

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
DECEMBER 18, 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 Councilwoman Mott said the invocation.

Mayor Anesh 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 un-muted all microphones. Kimberly Haspel, from Audubon Avenue and a nurse, thanked the governing body for resolution 23-378 supporting nurse staffing standards. With no further comments from the public in-person and virtual, Mayor Anesh closed the floor.

Authorizing the Approval of Council Minutes:

December 4, 2023 – Agenda Meeting
December 4, 2023 - Public Meeting

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

**RESOLUTION 23-369A
AUTHORIZING THE HIRING OF TYRONE BURTON
AS A FULL-TIME POLICE OFFICER WITH AN ANNUAL SALARY
PURSUANT TO THE SALARY ORDINANCE AND/OR LOCAL CONTRACT**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, at the Police Chief’s recommendation that it hereby confirms the hiring of Tyrone Burton as a full-time Police Officer at a salary of \$41,681.00 pursuant to ordinance and/or PBA Contract effective January 4. 2024; 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. Peter Papa, Chief of Police
4. Sgt. Magnani, Police Dept.
5. Anne Daley, Benefits
6. Carmela Miller, Payroll
7. John Abbruzzese, IT

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

**RESOLUTION 23-369B
AUTHORIZING THE HIRING OF MICHAEL MOLINARO
AS A FULL-TIME POLICE OFFICER WITH AN ANNUAL SALARY
PURSUANT TO THE SALARY ORDINANCE AND/OR LOCAL CONTRACT**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, at the Police Chief’s recommendation that it hereby confirms the hiring of Michael Molinaro as a full-time Police Officer at a salary of \$41,681.00 pursuant to ordinance and/or PBA Contract effective January 4. 2024; 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. Peter Papa, Chief of Police
4. Sgt. Magnani, Police Dept.
5. Anne Daley, Benefits
6. Carmela Miller, Payroll
7. John Abbruzzese, IT

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

Mayor Anesh swore in Officers Burton and Molinaro with his family/friends present. Everyone extended a round of applause and photographs were taken by media and family/friends present. Each governing body member extended their congratulations and well wishes to both Officers.

Mayor Anesh called for a brief recess at 7:14 p.m.
Mayor Anesh called the meeting back to order at 7:18 pm.

ORDINANCES:

The following ordinance #2287 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.

BOND ORDINANCE #2287

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,057,725 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$625,000 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,057,725, including a grant in the amount of \$370,725 from the State of New Jersey Office of Homeland Security and Preparedness for the purpose described in Section 3(a) below and a grant in the amount of \$10,000 from the State of New Jersey Department of Law and Public Safety, Office of the Attorney General, for the purpose described in Section 3(b) below (collectively, the "State Grants"), and further including the aggregate sum of \$52,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made 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 cost of the several improvements or purposes not covered by application of the several down payments and the State Grants, negotiable bonds are hereby authorized to be issued in the principal amount of \$625,000 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Renovations to and expansion of the Emergency Operations Center, including all work and materials necessary therefor and incidental thereto.	\$500,725 (includes a grant in the amount of \$370,725 from the State of New Jersey Office of Homeland Security and Preparedness)	\$120,000	15 years
b) The acquisition of sport utility vehicles for the Police Department and the Office of Emergency Management, including all related costs and expenditures incidental thereto.	\$335,000 (includes a grant in the amount of \$10,000 from the State of New Jersey Department of Law and Public Safety, Office of the Attorney General)	\$305,000	5 years
c) Preliminary planning and architectural design costs for the fire house and municipal buildings, including all related costs and expenditures incidental thereto.	\$100,000	\$90,000	15 years
d) Preliminary planning and engineering costs for 2024 Road Program, including all related costs and expenditures incidental thereto.	\$95,000	\$85,000	15 years
e) Improvements to jail cell blocks, including all work and materials necessary therefor and incidental thereto.	<u>\$27,000</u>	<u>\$25,000</u>	15 years
Total	<u>\$1,057,725</u>	<u>\$625,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose and/or the State Grants, as applicable.

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 are permitted to 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 improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.12 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 \$625,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$302,000 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 purposes or improvements.

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 or improvements described in Section 3 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 purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the State Grants referred to in Sections 3(a) and 3(b) hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

The following ordinance #2288 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 2288

AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTERS 5, 17, AND 283 OF THE CODE OF THE BOROUGH REGARDING BOARDS, COMMITTEES AND COMMISSIONS

Ordinance #2288 was read by title upon first reading herewith has been introduced at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on December 4, 2023. In summary, this ordinance amends Chapters 5, 17, and 283 of the Code of the Borough regarding boards, committees and commissions. The public hearing where further consideration will be made will be held on December 18, 2023, at approximately 7:00 p.m. at the Municipal Building located at 2480 Plainfield Avenue, South Plainfield, NJ. A full complete copy of this ordinance shall be provided, free of charge prior to adoption, to all those who request said copy at the Borough Clerk’s office during normal business hours of 8 a.m. to 4 p.m. or emailed upon request. A copy is also located on the municipal website and may be freely viewed and printed.

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

The following ordinance #2289 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 2289

AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 434, “TOWING” OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD

Ordinance #2289 was read by title upon first reading herewith has been introduced at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on December 4, 2023. In summary, this ordinance amends Chapter 434 of the Borough Code titled “Towing”. The public hearing where further consideration will be made will be held on December 18, 2023, at approximately 7:00 p.m. at the Municipal Building located at 2480 Plainfield Avenue, South Plainfield, NJ. A full complete copy of this ordinance shall be provided, free of charge prior to adoption, to all those who request said copy at the Borough Clerk’s office during normal business hours of 8 a.m. to 4 p.m. or emailed upon request. A copy is also located on the municipal website and may be freely viewed and printed.

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

The following ordinance #2290 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 2290					
AN ORDINANCE AMENDING ORDINANCE 2225 THAT PROVIDES FOR THE COMPENSATION OF					
PART-TIME EMPLOYEES FOR THE BOROUGH OF SOUTH PLAINFIELD FOR THE YEARS 2019 THROUGH 2023					
BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey as follows:					
SECTION 1: The rates of compensation for each part-time employee of the Borough of South Plainfield shall be on an hourly basis as follows. Such rates of pay shall be effective on 4/4/2022 unless otherwise noted.					
PART-TIME EMPLOYEES:					
Position	2019	2020	2021	2022	2023
Clerk Typist	\$13.50	\$13.75	\$14.00	\$14.25	\$14.50
Finance Clerk	\$13.75	\$14.00	\$14.25	\$14.50	\$14.75
Groundskeeper Level I	\$13.00	\$13.25	\$13.50	\$13.75	\$14.00
Groundskeeper Level II	\$14.25	\$14.50	\$14.75	\$15.00	\$15.25
DPW Summer Help	\$13.50	\$13.75	\$14.00	\$14.25	\$14.50
DPW Part Time Level I	\$13.75	\$14.00	\$14.25	\$14.50	\$14.75
DPW Part Time Level II	\$17.50	\$17.75	\$18.00	\$18.25	\$18.50
PT Building-Electrical Inspector - Sub Code	\$41.00	\$41.75	\$42.50	\$43.25	\$44.00
PT Plumbing Inspector- Sub Code/Building Inspector	\$37.50	\$38.25	\$39.00	\$40.00-\$60.00	\$41.00-\$61.50
Police Aide					\$25.00
Public Safety Telecommunicator Training Phase	\$21.00	\$21.50	\$22.00	\$22.50	\$23.00
Public Safety Telecommunicator Upon Completion of Training	\$29.50	\$30.00	\$30.50	\$31.00	\$31.50
PT Interim Recreation Director	\$37.50	\$38.00	\$38.50	\$39.00	\$39.50
Recreation Attendent I	\$13.50	\$13.75	\$14.00	\$14.25	\$14.50
Recreation Attendent II**	\$15.25	\$15.50	\$15.75	\$16.00	\$16.25
Recreation Attendent III ***	\$17.00	\$17.25	\$17.50	\$17.75	\$18.00
Recreation Attendent IV ****	\$18.25	\$18.50	\$18.75	\$19.00	\$19.25
Clean Neighborhood Program Aid*	\$17.50	\$17.75	\$18.00	\$18.25	\$18.50
Recreation Leader	\$20.00-\$30.00	\$20.50-\$30.50	\$21.00-\$31.00	\$21.50-\$31.50	\$22.00-\$32.00
*Effective 1/1/19		**after 10 years of service as attendant I			
after 5 years of service as attendant II		*after 5 years of service as attendant III			
SECTION 2. INCONSISTENCY - all ordinance or parts in consistent with this ordinance are hereby repealed to the extent of such inconsistency.					
SECTION 3. EFFECTIVE DATE - This ordinance shall become effective after publication in accordance with the laws of New Jersey.					

