

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
JUNE 5, 2023 7:05 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 7:05 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	Virtual		
Attorney Paul Rizzo	X		
Engineer Miller	X		

Flag Salute: was led by Mayor Anesh and Councilwoman Mott 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:

May 15, 2023 – Agenda Meeting
May 15, 2023 - Public Meeting
May 15, 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				
Councilman Wolak			X				
Council President Bengivenga		x	X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

Presentation –Swearing in of Police Officers (*Resolution #23-192A below*)

Mayor Anesh swore both officers in with their family present. Everyone extended a round of applause and photographs were taken by family, friends and media present.

Each governing body member expressed their well wishes and congratulations to the newly appointed officers.

RESOLUTION 23-192A
AUTHORIZING THE HIRING OF WESLEY BOWE AND RICKY PELLEGRINO
AS POLICE OFFICER WITH AN ANNUAL SALARY PURSUANT TO THE
SALARY ORDINANCE AND/OR LOCAL CONTRACT

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, at the Police Chief’s recommendation that it hereby confirms the hiring of the following Police Officers at a salary pursuant to ordinance and/or PBA Contract effective July 10, 2023:

- Wesley Bowe – as Police Officer
- Ricky Pellegrino – as Police Officer

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

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

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				
Council President Bengivenga		x	X				
			6	0			
Mayor Anesh – TIE ONLY							

Presentation: South Plainfield Women’s Leadership Team – Essay Contest Award-Debbie Boyle announced the three winners of the essay contest and presented them with an award. Everyone extended a round of applause and photographs were taken by family, friends, and media present.

Proclamations – Mayor Anesh read the following proclamations in full: PTSD Awareness Month, Pride Month and Juneteenth Day. Photographs were taken and everyone extended a round of applause for those who accepted the proclamations.

ORDINANCES:

The following ordinance #2269 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 2269
AN ORDINANCE AMENDING ORDINANCE 2138, SECTIONS 230-8 AND 230-24 PERTAINING TO CHAPTER 230 OF
THE BOROUGH CODE TITLED “FIRE PREVENTION”

WHEREAS, the Borough Fire Prevention Official/Marshall has requested revisions to Chapter 230 of the Code of the Borough of South Plainfield; and

WHEREAS, the Public Safety Committee has reviewed such request and has approved same;

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 230, Fire Prevention be amended as follows:

All referenced sections shall be deleted as existing and shall be replaced with the language provided herein.

§ 230-2: Agency Designation.

The local enforcing agency shall be the Office of the Fire Marshall/Bureau of Fire Prevention.

{A1298313.1 }

§ 230-4: Life Hazard and Local Uses.

The local enforcing agency established by Section 230-2 of this Article shall carry out the periodic inspections of life hazard and local uses required by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs.

§ 230-5: Organization.

The local enforcement agency established by Section 230-2 of this Article shall be under the control of the Fire Official/Fire Marshall and shall report to the Mayor and Council.

§ 230-8: Additional Required Inspections and Fees.

Use	Description	Amount of Fee	
B1	Business use 1 sq. ft. - 4,000 sq. ft.	\$108.00	\$115.00
B2	Business use 4,001 sq. ft. - 8,000 sq. ft.	\$144.00	\$155.00
B3	Business use 8,001 sq. ft. - 12,000 sq. ft.	\$180.00	\$195.00
B4	Business use 12,001 sq. ft. - 16,000 sq. ft.	\$360.00	\$390.00
B5	Business use 16,001 sq. ft. - 20,000 sq. ft.	\$432.00	\$465.00
B6	Business use 21,001 sq. ft. - 23,999 sq. ft.	\$504.00	\$535.00
E1	Eating use 1 person - 25 persons	\$180.00	\$190.00
E2	Eating use 26 persons - 49 persons	\$216.00	\$230.00
F1	Factory use 1 sq. ft. - 4,000 sq. ft.	\$360.00	\$375.00
F2	Factory use 4,001 sq. ft. - 8,000 sq. ft.	\$432.00	\$465.00
F3	Factory use 8,001 sq. ft. - 11,999 sq. ft.	\$504.00	\$540.00
M1	Mercantile use 1 sq. ft. - 4,000 sq. ft.	\$145.00	\$150.00
M2	Mercantile use 4,001 sq. ft. - 8,000 sq. ft.	\$216.00	\$230.00
M3	Mercantile use 8,001 sq. ft. - 11,999 sq. ft.	\$287.00	\$305.00
S1	Storage Use 1 sq. ft. - 4,000 sq. ft.	\$287.00	\$300.00
S2	Storage Use 4,000 sq. ft. - 8,000 sq. ft.	\$360.00	\$390.00
S3	Storage Use 8,001 sq. ft. - 11,999 sq. ft.	\$432.00	\$465.00
O	Other Use	\$90.00	\$ 95.00
	Landlord		\$ 95.00
Photographs CD Copies		\$	100.00 for each CD

§ 230-9: Permit Fees.

Permit Type	Fee
Type 1	\$54.00
Type 2	\$212.00
Type 3	\$427.00
Type 4	\$641.00

§ 230-21. Events Requiring Permits.

When Fire Official/Fire Marshall determines that an on-site fire inspector or fire-fighting personnel or equipment are required for fire watch as a result of any of the following listed below, the owner of occupant responsible shall obtain a permit for the use or event.

- A. Fire protection system failures and/or deficiencies, including both suppression and detection systems required by the NJ International Fire and Building Codes.
- B. Emergency warning and fire detection systems required by the NJ International Fire and Building Codes.
- C. Fire safety at any occupancy or event within the Borough of South Plainfield to ensure the safety of the public or emergency responders or any other event in which a crowd of potentially 500 persons or more is to assemble.
- D. Standby coverage at fire investigation scenes. (Specific to firefighters only.)

§ 230-22. Required Personnel; Hours on Duty.

- A. The Fire Official/Fire Marshall shall determine the number of inspectors and/or fire fighting personnel required.
- B. The Fire Official/Fire Marshall shall determine the hours that the fire inspector(s) and/or fire-equipment and personnel will be on duty.

§ 230-24. Fees for Services.

- A. Compensation for inspector(s) for non-working hours for “for profit” groups or entities will be at ~~\$54.00~~ \$55.00 per hour with \$2.00 per hour being directed to the Borough. For such hours for not for profit groups or entities, compensation shall be \$40.50 per hour with \$2.00 directed to the Borough.
- B. Compensation for all certified firefighters (firefighter 1) required by the Fire Official/ Fire Marshall as part of a standby shall be \$27.00 per hour with \$2.00 per hour directed to the Borough. Firefighters will be compensated \$25.00 per hour.
- C. The rate for use of vehicles shall be as follows when requested under orders from the Bureau of Fire Prevention. All fees for apparatus will be placed in the care of the Borough of South Plainfield.
 - (1) Engine: \$50.00 per hour
 - (2) Truck: \$100.00 per hour
 - (3) Rescue: \$50.00 per hour
 - (4) All others: \$25.00 per hour

§ 230-25. Right of Access.

The Fire Official/Fire Marshall or their designee(s) shall have right of access to the premises and areas surrounding it without interference from the property owner.

§ 230-26. Permit Fees; Penalties for Failure to Secure Permit.

Failure to secure a permit prior to commencing the operation, process or activity for which a permit is required shall be punishable by a penalty of no more than double the amount of the applicable permit fee (N.J.S.A. 5:70-2.12(b)7).

Type of Permit	Permit Fee	Maximum Penalty
Type 1 Permit	\$54.00	\$108.00
Type 2 Permit	\$212.00	\$428.00
Type 3 Permit	\$427.00	\$854.00
Type 5 Permit	\$641.00	\$1,281.00

§ 230-28. Hiring of Police Officers; Fees.

The hiring of fire inspectors or firefighters shall not be allowed in place of the need for sworn police officers; decisions decision of the Fire Official/Fire Marshall will be required. Fees for police officers hired for actions consistent with fire standby duties shall be at their rate of pay and not the pay schedule for fire Inspector/fighters.

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				
			6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2270 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for June 19, 2023 at approximately 7 p.m.

ORDINANCE 2270

AN ORDINANCE AMENDING ORDINANCE 2267 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 #2270 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 June 5, 2023. In summary, this ordinance amends Ordinance 2267 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 June 19, 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		X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga		x	X				
			6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2271 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for June 19, 2023 at approximately 7 p.m.

ORDINANCE 2271

ORDINANCE THAT AMENDS ORDINANCES 2260 THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2020 THROUGH 2023 TO ADD ACTING BUILDING SUBCODE OFFICIAL

The ordinance #2271 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 June 5, 2023. In summary, this ordinance amends Ordinances 2260 provides for the compensation of employees of South Plainfield and the method of payment of such compensation for the years 2020 through 2023 to now add Acting Building Subcode Official with a salary of \$7,638 for 2023. The public hearing where further consideration will be made will be held on June 19, 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		X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
Mayor Anesh – TIE ONLY							

MUNICIPAL BUDGET PUBLIC HEARING

- **Public Hearing of the 2023 Municipal Budget** – Mr. Cullen briefed the Governing Body on the status of the budget and advised that tonight we have a very minor amendment of which does not require a separate public hearing. Mayor Anesh opened the floor for public hearing and with no comments from the public, closed the floor.
- **23-193A Authorizing the Approval of a Minor 2023 Municipal Budget Amendment**
(Copy available on Borough’s website) (No public hearing required)

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 23-193
AUTHORIZING THE ADOPTION OF THE 2023 MUNICIPAL BUDGET**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it hereby approves and confirms the adoption of the 2023 Municipal Budget pursuant to the attached budget document.

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS:

**RESOLUTION 23-194
AUTHORIZING THE APPROVAL AND RENEWAL OF LIQUOR LICENSES FOR 2023 - 2024 AND AUTHORIZING THE MUNICIPAL CLERK TO ISSUE 2023-2024 LIQUOR LICENSES TO ALL LICENSEES THAT HAVE MET ALL STATE AND BOROUGH REQUIREMENTS AND HAVE PAID ALL APPROPRIATE FEES.**

WHEREAS, applications for renewal of Liquor Licenses for the year 2023-2024 have been submitted; and

WHEREAS, no objections to said renewals have been filed; and

WHEREAS, the proper Borough fees have been paid by all applicants and the renewal retail licensee tax clearance certificate has been issued.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of the Borough of South Plainfield that the following licensees be granted renewals of their liquor licenses for the year commencing July 1, 2023 and expiring June 30, 2024:

	License #	Type	License Name	Trade Name
1	1222-36-030-002	Plenary Retail Consumption	Friendwell Management LLC	Best Western
2	1222-44-006-005	Plenary Retail Distribution	Dhara & Reshma Inc.	Oak Tree Discount Wine & Liquor
3	1222-33-019-007	Plenary Retail Consumption	Perspectiva LLC	Paulos BBQ
4	1222-33-005-007	Plenary Retail Consumption	Konbrothers Inc.	Park Avenue Diner
5	1222-33-017-004	Plenary Retail Consumption	Giocerbone Inc.	Angelina's Tavern
6	1222-31-024-001	Club	Plainfield Curling Club Inc.	Plainfield Curling Club
7	1222-31-023-001	Club	Italian American Progressive League	Italian American Progressive League
8	1222-31-021-001	Club	Chaumont Post 243 American Legion	Chaumont Post 243 American Legion
9	1222-33-007-004	Plenary Retail Consumption	Red Lobster Restaurants LLC	Red Lobster #379
10	1222-33-003-009	Plenary Retail Consumption	Crab Shack Acquisition NJ LLC	Joe's Crab Shack/Brick House Tavern
11	1222-44-011-007	Plenary Retail Distribution	Shreeji Akshar LLC	Maple Wine N Spirits
12	1222-33-008-011	Plenary Retail Consumption	AALB, LLC	South Side Clam Bar

BE IT FURTHER RESOLVED that the Municipal Clerk is authorized to issue 2023-2024 liquor licenses to the above-named licensees.

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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-195
AUTHORIZING THE RELEASE OF PERFORMANCE BONDS POSTED BY
PSI INC. FOR PUBLIC IMPROVEMENTS
TO BLOCK 523, LOTS 1, 2, 2.02, & 2.03
AND ACCEPTANCE OF THE MAINTENANCE BONDS
IN THE AMOUNT OF \$8,933.25**

WHEREAS, the Borough of South Plainfield is in possession of a Performance Bond from PSI Inc. for public improvements located at Block 523, Lots 1, 2, 2.02, & 2.03; and

WHEREAS, the applicant has submitted the Maintenance Bond in the amount of \$8,933.25; and

WHEREAS, the Borough Engineer has given approval of the form and content of the aforementioned Maintenance Bond.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of South Plainfield, that the Borough Clerk is hereby authorized to accept the aforementioned Maintenance Bond and release the Performance Bond held for the Public Improvements located at the aforementioned Block(s) and Lot(s).

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION: 23-196

AUTHORIZING THE PUBLIC AUCTION BY THE POLICE DEPARTMENT FOR ABANDONED UNCLAIMED VEHICLE(S)

WHEREAS, the South Plainfield Police Department in accordance with R.S. 39:10A-1, are in possession of abandoned vehicles due to the failure of the owners claiming such and are now desirous of conducting a public auction on Friday, June 16, 2023 at 11:00 a.m. at 2480 Plainfield Avenue, South Plainfield, New Jersey for the following abandoned vehicles:

YEAR	MAKE	MODEL	VIN#	STATUS	MIN. BID
2005	Cadillac	Escalade	1GYEK63N85R129529	Fair	\$2,560.00
2008	GMC	Sierra	1GTHK29K98E195866	Fair	\$1,360.00

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the South Plainfield Police Department are hereby authorized to publicly advertise and auction the aforementioned vehicles deemed to be abandoned by their owner(s).

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION #23-197

AUTHORIZING THE SERVICES OF GOVDEALS INC. FOR THE ELECTRONIC AUCTION OF MUNICIPAL OR UNCLAIMED SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE BY THE BOROUGH OF SOUTH PLAINFIELD

WHEREAS, the Borough of South Plainfield is the owner of certain surplus property which is no longer needed for public use, and

WHEREAS, the Borough is desirous of selling said surplus property in an “as-is” condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield hereby authorizes the following:

1. The sale of the surplus property shall be conducted through GovDeals, Inc. pursuant to Sourcewell National Cooperative in accordance with the terms and conditions of said Cooperative. The terms and conditions of the agreement entered into with GovDeals, Inc. are available online at govdeals.com and also available from the Chief Financial Officer.
2. The sale will be conducted online, and the internet address of the auction site is govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2019-5.
4. A list of the surplus property to be sold at auction is as follows: See Schedule A for a complete list of items.
5. The surplus property as identified shall be sold in “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Borough reserves the right to accept or reject any bid submitted.

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

1. Glenn Cullen, Chief Financial Officer/BA
2. Division of Local Government Services, Department of Community Affairs

3. Amy Antonides, Municipal Clerk
4. Captain Papa, Police Department

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-198
AUTHORIZING THE SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF
SOUTH PLAINFIELD AND THE COUNTY OF SOMERSET DPW
FOR THE SHARING OF EQUIPMENT AND PERSONNEL

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the Shared Service Agreement between the Borough of South Plainfield and the County of Somerset Department of Public Works for the sharing of equipment and personnel.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Len Miller, DPW Superintendent
4. Paul McCall, Somerset County DPW Director

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-199
AUTHORIZING SENIOR CENTER REFUNDS TO VARIOUS SENIORS
DUE TO A CANCELLED TRIPS

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the following refund(s) for a cancelled trip to Papermill Playhouse that was scheduled for June 29, 2023:

Pat Malia

281 Ada Place

South Plainfield, NJ 07080 - \$120

Eleanor Disch

1708 Bullard Pl.

South Plainfield, NJ 07080 - \$120

Joann Ciampi

319 Firth Street

South Plainfield, NJ 07080 - \$120

{A1298313.1 }

Joan Naberezny
 3301 Park Ave.
 South Plainfield, NJ 07080 - \$120

Myrtle Harris
 606 Ritter Ave.
 South Plainfield, NJ 07080 - \$120

Pat DiTrolino
 2039 Perry Street
 South Plainfield, NJ 07080 - \$360
 (3 tickets Bernadette Smith and Barbara Taylor)

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of South Plainfield that the Finance Office hereby has approval to release the aforementioned refund(s).

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-200
AUTHORIZING A DEVELOPERS AGREEMENT BETWEEN THE
BOROUGH OF SOUTH PLAINFIELD AND COLONIAL OAKS, LLC

WHEREAS, Colonial Oaks, LLC is a developer of certain property located within the Borough; and

WHEREAS, Colonial Oaks, LLC applied to the Borough Planning Board for preliminary and final major site plan approval for an inclusionary multi-family residential development; and

WHEREAS, the Planning Board reviewed and approved the application of Colonial Oaks, LLC; and

WHEREAS, the Borough and Colonial Oaks, LLC desire to enter into a Developers Agreement for the development of the subject property in accord with the approval of the Planning Board;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that they hereby authorize the Mayor to execute the Developers Agreement between the Borough of South Plainfield and Colonial Oaks, LLC in the form attached hereto.

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION: 23-201

AUTHORIZING THE REFUND OF A TAX OVERPAYMENT IN THE AMOUNT OF \$2,408.82 PERTAINING TO BLOCK 216, LOT 1.02 IN SOUTH PLAINFIELD

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

OWNER/ADDRESS

Block 216 Lot 1.02

Sylwester & Justine Krawiec
428 Norwood Avenue
South Plainfield, NJ 07080
\$2408.82

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

RESOLUTION: 23-202

AUTHORIZING VARIOUS REFUNDS PERTAINING TO LEGENDS CAMP FEES

WHEREAS, the Recreation Director confirms that the below refunds are necessary based upon the request for a refund from Community Pass ID holders that pertain to Legends Camp fees for the 2023 summer season as follows:

Community Pass ID: **1379664**

Cancellation of Legends Camp (3 children – 2 weeks each)

Payment Received: \$1460.00

Refund: \$1460.00 (refund request prior to 5/5)

Community Pass ID: **2306997**

Cancellation of 6 Weeks of Legends Camp

Payment Received: \$500

Refund: \$150.00 (minus \$50 registration fee and \$50 deposits per week)

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

RESOLUTION 23-203

AUTHORIZING THE AWARD OF A BID TO TOPLINE CONSTRUCTION FOR IMPROVEMENTS TO NORWOOD AVENUE IN AN AMOUNT NOT TO EXCEED \$938,921.83

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 improvements are necessary; and

WHEREAS bids were solicited and opened on Wednesday, May 31, 2023 at 10:00 a.m. and the following picked-up bid packages and submitted bids as follows:

Topline Construction	\$938,921.83
Stilo Excavation, Inc.	\$969,748.88

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 \$938,921.83 for the road improvements to Norwood Avenue 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		X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak		x	X				
Council President Bengivenga			X				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-204
AUTHORIZING THE APPOINTMENT OF MARK McDONOUGH AS
ACTING BUILDING SUBCODE OFFICIAL AT THE ADDITIONAL HOURLY RATE
OF \$4.20 FOR THE WEEK OF 6/5/2023**

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

It hereby appoints Mark McDonough as Acting Building Subcode Official at the additional hourly rate of \$4.20 for the week of June 5, 2023; and

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

1. Glenn Cullen, Administrator/CFO
2. Amy Antonides, Municipal Clerk
3. Dominic Demico, Construction Official
4. Carmela Miller, Payroll

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-205

**AUTHORIZING THE HIRING OF ADDITIONAL PART-TIME
2023 SUMMER RECREATION PERSONNEL**

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

SUMMER PART-TIME RECREATION PERSONNEL:

Summer Parks 2023		
Head Counselor		
	Chris	Balent
	Kayla	Santiago
Camp Counselor I		
	Giavanna	Bentivegna
	Jalen	Brogdon
	Riley	Cassio
	Kayla	Corrales
	Danny	Csordos
	Shannon	Csordos
	Emily	Davis
	Maria	Fuschetti
	Mackenzie	MacManus
	Mya	Marin
	Madison	Matusz
	Kyle	Pear
	Isabella	Rogus
Camp Counselor II		
	Sherry	Cross
	Anthony	DeLisa
	Justin	Jordao
	Katherine	Maren
	Joey	Padovano
	Catherine	Pfeifer
	Demarcus	Shepard
	Laci	Sikora
Camp Counselor III		
	Ava	Felz
	Harlee	Larsen
	Caroline	Parker
	Gabrielle	Santamaria
Camp Counselor IV		
	Shea	Price
Legends Camp		
Camp Supervisor		
	Joshua	Eggert
	Maria	Rankin
Group Leader		
	Elijah	Barlow
	Colin	Droge
	Amina	Gourdine
	Jordyn	Grier-Pramham
	Martha	Lopez
	Gina	McConville
	Gregory	Miller
	Diane	Oliveira
	Ace	Price
	Ayman	Rashid
	Shayna	Ruchaevisky
	Aimee	Sarboukh
	Kierra	Sorhindo
	Clara	Ugarte
	Alexx	White
Camp Counselor I		
	Jeffrey	Chodosh
	Jayden	Jenkins
	William	Toczynski
Pool Employees 2023		
Lifeguard - Tier 2		
	Sean	Wahlers
	Stephen	Zwolak

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-206

AUTHORIZING CHANGE ORDER NO. 1 TO TOPLINE CONSTRUCTION FOR 2023 ROAD AND SEWER IMPROVEMENTS TO INCREASE THE SCOPE OF THE PROJECT TO INCLUDE IMPROVEMENTS TO HOPKINSON STREET, KENNETH AVENUE AND ADDITIONAL LINE STRIPING AT VARIOUS LOCATIONS FOR AN INCREASE TO THE CONTRACT AMOUNT OF \$154,000.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorized the additional project scope of the 2023 Road and Sewer Improvements to include improvements to Hopkinson Street, Kenneth Avenue and additional line striping at various locations. The original contract amount of \$820,328.78 will be increased \$154,000.00 for a new contract amount of \$974,328.78.

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of South Plainfield that a copy of this resolution be distributed to the following:

1. Glenn Cullen, CFO/BA
2. Amy Antonides, Municipal Clerk
3. Len Miller, Borough Engineer/Superintendent DPW
4. Topline Construction
5. John Freeman, P.E., Najarian Assoc.

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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-207
AUTHORIZING THE ESCNJ COOPERATIVE PURCHASE AND INSTALLATION
OF PARK EQUIPMENT FOR PUTNAM PARK
IN AN AMOUNT NOT TO EXCEED \$226,561.56**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the ESCNJ cooperative purchase and installation of park equipment for Putnam Park from Ben Shaffer Recreation of PO Box 844, Lake Hopatcong, NJ 07849 in a total amount not to exceed \$226,561.56 pursuant to the ESCNJ cooperative contract number #ESCNJ 20/21-22; CO-OP #65MCESSCCPS; and

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Len Miller, DPW Superintendent
4. Elizabeth Yarus, Recreation Director
5. John Freeman, Najarian

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			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-208
AUTHORIZING THE ESCNJ COOPERATIVE PURCHASE AND INSTALLATION
OF PG PIP SURFACING FOR PUTNAM PARK
IN AN AMOUNT NOT TO EXCEED \$129,483.33**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the ESCNJ cooperative purchase and installation of PG PIP Surfacing for Putnam Park from Ben Shaffer Recreation of PO Box 844, Lake

Hopatcong, NJ 07849 in a total amount not to exceed \$129,483.33 pursuant to the ESCNJ cooperative contract number #ESCNJ 20/21-02; CO-OP #65MCECCPS; and

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Len Miller, DPW Superintendent
4. Elizabeth Yarus, Recreation Director
5. John Freeman, Najarian

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			6	0			
Mayor Anesh – TIE ONLY							

CORRESPONDENCE:

- Board of Health Monthly Report – May, 2023
- BEDAG Minutes – February 1, 2023

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				
			6	0			
Mayor Anesh – TIE ONLY							

PAYMENT OF BILLS

Current Fund	3-01	951,642.09
Current Fund	2-01	13,825.00
Pool Utility	3-26	0.00
Pool Utility	2-26	10,065.88
Sewer Utility	3-07	107,163.95
Sewer Utility	2-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	44,973.88
Pool Capital	C-27	23,164.00
Election Account	E-18	0.00
Grant Fund	G-02	99.00
Dog Trust	T-12	6,144.28
Treasurers Trust	T-13	3,565.40
Recreation Trust	T-14	175.00
Senior Citizen Trust	T-16	0.00
	T-11	226.67
Total All Funds:		\$1,161,045.25

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							

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – received a request pertaining to 50 Cragwood Road/Cragwood LLC for a no idle zone in accordance with a Board of Adjustment resolution. Upon investigation by the Zoning Officer of the necessity of a no idle zone, he advised there is no need for such a designation at this time. Councilman White asked if signage would be the only requirement at this time. Council President Bengivenga asked if we really need this as the state statues supersede our local regulations in this regard. After a brief discussion Mr. Rizzo said he will respond back that posting a couple signs is the only thing we would do, otherwise the state statute would supersede anything we would do.

Administrator Cullen – explained that resolutions 23-207 and 208 pertain to new equipment for Putnam Park. The Putnam Park project will take place over the summer months as to not interfere with the schools.

Engineer Miller – provided an update on all the pending road projects that are taking place advising that they should all be done before the start of the new school year.

Clerk Antonides – reminded everyone that the Primary Election is tomorrow and the polls are open from 6am to 8pm and then reported progress.

Councilman Smith – thanked Mr. Cullen and Mr. Miller for their work with the change order that will allow for the expansion of the project pertaining to resolution 23-206 and then went onto congratulate the officers sworn in this evening.

Councilman Wolak – reported progress.

Councilwoman Mott – thanked all who came out for the health awareness seminar. You can watch the seminars on the Borough or Library websites.

Council President Bengivenga – reported progress.

Councilwoman Faustini – reported that the Library has a new program which is a conversational Spanish class that will be held on Thursdays at 6:30 pm until the end of August.

Councilman White – reported that Dragon Restaurant just opened next to Chiccos and went on to report 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.

Debbie Boyle of Van Fleet reminded everyone of some upcoming events in town.

Nancy Grennier asked what the bottom line of the budget is and Mr. Cullen briefly explained.

Melinda from 108 Elizabethtown Court complained about her neighbor dispelling his sump pump water into the street and as a result is pooling in front of her driveway. Melinda said she did a lot of research, read our sewer ordinance, and submitted some photographs to the Mayor and Council showing the situation of the excess of water. Mr. Miller said he is not aware of who approved this method, however, he believes Elizabethtown Court is on our list for upcoming road improvements at which time the drains will be included in the project. Mayor Anesh said the Mr. Miller's solution should alleviate this problem for the future.

A resident named Andre expressed his concerns regarding the excessive water on New Brunswick Avenue. Mr. Cullen said it is being looked into.

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

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 8:16 p.m., seconded by Council President Bengivenga and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk