

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
NOVEMBER 6, 2023 7:03 P.M.  
PUBLIC MEETING**

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

**CALL TO ORDER:** Mayor Anesh called the meeting to order at 7:03 p.m. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this remote hybrid meeting having been provided to the Borough’s two official newspapers and also published on the Borough’s website. Instructions for accessing the remote public meeting are found on the Borough’s website next to the agendas. Documentation pertaining to the remote meeting can be found electronically on the Borough’s website. Mayor Anesh stated that pursuant to Article IV, Section 2 of the By-Laws, “the presiding officer shall limit such discussion to not more than a three-minute duration.”

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	
Chief Papa		X	

**Flag Salute:** was led by Mayor Anesh and Councilman Smith 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:**

- October 16, 2023 – Agenda Meeting
- October 16, 2023 - Public Meeting
- October 19, 2023 – Special Meeting

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini			X				
Councilwoman Mott		X	X				
Councilman Smith	X		X				
Councilman White						X	
Councilman Wolak						X	
Council President Bengivenga			X				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**ORDINANCES:**

The following ordinance #2279 was read by Clerk Antonides by title for a second reading. Mayor opened the floor for public hearing and with no comments from the public or the Council, closed the floor.

**ORDINANCE 2279  
AN ORDINANCE AMENDING CHAPTER 322, TITLED "PEACE AND  
GOOD ORDER" OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD  
TO ESTABLISH RESTRICTED AREAS IN PUBLIC BUILDINGS TO  
PROTECT AND SAFEGUARD PUBLIC RECORDS CONTAINING  
CONFIDENTIAL INFORMATION.**

**WHEREAS**, the Borough of South Plainfield officials and employees are entrusted with the responsibility to maintain and safeguard public records which consist of or contain information deemed confidential pursuant to Federal, State or local law; and

**WHEREAS**, to ensure compliance with such laws, including the New Jersey Open Public Records Act set forth at N.J.S.A. 47:1A-1, et seq. and its statutorily defined responsibilities, the maintenance and custody of specific records, including, but not limited to preserving the confidentiality and privacy of information relating to any active or retired Federal, State or municipal judicial officer and any active or retired Federal, State, county or municipal prosecutor, are required; and

**WHEREAS**, municipal officials assigned this responsibility include, but are not limited to the Municipal Clerk, Chief Financial Officer, Tax Collector, Tax Assessor, Construction Code Officer, Board of Health Secretary, Recreation Director, Supervisor of Public Works, Police Chief, and Borough Administrator; and

**WHEREAS**, due to this responsibility to maintain and safeguard information in municipal offices, records may not be available for immediate public viewing as they may contain personal information, phone numbers, Social Security numbers, medical data, other confidential information, and may be subject to Daniel's Law provisions pursuant to P.L. 2021,c.371; and

**WHEREAS**, municipal employees cannot be expected to physically intervene with outsiders/trespassers who may seek to obtain such information, to prevent a record from being improperly obtained; and

**WHEREAS**, creating secure areas with clear signage will help deter persons from attempting to obtain records to which they are not entitled without following proper law and procedure;

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

Chapter 322, title "Peace and Good Order", Article I, titled "Miscellaneous Offenses", shall be amended as follows:

Sections 322-17 and 322-18, titled "Disposition of Fines and Violations and Penalties" respectively, shall be deleted. The following sections shall be added:

Section 322-17. Restricted Areas.

Municipal office areas in the Borough of South Plainfield Borough Hall located at 2480 Plainfield Avenue, South Plainfield; the Department of Public Works located at 405 Spicer Avenue; the Borough PAL Building located at 1250 Maple Avenue; and the Borough Senior Center located at 90 Maple Avenue, South Plainfield shall be secured and closed to the public for the purpose of protecting documents, digital data, and other written, copied or printed materials which may contain confidential information which is protected by Federal, State or local laws. The Borough Administrator shall have the exclusive authority to designate such areas.

Section 322-18. Signage.

The Borough of South Plainfield shall post signs outside of restricted offices which shall read, "Stop, Restricted Area, Authorized Employees Only".

Section 322-19. Disposition of Fines.

All fines imposed and collected under and by virtue of this Article shall be paid into the Treasury of the Borough of South Plainfield.

Section 322-20. Violations and Penalties.

A. For any violation of Sections 322-1 through 322-16, inclusive, any person violating any of such provisions shall, upon conviction thereof, forfeit and pay a fine not exceeding \$2,000.00 or be imprisoned in the County Jail for a term not exceeding 90 days, or both, in the discretion of the Court. In default of any fine imposed hereunder, any person conviction of violation of any provisions of this Article may, in the discretion of the Court, be imprisoned in the County Jail for a term not exceeding 90 days.

B. Any persons violating Sections 322-17 or 322-18 by trespassing in the posted, protected offices may be subject to prosecution and penalties as set forth under N.J.S.A. 2C:18-3.

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				
Councilwoman Mott			X				
Councilman Smith	X		X				
Councilman White						X	
Councilman Wolak						X	
Council President Bengivenga		X	X				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2280 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 or the Council, closed the floor.

**ORDINANCE 2280**

**A MUNICIPAL OPEN SPACE CAPITAL ORDINANCE AUTHORIZING THE “PURCHASE OF BLOCK 345 LOT 15 TO BE PRESERVED FOR OPEN SPACE” AT A COST OF \$33,843.20, IN THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY** as follows:

Section 1. The aforementioned assets be funded by Municipal Open Space Trust Fund.

Municipal Open Space Trust Fund	<b>\$33,843.20</b>
<b>Totals</b>	<b><u>\$33,843.20</u></b>

Section 2. That the improvements described in Section 1 hereof shall be authorized as Capital Improvements for the Borough of South Plainfield in the County of Middlesex, New Jersey.

Section 3. It is hereby determined and declared by this Mayor and Borough Council as follows:

- A. That the maximum estimated amount of money to be raised from all sources for the purposes stated in Section 1, hereof, is \$33,843.20.
- B. That the cost for the improvements shall be paid by the Borough’s Municipal Open Space Trust Fund \$33,843.20.
- C. The estimated useful life of said improvements is hereby determined to be forty (40) years.

Section 4. That the total amount of the appropriation to be expended for  
{A1298313.1 }

Architectural and inspection costs, legal costs, advertisement of ordinance and other expenses as provided in Section 48:2-20 of the Revised Statutes, is not to exceed \$5,000.00.

Section 5. This ordinance shall take effect after final passage and publication in accordance with the law.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2281 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for November 20, 2023 at 7 p.m.

**ORDINANCE 2281**  
**AN ORDINANCE AUTHORIZING THE ACQUISITION OF LOT 15 IN BLOCK 345.**

**WHEREAS**, Wolf Owens Company, LLC is the owner of property known as Lot 15, Block 345 on the Tax Map of the Borough of South Plainfield, such property being situated on Kosciusko Avenue; and

**WHEREAS**, the Borough of South Plainfield is the owner of adjoining property; and

**WHEREAS**, Wolf Owens Company, LLC has offered to sell the property for a purchase price of \$28,843.20, which price has been determined utilizing the assessed value of such property, with the Borough to assume costs of recording and preparation of necessary documents for the sale and purchase of property; and

**WHEREAS**, it is deemed that it is in the public’s best interests that such property be acquired to be maintained as open space;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Borough of South Plainfield may purchase the property known as Lot 15 in Block 345 from Wolf Owens Company, LLC, and the Borough Attorney is authorized to prepare any and all documents necessary to complete such transaction and to obtain insurance of title; and the Mayor and Clerk are authorized to execute a Contract in the form attached hereto and to also execute any and all documents necessary to complete such transaction.

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				
Councilwoman Mott			X				
Councilman Smith	X		X				
Councilman White						X	
Councilman Wolak						X	
Council President Bengivenga		X	X				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2282 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for November 20, 2023 at 7 p.m.

**ORDINANCE 2282**  
**AN ORDINANCE AMENDING CHAPTER 352 OF THE CODE OF**  
**THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**  
**ENTITLED “SEWERS”**

**NOW THEREFORE BE IT ORDAINED** by the Governing Body of the Borough of South Plainfield, State of New Jersey that the following be and is hereby amended as follows:

**Schedule A**  
**Annual Sewer Rental - 2024**  
**(Effective for bill periods beginning January 1, 2024)**

This Schedule A hereby establishes three (3) sewer user classes under this ordinance as follows:

- (1) Residential structures
  - (1A) Residential structures .....\$390.00 per service unit
  - (1B) Residential structures reduced rate: .....\$195.00 per service unit.

All recipients of the \$250.00 real property tax deduction granted in accordance with the provisions of P.L. 1963, C. 172 (R.S. 54:4-8.41) shall be given a deduction in the sewer rental rate that will result in a net annual rate not exceeding \$195.00.

- (2) Commercial users

Minimum annual sewer service unit user charge for any Commercial user connected to the Borough Sanitary Sewer System shall be seven hundred dollars and twenty (\$720.00). The following rates are for actual consumption in 100 cubic feet of water used per information supplied by the water company(ies).

(2A)	Class 1 .....	\$8.64200
(2B)	Class 2 .....	\$10.3500
(2C)	Class 3 .....	\$12.71800
(2D)	Class 4 .....	\$7.27100
(2E)	Class 5 .....	\$6.99300
(2F)	Class 6 .....	\$6.99900
(2G)	Class 7 .....	\$8.93000
(2H)	Class 8 .....	\$8.69600
(2I)	Class 9 .....	\$9.07400

- (3) Industrial Establishment Users

- (3A) Monitored Industrial establishments:

Notwithstanding any rates set forth herein to the contrary, in no case shall the charge for Monitored Industrial users be less than the charge for an equal volume of flow as otherwise would be determined utilizing the commercial establishments rate set forth in Commercial User (2C) Class 3 rate \$12.718 or for a minimum annual user charge of seven hundred dollars and twenty (\$720.00), whichever is higher. In addition to the loading and flow charges, the Monitored Industrial User shall pay for the cost of sampling and laboratory testing of the wastewater.

(1)	Flow Million Gallons .....	\$4,739.05
(2)	BOD per Ton.....	\$1,098.00
(3)	SS per Ton.....	\$1,409.30
(4)	Chlorine Demand per CWT .....	\$116.37

- (3B) Unmonitored Industrial User .....\$14.104 per 100 cubic feet

- (4) Sample collection fees and laboratory analysis fees paid by the Borough shall be a pass-through cost to the User being monitored and shall be included on the next bill.

- (5) Application for a Certificate of Use for sanitary sewer review shall be through the Borough Building Department. The fee shall be \$100.00 for an application of a change of building use. This fee is in addition to the current Building Department Review Fee.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTIONS:**

**RESOLUTION 23-327  
AUTHORIZING 2023 APPROPRIATION TRANSFERS IN THE AMOUNT OF  
\$125,00.00 FROM THE CURRENT FUND  
PURSUANT TO N.J.S.A. 40A:4-58**

**WHEREAS**, in accordance with N.J.S.A. 40A:4-58 permits appropriation transfers during the last two months of the fiscal year and the first three months of the fiscal year, for the purposes specified and in excess of sums appropriated in the Budget; and

**WHEREAS**, such transfers must be approved by a vote of not less than two-thirds of the full membership of the governing body.

**NOW, THEREFORE, BE IT RESOLVED** that the below transfers be approved.

<b>CURRENT FUND</b>				
<b>FROM:</b>				<b>AMOUNT</b>
3-01-20-130-000-101	Finance	S&W		<b>9,000.00</b>
3-01-20-150-000-221	Assessing	O&E		<b>6,000.00</b>
3-01-20-165-000-101	Engineering	S&W		<b>10,000.00</b>
3-01-25-240-001-101	Police	S&W		<b>55,000.00</b>
3-01-25-265-002-101	Fire Official	S&W		<b>20,000.00</b>
3-01-26-290-001-101	Public Works Admin	S&W		<b>5,000.00</b>
3-01-26-315-000-101	Vehicle Maintenance	S&W		<b>9,000.00</b>
3-01-28-370-002-101	Office on Aging	S&W		<b>5,000.00</b>
3-01-30-425-001-101	Salary & Wage Adj.	O&E		<b>1,000.00</b>
3-01-43-490-000-101	Court	S&W		<b>5,000.00</b>
<b>Total FROM:</b>				<b>125,000.00</b>
<b>TO:</b>				<b>AMOUNT</b>
3-01-20-110-000-101	Executive	S&W		<b>2,000.00</b>
3-01-20-140-000-225	Computers	O&E		<b>10,000.00</b>
3-01-22-195-001-101	Code Enforcement	S&W		<b>35,000.00</b>
3-01-25-240-001-519	Police	O&E		<b>5,000.00</b>
3-01-25-250-000-102	911	S&W		<b>5,000.00</b>
3-01-25-265-001-101	Fire Department	S&W		<b>2,000.00</b>
3-01-26-290-002-101	Road Repairs & Maintenance	S&W		<b>10,000.00</b>
3-01-26-290-002-435	Road Repairs & Maintenance	O&E		<b>10,000.00</b>
3-01-26-305-003-101	Recycling	S&W		<b>5,000.00</b>
3-01-26-310-000-102	Public Buidings & Grounds	S&W		<b>10,000.00</b>
3-01-26-310-000-204	Public Buidings & Grounds	O&E		<b>2,000.00</b>
3-01-26-310-000-402	Public Buidings & Grounds	O&E		<b>5,000.00</b>
3-01-28-370-002-204	Office on Aging	O&E		<b>3,000.00</b>
3-01-28-370-001-104	Recreation	S&W		<b>5,000.00</b>
3-01-30-420-000-235	Celebrations & Events	O & E		<b>5,000.00</b>
3-01-31-440-001-541	Telephone	O & E		<b>8,000.00</b>
3-01-32-465-001-545	Landfill	O & E		<b>3,000.00</b>
<b>Total TO:</b>				<b>125,000.00</b>

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-328  
AUTHORIZING THE PURCHASE OF FENCING FOR THE POLICE DEPARTMENT  
FROM KEITH’S FENCE IN AN AMOUNT NOT TO EXCEED \$6,595.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of fencing for the Police Department Impound Yard located at the DPW from Keith’s Fence in an amount not to exceed \$6,595.00; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be provided to the following:

1. Glenn Cullen, Administrator/CFO
2. Amy Antonides, Municipal Clerk
3. Chief Papa, Police Department
4. Len Miller, DPW Superintendent

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-329  
AUTHORIZING THE APPOINTMENT OF BRANDON LEINHARD AS FIREFIGHTER FOR THE SOUTH PLAINFIELD  
VOLUNTEER FIRE DEPARTMENT**

**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 confirms the appointment of:

***BRANDON LEINHARD***  
***South Plainfield NJ 07080***

for the South Plainfield Volunteer Fire Department as recommended by Fire Chief Scalera.

**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. Fire Chief Scalera

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-330**  
**AUTHORIZING THE SERVICES OF TYLER TECHNOLOGIES INC.**  
**AS A SOLE SOURCE PROVIDER FOR THE RENEWAL AND MAINTENANCE**  
**OF INSPECTION SOFTWARE FOR THE FIRE PREVENTION BUREAU**  
**IN AN AMOUNT NOT TO EXCEED \$8,379.01**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Tyler Technologies Inc. as a sole source provider for the renewal and maintenance of inspection software for the Fire Prevention Bureau in an amount not to exceed \$8,379.01 with the effective date of 3/1/2024 to expire 2/28/2025; 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. Joe Abbruzzese, Fire Official

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-331**  
**AUTHORIZING THE BOROUGH OF SOUTH PLAINFIELD TO UTILIZE THE MIDDLESEX COUNTY**  
**COOPERATIVE FOR THE FURNISHING AND DELIVERY OF ROCK SALT THROUGH MORTON SALT, INC. AND**  
**RIVERSIDE CONSTRUCTION MATERIALS INC.**

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield that it hereby authorizes the Borough of South Plainfield, in the County of Middlesex, State of New Jersey to utilize the Middlesex County cooperative for the purchase of rock salt through Morton Salt Inc., and Riverside Construction Materials, Inc. under Contract #B-22-560 in an amount not to exceed \$25,000.00

**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

COUNCIL	MOTION	2 <sup>ND</sup>	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				
		<b>VOTE:</b>	<b>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-332**  
**AUTHORIZING THE NJ STATE CONTRACT PURCHASE**  
**OF A F250 PICK-UP FOR THE DPW FROM WINNER FORD**  
**IN AN AMOUNT NOT TO EXCEED \$59,694.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of a F250 pick-up for the DPW from Winner Ford in an amount not to exceed \$59,694.00 pursuant to state contract number A88726, T210; 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

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-333**

**ADOPTING A SUSTAINABLE LAND USE PLEDGE WHICH SUPPORTS SUSTAINABLE SMART GROWTH LAND-USE POLICIES AND PLEDGES IN THE BOROUGH OF SOUTH PLAINFIELD**

**WHEREAS**, land-use is an essential component of overall sustainability for a municipality; and

**WHEREAS**, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

**WHEREAS**, well planned land-use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

**WHEREAS**, given New Jersey’s strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land-use pattern will require municipalities to take the lead;

**NOW THEREFORE**, the Borough Council of the Borough of South Plainfield resolve to take the following steps with regard to our municipal land-use decisions with the intent of making the Borough of South Plainfield a truly sustainable community. It is our intent to consider these principles in the next master plan revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly:

- **Regional Cooperation** – When feasible, we intend to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.
- **Transportation Choices** – When feasible, we intend to encourage transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. When feasible, we will reevaluate our parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.
- **Natural Resource Protection** – When feasible, we intend to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we intend to complete a Natural Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.
- **Mix of Land Uses** – When feasible, we intend to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown and town center areas.
- **Housing Options** – When feasible, we intend, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single- and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

- **Green Design** – When feasible, we intend to incorporate the principles of green design and renewable energy generation into municipal buildings and when updating our site plan and subdivision requirements for residential and commercial buildings.
- **Municipal Facilities Siting** – When feasible, we intend to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

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

1. Glenn Cullen, Borough Administrator
2. Amy Antonides, Municipal Clerk
3. Alice Temple, Environmental Specialist / Green Team

OUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>MAYOR ANESH – TIE ONLY</b>							

**RESOLUTION 23-334**

**RESOLUTION ENDORSING THE ADOPTION OF GREEN BUILDING PRACTICES FOR CIVIC, COMMERCIAL, AND RESIDENTIAL BUILDINGS**

**WHEREAS**, buildings account for 39% of CO2 emissions – more than either the transportation or industrial sectors. In addition, buildings account for nearly 12% of potable water use, 65% of waste output, and 71% of electricity consumption in the U.S. (U.S. Green Building Council).

**WHEREAS**, green building – also referred to as sustainable or high-performance building -- is a collection of better design, construction, and operating practices that have the potential to reduce or eliminate the negative impacts of development on the environment and on human health. There are many examples of green building programs and guidelines that have been propagated at national, state, and municipal levels. They commonly address energy efficiency and carbon emissions reduction, water conservation, waste reduction, healthy and sustainably produced materials, indoor air quality, occupant productivity and health, and other components of green building and sustainable development.

**WHEREAS**, the purpose of this resolution is to enhance the public welfare and assure that public buildings are consistent with the South Plainfield desire to create a more sustainable community by incorporating green building measures into the design, construction, operation and maintenance of public buildings.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of South Plainfield hereby implements a Green Building Policy that: will consider opportunities to incorporate green building measures into the design, construction, operation and maintenance of municipal buildings and facilities.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>MAYOR ANESH – TIE ONLY</b>							

**RESOLUTION 23-335**  
**AUTHORIZING 2023 APPROPRIATION TRANSFERS IN THE AMOUNT OF**  
**\$125,00.00 FROM THE CURRENT FUND**  
**PURSUANT TO N.J.S.A. 40A:4-58**

**WHEREAS**, in accordance with N.J.S.A. 40A:4-58 permits appropriation transfers during the last two months of the fiscal year and the first three months of the fiscal year, for the purposes specified and in excess of sums appropriated in the Budget; and

**WHEREAS**, such transfers must be approved by a vote of not less than two-thirds of the full membership of the governing body.

**NOW, THEREFORE, BE IT RESOLVED** that the below transfers be approved.

<b>CURRENT FUND</b>			
<b>FROM:</b>			<b>AMOUNT</b>
3-01-20-130-000-101	Finance	S&W	<b>3,000.00</b>
3-01-20-130-000-235	Finance	O&E	<b>2,000.00</b>
3-01-20-155-000-221	Legal	O&E	<b>15,000.00</b>
<b>Total FROM:</b>			<b>20,000.00</b>
<b>TO:</b>			
			<b>AMOUNT</b>
3-01-28-370-002-403	Office on Aging	O&E	<b>4,000.00</b>
3-01-28-370-002-236	Office on Aging	O&E	<b>3,000.00</b>
3-01-26-315-000-400	Vehicle Maintenance	O&E	<b>2,000.00</b>
3-01-30-420-000-235	Celebrations & Events	O&E	<b>2,000.00</b>
3-01-31-440-001-541	Telephone	O&E	<b>4,500.00</b>
3-01-32-465-001-545	Landfill	O&E	<b>4,500.00</b>
<b>Total TO:</b>			<b>20,000.00</b>
<b>POOL UTILITY</b>			
<b>FROM:</b>			<b>AMOUNT</b>
3-26-55-520-000-101	Pool S&W	S&W	<b>4,000.00</b>
<b>Total FROM:</b>			<b>4,000.00</b>
<b>TO:</b>			
			<b>AMOUNT</b>
3-26-55-520-000-445	Pool O&E	O&E	<b>4,000.00</b>
<b>Total TO:</b>			<b>4,000.00</b>

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-336**  
**AUTHORIZING THE HIRING OF MICHAEL CAIFANO**  
**AS A PART-TIME BUILDING INSPECTOR**  
**FOR THE BUILDING DEPARTMENT AT THE HOURLY RATE OF \$46.00**  
**WITH A MAXIMUM OF 25 HOURS PER WEEK**

**BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the Borough to hire Michael Caifano as part-time Building Inspector for the Building Department at the hourly rate of \$46.00 with a maximum of 25 hours per week.

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

{A1298313.1 }

6. Glenn Cullen, CFO
7. Amy Antonides, Municipal Clerk
8. Carmela Miller, Payroll
9. Anne Daley, Benefits
10. Dominick Demico, Construction Official
11. John Abbruzzese, IT

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-337**  
**AUTHORIZING THE BOROUGH OF SOUTH PLAINFIELD TO EXECUTE A**  
**MEMORANDUM OF UNDERSTANDING WITH THE MIDDLESEX COUNTY DEPARTMENT**  
**OF PUBLIC SAFETY AND HEALTH FOR USE OF SPECIALIZED EQUIPMENT**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the Borough of South Plainfield to execute a memorandum of understanding with the Middlesex County Department of Public Safety and Health for the use of specialized equipment; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be provided to the following:

1. Glenn Cullen, Administrator/CFO
2. Amy Antonides, Municipal Clerk
3. Chief Papa, Police Department
4. Wendell Born, OEM Coordinator

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**CORRESPONDENCE:**

- Board of Health Monthly Report – October 2023

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			4	0			
<b>Mayor Anesh – TIE ONLY</b>							

**PAYMENT OF BILLS**

Current Fund	3-01	368,659.74
Current Fund	2-01	5,277.50
Pool Utility	3-26	90.88
Pool Utility	2-26	0.00
Sewer Utility	3-07	1,158,914.44
Sewer Utility	2-07	0.00
Sewer Utility Capital	C-08	735.32
General Capital	C-04	31,673.19
Pool Capital	C-27	290.86
Election Account	E-18	0.00
Grant Fund	G-02	3,024.14
Land for Rec & Consv.	T-10	2,196.64
Legends Camp Trust	T-11	9,136.75
Dog Trust	T-12	5,734.80
Treasurers Trust	T-13	50,305.73
Recreation Trust	T-14	441.88
Senior Citizen Trust	T-16	0.00
Wires		\$4,611,276.83
<b>Total All Funds:</b>		<b>\$6,247,758.70</b>

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
<b>Councilwoman Faustini</b>	<b>X</b>		<b>X</b>				
<b>Councilwoman Mott</b>			<b>X</b>				
<b>Councilman Smith</b>			<b>X</b>				
<b>Councilman White</b>						<b>X</b>	
<b>Councilman Wolak</b>						<b>X</b>	
<b>Council President Bengivenga</b>		<b>X</b>	<b>X</b>				
		<b>VOTE:</b>	<b>4</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**COUNCIL REPORTS:**

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – reminded everyone with the adoption of Ordinance 2280 it will be our first open space purchase using the open space trust fund. There have been many questions regarding Putnam Park. It still is very much under construction and closed to the public. A lot of work is still to take place.

Engineer Miller – was absent this evening.

Clerk Antonides – reminded everyone that the General Election is tomorrow and all polls will be open from 6am to 8pm. and then went on to report progress.

Chief Papa – was absent this evening.

Councilwoman Mott – congratulated Alice Tempel on her retirement after many, many years with the Borough.

Councilman Smith – echoed Councilwoman Mott in wished Alice Tempel a very happy retirement. She is very dedicated with our recycling and environmental matters. Councilman Smith also congratulated Brandon Leinhard on becoming a firefighter.

Councilman Wolak – was absent this evening.

Councilwoman Faustini – announced that the 2023 Cappy Capparelli Award nominations are now being sought by the South Plainfield Police Athletic League along with the South Plainfield Recreation Commission. The deadline for submitting baa recommendation is December 29<sup>th</sup>. Requirements and criteria need to be met for each application.

Councilman White – was absent this evening.

Council President Bengivenga – reported progress.

Mayor Anesh – reported progress.

**COMMENTS FROM THE PUBLIC:**

Mayor Anesh opened the floor for public comment reiterating the aforementioned remote directions for making remote public comment and reiterated the three-minute time allotment for public comments pursuant to our By-Laws.

Lisa Manz of South Plainfield inquired about honoring active military members such as her daughter who is 19 years old who just arrived home. Council President Bengivenga advised that we floated around some ideas of what we potentially could do in the future. One idea is to remove the pictures of military personnel that are behind closed doors in the Council chambers and put them in a more prominent place and work with our Veterans to see what more we can do. Perhaps add to our Armed Services Day/Veteran's Day, etc. Ms. Manz questioned having a proclamation done. Mayor Anesh said she was already told no regarding a proclamation. Council President Bengivenga clarified that all proclamations go to the Mayor. They are mayoral only. Council President Bengivenga said the only request he saw was for a posting on the recreation electronic message board. Ms. Manz said she was told no to having a police escort, yet she recently found out that another resident had a police escort. Ms. Manz went on to impress upon the importance of showing active military that they matter and went on to state the merits of her daughter. Ms. Manz said she doesn't believe active military should be dead or retired to be honored, saying other towns are doing it and somebody needs to make it happen. Councilwoman Mott said we are working on ideas in this regard. Councilman Smith said he served this country for 9 years and is upset that Ms. Manz is only talking about this now and went on to name many wars over the decades. Councilman Smith asked why she is so adamant only now to do something. Councilman Smith said the governing body members have given an answer, but according to Ms. Manz it must be done right now, and he wants to know why. Ms. Manz said she isn't getting any answers. Councilman Smith said he's giving her one. Councilwoman Mott said she already explained this situation to Ms. Manz who threw out some 27 things, with emphasis on getting her daughter's name on an electronic message board. We deferred to our attorney for legal advice of which we were advised that it is not recommended to allow our signage for this purpose. It took a lot of time to reach that conclusion. We were given only a week's notice to do something. We are working on some ideas. Ms. Manz felt Councilman Smith's passion differs. Councilman Smith said his passion is for every veteran and he does more for veterans than she realizes. Ms. Manz thanked him for his service and Councilman Smith said he doesn't want to be thanked for his service because it's something that he elected to do. Mayor Anesh said we are not going to put the Borough in a position that would open us up to litigation. Ms. Manz asked why other towns are doing it. Mayor Anesh said because maybe no one has challenged them yet, and we will not be the first. Mayor Anesh said we will put something in place that has procedures so that when this governing body is no longer here, the future governing bodies and administration will have guidelines in place. Mayor Anesh said on the advice of our legal counsel we will not be posting anything in this regard on our message board.

Debbie Boyle of Van Fleet thanked all military for their service and went on to thank the governing body for their participation with the recent Murder Mystery event.

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 7:24 p.m., seconded by Councilman White and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC/CMR  
Municipal Clerk