COUNCIL	MOTION	2 ND	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				
			5	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS:

RESOLUTION 23-370

AUTHORIZING RENEWAL OF A SHARED SERVICE CONTRACT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND COUNTY OF MIDDLESEX FOR PUBLIC HEALTH SERVICES FOR 2024 IN THE AMOUNT OF \$135,762.72

WHEREAS, the Borough of South Plainfield and the County of Middlesex (Lead Agency) previously entered into a Shared Services Agreement for Middlesex County Health Department to provide Municipal Health Services of a technical and professional nature; and

WHEREAS, both the Borough and the County wish to continue this Shared Service Agreement of which term is for one (1) year, January 1, 2024 through December 31, 2024; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given for the Mayor and Municipal Clerk to execute the Shared Services Agreement with Middlesex County to provide Municipal Health Services of a technical and professional nature for a one-year (1) year period, January 1, 2024 through December 31, 2024 in the amount of \$135,762.72.

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

RESOLUTION 23-371

AUTHORIZING THE APPOINTMENT OF JUNIOR FIREFIGHTER RACHEL MULLER FOR THE SOUTH PLAINFIELD VOLUNTEER FIRE DEPARTMENT AND AS MEMBER OF THE JUNIOR FIREFIGHTER RIDE-A-LONG PROGRAM

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:

Rachel Muller
of South Plainfield, NJ 07080

for the South Plainfield Volunteer Fire Department as a Junior Firefighter and as member of the Junior Firefighter Ride-A-Long Program 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 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White						X	
Councilman Wolak	X		X				
Council President Bengivenga		X	X				
			5	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 23-372
AUTHORIZING REINSTATEMENT AND AMENDMENT TO A SITE ACCESS
AGREEMENT WITH CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY

WHEREAS, the Borough and Chevron Environmental Management Company (“Chevron”) previously entered into a Site Access Agreement to permit Chevron to access property located at 800 Metuchen Road in the Borough and known as Lot 3, Block 387 on the Tax Map of the Borough to perform environmental remediation work; and

WHEREAS, the Site Access Agreement was for a term of five (5) years, which term expired on July 9, 2023; and

WHEREAS, the remediation work is not complete and Chevron has requested reinstatement of the agreement and an extension of an additional five (5) years for the term of the agreement; and

WHEREAS, the environmental remediation work is beneficial to the Borough and its residents;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that they approve and authorize the Mayor to execute a Reinstatement and Amendment No. 1 to the Site Access Agreement in the form attached hereto.

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

RESOLUTION 23-373
AUTHORIZING THE TEMPORARY BUDGET FOR 2024; TOTAL GENERAL APPROPRIATIONS IN THE AMOUNT
OF \$7,223,900.00, TOTAL SEWER UTILITY IN THE AMOUNT OF \$1,800,000.00,
AND TOTAL POOL UTILITY IN THE AMOUNT OF \$50,000.00

WHEREAS, N.J.S.A. 40a:4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is prior to the adoption of the CY2024 Budget, and

WHEREAS, the temporary budget set forth below does not exceed twenty-six and one quarter percent of the total appropriations in the previous year’s budget (exclusive of any appropriations made for Debt Service, Capital Improvements Fund and Public Assistance).

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the temporary appropriations pursuant to the attached itemization from the Chief Financial Officer of Total General Appropriations is in the amount of \$7,223,900.00; Total Sewer Utility in the amount of \$1,800,000.00 and Total Pool Utility in the amount of \$50,000.00 are hereby authorized and that a certified copy of this resolution be transmitted to the Chief Financial Officer. A copy of the Budget document is attached.

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

RESOLUTION 23-374

AUTHORIZING THE CANCELLATION OF REAMAINING BALANCES IN GRANT FUND TOTALING \$4,447.30

WHEREAS, there are grant appropriation balances in the amount of \$4,447.30 on the balance sheet of the Borough of South Plainfield AND;

WHEREAS, expenditures applicable to these programs have previously been charged to other appropriation line items.

GRANT FUND			
Schedule of Grant Fund Balance Cancellations			
12/18/23			
Account	Description		AMOUNT
Grants Receivable.	Senior Center Bus		2,500.00
Grants Receivable.	Safe Kids		1,223.00
Grants Receivable.	Click it or Ticket		375.00
Grants Receivable.	Senior Center Improvements		348.00
Grants Receivable.	Borough Clock		1.30
Total			4,447.30
	Budget Operations		(4,447.30)
Account	Description		AMOUNT
G-02-41-762-001-301	Senior Center Bus		1,414.84
G-02-41-703-001-301	Senior Center Bus		27.97
G-02-41-746-001-301	ADA Compliance		1,670.62
G-02-41-704-002-303	ADA Ramps		375.36
G-02-41-730-001-301	CDBG PAL Project		240.00
G-02-41-736-001-301	CDBG Senior Center Improvements		315.75
G-02-41-715-001-301	Tree Planting		54.76
G-02-41-770-001-301	Senior Center Improvements		348.00
Total			4,447.30
	Budget Operations		4,447.30

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey, that the above listed balances in the amount of \$4,447.30 be cancelled.

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

RESOLUTION 23-375

AUTHORIZING THE CANCELLATION OF CAPITAL IMPROVEMENT AUTHORIZATION BALANCES IN THE AMOUNT OF \$14,534.77

WHEREAS, the following capital improvement authorization balances remain unexpended:

General Capital Fund			
Schedule of Improvement Authorizations Balance Cancellations			
12/18/23			
Ordinance Number	Description		AMOUNT
1837	COPS Technology		6,924.00
1896	Radio Equipment		1,058.77
2092	Air Packs & Bottles		52.00
2231	Culvert & Putnam Park		6,500.00
Total			14,534.77
	Grants Receivable		8,034.77
	Due from recreation Trust		6,500.00
	Total		14,534.77

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey, that the above listed unexpended balances be cancelled.

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

RESOLUTION 23-376
AUTHORIZING 2023 APPROPRIATION TRANSFERS IN THE AMOUNT OF
\$120,00.00 FROM THE CURRENT FUND AND \$30,000.00 FROM THE SEWER UTILITY
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.

CURRENT FUND				AMOUNT
FROM:				
3-01-20-100-000-101	Administration		S&W	3,000.00
3-01-20-120-000-103	Clerk		S&W	4,000.00
3-01-20-130-000-101	Finance		S&W	2,000.00
3-01-20-130-000-235	Finance		O&E	4,000.00
3-01-20-140-000-101	Computer Service		S&W	1,000.00
3-01-20-150-000-101	Assessing		S&W	1,000.00
3-01-20-150-000-221	Assessing		O&E	5,000.00
3-01-22-195-001-691	Code Enforcement		O&E	2,000.00
3-01-23-210-000-661	Other Insurance		O&E	26,000.00
3-01-25-252-000-321	OEM		O&E	2,000.00
3-01-25-265-002-651	Fire Official		O&E	4,000.00
3-01-26-290-002-101	Road Repair & Maintenance		S&W	30,000.00
3-01-26-310-000-445	Buildings & Grounds		O&E	4,000.00
3-01-26-315-000-102	Vehicle Maintenance		S&W	3,000.00
3-01-27-335-001-101	Environmental Commission		S&W	4,000.00
3-01-28-370-001-404	Recreation		O&E	3,000.00
3-01-28-370-002-101	Office on Aging		S&W	12,000.00
3-01-31-465-001-565	Gasoline		O&E	5,000.00
3-01-30-420-000-451	Public Celebrations		O&E	2,000.00
3-01-43-490-000-101	Court		S&W	3,000.00
Total FROM:				120,000.00
TO:				AMOUNT
3-01-20-120-000-235	Clerk		O&E	12,000.00
3-01-20-140-000-225	Computer Service		O&E	2,000.00
3-01-20-145-000-519	Tax Collector		O&E	3,000.00
3-01-20-165-000-101	Engineering		S&W	3,000.00
3-01-20-165-000-204	Engineering		O&E	5,000.00
3-01-21-185-000-101	Zoning Board		S&W	2,000.00
3-01-22-195-001-101	Code Enforcement		S&W	13,000.00
3-01-25-240-001-105	Police		S&W	4,000.00
3-01-25-240-003-241	Crossing Guards		O&E	16,000.00
3-01-25-250-000-102	911		S&W	9,000.00
3-01-25-265-001-519	Fire		O&E	3,000.00
3-01-26-290-001-102	Public Works Admin		S&W	5,000.00
3-01-26-290-003-321	Snow		O&E	5,000.00
3-01-26-305-003-102	Recycling		S&W	5,000.00
3-01-27-330-001-101	Board of Health		S&W	2,000.00
3-01-28-370-001-104	Recreation		S&W	6,000.00
3-01-31-440-001-541	Telephone		O&E	3,000.00
3-01-31-445-001-581	Water		O&E	2,000.00
3-01-43-490-000-236	Court		O&E	2,000.00
3-01-36-472-000-675	SSI		Statutory	18,000.00
Total TO:				120,000.00
SEWER UTILITY FUND				AMOUNT
FROM:				
3-07-55-515-002-101	Sewer Salaries		S&W	30,000.00
Total FROM:				30,000.00
TO:				AMOUNT
3-07-55-515-002-215	Sewer Repairs		O&E	25,000.00
3-07-55-517-001-675	Sewer SSI		Statutory	5,000.00
Total TO:				30,000.00

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

RESOLUTION 23-377
AUTHORIZING EMERGENCY APPROPRIATIONS LESS THAN 3 PERCENT
OF TOTAL OPERATING APPROPRIATIONS

WHEREAS, an emergency has arisen with respect to the Current Fund for Health Benefits. The Borough’s Health Benefit expenses did not have adequate funding to cover the costs of a number of catastrophic claims, specialty claims that significantly pierced catastrophic claims that require upfront cash payments in the 2023 budget for the aforesaid purpose, and N.J.S. 40A:4-46 provides for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriation created including the appropriation to be created by this resolution is \$515,000.00, and all of this is for the Current Fund and three percent of the total operations for the Current year 2023 is \$855,824.91, and

WHEREAS, the foregoing appropriation, together with prior appropriations, does not exceed three percent of the total current operation appropriations in the 2023 municipal budget,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48,

1. An emergency appropriation be and the same is hereby made for Health Benefits expenses in the amount of \$515,000.00.
2. That said emergency appropriation shall be provided in full in the 2023 Current Fund Budget and is requested to be excluded from CAPS pursuant to N.J.S.A. 40A:4-51
3. That the emergency appropriation not in excess of the above amount, be authorized pursuant to N.J.S.A. 40A:4-48 and in accordance with the provisions of N.J.S.A. 40A:4-51 which shall be a deferred charge in the 2024 operational municipal budget.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Director of the Local Government Services.

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

RESOLUTION 23-378
SUPPORTING ASSEMBLY BILL 4536/SENATE BILL S304 THAT
ESTABLISHES MINIMUM REGISTERED PROFESSIONAL NURSE
STAFFING STANDARDS

WHEREAS, a one-patient increase in a nurse’s workload increased the likelihood of an in-patient death within 30 days of admission by 7 percent, and

WHEREAS, mortality risk decreases by 9 percent for ICU patients and 16 percent for surgery patients with the increase of one FTE (fulltime) RN per patient day; and
 {A1298313.1 }

WHEREAS, nurse staffing shortages are a factor in a one out of every four unexpected hospital deaths or injuries caused by errors; and

WHEREAS a 2021 study published in the American Journal of Infection Control found that each additional sepsis patient per nurse was associate with 19% higher odds of in-hospital mortality; and

WHEREAS, a study of New York hospitals in 2021 showed significant decreases in patient deaths would occur if patient care was limited to a ration of 4 patients to 1 nurse: 4,370 deaths would have been avoided in New York just among Medicare patients during the two-year study; and

WHEREAS, the staffing crisis and resulting nurses strike at Robert Wood Johnson University Hospital could have dire consequences on the delivery of care in our communities;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey hereby urges its elected representative in the New Jersey Legislature to adopt Assembly Bill 4536/Senate Bill S304.

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. Honorable Governor Murphy
4. Honorable Senator Patrick Diegnan Jr.
5. Honorable Assemblyman Robert Karabinchak
6. Honorable Assemblyman Sterley Stanley

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

**RESOLUTION 23-379
AUTHORIZING THE PART-TIME HIRING OF DAVID DELAIR AS POLICE AIDE AT
THE HOURLY RATE OF \$25.00 EFFECTIVE JANUARY 2, 2024**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, at the Police Chief’s recommendation that it hereby confirms the part-time hiring of David Delair as Police Aide at the hourly rate of \$25.00 effective January 2, 2024; 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. Peter Papa, Chief of Police
4. Anne Daley, Benefits
5. Carmela Miller, Payroll
6. John Abbruzzese, IT

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

**RESOLUTION 23-380
AUTHORIZING EXECUTION OF A MULTI-PARTY TRAFFIC SIGNAL
AGREEMENT WITH COLONIAL OAKS, LLC**

WHEREAS, Colonial Oaks, LLC (“Colonial Oaks”) is a developer of property within the Borough and such development requires installation of a traffic signal at the intersection of New Brunswick Avenue and a proposed private driveway to be known as Brewster Boulevard; and

WHEREAS, the County of Middlesex requires installation of a traffic light at such intersection, and New Brunswick Avenue is divided between the Borough of South Plainfield and the Township of Piscataway; and

WHEREAS, all parties recognize the desirability of installation of the traffic signal at such intersection; and

WHEREAS, Colonial Oaks has proposed a Multi-Party Traffic Signal Agreement between it, the County and the Municipalities and such agreement has been reviewed and approved by the Borough Attorney and engineers;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the Mayor and Clerk are authorized to execute the Multi-Party Traffic Signal Agreement attached hereto as Exhibit A.

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

**RESOLUTION 23-381
AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF
EMERGENCY LIGHTING AND VEHICLE EQUIPMENT INSTALLATION FOR POLICE
VEHICLES FROM EAST COAST EMERGENCY LIGHTING INC.
IN AN AMOUNT NOT TO EXCEED \$7,619.00**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of emergency lighting and vehicle equipment installation for police vehicles from East Coast Emergency Lighting Inc. in an amount not to exceed \$7,619.00 pursuant to state contract number #17-Fleet-00761; 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. Peter Papa, Police Chief

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

CORRESPONDENCE:

- Board of Health Monthly Report – November 2023
- Environmental Commission Minutes – October 11, 2023
- Code Enforcer’s Lien Report

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

PAYMENT OF BILLS

Current Fund	3-01	202,966.76
Current Fund	2-01	57,048.12
Pool Utility	3-26	822.50
Pool Utility	2-26	0.00
Sewer Utility	3-07	17,990.09
Sewer Utility	2-07	10,000.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	90,450.40
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	2,000.00
Land for Rec & Conserv.	T-10	29,642.88
Legends Camp Trust	T-11	9.45
Dog Trust	T-12	16.80
Treasurers Trust	T-13	7,846.12
Recreation Trust	T-14	20,487.50
Senior Citizen Trust	T-16	0.00
Wires		4,867,395.81
Total All Funds:		\$5,306,676.43

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – advised that the 2023 roads are near completion and some speed humps are still being installed. Putnam Park is still closed as is the turf field. They are both still under construction until further notice. Mr. Cullen thanked the Chief and OEM Coordinator Born for all their help with flooding issues during the recent storm. Ordinance 2287 that was adopted tonight will be partially paid for by grant funding for the new communications center. Mr. Cullen concluded by congratulating new Police Aide Delair.

Engineer Miller – was absent this evening.

Clerk Antonides – wished everyone happy holidays and reported progress.

Chief Papa – thanked the governing bod for their support in hiring the two new officers this evening and for the new towing ordinance.

Councilwoman Mott – noted that the new speed humps on Rahway Avenue seem a littler bigger than usual and went on to wish everyone happy holidays and a happy New Year.

Councilman Smith – thanked Mr. Miller and his crew for all the work they did during the recent storm and congratulate the two new police officers. Councilman Smith said the recent tree lighting was very nice and concluded by wishing everyone a Merry Christmas and a great New Year.

Councilman Wolak – congratulated Rachel Muller on her appointment as a Junior Firefighter and went on to wish everyone a Merry Christmas and a happy New Year.

Councilwoman Faustini – advised that the buddy ball program will be back again in February and the high energy exercise program held in the evenings at the Senior Center will be back in January. It is an in-person and virtual event. Councilwoman Faustini congratulated Councilwoman Mott on becoming a grandmother recently.

Councilman White – was absent this evening.

Council President Bengivenga – congratulated the nurses on the ratification of their new contract. On another note, Council President Bengivenga asked the governing body consent to readvertise for a Professional Planner due to the lack of response for the position. The governing body were unanimously in favor of advertising the position. Clerk Antonides said she will advertise it immediately.

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.

Debbie Boyle of Van Fleet congratulated Councilwoman Mott on becoming a grandmother and congratulated the nurses on the recent settlement of their contract with Robert Wood. Ms. Boyle said 27 families turned out to make gingerbread houses this year and concluded by saying there is a new artist from Mason Grove for the Windows of Understanding. Ms. Boyle wished everyone a happy holiday and New Year.

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 7:31 p.m., seconded by Council President Bengivenga and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk