

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
JULY 24, 2023 7:04 P.M.  
PUBLIC MEETING**

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

**CALL TO ORDER:** Mayor Anesh called the meeting to order at 7:04 p.m. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this remote hybrid meeting having been provided to the Borough's two official newspapers and also published on the Borough's website. Instructions for accessing the remote public meeting are found on the Borough's website next to the agendas. Documentation pertaining to the remote meeting can be found electronically on the Borough's website.

The roll call was administered by Clerk Antonides as follows:

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

**Flag Salute:** was led by Mayor Anesh and Councilman White said the invocation.

Mayor Anesh again reviewed some basic rules for conducting the hybrid virtual meeting this evening. All lines will be muted until such time that the floor is open for public comment. Each phone call or virtual hand raise will be taken one at a time. To unmute the microphone, just click on the red microphone picture that has a line through it. It will then turn green indicating you have been unmuted and may begin to speak. Callers may dial 1-646-922-2010 followed by the access code of 126 663 1990 #. Using the pound button will mute and unmute the voice feature for any phone callers.

**Public Comment:** Mayor Anesh opened the floor for public comment on agenda items only. Mayor Anesh also awaited virtual hand raises; he then unmuted all microphones. With no comments from the public in-person and virtual, Mayor Anesh closed the floor.

**EXECUTIVE SESSION** – at this time (7:05 p.m.) Mayor Anesh advised we will be going into Executive Session, and everyone is welcome to stay if they choose. The rest of the public agenda meeting will begin when we return from a brief Executive Session.

At 7:17 pm Mayor Anesh announced the return from Executive Session stating that as a result of this closed session meeting we will be adding resolution 23-252 to tonight's agenda. Mayor Anesh called for a motion to add resolution 23-252. Councilman Smith made a motion to add resolution 23-252, seconded by Councilman White and unanimously carried.

**Authorizing the Approval of Council Minutes:**

- July 10, 2023 – Agenda Meeting
- July 10, 2023 - Public Meeting
- July 10, 2023 – Executive Session

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**ORDINANCES:**

The following ordinance #2272 was read by Clerk Antonides for a second reading by title. Mayor Anesh opened the floor for public comment and with no comments from either the public or the governing body, he closed the floor.

**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 <sup>ND</sup>	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			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2273 was read by Clerk Antonides for a second reading by title. Mayor Anesh set the public hearing for August 14, 2023 at 7:00 p.m.

**ORDINANCE 2273**  
**AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY DELETING CHAPTER 71, ARTICLE III OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD**

**WHEREAS**, on April 3, 2023, the New Jersey Governor Phil Murphy signed the Elections Transparency Act, P.L. 2023, c. 30, which makes significant changes to the New Jersey Campaign Contributions and Expenditures Reporting Act, N.J.S.A. 19:43A-1, et seq.; and

**WHEREAS**, the Act sunsets all county, municipal, independent authority, board of education, or fire district ordinances, resolutions or regulations limiting the awarding of public contracts to business entities which have made a campaign contribution and creates one uniform authority for such contributions; and

**WHEREAS**, Chapter 71, Article III of the Code of the Borough of South Plainfield titled “Officers and Employees, Campaign Contributions” is now superseded by State statute;

**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 71, Article III of the Code of the Borough of South Plainfield titled “Officers and Employees, Campaign Contributions”, shall be and is hereby deleted.

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

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini		X	X				
Councilwoman Mott	X		X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTIONS:**

**RESOLUTION: 23-240**  
**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, August 4, 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
1995	Mercedes	C28	WDBHA28E0SF189338	Fair	\$ 500.00
2000	Honda	Civic	2HGEJ6612YH552730	Fair	\$ 500.00
2007	Infiniti	FX3	JNRAS08W97X202487	Fair	\$2,000.00
2010	Honda	CRV	5J6RE4H38AL055143	Fair	\$5,000.00
2017	Chevrolet	Malibu	1G1ZE5ST0HF225825	Crash	\$ 500.00

2017	Coolster	Speedmax	L6ZDCCLA1H1001024	Fair	\$ 500.00
2019	Nissan	Sentra	3N1AB7AP0KY457602	Crash	\$ 500.00

**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 <sup>ND</sup>	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			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-241  
ACCEPTING THE RESIGNATION OF KATIE LeBLANC  
AS A FULL TIME TELECOMMUNICATOR EFFECTIVE JULY 9, 2023**

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

It hereby accepts the resignation of Katie LeBlanc as a full-time Telecommunicator for the South Plainfield Police Department effective July 9, 2023, and

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

1. Amy Antonides, Municipal Clerk
2. Carmela Miller, Payroll
3. Anne Daley, Benefits
4. Lt. James McConville, Police Department
5. John Abbruzzese, IT

COUNCIL	MOTION	2 <sup>ND</sup>	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			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-242**

**RESOLUTION AUTHORIZING SETTLEMENT OF 2018 through 2023 TAX APPEALS FILED BY FAVORITE REALTY NORTH, LTD. c/o ARISTACARE and DURHAM REALTY, LLC FOR THE PROPERTY KNOWN AS 1311 DURHAM AVENUE AND IDENTIFIED AS BLOCK 552, LOT 3 ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS**

**WHEREAS**, Favorite Realty North, Ltd. c/o Aristacare and/or Durham Realty, LLC (hereinafter referred to as “Taxpayers”) are the owners of the property known as 1311 Durham Avenue and identified as Block 552, Lot 3, on the Borough of South Plainfield’s Tax Assessment Maps (“Property”); and

**WHEREAS**, the assessed value of the Property was set at \$6,813,300 for Tax Years 2018 through 2022 and \$5,813,300 for Tax Year 2023; and

**WHEREAS**, Taxpayers filed appeals of the 2018 through 2023 tax assessments in the Tax Court of the State of New Jersey under docket numbers 006615-2018, 003468-2019, 005376-2020, 005811-2021, 005294-2022 and 001370-2023; and

**WHEREAS**, a proposed settlement of the aforesaid tax appeals was negotiated between Taxpayers and the Borough Tax Assessor and Borough Tax Attorney as set forth in the Stipulation of Settlement annexed hereto; and

**WHEREAS**, the Borough Appraiser, Victor DiSanto, MAI, opined that the Borough was not able to defend the assessments for the tax years under appeal and has recommended that the settlement be approved. Therefore, this proposed settlement is reasonable and reflects the correct market values for the Property which was over assessed for the years under appeal; and

**WHEREAS**, pursuant to the proposed Stipulation of Settlement annexed hereto, the aforesaid tax appeals are to be resolved as follows:

- The 2018, 2019 and 2020 tax appeals shall be withdrawn by Taxpayers;
- The 2021 original total tax assessment in the amount of \$6,813,300 shall be reduced to \$6,086,500 and the Borough of South Plainfield shall provide Taxpayers with a corresponding tax refund for 2021;
- The 2022 original total tax assessment in the amount of \$6,813,300 shall be reduced to \$5,801,600 and the Borough of South Plainfield shall provide Taxpayers with a corresponding tax refund for 2022;
- The 2023 original total tax assessment in the amount of \$5,813,300 shall be affirmed and remain unchanged; therefore, no corresponding refund is required for 2023;
- Taxpayers have agreed to waive statutory interest provided the subject refund is paid within sixty (60) days from the date of the entry of the Tax Court Judgment;
- The refund regarding overpayments shall be made payable to “Wolf Vespasiano LLC Attorney Trust Account and Durham Realty, LLC,” and forwarded to Wolf Vespasiano LLC, 331 Main Street, Chatham, NJ 07928 within 60 days from the date of the entry of the Tax Court Judgment; and
- The parties have agreed that the 2024 total tax assessment shall be set by the Borough Tax Assessor at \$5,650,000 and that Taxpayers shall not file an appeal for Tax Year 2024.

**WHEREAS**, the Borough of South Plainfield Tax Assessor agrees that it is in the best interests of the Borough of South Plainfield to resolve the aforesaid tax appeals pursuant to the terms and conditions set forth above and in the Stipulation of Settlement annexed hereto based on market conditions as well as the uncertainty and costs associated with continued litigation; and

**WHEREAS**, the aforesaid settlement is based on the specific and identifiable facts and circumstances pertaining to the Property and has no general application to other properties within the Borough of South Plainfield; and

**WHEREAS**, the Mayor and Borough Council of South Plainfield having reviewed and considered the pending tax appeals and the proposed settlement thereof agree and confirm that it is in the best interests of the Borough of South Plainfield to resolve the tax appeals as set forth in the Stipulation of Settlement annexed hereto; and

**WHEREAS**, the Mayor and Borough Council make this settlement with the Taxpayers without prejudice to its dealing with any other South Plainfield taxpayer's request for tax assessment reduction; and

**WHEREAS**, the Mayor and Borough Council leave the allocation between land and improvements of the aforesaid tax assessment reductions to the Borough Tax Assessor's discretion with the direction that same be set so as to be most beneficial to the Borough.

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

1. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$6,086,500 total tax assessment for the 2021 tax year for Block 552, Lot 3 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
2. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$5,801,600 total tax assessment for the 2022 tax year for Block 552, Lot 3 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
3. The Borough Attorney is authorized to execute on behalf of the Borough of South Plainfield the attached Stipulation of Settlement pertaining to the tax appeals filed by Favorite Realty North, Ltd. c/o Aristacare and Durham Realty, LLC under Docket Nos.: 006615-2018, 003468-2019, 005376-2020, 005811-2021, 005294-2022 and 001370-2023 for the property known as 1311 Durham Avenue and identified as Block 552, Lot 3 on the Borough of South Plainfield Tax Assessment Maps which withdraws the tax appeals for Tax Years 2018, 2019 and 2020; which reduces the 2021 total tax assessment on the Property from \$6,813,300 to \$6,086.500; which reduces the 2022 total tax assessment on the Property from \$6,813,300 to \$5,801,600; which affirms the 2023 total tax assessment on the Property in the amount of \$5,813,300; which provides that the 2024 total tax assessment shall be set at \$5,650,000; which further provides that the Taxpayers agree to waive statutory interest on any refund or overpayment due provided the refund is paid within sixty (60) days from the date of entry of the Tax Court Judgment; and which provides that the refund check shall be made payable to “Wolf Vespasiano LLC Attorney Trust Account and Durham Realty, LLC,” and forwarded to Wolf Vespasiano LLC, 331 Main Street, Chatham, NJ 07928 within 60 days from the date of the entry of the Tax Court Judgment.
4. This settlement shall be without prejudice to the Borough’s dealings with any other taxpayer’s request or appeal for a tax assessment reduction.

COUNCIL	MOTION	2 <sup>ND</sup>	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			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-243  
AUTHORIZING THE APPOINTMENT OF PETER J. PAPA  
TO THE POSITION OF POLICE CHIEF EFFECTIVE SEPTEMBER 2, 2023**

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

It hereby authorizes the appointment of Peter J. Papa to the position of Police Chief for the South Plainfield Police Department effective September 2, 2023 and further authorizes the Public Safety Committee to execute a contract for same; 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. Peter J. Papa, Successor Chief of Police
6. John Abbruzzese, IT

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-244**  
**AUTHORIZING THE APPOINTMENT OF LT. DAN HOPPE TO CAPTAIN**  
**OF THE SOUTH PLAINFIELD POLICE DEPARTMENT EFFECTIVE SEPTEMBER 2, 2023**

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

It hereby authorizes the appointment of Lt. Dan Hoppe to the position of Captain of the South Plainfield Police Department effective September 2, 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. James Parker, Chief of Police
6. Dan Hoppe, Successor Police Captain
7. John Abbruzzese, IT

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-245**  
**AUTHORIZING THE APPOINTMENT OF SGT. MARK BULLOCK TO LIEUTENANT**  
**OF THE SOUTH PLAINFIELD POLICE DEPARTMENT EFFECTIVE SEPTEMBER 2, 2023**

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

It hereby authorizes the appointment of Sgt. Mark Bullock to the position of Lieutenant of the South Plainfield Police Department effective September 2, 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. James Parker, Chief of Police
6. Mark Bullock, Successor Police Lieutenant
7. John Abbruzzese, IT

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-246**  
**AUTHORIZING THE APPOINTMENT OF OFFICER JOSEPH INDANO TO SERGEANT**  
**FOR THE SOUTH PLAINFIELD POLICE DEPARTMENT EFFECTIVE SEPTEMBER 2, 2023**

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

{A1298313.1 }

It hereby authorizes the appointment of Officer Joseph Indano to the position of Sergeant of the South Plainfield Police Department effective September 2, 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. James Parker, Chief of Police
6. Joseph Indano, Successor Police Sergeant
7. John Abbruzzese, IT

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

**RESOLUTION 23-247**

**AUTHORIZING THE TRANSFER OF UNCLAIMED FUNDS FROM THE MUNICIPAL COURT TO THE BOROUGH OPERATING ACCOUNT**

BE IT FURTHER RESOLVED by the Borough Council of the Borough of South Plainfield that based upon the recommendation of the Municipal Court Administrator that the following unclaimed funds from the municipal court account(s) shall be transferred to the Borough’s operating account:

Check	Date	Payee	Amount	Summons
1344	2/10/2022	Virginia Rivera	\$495.00	SP4-937355/56
1280	9/15/2022	Teddy Gonzalez Jr.	\$1.00	E22-4442

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. Yolanda Diaz, Court Administrator

COUNCIL	MOTION	2 <sup>ND</sup>	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 23-248**

**AUTHORIZING A \$30.00 PER HOUR INSTRUCTIONAL RATE FOR GREG SCHOMP FOR THE SENIOR CENTER**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes a \$30.00 per hour instructional rate for Greg Schomp for the Senior Center; 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. Anne Daley, Benefits
5. John Abbruzzese, IT

COUNCIL	MOTION	2 <sup>ND</sup>	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 23-249  
AUTHORIZING THE REFUND OF A REDEMPTION PENALTY  
IN THE AMOUNT OF \$1,046.64 TO JAGUAR REED**

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

**WHEREAS**, Certificate #22-00030 on property known as Lot 48 in Township Block 254 more commonly known as 128 Oak Tree Avenue in South Plainfield, NJ is owned by Jaguar Reed through assignment dated April 18, 2023; and

**WHEREAS**, the Tax Collector advises that Jaguar Reed was erroneously charged for a redemption penalty included in the purchase of said assignment under the provision of the N.J.S.A. 54:5-113; and

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to refund monies for the erroneous redemption penalty charge in the amount of \$1,046.64 to Jaguar Reed.

COUNCIL	MOTION	2 <sup>ND</sup>	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 23-251  
AUTHORIZING CHANGE ORDER NO. 1 TO TOPLINE CONSTRUCTION FOR THE IMPROVEMENTS TO NORWOOD AVENUE TO INCREASE THE SCOPE OF THE PROJECT TO NOW INCLUDE IMPROVEMENTS TO STERLING AVENUE, ADAMS AVENUE, AND OTHER VARIOUS LOCATIONS IN AN AMOUNT THAT NOW INCREASES THE CONTRACT BY \$180,000.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes Change Order No. 1 to increase the additional project scope of the improvements to Norwood Avenue to now include improvements to Sterling Avenue, Adams Avenue, and other various locations. The original contract amount of \$938,921.83 will be increased \$180,000.00 for a new contract amount of \$1,118,921.83; and

**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, Clerk
3. Len Miller, Borough Engineer/Superintendent DPW
4. Topline Construction
5. John Freeman, P.E., Najarian Associates

COUNCIL	MOTION	2 <sup>ND</sup>	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			
<b>MAYOR ANESH – TIE ONLY</b>							

**RESOLUTION 23-252  
AMENDING RESOLUTION 23-228 THAT AUTHORIZED THE HIRING OF  
RAQUEL SERRANO AS ACTING TAX ASSESSOR TO CHANGE THE TITLE  
TO ASSISTANT 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 Assistant Tax Assessor, effective August 1, 2023 at the annual salary of \$100,000.00 with benefits pursuant to contract and a waiver of the waiting period for health insurance coverage; and
- It hereby authorizes Raquel Serrano to 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:

1. Glenn Cullen, Administrator/CFO
2. Amy Antonides, Municipal Clerk
3. Anne Daley, Benefits
4. Carmela Miller, Payroll
5. Raquel Serrano, Assistant Tax Assessor
6. John Abbruzzese, IT

**CORRESPONDENCE:**

- Environmental Commission Minutes – April 12, 2023

COUNCIL	MOTION	2 <sup>ND</sup>	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			
<b>Mayor Anesh – TIE ONLY</b>							

**PAYMENT OF BILLS**

Current Fund	3-01	63,945.37
Current Fund	2-01	26,000.00
Pool Utility	3-26	10,743.60
Pool Utility	2-26	0.00
Sewer Utility	3-07	1,159,722.44
Sewer Utility	2-07	0.00
Sewer Utility Capital	C-08	429,558.61
General Capital	C-04	9,798.69
Pool Capital	C-27	0.00
Election Account	E-18	0.00

Grant Fund	G-02	900.42
Dog Trust	T-12	5,644.73
Treasurers Trust	T-13	27,996.69
Recreation Trust	T-14	4,297.63
Senior Citizen Trust	T-16	0.00
	T-11	9,739.59
<b>Total All Funds:</b>		<b>\$1,748,347.77</b>

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**PLUS THE ADDITIONAL BILLS LIST TOTALING \$9,217.10 :**

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**COUNCIL REPORTS:**

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – advised that the Legends Camp is running at full capacity and the community pool revenue is up about 3% in registrations. We were down a bit due to the air quality issues we recently had but fully expect to overcome that. Mr. Cullen concluded by thanking Chief Parker for his 30 years of service to the Borough and went on to congratulate his successor, Captain Papa and the other officers on their promotions.

Engineer Miller – provided an update on the road improvement projects saying that most are significantly completed and the current Norwood Avenue with some side streets will begin soon. The final road improvement project is in a design stage right now and we hope to award a bid for it in September.

Clerk Antonides – reported progress.

Councilman Smith – reported progress.

Councilman Wolak – reported progress.

Councilwoman Mott – reported progress.

Council President Bengivenga – reported progress.

Councilwoman Faustini – reminded everyone that Safety Town registration is still available. The Summer Parks wetdown is forthcoming. There is new equipment at Walnut Park. Covid Memorial bricks are still available for purchase. Councilwoman Faustini concluded by reminding everyone that everyone is invited to the Summer Drama Workshop. Tickets will be available at the door and via email.

Councilman White – thanked Chief Parker for his years of service and fondly recalls when he was new on Council they both did a reading at the Rily School together for the Read Across America program.

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.

A citizen (Ishwaria) 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.

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

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. Mr. Shu asked if anyone has had any discussion regarding this since the last meeting. Mayor Anesh said he has not. Councilwoman Mott said the subject has been an ongoing discussion amongst our environmental commission of which they have concluded by advising they will not be recommending the Borough Council take any action. Mr. Shu asked why. Councilwoman Mott explained. Council President Bengivenga said this plant was already approved and a resolution of opposition should have been done prior to the approval by Woodbridge. A resolution opposing this at this time is not meaningful and will not do anything. Council President Bengivenga said they would be better to petition the Governor's Office and NJDEP directly.

Holly of Montvale NJ expressed her opinion as to why a resolution of opposing is important and still urges South Plainfield to consider opposing it. It will help push the Governor and NJDEP to do something.

Celeste of Colonia NJ in summary spoke out in support of a resolution opposing the Woodbridge power plant asking for South Plainfield to support this opposing resolution.

A group of six students from South Plainfield Sunrise Chapter each read a brief prepared statement in support of a resolution opposing the Woodbridge power plant asking for South Plainfield to support this opposing resolution.

Debbie Boyle of Van Fleet thanked the South Plainfield Sunrise Chapter students for speaking out and added that they will be at the forthcoming Christmas in July event scheduled for this Saturday. Everyone is welcome to come. To conclude Ms. Boyle thanked Chief Parker for his years of service.

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 White made a motion to adjourn at 7:53 p.m., seconded by Councilwoman Mott and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC/CMR  
Municipal Clerk