

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
MAY 1, 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 7:02 p.m. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this remote hybrid meeting having been provided to the Borough's two official newspapers and also published on the Borough's website. Instructions for accessing the remote public meeting are found on the Borough's website next to the agendas. Documentation pertaining to the remote meeting can be found electronically on the Borough's website.

The roll call was administered by Clerk Antonides as follows:

COUNCIL	Present	Absent	Late
Councilwoman Faustini	X		
Councilwoman Mott		X	
Councilman Smith	X		
Councilman White	X		
Councilman Wolak	X		
Council President Bengivenga	Virtual		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		

Flag Salute: was led by Mayor Anesh and Council President Bengivenga 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 17, 2023 – Agenda Meeting
April 17, 2023 - Public Meeting
April 17, 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:	5	0			
Mayor Anesh – TIE ONLY							

Proclamations – The following proclamations were all read in full by Mayor Anesh who called forward any parties related to these proclamations where photographs were taken and everyone extended a round of applause.

Police Week
Older American Month
Children's Book Week
National Poppy Day

ORDINANCES:

The following ordinance #2265 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 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. No one from the public made a comment in relation to this ordinance.

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:	5	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2266 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 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				
Councilwoman Mott						X	
Councilman Smith		X	X				
Councilman White			X				
Councilman Wolak	X		X				
Council President Bengivenga			X				
			5	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2267 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.

**NOTICE 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. No one from the public made a comment in relation to this ordinance.

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				
			5	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2268 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for May 15, 2023 at approximately 7 p.m.

**ORDINANCE # 2268
CALENDAR YEAR 2023
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A:4-45.14**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of South Plainfield in the County of Middlesex finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$962,134.41 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council of the Borough of South Plainfield hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of South Plainfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$962,134.41, and that the CY 2022 municipal budget for the Borough of South Plainfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Cullen explained that the purpose of this ordinance is to enable the Borough to establish an emergency CAP fund. It is something we do every year and yet it is rarely ever utilized.

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				
			5	0			
Mayor Anesh – TIE ONLY							

BUDGET RESOLUTIONS:

Mayor Anesh called on Mr. Cullen to brief the Council on the status of the introduced budget. Mr. Cullen said the public hearing will be scheduled for June 5, 2023. We are still working on reducing it the best we can. There are many fixed and set costs that can't be reduced such as police pensions, PERS, health care, etc., so we will try to knock it down some in other places. Mr. Cullen said he will have more information to provide at time of adoption.

**RESOLUTION 23-160
AUTHORIZING THE MUNICIPAL CLERK TO READ THE PROPOSED
2023 BUDGET BY TITLE ONLY**

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget may be read by title only at the time of the public hearing, providing that at least one week prior to the date of the public hearing, a complete copy of the approved budget as advertised has been posted in the Municipal Building, with copies available to any persons requesting same as well as posted on the Municipal Website; and

WHEREAS, the Municipal Clerk shall fulfill her responsibilities of insuring the availability of the Municipal Budget to the public;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the CY 2023 Municipal Budget be read by title only and not in full.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

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

**RESOLUTION 23-161
CERTIFYING THAT THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD HAS
COMPLIED WITH HIRING PRACTICES UNDER N.J.S.A. 40A:4-5**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the Governing Body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting

its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the Governing Body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the Governing Body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

RESOLUTION 23-162
AUTHORIZING THE INTRODUCTION OF THE 2023 MUNICIPAL BUDGET

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it hereby introduces the 2023 Municipal Budget pursuant to the attached 2023 proposed municipal budget, read by title by the Municipal Clerk of the Borough of South Plainfield during introduction on May 1, 2023; and

BE IT FURTHER RESOLVED that a public hearing relative to said budget will be conducted on June 5, 2023 at 7:00 p.m., Borough Hall, 2480 Plainfield Avenue, South Plainfield, NJ 07080. A full complete copy of the proposed 2023 Budget is available for public inspection in the office of the Borough Clerk during normal business hours as well as is posted on the Municipal Website; and

BE IT FURTHER RESOLVED that the 2023 Municipal Budget Revenue and Appropriation Summaries shall be published in The Courier News and The Observer prior to the aforementioned public hearing.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following;

1. Director of Local Government Services
2. Glenn Cullen, Chief Financial Officer/Administrator
3. Amy Antonides, Municipal Clerk
4. The Courier News and The Observer

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

RESOLUTIONS:

RESOLUTION 23-163

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 2416
Savin MP 4002
Equipment ID – GI02073**

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	X				
Councilman White	X		X				
Councilman Wolak			X				
Council President Bengivenga			X				
			5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-164

AUTHORIZING TRAFFIC AND PARKING MODIFICATIONS FOR THE OLC FAIR FROM JUNE 5, 2023 THROUGH JUNE 10, 2023

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby approves of traffic and parking modifications for the OLC Fair from June 5, 2023 through June 10, 2023 pursuant to the attached recommendations of Sgt. Grasso, Traffic Safety Unit of the South Plainfield Police Department.

BE IT FURTHER RESOLVED that copies of this resolution be distributed to the following:

1. Amy Antonides, Municipal Clerk
2. Sgt. Michael Grasso, Traffic Safety Unit
3. Dominic Demico, OLC Member

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 22-165
AUTHORIZING THE AWARD OF A BID TO MTB, LLC FOR THE ROOF REPLACEMENT AT THE SOUTH PLAINFIELD FIRE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$191,200

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

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

WHEREAS, a need has been determined that a roof replacement at the fire department is necessary; and

WHEREAS bids were solicited and opened on Wednesday, April 12, 2023 at 11:00 a.m. and the following picked-up bid packages and submitted bids as follows:

Sky General, LLC	\$190,958
MTB, LLC	\$191,200
Safeway Contracting	\$198,000
VMG Group	\$225,000
Northeast Roof Maintenance	\$228,000
Marshall, LLC	\$236,000
Badger Roofing Company	\$279,000
NDP Construction, LLC	\$297,000

WHEREAS, the bids have been reviewed by the Borough’s Engineer and Attorney and as such it has been determined that Sky General, LLC must be disqualified on the basis of lacking to submit the required bid documents and unit costs. As such MTB, LLC has been determined to be the lowest qualified bidder and it is recommended the bid be awarded to them in the amount of \$191,200 for the roof replacement at the South Plainfield Fire Department; and

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

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

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 23-166

AUTHORIZING THE SUBMITTAL OF A GRANT IN THE AMOUNT OF \$525,000.00 TO THE DEPARTMENT OF COMMUNITY AFFAIRS FOR THE RECONSTRUCTION OF A TURF FIELD

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 23-167

AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND GARDEN STATE FIREWORKS FOR A FIREWORK DISPLAY TO BE HELD ON LABOR DAY, 2023 IN AN AMOUNT NOT TO EXCEED \$15,000.00

WHEREAS, two proposals for the September 5, 2022 Labor Day Fireworks have been received on April 19, 2023 at 9:00 a.m. from the following:

Garden State Fireworks: \$15,000.00
 Pyrotecnico: \$25,000.00
 Zambelli: \$34,500.00

NOW THEREFORE, BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted, for Garden State Fireworks to perform a firework display to be held on Labor Day; September 4, 2023 in an amount not to exceed \$15,000.00; and

BE IT FURTHER RESOLVED that the Mayor has authorization to execute said contract for same and be it further resolved that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. Garden State Fireworks
4. Public Celebrations Committee

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 23-168

AUTHORIZING THE MAYOR TO EXECUTE AN ASSIGNMENT AND ASSUMPTION AGREEMENT WITH DENHOLTZ S.P., LLC AND QUAIL BROOK DEVELOPMENT LLC

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 22-169

AUTHORIZING THE AWARD OF A BID TO TOPLINE CONSTRUCTION FOR 2023 ROAD AND SEWER IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$820,328.78

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

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

WHEREAS, a need has been determined that various road and sewer improvements are necessary; and

WHEREAS bids were solicited and opened on Tuesday, April 25, 2023 at 10:00 a.m. and the following picked-up bid packages and submitted bids as follows:

Topline Construction	\$820,328.78
Stilo Excavation, Inc.	\$821,534.97
Black Roack Enterprises	\$954,820.00

WHEREAS, the bids have been reviewed by the Borough’s Engineer and Attorney and as such it has been determined that Topline Construction is the lowest qualified bidder and it is recommended the bid be awarded to them in the amount of \$820,328.78 for the 2023 Road and Sewer Improvement project in South Plainfield; and

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

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

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: 23-170
AUTHORIZING A REFUND IN THE AMOUNT OF \$500.00
FOR A LEGENDS CAMP FEE**

WHEREAS, the Recreation Director confirms that a \$500.00 refund is necessary based upon the request for a refund from Community Pass ID#2245108 for a Legends Camp fee for the 2023 summer season as follows:

Community Pass ID: 2245108

Cancellation of 10 weeks of Legends Camp

Initial Payment: \$550.00 Balance Due: \$1950.00

CREDIT CARD REFUND: \$500.00 (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	X				
Councilman White	X		X				
Councilman Wolak			X				
Council President Bengivenga			X				
			5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-171
AUTHORIZING THE HIRING OF 2023 COMMUNITY POOL 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 at the South Plainfield Community Pool Utility at rates pursuant to the Salary Ordinance 2228:

Pool Employees 2023

Position	First Name	Last Name
Swim Team - Head Coach		
	Karim	Motani
Swim Team - Assistant Coach		
	Abby	Di Giorgio
	Kelsie	Niedenbach
	Nick	Robertson
Pool Attendant		
	David	Abalo
	Ryan	Aiello
	Grace	Aiello
	Ava	Aneses
	Isabelle	Barbara
	Lorenzo	Barbara
	Connor	Barry
	Emma	Benowitz
	Evan	Brown
	Ava	Cabrera
	Brandon	Calderone
	Lucy	Chabrak
	Vincent	Conselina
	Jason	Contreras
	Anthony (AJ)	Cortese
	Caleb	Davis
	Nicholas	DeGeronimo
	Janya	Draper
	Justin	Duran
	Aidan	English
	Bryce	English
	Jonathan	Freire
	Brianny	Gil
	Rakiyah	Grove
	Hope	Hall
	Jake	Haspel
	Sofia	Hassan
	Joleen	Hernandez
	Mo	Jadallah
	Jayden	Jenkins
	Jayden	Jimenez
	Olivia	Kapolka
	James	Katsingris
	Ella	Kloby
	Emily	Kloza
	Peace	Kosso
	Myah	Kovacs
	Maya	Lindsay
	Cindy	Loloan
	Noemi	Lopez
	Brittany	Lubintus
	Sean	Mackenzie
	Mason	Malecki

David	Mayorga
Haley	Mejias
Joe	Mongiovi
Paityn	Moniz-D'Souza
Gwen	Niemeyer
Veronica (Ronnie)	Niemeyer
Makayla	Noel
Lindsay	Oller
Angel	Pagan
ilyas	palaj
Dylan	Palleija
Kaitlyn	Pascale
Tom	Paterson
Ana	Pereira
Aurora	Peters
Laura	Promislow
David	Rapelye
Gianna	Ravi
Jordan	Remaykis
Tatiana	Rowlands
Samantha	Rush
Giavonna	Smith
Samantha	Stinemire
Aiden	Sweeney
Stella	Sweeney
Jesselle	Sylvester
Evalyn	Szalanczi
Braden	Tankiewicz
Silas	Tirado
Christian	Toczynski
Erin	Townley
Nicholas	Urteil
Isabella	Vitale
Ava	Waldron
Molly	Wilson

Lifeguard - Tier 1 (Pending Certification)

Isabelle	Barbara
Lorenzo	Barbara
Emma	Benowitz
Brandon	Calderone
Vincent	Conselina
Jason	Contreras
Anthony (AJ)	Cortese
Justin	Duran
Myah	Kovacs
Maya	Lindsay
Cindy	Loloan
Noemi	Lopez
Sean	Mackenzie
David	Mayorga
Gwen	Niemeyer
Veronica (Ronnie)	Niemeyer
Makayla	Noel
Dylan	Palleija
Aurora	Peters
Laura	Promislow
Gianna	Ravi
Evalyn	Szalanczi

Silas	Tirado
Ava	Waldron
Molly	Wilson

Lifeguard - Tier 1

Laura	Ladino Furque
Genevieve	Pope
Anastasia	Scrudato
Sofia	Vitabile
Nelson	Whalen
Gertrude	Whalen

Lifeguard - Tier 2

Jacob	Aiello
Margaret (Maggie)	Batshaw
Riley	Billian
Avery	Cassio
Samantha	Culver
Mo	Jadallah
Ava	Kurilew
Amber	Olsen
Nicole	Parisi
Matthew	Robertson

Lifeguard - Tier 3

Nicole	Zubieta
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Lifeguard - Tier 4

Joseph	Cassio
Abby	Di Giorgio
Olivia	Glynn
Ryan	Lamberson
Jack	Mackenzie
Lesly	Mayta
Adrianna	Nazarko
Amanda	Piña
Nick	Robertson
Imagen	Walters

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 23-172
AUTHORIZING A 2023 TEMPORARY BUDGET AMENDMENT FOR \$2,000,000.00
IN THE CURRENT FUND AND \$20,000.00 IN THE POOL UTILITY**

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		30,000.00
3-01-20-140-000-331	Computer	O&E		10,000.00
3-01-20-145-000-102	Tax Collection	S&W		10,000.00
3-01-20-145-000-403	Tax Collection	O&E		3,000.00
3-01-20-165-001-101	Engineering	S&W		10,000.00
3-01-20-165-001-235	Engineering	O&E		10,000.00
3-01-21-185-000-101	Zoning	S&W		10,000.00
3-01-21-185-000-221	Zoning	O&E		2,000.00
3-01-22-195-001-101	Code Enforcement	S&W		25,000.00
3-01-23-220-000-601	Health Benefits	O&E		20,000.00
3-01-23-220-000-625	Health Benefits	O&E		118,000.00
3-01-25-240-001-101	Police	S&W		900,000.00
3-01-25-240-001-225	Police	O&E		20,000.00
3-01-25-240-003-241	Crossing Guards	O&E		50,000.00
3-01-25-250-000-101	911	S&W		50,000.00
3-01-25-250-000-204	911	O&E		10,000.00
3-01-25-265-002-102	Fire Official	S&W		3,000.00
3-01-25-265-003-581	Fire Service Charges	O&E		50,000.00
3-01-26-290-001-101	DPW Administration	S&W		15,000.00
3-01-26-290-001-255	DPW Administration	O&E		3,000.00
3-01-26-290-001-325	DPW Administration	O&E		1,000.00
3-01-26-290-002-101	Road Repairs & Maintenance	S&W		30,000.00
3-01-26-290-002-425	Road Repairs & Maintenance	O&E		2,000.00
3-01-26-305-003-101	Recycling	S&W		20,000.00
3-01-26-305-003-235	Recycling	O&E		50,000.00
3-01-26-310-000-101	Public Buildings & Grounds	S&W		20,000.00
3-01-26-310-000-204	Public Buildings & Grounds	O&E		7,000.00
3-01-26-310-000-402	Public Buildings & Grounds	O&E		1,000.00
3-01-26-310-000-404	Public Buildings & Grounds	O&E		3,000.00
3-01-26-310-000-415	Public Buildings & Grounds	O&E		10,000.00
3-01-26-310-000-425	Public Buildings & Grounds	O&E		2,000.00
3-01-26-310-000-441	Public Buildings & Grounds	O&E		4,000.00
3-01-26-310-000-445	Public Buildings & Grounds	O&E		3,000.00
3-01-26-310-000-491	Public Buildings & Grounds	O&E		2,000.00
3-01-26-315-000-101	Vehicle Maintenance	S&W		15,000.00
3-01-26-315-000-401	Vehicle Maintenance	O&E		10,000.00
3-01-28-370-001-451	Recreation	O&E		3,000.00
3-01-28-370-002-101	Office on Aging	S&W		10,000.00
3-01-28-370-002-236	Office on Aging	O&E		5,000.00
3-01-28-370-002-401	Office on Aging	O&E		3,000.00
3-01-29-390-000-235	Library	O&E		200,000.00
3-01-31-435-002-555	Street Lights	O&E		100,000.00
3-01-31-440-001-541	Telephone	O&E		15,000.00
3-01-31-465-001-565	Gas	O&E		20,000.00
3-01-43-490-000-101	Court	S&W		15,000.00
3-01-43-490-000-102	Court	S&W		5,000.00
3-01-36-472-000-675	SSI	Statutory		75,000.00
Total CURRENT FUND				2,000,000.00
POOL UTILITY				AMOUNT
3-26-55-520-000-101	Pool Salaries	S&W		10,000.00
3-26-55-520-000-235	Pool O&E	O&E		10,000.00
Total POOL UTILITY				20,000.00

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 23-173
AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF EMERGENCY LIGHTING
& EQUIPMENT INSTALLATION FOR PATROL VEHICLES
FROM EAST COAST LIGHTING IN AN AMOUNT NOT TO EXCEED \$58,126.45

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of emergency lighting & equipment installation for patrol vehicles from East Coast Lighting in an amount not to exceed \$58,126.45 pursuant to state contract number #17-Fleet-00761, #17-Fleet-00719 and #17-Fleet-00768; 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. Captain Papa, SPPD

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 23-174
AUTHORIZING THE NJ STATE CONTRACT PURCHASE
OF THREE 2023 CHEVROLET TAHOE POLICE VEHICLES FROM GENTILINI MOTORS
IN AN AMOUNT NOT TO EXCEED \$164,232.58

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of three 2023 Chevrolet Tahoe patrol vehicles from Gentilini Motors in an amount not to exceed \$164,232.58 pursuant to state contract number 21-Fleet-01485; 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. Captain Papa, SPPD

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 23-175
AUTHORIZING THE NJ STATE CONTRACT PURCHASE
OF TWO FORD ESCAPE SE PLUG HYBRID SUV POLICE VEHICLES
FROM GENTILINI MOTORS
IN AN AMOUNT NOT TO EXCEED \$77,976.46

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of two Ford Escape SE Plug Hybrid SUV police vehicles from Gentilini Motors in an amount not to exceed \$77,976.46 pursuant to state contract number 21-Fleet-01393; 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. Captain Papa, SPPD

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 23-176
AUTHORIZING THE PURCHASE AND INSTALLATION OF NEW FLOORS IN THE POOL BATHROOMS FROM
HIGH PERFORMANCE SYSTEMS CORP.
IN AN AMOUNT NOT TO EXCEED \$23,164.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of new floors in the pool bathrooms from High Performance Systems Corp. in an amount not to exceed \$23,164.00; and

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Elizabeth Yarus, Recreation Director

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							

CORRESPONDENCE:

There were no matters of correspondence for this evening.

PAYMENT OF BILLS

Current Fund	3-01	414,695.45
Current Fund	2-01	36,848.68
Pool Utility	3-26	7,191.64
Pool Utility	2-26	0.00
Sewer Utility	3-07	32,449.48
Sewer Utility	2-07	780.97
Sewer Utility Capital	C-08	0.00
General Capital	C-04	6,908.42
Pool Capital	C-27	1,485.00
Election Account	E-18	0.00
Grant Fund	G-02	7,190.00
Dog Trust	T-12	5,901.74
Treasurers Trust	T-13	16,008.88
Recreation Trust	T-14	1,793.27
Senior Citizen Trust	T-16	0.00
	T-11	9.45
Total All Funds:		\$531,262.98

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:	5	0			
Mayor Anesh – TIE ONLY							

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – pointed out that a lot of projects are taking place in South Plainfield. We hope to go out to bid for the Putnam Park project sometime next month and bid out the turf field next month. That project will be partially funded by grant money. The Legends Camp is doing very well. Mr. Cullen thanked engineering and recreation for all their effort with these projects.

Engineer Miller – we just awarded this evening the 2023 road and sewer project which we are happy came in under budget. The next project coming up will be Norwood Avenue which we hope to go out to bid soon.

Clerk Antonides – reported progress.

Councilman Smith – thanked Mr. Cullen for all his work with the budget and thanked Mr. Rizzo and Mr. Miller for all that they do. Councilman Smith also thanked Chief Parker for keeping our community safe for our residents.

Councilman Wolak – thanked Mr. Cullen and all the department heads for their work on the introduction of the budget.

Councilwoman Mott – was absent this evening.

Council President Bengivenga – reported progress.

Councilwoman Faustini – reported that everything on the recreation side of things is going very well. The early bird sign-ups for the pool ended today. Councilwoman Faustini went on to report statistics of membership to date. Tonight we awarded the pool bathroom floor project. This will be a big improvement to the facility and safer for users. Councilwoman Faustini concluded by thanking everyone who came out in the rain on Saturday for the clean-up day.

Councilman White – reported progress.

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 reminded everyone about the Junior Journalist Banquet scheduled for May 10th at 5:30 p.m. at the American Legion. It is usually an excellent event to attend.

Mr. Charlie Kratovil whose base office is at 100 Buyer Street in New Brunswick, briefed the governing body on concerns regarding environmental issues that pertain to a power plant approved by Woodbridge. Mr. Kratovil spoke of the chemical impact such a plant would have and went on to say that some ten municipalities in Middlesex County did a resolution to oppose this.

Ms. Celeste from 113 Cleaveland Ave., Colonia expressed her concerns regarding the impact of the Woodbridge power plant.

Ester from Edison expressed her concerns that this power plan will be a health issue for her due to compromised health issues she already has. Ester said her concerns are with greenhouse gases and toxins that we will be breathing in with this power plant. It is a dinosaur project that we don't want or need. Fracking will occur with methane gases being released and contaminating everything. Ester asked what our governing body's position is on this matter. Mayor Anesh said as we only just learned of this, it will be

forwarded to our Environmental Commission for review and recommendation and if they feel the matter may warrant any action, they will let our governing body know.

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 7:44 p.m., seconded by Councilman White and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk