

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
JULY 10, 2023 7:02 P.M.
PUBLIC MEETING**

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

CALL TO ORDER: 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	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 Wolak 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:

- June 19, 2023 – Agenda Meeting
- June 19, 2023 - Public Meeting
- June 19, 2023 – Executive Session

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:	5	0			
Mayor Anesh – TIE ONLY							

ORDINANCES:

The following ordinance #2272 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for July 24, 2023 at 7 p.m.

BOND ORDINANCE #2272

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$399,000 FOR THE PUTNAM PARK IMPROVEMENT PROJECT AND IMPROVEMENTS TO OTHER PARKS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$380,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been 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 supplemental amount of \$399,000, such sum being in addition to the \$1,495,773 appropriated therefor by Bond Ordinance #2256 of the Borough, finally adopted February 6, 2023 (the "Original Bond Ordinance"), and including the sum of \$19,000 as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$380,000 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 heretofore authorized and the purpose for the financing of which the bonds are to be issued is the Putnam Park Improvement Project and improvements to other parks, including all work and materials necessary therefor and incidental thereto, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$1,235,000, including the \$855,000 authorized by the Original Bond Ordinance and the \$380,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$1,894,773, including the \$1,495,773 appropriated by the Original Bond Ordinance and the \$399,000 appropriated herein.

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 mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$380,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$275,000 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. Of this amount, \$235,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$40,000 is estimated therefor herein.

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

RESOLUTIONS:

RESOLUTION 23-225

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	1222-33-014-003	Plenary Retail Consumption	SGS Associates Inc.	Sal's Spirit Shoppe
2	1222-33-016-013	Plenary Retail Consumption	Madhusudan LLC *Special Ruling Approved by Director of ABC for 2023-2024	(Former) Palace of Jaipur

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

RESOLUTION 23-226

AUTHORIZING THE REFUND OF \$200 TO DAVID HUNT FOR A TEMPORARY HEALTH LICENSE FOR THE JUNE OUR LADY OF CZESTOCHOWA FESTIVAL

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the following refund(s) for a temporary food license pertaining to the annual Our Lady of Czestochowa Festival:

DAVID HUNT
 "FARMER DAVE'S ROASTED CORN"
 207 BYRAM-KINGWOOD ROAD
 STOCKTON, NJ 08559
 \$200.00 REFUND

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

RESOLUTION 23-227
ACCEPTING THE RETIREMENT OF MARY FRANCES HILDEBRANDT
AS TAX ASSESSOR EFFECTIVE 11/01/2023

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

It hereby accepts the retirement of Mary Frances Hildebrandt as Tax Assessor effective 11/01/2023; and

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

1. Glenn Cullen, Administrator/CFO
2. Amy Antonides, Municipal Clerk
3. Anne Daley, Benefits
4. Carmela Miller, Payroll
5. Mary Frances Hildebrandt, Tax Assessor
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		X				
Councilman Wolak			X				
Council President Bengivenga		X	X				
			5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-228
AUTHORIZING THE HIRING OF RAQUEL SERRANO
AS ACTING TAX ASSESSOR EFFECTIVE AUGUST 1, 2023

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

- It hereby authorizes the hiring of Raquel Serrano as Acting Tax Assessor, effective August 1, 2023 at the annual salary of \$100,000.00 with benefits pursuant to contract; and
- It hereby authorizes Raquel Serrano to automatically be appointed as Tax Assessor on November 1, 2023 when the current Tax Assessor retires; and
- The provision pursuant to Article X of the Professional Managers Collective Bargaining Agreement for new hires requiring a six-month waiting period for the accrual of vacation days shall be waived.

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

7. Glenn Cullen, Administrator/CFO
8. Amy Antonides, Municipal Clerk
9. Anne Daley, Benefits
10. Carmela Miller, Payroll
11. Raquel Serrano, Acting Tax Assessor
12. John Abbruzzese, IT

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				
			5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-229

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NJDOT FOR THE NEW MARKET AVE. PROJECT

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				
			5	0			
Mayor Anesh – TIE ONLY							

Resolution No.23-230

Resolution: **Approval to submit an award extension request for LA-2022 MA South Plainfield Borough Improvements to New Market Avenue 12 to the New Jersey Department of Transportation.**

NOW, THEREFORE, BE IT RESOLVED that Council of South Plainfield Borough formally approves the request for a(n) Six (6) month award extension for the above stated project.

BE IT FURTHER RESOLVED that Mayor Matthew Anesh and the Municipal Clerk, or those authorized on their behalf, are to submit a formal request for a(n) Six (6) month award extension for the above referenced project to the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED that Mayor Matthew Anesh and the Municipal Clerk are hereby authorized to sign the Six (6) month award extension request on behalf of South Plainfield Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement.

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				
			5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-231
BOROUGH OF SOUTH PLAINFIELD
COUNTY OF MIDDLESEX**

**AUTHORIZING INSERTION OF ITEM OF REVENUE FOR BUDGET YEAR 2023 FOR THE
NEW JERSEY CLEAN COMMUNITIES GRANT IN THE AMOUNT OF \$55,655.96**

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of South Plainfield in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023 in the total sum of \$55,655.96 which is now available and is broken down as follows:

New Jersey Clean Communities Grant	\$55,655.96
Total Grants	\$55,655.96

BE IT FURTHER RESOLVED, that the like sum of \$55,655.96 is hereby appropriated under the aforementioned Grants;

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

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

**RESOLUTION 23-232
BOROUGH OF SOUTH PLAINFIELD
COUNTY OF MIDDLESEX**

**AUTHORIZING INSERTION OF ITEM OF REVENUE FOR BUDGET YEAR 2023 FOR THE
NEW JERSEY RECYCLING TONNAGE GRANT IN THE AMOUNT OF \$86,108.43**

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of South Plainfield in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023 in the total sum of \$86,108.43 which is now available and is broken down as follows:

New Jersey Recycling Tonnage Grant	\$86,108.43
Total Grants	\$86,108.43

BE IT FURTHER RESOLVED, that the like sum of \$86,108.43 is hereby appropriated under the aforementioned Grants;

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

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

RESOLUTION 23-233

Approval to submit a grant application and execute a grant contract with the NJDOT for the Oak Tree Avenue Project

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				
			5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-234
AMENDING RESOLUTION 21-90 THAT AUTHORIZED THE APPOINTMENT OF JUSTIN DITMARS TO THE POSITION OF SUPERVISING MECHANIC-LEVEL I TO CORRECT A TRANSPOSITION ERROR

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 amends Resolution 21-90 that authorized the Borough to appoint Justin Ditmars to the position of Supervising Mechanic – Level I at the rate of \$38.79 per hour and furthermore stated that he shall obtain a CDL license and A.S.E. recertification within the first 6 months of said appointment to now correct a transposition error of salary from \$38.79 per hour to \$42.01 per hour pursuant to salary ordinance 2161; 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. Carmela Miller, Payroll
4. Len Miller, DPW Superintendent
5. Anne Daley, Benefits
6. Justin Ditmars

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				
			5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION: 23-235
AUTHORIZING VARIOUS REFUNDS PERTAINING TO LEGENDS CAMP AND THE COMMUNITY POOL

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 and the Community Pool for the 2023 summer season as follows:

Legends Camp:

Community Pass ID: 2038999
5-weeks of Legends Camp @ \$250.00 per week
Refund: \$1,250.00

Community Pass ID: 2111541
7-weeks of Legends Camp: 1 @ \$200.00; 6 @ \$250.00 per week
Refund: \$1,700.00

Community Pool:
 Birthday party rained out – facility cancelled

Community Pass ID: 2060812
1x Initial Payment Birthday Party
Refund: \$195.00

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

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

**RESOLUTION 23-236
BOROUGH OF SOUTH PLAINFIELD
COUNTY OF MIDDLESEX**

**AUTHORIZING INSERTION OF ITEM OF REVENUE FOR BUDGET YEAR 2023 FOR THE
MUNICIPAL ALLIANCE DEDR GRANT IN THE AMOUNT OF \$11,578.00**

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of South Plainfield in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023 in the total sum of \$11,578.00 which is now available and is broken down as follows:

Municipal Alliance DEDR Grant	\$11,578.00
Total Grants	\$11,578.00

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

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

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

**RESOLUTION 23-237
AUTHORIZING THE TEMPORARY WAIVER OF BUILDING PERMIT FEES AS A RESULT OF JULY 4, 2023 FLASH
FLOODING DAMAGE IN CERTAIN PARTS OF THE BOROUGH**

WHEREAS, on July 4, 2023 the Borough of South Plainfield encountered unprecedented flash flooding in certain parts of the Borough; and

WHEREAS the Borough of South Plainfield recognizes the need to expedite and process construction related permits necessary for the safety and security of its residents due to an unforeseen situation; and

WHEREAS the State of New Jersey under the New Jersey Uniform Construction Code N.J.A.C. 5:23-4.19(b)5 provides that no fee shall be collected for work consequential to a natural disaster when the local code enforcement agency is waiving its fee.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it agrees to waive all construction related permit fees within its jurisdiction associated with the issuance of the required permits for repairs directly associated with the flash flood damage that occurred on July 4, 2023, providing that each such applicant submit to the South Plainfield {A1298313.1 }

Construction Department the attached executed certification. The deadline for all requests for the aforementioned fee waiver are to be made no later than December 31, 2023.

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the South Plainfield Building Department.

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

**RESOLUTION 23-238
ESTABLISHING THE THRESHOLD TO REQUIRE A RUSSIA-BELARUS CERTIFICATION**

WHEREAS, on April 15, 2021, President Joseph Biden entered Executive Order 14024 which blocked property with respect to specified harmful foreign activities of the government of the Russian Federation; and

WHEREAS, on March 9, 2022, N.J.S.A. 52:32-60.1 was enacted which directed the State Department of the Treasury to develop a list of persons it determines have engaged in prohibited activities in Russia or Belarus; and

WHEREAS, such statute requires any person or entity seeking to engage in activities enumerated therein to execute a certification prior to an award of a contract that such person or entity is not identified on the list created by the Department of the Treasury; and

WHEREAS, persons or entities identified on the list created by the Department of the Treasury cannot enter into or renew a contract for the provision of goods and services with a local contracting unit; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services has established that the threshold amount for a contract is \$1,000.00, which would trigger the need to obtain a certification required by statute; and

WHEREAS, a local contracting unit may apply its own “threshold” with regard to the required certification; and

WHEREAS, the Borough of South Plainfield deems it appropriate to establish a threshold of 15% of the applicable bid threshold in effect for contracts for goods and services;

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 threshold amount of a contract for goods or services which shall require execution of a certification regarding activities in Russia or Belarus to be 15% of the then applicable bid threshold established for contracts for goods and services with the B orough; and

BE IT FURTHER RESOLVED that a person or entity shall be required to submit a certification concerning engagement in prohibited activities with Russia or Belarus pursuant to State law for any contract for goods or service exceeding 15% of the applicable bid threshold then in effect for the Borough.

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				
			5	0			
Mayor Anesh – TIE ONLY							

CORRESPONDENCE:

- Code Enforcement Lien Report
- New Standardized Audit Notice
- Board of Health Monthly Report – June 2023

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				
			5	0			
Mayor Anesh – TIE ONLY							

PAYMENT OF BILLS

Current Fund	3-01	550,586.54
Current Fund	2-01	441.20
Pool Utility	3-26	11,520.71
Pool Utility	2-26	0.00
Sewer Utility	3-07	6,489.47
Sewer Utility	2-07	0.00
Sewer Utility Capital	C-08	328,032.27
General Capital	C-04	64,355.06
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	8,882.73
Dog Trust	T-12	0.00
Treasurers Trust	T-13	12,650.06
Recreation Trust	T-14	16,665.88
Senior Citizen Trust	T-16	0.00
	T-11	10,267.37
Total All Funds:		\$1,009,891.29

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – congratulated Mary Frances on her forthcoming retirement and welcomed her replacement Raquel Serrano. The Putnam Park bid opening is scheduled for August 3rd. The floor was removed and replaced at the Pal Building which was happily received. Delmore and Spruce were both paved today and the Norwood Avenue mark-outs began today. The sewer bills will be going out soon and the tax bills are already out. To conclude, Mr. Cullen thanked all that were involved with securing the \$1 million fuel station at the DPW. This will also allow school busses to obtain fuel at this location as well.

Engineer Miller – was absent this evening.

Clerk Antonides – reported progress

Councilman Smith – was absent this evening.

Councilman Wolak – reported progress.

Councilwoman Mott – reported progress.

Council President Bengivenga – thanked Senator Diegnan and other legislators for all their help with the grant for the new fuel pumps at the DPW.

Councilwoman Faustini – reported that new park equipment at Walnut Park has been installed. The summer STEM Program registration is taking place now and to conclude, overall all camp and park programs are all in full swing and running well.

Councilman White – reminded everyone that the second annual Restaurant Week will begin July 17th and run through July 30th. The Instagram will show all the participating restaurants. We also welcome Fat Jay's Bar & Grill to town located at the Hadley Center.

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 and reiterated the three minute time allotment for public comments pursuant to our By-Laws.

John Shu, from Edison NJ, in summary spoke out in support of a resolution opposing the Woodbridge power plant asking for South Plainfield to support this opposing resolution.

Prinita of 103 Princeton Ave., Rahway NJ, expressed her concerns pertaining to greenhouse gasses omitted from the proposed Woodbridge power plant and is asking South Plainfield for a resolution opposing this power plant.

A citizen from 143 Jefferson Blvd., Edison NJ, read a prepared speech opposing the Woodbridge power plant asking for South Plainfield to support a resolution to oppose it and expressed his concerns about the ozone and greenhouse gases.

Debbie Boyle of Van Fleet reminded everyone of the Christmas in July event on July 29th. There are 40-50 vendors scheduled. Ms. Boyle said she is devastated that Frank Frassaro won't be reappointed as a school resource officer. He was a huge asset to the Riley School and went on to thank him for his time given.

Maria from West Crescent Parkway expressed her support for Frank Frassaro at the Riley School saying she thought him to be a good asset to the students and is upset that he won't be reappointed.

Kiersten, a teacher from Riley School, said Officer Frassaro went above and beyond every day and everyone liked him and hopes the town will reconsider his appointment.

Jim Crawford of Hawthorne NJ, in summary spoke out in support of a resolution opposing the Woodbridge power plant asking for South Plainfield to support this opposing resolution.

Chris Knoll of 2100 Lynwood Avenue in Fort Lee, NJ, in summary spoke out in support of a resolution opposing the Woodbridge power plant asking for South Plainfield to support this opposing resolution.

Ester Barken of Edison NJ expressed concerns for frac gasses and in summary spoke out in support of a resolution opposing the Woodbridge power plant asking for South Plainfield to support this opposing resolution.

Glenda from Elizabethtown Court, South Plainfield said she is seeking a follow-up regarding her neighbors sump pump drainage into the public street and is still seeking a copy of the ordinance from Mr. Miller where it says this procedure is allowed. Glenda asked who cleans our storm drains. Mayor Anesh said DPW is responsible for that. Mr. Miller is away on vacation this evening and is not present to answer your questions.

With no further comments from the public, Mayor Anesh closed the floor. Mayor Anesh advised that at this time, 7:41p.m., we will be going into Executive Session and everyone is welcome to stay if they choose.

ADJOURNMENT

Without further comment and no more action necessary for this evening Mayor Anesh called for a motion to adjourn. Councilman White made a motion to adjourn at 8:41 p.m., seconded by Councilman Wolak and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk