

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
NOVEMBER 20, 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	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		
Chief Papa	X		

**Flag Salute:** was led by Mayor Anesh and Council President Bengivenga said the invocation.

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

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

**Authorizing the Approval of Council Minutes:**

November 6, 2023 – Agenda Meeting  
November 6, 2023 - Public Meeting

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				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

**ORDINANCES:**

The following ordinance #2281 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 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				
Councilman White		X	X				
Councilman Wolak			X				
Council President Bengivenga	X		X				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2282 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 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				
Councilman White	X		X				
Councilman Wolak		x	X				
Council President Bengivenga			X				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2283 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for December 4, 2023 at 7 p.m.

**ORDINANCE 2283**  
**AN ORDINANCE VACATING THE BOROUGH'S AUTHORITY AND CONTROL OVER A PORTION OF MAIN STREET AND A PORTION OF TEXAS AVENUE IN THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.**

**WHEREAS**, Main Street is a right-of-way depicted on the Borough's current Tax Map; and

**WHEREAS**, Texas Avenue is a right-of-way depicted on the Borough's current Tax Map; and

**WHEREAS**, a portion of Texas Avenue was vacated by the Borough pursuant to Ordinance 2186; and

**WHEREAS**, the Mayor and Council believe there is no public benefit to continuing the remainder of Texas Avenue and Main Street as rights-of-way and that the Borough has no need for such; and

**WHEREAS**, vacation of said section will allow development of the properties abutting said section which will provide the Borough with tax revenue; and

**WHEREAS**, a request has been made by the ownership of Block 525 Lot 11 for the Borough to vacate its authority and control over the sections of Main Street and Texas Avenue described in the attached Schedule A; and

**WHEREAS**, N.J.S.A. 40:67-19 provides authorization of the Borough to release and extinguish public rights, and the rights of the Borough, arising from the dedication of the street;

**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:

1. The rights of the public and the Borough of South Plainfield in and to portions of Main Street and Texas Avenue as described more particularly in the attached Schedule A are hereby extinguished and vacated;

2. The Borough Clerk shall, within 60 days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the Borough to be a true copy thereof, together with proof of publication, in the Office of the Clerk of the County of Middlesex in accordance with the provisions of N.J.S.A. 40:67-21.

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	
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga	X		X				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2284 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for December 4, 2023 at 7 p.m.

**ORDINANCE 2284**  
**AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 52, FIRE DEPARTMENT, OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD**

**BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 52, Fire Department, of the Code of the Borough of South Plainfield be amended to add Article IV, Fees and Permits Benefits, as follows:

### **52-30 - PURPOSE.**

The purpose of this Ordinance is to establish an incentive program to increase enrollment in the South Plainfield Volunteer Fire Department and to reward such volunteers for their tireless efforts and many hours spent to preserve and protect the health, safety, property and welfare of the residents of the Borough of South Plainfield, 24 hours per day, 365 days per year, without compensation.

### **52-31 - DEFINITIONS.**

As used in this Ordinance, the following words and phrases shall have the following meanings:

A. "Member in Good Standing" means any person who has been certified in writing by the Fire Chief of the Volunteer Fire Department within the Borough of South Plainfield to have served at least one year continuous volunteer service in the Department and to possess the necessary certification(s), license(s) and/or training required by the Department.

B. "Volunteer" means any individual contributing services to the Volunteer Fire Department without remuneration or without a formal agreement or contract for hire.

C. "Volunteer Service" means the required percentage of activity or participation to qualify as a bona fide member of the Volunteer Fire Department as established by the Fire Chief.

### **52-32 - QUALIFICATION FOR BENEFITS.**

A. The provisions of this Ordinance shall be limited solely to the residents of the Borough of South Plainfield who are current and active volunteers of the Volunteer Fire Department within the Borough of South Plainfield and who are certified by the Fire Chief of the Volunteer Fire Department as "members in good standing" of said organization.

B. Such certification shall be filed annually by the Fire Chief, not later than January 15, with the Borough Clerk. A new certification must be filed each year and the certification from the preceding year shall be null and void.

### **52-33 - BENEFITS.**

Every member in good standing of a Volunteer Fire Department shall be entitled to the following benefits from the Borough:

A. Exemption from payment of any Borough of South Plainfield fees for Borough licenses or permits, to a maximum of \$300.00 per year, provided the fee is for a license or permit for the personal benefit of such member in good standing. Such exemption may not be utilized by any individual, including family members, of such member in good standing. This section shall not, however, be construed to apply to fees associated with the South Plainfield Community Pool or South Plainfield Recreation Department. Where fees include monies payable to the state or county, only the municipal portion of said fees may be exempted.

### **52-34 - PROCEDURE FOR EXEMPTION; COUPON BOOKS.**

A. Coupon Books. Within 20 days after January 15, the Borough Clerk shall provide a book of coupons to the member in good standing which shall be imprinted with a serial number. The coupons may be presented, alone or in combination, by the member in good standing in order to exempt he member from any of the fees specified in this Ordinance in the following manner:

1. At the time that the member seeks the exemption from fees, he or she shall present the coupon book to the appropriate authorized Borough official or representative, who shall remove the requested coupon(s);

2. The Borough official or representative shall provide a receipt to the member for the amount of the exemption and thereafter forward the used coupon(s) to the Clerk's office for filing with a notation as to the date of use and exemption provided;

3. Coupon books are not transferrable and coupons may not be removed from the book by anyone other than an authorized Borough official or representative. Coupons otherwise removed from the book shall be deemed null and void;

4. Coupon books shall expire on December 31 of the year of issuance, and any coupons not used as of that date shall be deemed null and void.

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				
Councilman White			X				
Councilman Wolak	X		X				
Council President Bengivenga		X	X				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2285 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for December 4, 2023 at 7 p.m.

**ORDINANCE 2285**

**AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 84, POLICE DEPARTMENT, OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD**

**BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 84, Police Department, of the Code of the Borough of South Plainfield be amended as follows:

DELETE Article I, Establishment and Organization, Section 84-2(A), Department Personnel.

ADD: Article I, Establishment and Organization, Section 84-2(A), Department Personnel, as follows:

A. The Police Department of the Borough of South Plainfield shall consist of one Chief of Police; up to three Captains appointed as necessary; up to seven Lieutenants appointed as necessary; up to eight Sergeants appointed as necessary; and up to 46 police officers appointed as necessary; and such other staffing requirements and employees shall from time to time be deemed necessary by the Mayor and Council to properly preserve peace and good order within the Borough of South Plainfield.

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	
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga	X		X				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2286 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for December 4, 2023 at 7 p.m.

## ORDINANCE 2286

**A CAPITAL ORDINANCE AUTHORIZING “IMPROVEMENTS TO TREE STREET SCAPE, PARKS AND ADA RAMPS” AT A COST OF \$125,000.00, 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 the following sources:

<b>Tree &amp; Park Improvements Reserve</b>	<b>\$50,000.00</b>
<b>Middlesex County CDBG #28122</b>	<b>68,542.00</b>
<b>Capital Improvement Fund</b>	<b>6,458.00</b>
<b>Totals</b>	<b><u>\$125,000.00</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 \$125,000.00. Improvements shall include, but not be limited to, planting of trees, landscaping, sidewalk and ADA Ramps and other general park and roadway improvements.
- B. That the cost for the improvements shall be paid from Reserve for Tree & Park Improvements \$50,000, Middlesex County Community Development Block Grant \$68,542.00 and \$6,458.00 from the Capital Improvements Fund.
- C. The estimated useful life of said improvements is hereby determined to be five (5) years.

Section 4. That the total amount of the appropriation to be expended for 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 \$10,000.00.

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				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTIONS:**

**RESOLUTION 23-339**

**AUTHORIZING THE BOROUGH OF SOUTH PLAINFIELD TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE NJ STATE POLICE OFFICE OF EMERGENCY MANAGEMENT FOR THE PARTICIPATION AND APPLICATION OF GRANTS UNDER THE FEMA PUBLIC ASSISTANCE AND/OR HAZARD MITIGATION PROGRAMS**

**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 NJ State Police Office of Emergency Management for the participation and application of grants under the FEMA public assistance and/or hazard mitigation programs; 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				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-340**

**AUTHORIZING CONSENT FOR ACCESS TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGARDING THE CORNELL-DUBILIER ELECTRONICS SUPERFUND SITE.**

**WHEREAS**, the United States Environmental Protection Agency (hereinafter “EPA”) continues to perform remediation work on property known as the Cornell-Dubilier Electronics Superfund Site; and

**WHEREAS**, the EPA has requested that the Borough grant access to property known as Lot 10, Block 260 on the Tax Map of the Borough, also known as the “Church Street Property” to conduct surveying activities; storing stone and concrete barriers; performing such other work as may be necessary to abate the threat to public health and the environment posed by the release of hazardous substances at the property; and restoring the property to substantially the same condition as existed before the activities; and

**WHEREAS**, the actions to be taken by the EPA are authorized under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, and the EPA will restore the property to substantially the same condition as existed prior to its activities;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that it hereby consents to officers, employees, authorized agents, contractors and subcontractors of the EPA to enter onto and move about the property designated as Lot 10, Block 260 known as Church Street Property within the Borough to

perform the activities as requested, and the Mayor and Municipal Clerk are authorized to execute the Consent For Access form as attached hereto as Exhibit A.

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				
			5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-341**  
**AUTHORIZING THE RELEASE OF PERFORMANCE BONDS POSTED FOR**  
**240 ADELINE AVENUE FOR PUBLIC IMPROVEMENTS**  
**TO BLOCK 270, LOTS 9.02 & 9.03**  
**AND ACCEPTANCE OF THE MAINTENANCE BONDS**  
**IN THE AMOUNT OF \$1,420.65**

**WHEREAS**, the Borough of South Plainfield is in possession of a Performance Bonds for 240 Adeline Avenue for public improvements located at Block 270, Lots 9.02 & 9.03; and

**WHEREAS**, the applicant has submitted the Maintenance Bond in the amount of \$1,420.65; and

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

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

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				
			5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-342**  
**AUTHORIZING THE RELEASE OF PERFORMANCE BONDS POSTED FOR**  
**602 NEW MARKET AVENUE FOR PUBLIC IMPROVEMENTS**  
**TO BLOCK 284, LOT 18**  
**AND ACCEPTANCE OF THE MAINTENANCE BONDS**  
**IN THE AMOUNT OF \$18,305.10**

**WHEREAS**, the Borough of South Plainfield is in possession of a Performance Bonds for 284 New Market Avenue for public improvements located at Block 284, Lot 18; and

**WHEREAS**, the applicant has submitted the Maintenance Bond in the amount of \$18,305.10; and

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

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

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				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 23-343  
AUTHORIZING THE BID AWARD  
FOR SNOW REMOVAL SERVICES**

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

**WHEREAS**, a need has been determined that the South Plainfield DPW is in need of a assistance with snow removal; and

**WHEREAS** Bids were solicited by the Borough Engineer/Superintendent of DPW and opened on Thursday, November 9, 2023 at the Borough Hall and the following Bids were received and for a one (1) year contract:

**Nicoletti Snow Removal**

1 Year Bid

Vehicles	Type	Unit Price
7 each	Class 3 through Class 5 Trucks	\$250.00/hr.

**HEREAS**, the Bids have been reviewed by the Borough Engineer/DPW Superintendent and the Borough Attorney who have verified said quotations for service and recommend the Borough award unit price contracts for as-needed snow removal services at the aforementioned rates above to Nicoletti Snow Removal for a one-year contract.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Borough Attorney may draft contracts and that the Mayor and Municipal Clerk are hereby authorized to execute said contracts for snow removal services, if applicable.

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

**RESOLUTION: 23-344  
UTHORIZING THE CANCELLATION OF TAXES FOR 100% DISABLED VETERAN PERTAINING  
TO 315 PEARL PLACE IN SOUTH PLAINFIELD**

**WHEREAS**, property known as Lot **3.01** in Township Block **186** more commonly known as **315 Pearl Place** in South Plainfield, NJ is owned by **Randy Einhorn & Krystal Tzikakos**; and

**WHEREAS, Randy Einhorn**, who had qualified as a one hundred percent **Disabled Veteran** under the provision of the N.J.S.A. 54:4-3.30, causing his property to be exempt from taxation at the local level commencing on **November 2, 2023** as verified by the Tax Assessor; and

**WHEREAS**, the Tax Bills for Calendar Year 2023 were generated from the 2022 Assessor’s Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with tax bills for 2023, while the property is correctly classified as being Tax Exempt for the same period;

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 4<sup>th</sup> quarter of 2023 in the amount of **\$1,264.79**; and

**BE IT FURTHER RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2024 in the amount of **\$3,988.65**.

**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) of **\$1,264.79**, as mentioned above.

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				
			5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION: 23-345**

**AUTHORIZING THE REFUND OF TAX SUBSEQUENT OVERPAYMENT IN THE AMOUNT OF \$94.51 PERTAINING TO 517 EAST FAIRVIEW AVE. IN SOUTH PLAINFIELD**

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

**OWNER/ADDRESS**

**Block 81 Lot 20**

**FIG CUST FIGNJ19LLC & SEC PTY**

**MAKE CHECK PAYABLE TO:**

**FIG CUST FIGNJ19LLC & SEC PTY**

**PO BOX 669507**

**DALLAS, TEXAS 75266-9507**

**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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Faustini			X				
			5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION: 23-346**  
**AUTHORIZING THE REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$2038.72**  
**PERTAINING TO 3304 BEVERLY ROAD IN SOUTH PLAINFIELD**

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

**OWNER/ADDRESS**

**Block 238 Lot 9**

**JOSEPH & KELLY HOLOBOSKI**  
**3304 BEVERLY ROAD**

**MAKE CHECK PAYABLE TO:**

**DEXTER & KILCOYNE ATTORNEY TRUST ACCOUNT**  
**90 MAIN STREET**  
**HACKENSACK, N.J. 07601**

**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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilwoman Mott						X	
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Faustini			X				
			5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-347**  
**AUTHORIZING 2023 APPROPRIATION TRANSFERS IN THE AMOUNT OF**  
**\$115,00.00 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>
3-01-20-100-000-101	Administration	S&W		<b>5,000.00</b>
3-01-20-120-000-405	Clerk	O&E		<b>2,000.00</b>
3-01-20-130-000-101	Finance	S&W		<b>3,000.00</b>
3-01-20-155-000-221	Legal	O&E		<b>15,000.00</b>
3-01-23-220-000-621	Health Insurance	O&E		<b>10,000.00</b>
3-01-25-240-001-101	Police	S&W		<b>25,000.00</b>
3-01-25-265-002-101	Fire Official	S&W		<b>3,000.00</b>
3-01-26-290-002-101	Road Repairs	S&W		<b>27,000.00</b>
3-01-26-310-000-415	Public Buildings & Grounds	O&E		<b>16,000.00</b>
3-01-26-315-000-101	Vehicle Maintenance	S&W		<b>4,000.00</b>
3-01-27-345-001-101	Public Assistance	S&W		<b>2,000.00</b>
3-01-43-490-000-101	Court	S&W		<b>3,000.00</b>
<b>Total FROM:</b>				<b>115,000.00</b>
<b>TO:</b>				<b>AMOUNT</b>
3-01-20-110-000-505	Executive	O&E		<b>1,500.00</b>
3-01-20-145-000-403	Tax Collection	O&E		<b>500.00</b>
3-01-22-195-001-101	Code Enforcement	S&W		<b>5,000.00</b>
3-01-25-240-001-519	Police	O&E		<b>4,000.00</b>
3-01-25-240-003-241	Crossing Guards	O&E		<b>10,000.00</b>
3-01-26-290-001-101	Public Works Admin	S&W		<b>15,000.00</b>
3-01-26-290-001-255	Public Works Admin	O&E		<b>1,000.00</b>
3-01-26-290-002-435	Road Repairs	O&E		<b>5,000.00</b>
3-01-26-305-003-101	Recycling	S&W		<b>10,000.00</b>
3-01-26-310-000-101	Public Buildings & Grounds	S&W		<b>30,000.00</b>
3-01-26-315-000-401	Vehicle Maintenance	O&E		<b>3,000.00</b>
3-01-28-370-001-101	Recreation	S&W		<b>12,000.00</b>
3-01-28-370-002-445	Office on Aging	O&E		<b>2,000.00</b>
3-01-31-465-001-565	Gas	O&E		<b>2,000.00</b>
3-01-31-445-001-581	Water	O&E		<b>8,000.00</b>
3-01-30-420-000-325	Celebrations & Events	O&E		<b>2,000.00</b>
3-01-31-440-001-541	Telephone	O&E		<b>2,000.00</b>
3-01-32-465-001-545	Landfill	O&E		<b>2,000.00</b>
<b>Total TO:</b>				<b>115,000.00</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				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

### RESOLUTION 23-348

#### AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE SOUTH PLAINFIELD MUNICIPAL ALLIANCE GRANT FOR FISCAL GRANT CYCLE 2020-JUNE 2025

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of South Plainfield, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the South Plainfield Municipal Alliance grant for fiscal year 2025 in the amount of:

DEDR	\$13,578.00
Cash Match	\$ 3,394.50
In-Kind	\$10,183.50

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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				
			5	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 23-349**

**AMENDING RESOLUTION 23-263 THAT AUTHORIZED A RENTAL AGREEMENT BETWEEN THE SOUTH PLAINFIELD LEGENDS CAMP AND THE SOUTH PLAINFIELD COMMUNITY POOL TO CHANGE THE FEE FROM \$2,000.00/WEEK TO \$2,500.00/WEEK**

BE IT RESOLVED BY THE GOVERING BODY OF THE BOROUGH OF SOUTH PLAINIFELD, NEW JERSEY, THAT:

**IT HEREBY** amends resolution 23-263 that authorized a rental agreement between the South Plainfield Legends Camp and the South Plainfield Community Pool which authorized the South Plainfield Legends Camp to pay the Community Pool \$2,000.00 per week for access to swimming activities and other recreational services at the pool complex to now change the fee to \$2,500.00 per week; and

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

1. Glenn Cullen, Borough Administrator/CFO
2. Amy Antonides, Municipal Clerk
3. Elizabeth Yarus, Recreation Director
4. Carmela Miller
5. Anne Daley

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				
			5	0			
Mayor Anesh – TIE ONLY							

**CORRESPONDENCE:**

- Environmental Commission Minutes – September 13, 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	X				
Councilman Wolak			X				
Council President Bengivenga			X				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

**PAYMENT OF BILLS**

Current Fund	3-01	341,437.11
Current Fund	2-01	2,612.93
Pool Utility	3-26	3,100.00
Pool Utility	2-26	0.00
Sewer Utility	3-07	51,588.68
Sewer Utility	2-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	1,248,301.89
Pool Capital	C-27	0.00
Election Account	E-18	600.00
Grant Fund	G-02	47,567.24
Land for Rec & Consv.	T-10	0.00
Legends Camp Trust	T-11	9.45
Dog Trust	T-12	6,047.01
Treasurers Trust	T-13	25,157.67
Recreation Trust	T-14	2,028.54
Senior Citizen Trust	T-16	0.00
Wires		8,977,455.25
<b>Total All Funds:</b>		<b>10,705,905.77</b>

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				
		<b>VOTE:</b>	<b>5</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**COUNCIL REPORTS:**

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – advised that Ordinance 2286 pertains to the usage of CDBG grant funding and money from the grant reserve. We are also looking to have the tree scape replanted possibly in December.

Engineer Miller – said the last road project for 2023 is taking place. Cherry Street has been milled and paved. Work will resume next again next week, and we are working on finishing up the leaf collection up until December 8<sup>th</sup>.

Clerk Antonides – reported progress.

Chief Papa – advised that various speed studies are underway and went on to report progress.

Councilwoman Mott – was absent this evening.

Councilman Smith – wished everyone a happy and healthy Thanksgiving.

Councilman Wolak – wished everyone a happy and healthy Thanksgiving and hopes the nurses strike will be over soon with a positive outcome.

Councilwoman Faustini – announced that the annual Holiday Light Parade and Tree Lighting will be December 3<sup>rd</sup> at 5:00 pm. The parade will begin on Lane Avenue at the SPHS and end at Borough Hall.

Councilman White – echoed the sentiments regarding Thanksgiving and said he hopes everyone will take the time out to realize how blessed we are. On another note, Crispy Burger is now open on Stelton Road and ironically, they are known for their chicken sandwiches.

Council President Bengivenga – wished everyone a very happy Thanksgiving.

Mayor Anesh – reported that the Mayor’s Wellness Committee is working on a webinar series of some six episodes per year pertaining to general health topics. If interested in participating with a potential topic, please feel free to reach out. Mayor Anesh concluded by wishing everyone a happy Thanksgiving saying he is also looking forward to the holiday parade and tree lighting.

**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.

Debbie Boyle of Van Fleet reminded everyone of the forthcoming Gingerbread House Decorating to be held at the PAL for South Plainfield residents only, with a limit of 15 registrations which is sponsored by the Cultural Arts Commission. To conclude, Ms. Boyle presented a stuffed teddy bear to Chief Papa in which the proceeds go to the Emmanuel Cancer Care.

Mikka, a nurse from Robert Wood Hospital, said she wants to bring awareness to South Plainfield that some 1700 nurses are still on strike for the past 108 days fighting for safer patient-nurse ratios.

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 7:21 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