - (1) Principal uses:
 - (a) Inclusionary multifamily residential apartments, subject to all requirements of this section.
 - (2) Accessory buildings and uses:
 - (a) Resident amenities (e.g., mailroom, laundry facility, concierge’s office, patio, terrace, dog run, multipurpose rooms, etc.).
 - (b) Swimming pools, but not public swim clubs.
 - (c) Signs.
 - (d) Fences, hedges, and a security gate(s) or guardhouse(s), subject to the provisions of this section.
 - (e) Playgrounds, gazebos, pergolas, firepits, grills.
 - (f) Trash enclosures.
 - (g) Parking (incl., surface and covered).
 - (h) Utility structures such as water meter hot boxes, electrical transformers and generators, sewer pump houses.
 - (i) Other customary accessory uses and structures which are incidental to the principal structure and use.
- C. Development standards. Development in the AH-5 Affordable Housing Zone shall comply with the standards and requirements set forth below, all of which are based on the total tract area. No variance shall be required for bulk, design, and buffer requirements on a lot developed with uses permitted under this section, where the need for such variance is caused solely by a subdivision of such lot into two or more for financing or phasing of such uses. In the event of an inconsistency between this Ordinance and any other portion of the Township’s Code, this Ordinance shall govern.
 - (1) All development in the AH-5 Affordable Housing Zone shall be substantially consistent with the Concept Plan annexed to this Ordinance as Exhibit A.

- (2) The affordable units shall be distributed throughout the development and indistinguishable from market-rate units.
- (3) Minimum tract area: 3.0 acres.
- (4) Number of residential units: 95 (maximum). Twenty percent (20%) of all units proposed for development shall be reserved for low- and moderate-income households, including very-low-income households, subject to the standards in Chapter 504 of the South Plainfield Borough Code (Affordable Housing), the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq. ("UHAC"), and the Settlement Agreement between the Borough of South Plainfield and Durham Plaza, LLC dated December 16, 2022.
- (5) Maximum building coverage: 35%
- (6) Maximum impervious surface coverage: 75%.
- (7) Principal building requirements.
 - (a) Minimum setback measured from a public right-of-way line to building foundation (eaves and gutters are excluded from measurement): 35 feet.
 - (b) Minimum perimeter setback (measured from all lot lines not fronting on a public right-of-way; eaves and gutters are excluded from measurement): 45 feet.
 - (c) Minimum setback from interior private road: 15 feet, unless a particular roadway segment is providing direct access to a covered parking area.
 - (d) Minimum setback from parking lots: 8 feet.
 - (e) Maximum building height.
 - [1] Except where otherwise permitted, the buildings shall not exceed three stories over a parking level, which level may include other uses ancillary to the residential use above (e.g., interior amenities, lobby space, mechanical rooms, etc.) or 55 feet in height. Loft spaces constructed substantially within a pitched roof or mansard roof will not be considered an additional story. Loft spaces shall not be used as additional bedrooms.
- (8) Accessory building requirements.
 - (a) Accessory buildings shall be limited to a height of 15 feet.
 - (b) Minimum setback measured from public right of way:
 - [1] Main Street: 15 feet
 - [2] Durham Avenue: 30 feet
 - (c) The perimeter setbacks shall be a minimum of 10 feet.
 - (d) Accessory buildings attached to a principal building shall comply with the setbacks of the principal building.
 - (e) A security gate and/or guardhouse shall be setback a minimum of 5 feet from the Main Street right of way.
- (9) Façade and exterior wall treatments.
 - (a) Facades may be clad in any combination of brick, stone, vinyl or composite siding, vinyl, or stucco.
 - (b) Each principal building with a façade of more than 200 feet shall not exceed 80 feet without a change in façade architecture, including an articulation over a length of at least 6 linear feet, which may include changes in setback, façade color, texture, or design, in order to bring about a varied composition. Parking levels are excluded from this requirement.
- (10) Roof treatments.

- (a) Roofs may be pitched, gabled, mansard, or flat;
- (b) All pitched roofs shall be finished with asphalt “dimensional”-type, wood, slate, or slate composite shingles.

- (11) All buildings containing a principal use shall incorporate architectural features, including, but not limited to, pitched roofs, varied rooflines, or, in the case of a flat roof design, parapets at the uppermost story to help reduce the visual impact of the building height.
- (12) Purely decorative roof appurtenance, such as decorative lanterns, chimneys, cupolas, among others, shall not be restricted by the required building height.
- (13) Building location and configuration shall be designed in a manner to provide light, air, and open space and reduce the feeling of a continuous “wall” right along the public right-of-way.

D. Parking requirements.

- (1) Parking shall comply with the requirements of the Zoning Ordinance of the Borough of South Plainfield.
- (2) A 10% compact car allowance is permitted.

E. Signage requirements.

- (1) Signage shall conform with the Borough’s except that, in the Applicant’s discretion, project identification signs may be provided at the following locations:
 - (a) One project identification sign located at the entrance to the premises at the entrance located on Durham Avenue.
 - (b) One project identification sign located at the entrance to the premises at the entrance located on Main Street.

F. Conflict

- (1) To the extent this AH-5 ordinance specifically conflicts with another section of the Borough’s land use ordinance, the terms of this ordinance shall control.

Section 2. Passage and Effect

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	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 #2264 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public hearing and with no comments from the public, closed the floor.

**ORDINANCE 2264
AN ORDINANCE AMENDING CHAPTER 17, BOARDS, COMMITTEES, AND COMMISSIONS.**

WHEREAS, Chapter 17 of the Code of the Borough of South Plainfield titled Boards, Committees and Commissions, provides in Article I for the establishment of an Environmental Commission setting forth its purpose, composition and powers; and

WHEREAS, New Jersey statute, N.J.S.A. 40:56A-1, et seq., sets forth the authority and parameters for the establishment of a municipal Environmental Commission and provides that after the terms of office of the first Commissioners are staggered, their successors shall be appointed for terms of three years or until the appointment and qualification of their successors; and

WHEREAS, issues have arisen concerning the composition of the Environmental Commission and as Chapter 17, Article I does not set forth the statutory provision for the terms of members, it has been determined to incorporate the statutory language into the Borough's Code;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 17, Boards, Committees and Commissions, Article I, Environmental Commission, be amended as follows:

At the conclusion of the current Section 17-2, Membership; Appointment; Vacancy; Compensation add the following: Members shall be appointed for terms of three years each and shall serve until the appointment and qualification of their successors.

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				
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 #2265 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for May 1, 2023 at approximately 7 p.m.

ORDINANCE 2265
AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE TO PROVIDE FOR LICENSING OF HOTELS AND MOTELS

The ordinance #2265 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 April 17, 2023. In summary, this ordinance amends the Borough Code to provide for the licensing of hotels and motels. The public hearing where further consideration will be made is scheduled to be held on May 1, 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				
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 #2266 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for May 1, 2023 at approximately 7 p.m.

ORDINANCE 2266
BOND ORDINANCE PROVIDING FOR TURF FIELD AND OTHER IMPROVEMENTS TO PAL FACILITIES IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$792,542 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 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 (with 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 \$792,542, including \$10,000 appropriated from the Borough's Recreation Trust, \$525,000 expected to be received as a State of New Jersey Department of Community Affairs grant and \$67,542 expected to be received as a State of New Jersey Community Development Block grant (together, the "State Grants"). No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as the improvement or purpose referred to in Section 3(a) is being partially funded by the State Grants.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of receipt of the State Grants, negotiable bonds are hereby authorized to be issued in the principal amount of \$190,000 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 turf field and other improvements to PAL facilities, 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 10 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 \$190,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 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
Councilwoman Faustini	x		X				
Councilwoman Mott		x	X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2267 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for May 1, 2023 at approximately 7 p.m.

**NOTICE OF INTRODUCTION BY SUMMARY
ORDINANCE 2267**

AN ORDINANCE AMENDING ORDINANCE 2161 THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2023 FOR DPW, TEAMSTERS LOCAL UNION 469

Ordinance #2267 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 April 17, 2023. In summary, this ordinance amends Ordinance 2161 that provides for the compensation of employees of the Borough of South Plainfield and the method of payment of such compensation for the year 2023 for the DPW, Teamsters Local Union 469. The public hearing where further consideration will be made on May 1, 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				
Councilwoman Mott		x	X				
Councilman Smith			X				
Councilman White	x		X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS:

RESOLUTION: 23-144

AUTHORIZING THE REFUND OF SEWER OVERPAYMENT IN THE AMOUNT OF \$1193.51 PERTAINING TO 2806 MAPLE AVENUE IN SOUTH PLAINFIELD

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

OWNER/ADDRESS

Block 73 Lot 2
Dedra Reid
2806 Maple Ave.
South Plainfield, N.J. 07080

MAKE CHECK PAYABLE TO:

Estate of Dedra Reid
Dr. Nicole B. Simpson, Executor
1438 Shirley Street
Plainfield, N.J. 07062

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
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak		X	X				
Council President Bengivenga	X		X				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-145

AUTHORIZING LUIGI’S AS THE PRIMARY SUPPLIER OF PIZZA TO THE COMMUNITY POOL AND LEGENDS CAMP FOR THE SUMMER OF 2023

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes Luigi’s as the primary supplier of pizza to the South Plainfield Community Pool and Legends Camp for the Summer of 2023 at the flat rate of \$12.00 per pie delivered, with no additional fees or tips; 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				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak		x	X				
Council President Bengivenga	x		X				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-146

AUTHORIZING A 2023 TEMPORARY BUDGET AMENDMENT FOR \$1,000,000.00 IN THE CURRENT FUND

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

WHEREAS, the date of this resolution is prior to the adoption of the FY 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
3-01-20-100-000-101	Administration	S&W	20,000.00	
3-01-20-120-000-101	Clerk	S&W	10,000.00	
3-01-20-130-000-101	Finance	S&W	5,000.00	
3-01-20-140-000-101	Computer	S&W	14,000.00	
3-01-22-195-001-102	Code Enforcement	S&W	7,000.00	
3-01-23-220-000-621	Health Benefits	O&E	400,000.00	
3-01-25-240-001-101	Police	S&W	260,000.00	
3-01-25-240-001-105	Police	S&W	40,000.00	
3-01-25-250-000-102	911	S&W	15,000.00	
3-01-25-252-000-101	OEM	S&W	5,000.00	
3-01-25-265-002-101	Fire Official	S&W	30,000.00	
3-01-26-290-001-102	DPW Administration	S&W	5,000.00	
3-01-26-290-002-102	Road Repairs & Maintenance	S&W	5,000.00	
3-01-26-290-002-435	Road Repairs & Maintenance	O&E	10,000.00	
3-01-26-305-003-102	Recycling	S&W	2,000.00	
3-01-26-310-000-101	Buildings & Grounds	S&W	25,000.00	
3-01-26-310-000-102	Buildings & Grounds	S&W	5,000.00	
3-01-26-315-000-101	Vehicle Maintenance	S&W	15,000.00	
3-01-26-315-000-401	Vehicle Maintenance	O&E	5,000.00	
3-01-27-330-002-101	Youth Aid	S&W	5,000.00	
3-01-27-335-001-101	Environmental Commission	S&W	8,000.00	
3-01-28-370-001-101	Recreation	S&W	15,000.00	
3-01-28-370-002-102	Office on Aging	S&W	3,000.00	
3-01-31-420-001-555	Electric	O&E	55,000.00	
3-01-31-440-001-541	Telephone	O&E	15,000.00	
3-01-43-490-000-101	Court	S&W	5,000.00	
3-01-36-472-000-675	SSI	Statutory	16,000.00	
Total CURRENT FUND			1,000,000.00	

COUNCIL	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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-147

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

**Inventory Tag 2611
Dell OptiPlex 3020
4.0 gb RAM
453 GB Hard Drive.**

**No Inventory Tag
Dell OptiPlex 3010
No Hard Drive**

**Inventory Tag 2402
 No Hard Drive
 No CD drive
 Dell OptiPlex 3010**

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				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak		x	X				
Council President Bengivenga	x		X				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-148
 DEDICATION BY RIDER**

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE LEGENDS SUMMER CAMP REQUIRED BY THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST RIDER FOR LEGENDS SUMMER CAMP TRUST FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40:48-2.56 provides for the receipt of program fees by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Summer Legends Camp are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement; and

NOW, THEREFOE, BE IT RESOLVED, by the Governing Body of the Borough of South Plainfield, in the County of Middlesex, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Summer Legends Camp Trust Fund.
2. The Municipal Clerk of the Borough of South Plainfield, in the County of Middlesex, New Jersey is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

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

COUNCIL	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-149
AUTHORIZING THE SOLE SOURCE PROVIDER SERVICES OF
ONSOLVE FOR CODE RED EMERGENCY NOTIFICATION
IN AN AMOUNT NOT TO EXCEED \$7,171.58**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the sole source provider services of ONSOLVE for CodeRED Emergency Notification System from 1/1/2023 through 12/31/2023 in and amount not to exceed \$7,171.58.

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

COUNCIL	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-150
AUTHORIZING THE HIRING OF VARIOUS PART-TIME SUMMER HELPERS
FOR THE DPW AT THE HOURLY RATE OF \$14.50**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the Borough to hire on a part-time basis for the Summer the following individuals for the DPW, without benefits, at the hourly summer rate of \$14.50 pursuant to the salary ordinance for such:

- | | | |
|------------------|---------------------|-----------------|
| Troy O'Connor | Chris Born | Mitchell Dudak |
| Connor Gillis | Patrick Berry | Tim Figueiredo |
| Aidan Taber | Nick Loniewski | Luke Bickunas |
| Alfred Fuschetti | Michael Kurilew Jr. | Julian Irizarry |
| Jack Massett | Jason DelPaoli | |

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Carmela Miller, Payroll
4. Anne Daley, Benefits
5. Len Miller, DPW Superintendent

COUNCIL	MOTION	2 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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-151
AUTHORIZING A DEVELOPER'S AGREEMENT BETWEEN
THE BOROUGH OF SOUTH PLAINFIELD AND 1111 DURHAM ASSOCIATES, LLC

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

It hereby authorizes a developer's agreement between the Borough of South Plainfield and 1111 Durham Associates, LLC in the form attached hereto and authorize the Mayor and Borough Clerk to execute same on behalf of the Borough of South Plainfield, 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. Alex Fisher Esq., Planning Board Borough Attorney

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
			5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION: 23-152
AUTHORIZING REGISTRATION REFUNDS PERTAINING
TO THE LEGENDS CAMP

WHEREAS, the Recreation Director confirms that the following Legends Camp registration refunds are necessary based upon the request for a refund from the applicants indicated below:
Legends Camp Refunds:

Community Pass ID: 1954002

Cancellation of 7 weeks of Legends Camp
Initial Payment: \$575.00 Balance Due: \$1350.00
Refund: \$525.00 (retain \$50 registration fee)

Community Pass ID: 1407573

Cancellation of 4 weeks of Legends Camp
Initial Payment: \$250.00 Balance Due: \$750.00
Refund: \$200.00 (retain \$50 registration fee)

Community Pass ID: 1522444

Cancellation of 1 week of Legends Camp
Initial Payment: \$100.00 Balance Due: \$200.00
Refund: \$50.00 (retain \$50 registration fee)

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
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak		X	X				
Council President Bengivenga	X		X				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 2023-153
AUTHORIZING THE MAYOR & MUNICIPAL CLERK TO EXECUTE A TAX SALE ASSIGNMENT AS A RESULT OF
A TAX SALE PERTAINING TO BLOCK 254, LOT 48

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

WHEREAS, N.J.S.A. 54:5-113 authorizes assignment by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and

WHEREAS, Jaguar Reed has presented an offer to purchase, by assignment, Certificate of Sale #22-00030 which was issued to the Borough of South Plainfield at a tax sale held December 8, 2022, on Block 254, Lot 48, known as 128 Oak Tree Avenue, South Plainfield, NJ, and assessed to Presscrete Co., Inc, in the amount of **\$50,545.05**, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of South Plainfield hereby authorizes the Mayor and Municipal Clerk to execute the necessary assignment document to effect assignment of the above-referenced Certificate of Sale.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector.

COUNCIL	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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-154
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FUNDING
AGREEMENT WITH B9 SOUTH PLAINFIELD OWNER, LLC

WHEREAS, B9 South Plainfield Owner, LLC (hereinafter “B9”) has requested that the Borough of South Plainfield commence a preliminary investigation to determine that certain property satisfies the statutory criteria under New Jersey statutes for redevelopment law to be designated as a non-condemnation redevelopment area; and

WHEREAS, Link has agreed to bear the costs for the efforts by the Borough, including, but not limited to, professionals to assist the Borough in its tasks required in undertaking the investigation;

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 for the establishment of an escrow account and payment by B9 for expenses incurred by the Borough in undertaking a preliminary investigation as requested, a copy of which Agreement is attached hereto.

This Resolution 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				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak		X	X				
Council President Bengivenga	X		X				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-155

RESOLUTION TO AUTHORIZE THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION OF THE CONDITIONS OF CERTAIN PARCELS FOR DETERMINATION AS AN AREA IN NEED OF REDEVELOPMENT WITHOUT THE POWER OF CONDEMNATION, AS DESCRIBED HEREIN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended (the “Act”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute an area in need of redevelopment, under the Act the Governing Body must authorize the Planning Board to conduct a preliminary investigation of the area and make recommendations pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Mayor and Council hereby request that the Planning Board conduct an investigation with respect to the property known as Block 285, Lots 1 and 1.01; Block 286, Lot 1; Block 287, Lots 1, 2, and 3; Block 289, Lots 3, 4 and 5; Block 294, Lot 1; Block 291, Lots 1, 2, 3 and 4; Block 292, Lot 1; Block 293, Lot 3; Block 457, Lot 2; Block 458, Lots 2, 3, 4, 5 and 6; and Block 463, Lots 1 and 2 on the Official Tax Map of the Borough of South Plainfield, County of Middlesex, State of New Jersey (the “Study Area”), to determine whether the Study Area meets the criteria set forth in the Act, specifically N.J.S.A. 40A:12A-5 and should be designated as an area in need of redevelopment without the power of eminent domain.

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

- Section 1. The foregoing recitals are incorporated herein as if set forth in full.
- Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment, which designation would permit the Borough to utilize all the redevelopment powers under the Act, except eminent domain.
- Section 3. As part of its investigation, the Planning Board may prepare maps showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.
- Section 4. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area without the power of eminent domain. All objections to a determination that the Study Area is an area in need of redevelopment without the power of eminent domain, and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.
- Section 5. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designations are received and considered, the Planning Board shall make recommendations to the Governing Body as to whether the Borough should designate all or some of the Study Area as an area in need of redevelopment without the power of eminent domain.
- Section 6. A certified copy of this Resolution shall be forwarded to the Planning Board.
- Section 7. This Resolution shall take effect immediately.

COUNCIL	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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-156

RESOLUTION OF TO DESIGNATE THE BOROUGH COUNCIL AS BEING RESPONSIBLE FOR THE IMPLEMENTATION OF A MUNICIPAL REDEVELOPMENT PROJECT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended (the “Act”), authorizes municipalities to directly execute redevelopment powers within the municipality; and

WHEREAS, the Borough Council has determined that it shall act as the sole redevelopment entity within the Borough, and shall be responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to N.J.S.A. 40A:12A-8 with respect to the property known as Block 285, Lots 1 and 1.01; Block 286, Lot 1; Block 287, Lots 1, 2 and 3; Block 289, Lots 3, 4 and 5; Block 291, Lots 1, 2, 3 and 4; Block 292, Lot 1; Block 293, Lot 3; Block 457, Lot 2; Block 294, Lot 1; Block 458, Lots 2, 3, 4, 5 and 6; and Block 463, Lots 1 and 2 on the Official Tax Map of the Borough of South Plainfield, County of Middlesex, State of New Jersey.

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Borough Council shall be responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to N.J.S.A. 40A:12A-8 with respect to Block 285, Lots 1 and 1.01; Block 286, Lot 1; Block 287, Lots 1, 2, and 3; Block 289, Lots 3, 4 and 5; Block 291, Lots 1, 2, 3 and 4; Block 292, Lot 1; Block 293, Lot 3; Block 294, Lot 1; Block 457, Lot 2; Block 458, Lots 2, 3, 4, 5 and 6; and Block 463, Lots 1 and 2 on the Official Tax Map of the Borough of South Plainfield, County of Middlesex, State of New Jersey.

Section 3. The Borough Council shall execute all redevelopment powers of the Borough directly.

Section 4. This Resolution shall take effect immediately.

COUNCIL	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-157
AUTHORIZING A 2023 TEMPORARY BUDGET AMENDMENT FOR \$120,000.00
IN THE CURRENT FUND FOR DEBT SERVICE**

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.

**DEBT SERVICE
CALENDAR YEAR 2023**

CURRENT FUND

			AMOUNT
3-01-45-934-000-235	Note Principal	Debt	50,000.00
3-01-45-935-000-235	Note interest	Debt	70,000.00

CURRENT FUND			AMOUNT
3-01-45-920-000-801	Bond Principal	Debt	550,000.00
3-01-45-930-000-802	Bond interest	Debt	55,000.00
Total CURRENT FUND			605,000.00

As amended:

COUNCIL	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-158
AUTHORIZING THE PART-TIME HIRING OF ANTHONY CINCOTTA TO THE POSITION OF GROUNDSKEEPER
AT THE HOURLY RATE
PURSUANT TO ORDINANCE**

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

It hereby authorizes the hiring of Anthony Cincotta to the position of part-time Groundskeeper at the hourly rate of \$14.13 pursuant to Ordinance, and contingent upon the successful completion of all drug screening tests, effective April 18, 2023, 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. Alice Tempel, Environmentalist
5. Len Miller, DPW Superintendent
6. John Abbruzzese, IT

COUNCIL	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				
			6	0			
Mayor Anesh – TIE ONLY							

CORRESPONDENCE:

- Board of Health Monthly Report – March 2023
- Thank You Letter – Building Department

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							

PAYMENT OF BILLS

Current Fund	3-01	158,442.62
Current Fund	2-01	0.00
Pool Utility	3-26	200.00
Pool Utility	2-26	0.00
Sewer Utility	3-07	1,159,977.73
Sewer Utility	2-07	0.00
Sewer Utility Capital	C-08	31,860.00
General Capital	C-04	97,949.65
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	655.00
Dog Trust	T-12	123.60
Treasurers Trust	T-13	702.38
Recreation Trust	T-14	2,172.00
Senior Citizen Trust	T-16	0.00
	T-11	0.00
Total All Funds:		\$1,452,082.98

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							

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – said it’s nice to see the compliment for the Building and Zoning departments on tonight’s agenda. Ordinance 2266 pertains to the turf field and Pal improvements of which most of the cost will be offset by grant funding. To conclude, we are moving forward with the Putnam Park project.

Engineer Miller – advised that the road and sewer improvement bid is out with the bid opening scheduled for next Tuesday. If all is in order we hope to award it at the May 1st meeting. The Norwood Avenue project is awaiting final compliance approval from the DOT. Once that is done we hope to go out to bid.

Clerk Antonides – reported progress.

Councilman Smith – thanked the building and the zoning departments and their staff for all their efforts and went on to report progress.

Councilman Wolak – reported progress.

Councilwoman Mott – reminded everyone that volunteer litter cleanup day is Saturday April 29th at 9:00 a.m. Also the Library will be hosting a mental health seminar on May 17th from 6pm to 8pm. It will be both an in-person and virtual event.

Council President Bengivenga – reported progress.

Councilwoman Faustini – reminded everyone that the early bird sign-ups for the pool is still available until May 1st. Summer camp sign-ups are underway and summer park information is posted on the recreation website. Registration is still available for the stem program.

Councilman White – reported that this past Saturday Purse and Proverbs hosted a workshop event in which a couple of us were able to make candles. It was really nice to meet the owners. Their motto is “Today is a good day, to have a good day”. They are located at 1908 Park Avenue and everyone is encouraged to go check them out.

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.

Nancy Grennier asked for confirmation as to where the Mental Health Seminar will be held. Councilwoman Mott said it will be held at the library.

Holly Cox from Woodbridge (virtual) read a prepared statement encouraging the governing body to pass a clean-air resolution and oppose what Woodbridge is doing regarding the power plant that is going up in Woodbridge near the Colonia section.

Celeste from the Woodbridge Colonia area (virtual) concurred with what Ms. Cox said in her prepared statement regarding the support for a clean-air resolution and opposition to the tower that is going up. Celeste said she doesn't understand why another fracking plant is being installed when the Governor is pushing for environmental awareness solutions. Mayor Anesh asked if Woodbridge approved this. Holly Cox said yes, back in 2016.

Rachel from the Monmouth County area (virtual) said this is all about environmental justice. There is really no such thing as natural gas. Rachel went on to say that air pollution is directly related to mental health and suicide rates. Something needs to be done about this.

Mark from South Plainfield asked if anything is being done regarding the high-water table in his area. He has been constantly pumping a lot of water on a daily basis since the Middlesex Water issue began. Mr. Cullen said he's been in touch with Middlesex Water and the last report the received was that they should have this in control by this Summer. They have all the necessary permits to proceed.

With no further comment from the public, Mayor Anesh closed the floor from the public.

ADJOURNMENT

Without further comment and no more action necessary for this evening Mayor Anesh called for a motion to adjourn. Councilman Smith made a motion to adjourn at 7:43 p.m., seconded by Councilman White and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk