

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
FEBRUARY 20, 2024 7:05 P.M.
PUBLIC MEETING**

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

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:04 p.m. Mayor Anesh read the sunshine statement and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met with adequate notice of this remote hybrid meeting having been provided to the Borough’s two official newspapers and also published on the Borough’s website. Instructions for accessing the remote public meeting are found on the Borough’s website next to the agendas. Documentation pertaining to the remote meeting can be found electronically on the Borough’s website. 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 announced that the format for the 2024 agenda has been slightly changed, noting that this will be the only public comment section on the agenda, and you can speak to any matter or those on the agenda. Mayor Anesh opened the floor for public comment. Mayor Anesh also awaited virtual hand raises and unmuted all microphones.

Debbie Boyle of Van Fleet reminded everyone that the next Mayor’s Wellness webinar will be held on March 26th at 7:00 p.m. titled “Cognitive Wellness – Keep Your Brain Sharp”.

With no further comments from the public in-person and virtual, Mayor Anesh closed the floor.

Authorizing the Approval of Council Minutes:

- February 5, 2024 – Agenda Meeting
- February 5, 2024 - Public Meeting
- February 5, 2024 – Executive Session

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				
			6	0			
Mayor Anesh – TIE ONLY							

ORDINANCES:

The following ordinance #2294 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, closed the floor.

NOTICE OF INTRODUCTION BY SUMMARY

ORDINANCE 2294

AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 187 “VEHICLES AND TRAFFIC” OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD

Ordinance #2294 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 February 5, 2024. In summary, this ordinance amends chapter 187 titled “Vehicles and Traffic” of the code of the Borough of South Plainfield. The public hearing where further consideration will be made will be held on February 20, 2024, 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				
Councilman White	X		X				
Councilman Wolak		X	X				
Council President Bengivenga			X				
			6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2295 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, closed the floor. Council President Bengivenga expressed his appreciation for the negotiation process between the Borough and the PBA saying that they had many extensive discussions along the way in order to reach this agreement.

ORDINANCE 2295

AN ORDINANCE AMENDING ORDINANCE 2123 THAT PROVIDES FOR THE COMPENSATION OF PBA EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE PERIOD OF JANUARY 1, 2024 THROUGH DECEMBER 31, 2028

BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY THAT:

SECTION 1.

The rates of compensation for each PBA employee of the Borough of South Plainfield shall be on an annual basis as follows except where indicated. Such rates of pay shall be effective January 1st of the years shown

POSITION	POLICE OFFICERS					
	2023	2024	2025	2026	2027	2028
CLASS A	128,821	132,364	136,335	140,425	144,638	148,977
CLASS B	125,578	129,031	132,902	136,889	140,996	145,226
CLASS C	115,129	118,295	121,844	125,499	129,264	133,142
CLASS D	104,673	107,552	110,779	114,102	117,525	121,051
CLASS E	92,286	94,824	97,669	100,599	103,617	106,726
CLASS F	83,695	85,997	88,577	91,234	93,971	96,790
CLASS G	79,417	81,601	84,049	86,570	89,167	91,842
CLASS H	66,573	68,404	70,456	72,570	74,747	76,989
CLASS I	52,444	53,886	55,503	57,168	58,883	60,649
ACADEMY	41,681	42,827	44,112	45,435	46,798	48,202

SECTION 2. INCONSISTENCY – All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency.

SECTION 3. EFFECTIVE DATE: This Ordinance shall become effective and operative twenty days after publication thereof after final passage.

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				
			6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2296 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for March 4, 2024 at 7:00 p.m.

BOND ORDINANCE #2296

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$2,950,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,455,000 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 \$2,950,000, including a grant from the State of New Jersey Department of Transportation in the amount of \$386,260 for improvements to New Market Avenue, Pitt Street and other adjacent roads as described in Section 3(a) (the "State Grant") and further including the aggregate sum of \$108,740 as the several down payments for the improvements or purposes required by the Local Bond Law. Although no down payment is required pursuant to N.J.S.A. 40A:2-11(c) for the improvement described in Section 3(a), an amount equal to \$13,740 is nevertheless provided for the down payment. 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 Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,455,000 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) Improvements to New Market Avenue, Pitt Street and other adjacent roads, all as set forth on list on file in the Office of the Clerk and further including all work and materials necessary therefor and incidental thereto.	\$1,100,000 (includes a \$386,260 grant from the State of New Jersey Department of Transportation)	\$700,000	10 years
b) 2023 Road Improvement Program to various roads throughout the Borough, all as set forth on list on file in the Office of the Clerk and further including all work and materials necessary therefor and incidental thereto.	\$1,750,000	\$1,660,000	10 years
c) The acquisition of sport utility vehicles for various departments including administrative, public works, zoning, building and recreation, including all related costs and expenditure incidental thereto.	<u>\$100,000</u>	<u>\$95,000</u>	5 years
Total	<u>\$2,950,000</u>	<u>\$2,455,000</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 and the State Grant, as applicable, for each purpose.

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 9.80 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 \$2,455,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$380,000 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 Grant referred to in Section 1 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				
Councilwoman Mott		X	X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga	X		X				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS:

**RESOLUTION 24-100
AUTHORIZING THE RELEASE OF PERFORMANCE BONDS POSTED FOR
L&L PROPERTY ENTERPRISES, LLC FOR PUBLIC IMPROVEMENTS
TO BLOCK 389, LOT 1
AND ACCEPTANCE OF THE MAINTENANCE BONDS
IN THE AMOUNT OF \$3,502.05**

WHEREAS, the Borough of South Plainfield is in possession of a Performance Bonds for L&L Property Enterprises, LLC (300 Hollywood Avenue) for public improvements located at Block 389, Lot 1; and

WHEREAS, the applicant has submitted the Maintenance Bond in the amount of \$3,502.05; 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 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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-101
AUTHORIZING THE APPOINTMENT OF JOHN BASALATAN 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:

*JOHN BASALATAN
of
South Plainfield NJ 07080*

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

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. Jason Campbell, Fire Chief
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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-102
AUTHORIZING 2024 APPROPRIATION TRANSFERS IN THE AMOUNT OF
\$20,000.00 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.

CURRENT FUND				
FROM:				AMOUNT
3-01-20-100-000-101	Administration		S&W	1,000.00
3-01-20-120-000-103	Boro Clerk		S&W	1,500.00
3-01-25-240-001-101	Police		S&W	3,000.00
3-01-25-265-002-431	Fire Official		O&E	1,500.00
3-01-25-265-003-581	Fire Service Charges		O&E	1,000.00
3-01-25-265-004-101	Juvenile Conference		S&W	1,000.00
3-01-26-290-002-102	Road Repairs & Maintenance		S&W	2,500.00
3-01-26-290-003-102	Snow		S&W	2,000.00
3-01-26-305-002-101	Compactor		S&W	1,000.00
3-01-26-310-000-415	Public Buildings & Grounds		O&E	2,000.00
3-01-26-315-000-102	Vehicle Maintenance		S&W	2,000.00
3-01-28-370-002-101	Office on Aging		S&W	1,500.00
Total FROM:				20,000.00
TO:				AMOUNT
3-01-20-155-000-221	Legal		O&E	4,000.00
3-01-22-195-001-405	Code Enforcement		O&E	1,000.00
3-01-26-290-001-505	Public Works Admin		O&E	1,000.00
3-01-43-490-000-675	Court		O&E	2,000.00
3-01-26-290-003-321	Snow		O&E	2,000.00
3-01-30-415-001-101	Accumulated Leave		O&E	6,000.00
3-01-38-481-000-225	Tax Appeals		O&E	4,000.00
Total TO:				20,000.00

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-103
AUTHORIZING A 2024 TEMPORARY BUDGET AMENDMENT FOR \$1,905,000.00
IN THE CURRENT FUND AND \$14,000.00 IN THE POOL UTILITY

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 FY 2024 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 are hereby amended to add the following amounts and that a certified copy of this resolution is transmitted to the Chief Financial Officer.

CURRENT FUND				AMOUNT
4-01-20-130-000-101	Finance	S&W		5,000
4-01-20-130-000-204	Finance	O&E		20,000
4-01-20-140-000-204	Computer	O&E		10,000
4-01-20-145-000-101	Tax Collection	S&W		15,000
4-01-21-185-000-101	Zoning Board	S&W		15,000
4-01-23-220-000-621	Health Insurance	O&E		532,000
4-01-25-240-003-241	Crossing Guard	O&E		50,000
4-01-25-252-000-321	OEM	O&E		2,000
4-01-26-290-001-101	Public Works Administration	S&W		45,000
4-01-26-290-001-102	Public Works Administration	S&W		5,000
4-01-26-290-001-255	Public Works Administration	O&E		2,000
4-01-26-290-003-102	Snow	S&W		5,000
4-01-26-290-003-321	Snow	O&E		10,000
4-01-26-305-003-101	Recycling	S&W		20,000
4-01-26-310-000-101	Public Buildings & Grounds	S&W		110,000
4-01-26-315-000-101	Vehicle Maintenance	S&W		15,000
4-01-26-315-000-401	Vehicle Maintenance	O&E		50,000
4-01-27-330-002-101	Youth Aid	S&W		3,000
4-01-28-370-002-204	Office on Aging	O&E		5,000
4-01-29-390-000-235	Library	O&E		200,000
4-01-31-440-001-541	Telephone	O&E		20,000
4-01-31-465-001-565	Gasoline	O&E		40,000
4-01-32-465-001-545	Landfill	O&E		3,000
4-01-36-472-000-675	SSI	Statutory		47,000
4-01-36-473-000-684	DCRP	Statutory		3,000
G-02-41-780-000-301	DHMAS Youth Leadership	Grant		5,000
4-01-45-920-000-801	Bond Principal	Debt		553,000
4-01-45-930-000-802	Bond Interest	Debt		115,000
Total CURRENT FUND				1,905,000
POOL UTILITY				AMOUNT
4-26-55-902-000-801	Bond Principal	Debt		12,000
4-26-55-903-000-802	Bond Interest	Debt		2,000
Total POOL UTILITY				14,000

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION: 24-104

AUTHORIZING A CONSTRUCTION PERMIT REFUND IN THE AMOUNT OF \$344.00 TO SOLAR MITE SOLUTIONS FOR CANCELLED PROJECT

WHEREAS, the Construction Official confirms that a permit (#23116) was for a construction related project at 157 Sprague Avenue and as such, the applicant has requested a refund of the \$344.00 permit fee due to cancellation of the solar project.

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 refund check(s) in the amount(s) of \$344.00 to the following:

Solar Mite Solutions
1525 Corlies Avenue
Neptune, NJ 07753

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

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

RESOLUTION 24-105

AUTHORIZING APPLICATION TO THE MIDDLESEX COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR A 2023 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE PURPOSE OF IMPROVEMENTS

WHEREAS, the Borough of South Plainfield wishes to apply to Middlesex County Housing and Community Development Agency for discretionary aid; and

WHEREAS, the Borough’s Citizen Advisory Committee met to discuss possible uses of the 2023 CDBG funding; and

WHEREAS, the Governing Body of the Borough of South Plainfield held a public hearing on February 21, 2023 to elicit input from Borough residents on the best uses for the 2023 CDBG;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of South Plainfield do hereby make application to Middlesex County Housing and Community Development for discretionary aid to be used for the following proposed uses:

Senior Center Salary	\$12,500.00
Replacement of Senior Center Roof	\$67,542.00
TOTAL	\$80,042.00

BE IT FURTHER RESOLVED that a certified copy of this resolution will be forwarded to the Director of the Middlesex County Housing and Community Development Agency.

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-106

AUTHORIZING THE REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$6,304.03 PERTAINING TO SOUTH PLAINFIELD REALTY LLC

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

WHEREAS, the following list of taxpayers have filed appeals with the Tax Court of New Jersey and have received judgments reducing their assessments:

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be refunded.

<u>OWNER/ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
South Plainfield NJ Realty LLC 1610 Park Avenue South Plainfield, NJ 07080	97	2	2023	\$6,304.03

Make check payable to:

Jennifer R. Jacobus
Trustee for South Plainfield NJ Realty LLC
201 Littleton Road, Suite 100
Morris Plains, NJ 07950

Total **\$6,304.03***

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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-107
AUTHORIZING THE NJ STATE CONTRACT PURCHASE
OF A 2023 FORD EXPLORER RWD BASE MODEL
FROM CIOCCA FORD OF FLEMINGTON
IN AN AMOUNT NOT TO EXCEED \$37,518.55**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of a 2023 Ford Explorer RWD Base Model from Ciocca Ford of Flemington in an amount not to exceed \$37,518.55 pursuant to state contract number T2007 Small SUV Utility Vehicles/State Bid 19DPP00311/23-FLEET-41909; 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

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				
			6	02			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-108
AUTHORIZING THE NJ STATE CONTRACT PURCHASE
OF TWO 2024 FORD ESCAPE ACTIVE FWD 4WD VEHICLES
FROM CIOCCA FORD OF FLEMINGTON
IN AN AMOUNT NOT TO EXCEED \$57,437.10

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of two 2024 Ford Escape Active FWD 4WD vehicles from Ciocca Ford of Flemington in an amount not to exceed \$57,437.10 pursuant to state contract number T2007 Small SUV Utility Vehicles/State Bid 19DPP00311/23-FLEET-41909; 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

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-109
AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF BODY ARMOR
FOR THE POLICE DEPARTMENT
FROM ATLANTIC UNIFORM COMPANY
IN AN AMOUNT NOT TO EXCEED \$7,261.10

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of body armor for the Police Department from Atlantic Uniform Company in an amount not to exceed \$7,261.10 pursuant to state contract number 17-Fleet-00763; 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. Captain Daniel Hoppe, Police Department

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-110
AUTHORIZING THE SOLE SOURCE PROVIDER PURCHASE OF 89 POWER POLICY LICENSES FOR THE POLICE
DEPARTMENT
FROM SHI INTERNATIONAL OF SOMERSET NJ
IN AN AMOUNT NOT TO EXCEED \$7,242.82

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the Sole Source Provider purchase of 89 Power Policy Licenses for the Police Department from SHI International of Somerset NJ in an amount not to exceed \$7,242.82 pursuant to contract number #081419-SHI; 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. Captain Daniel Hoppe, Police Department

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-111

AUTHORIZING THE SOLE SOURCE PROVIDER SERVICES OF TACTICAL PUBLIC SAFETY IN THE TOTAL AMOUNT OF \$11,130.00 FOR MONTHLY MAINTENANCE SERVICES (\$1,855.00/MONTH) FOR A SIX-MONTH PERIOD FOR VEHICLE RADIOS AND RADIO SYSTEM FOR THE POLICE DEPARTMENT

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the sole source provider services of Tactical Public Safety, and a NJ state contract vendor (17-FLEET-00723), in the total amount of \$11,130.00 for monthly maintenance services (\$1,855.00/month) for a six-month period for vehicle radios and radio system for the Police Department; 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. Captain Daniel Hoppe, Police Department

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-112

AUTHORIZING THE SOLE SOURCE PROVIDER SERVICES OF TACTICAL PUBLIC SAFETY IN THE TOTAL AMOUNT OF \$18,493.75 FOR ANNUAL MAINTENANCE SERVICES OF THE BROADBAND, CONTROL STATIONS, AND RADIOS FOR THE POLICE DEPARTMENT

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the sole source provider services of Tactical Public Safety, and a NJ state contract vendor (17-FLEET-00723), in the total amount of \$18,493.75 for annual maintenance services of the broadband, control stations and radios for the Police Department; 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. Captain Daniel Hoppe, Police Department

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-113

AUTHORIZING THE BOROUGH OF SOUTH PLAINFIELD TO UTILIZE THE MIDDLESEX COUNTY COOPERATIVE FOR THE FURNISHING AND DELIVERY OF ROCK SALT THROUGH MORTON SALT, INC. IN AN AMOUNT NOT TO EXCEED \$15,000.00

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., under Contract #B-22-560 in an amount not to exceed \$15,000.00 at \$65.97 per ton.

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 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				
			6	0			
Mayor Anesh – TIE ONLY							

REMOVED FROM THE AGENDA - RESOLUTION 24-114

RESOLUTION 24-115

AUTHORIZING A LABOR AGREEMENT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND PBA #100 FOR THE PERIOD OF 2024-2028

BE IT RESOLVED that authorization is hereby given by the Borough Council of the Borough of South Plainfield for the Mayor and Borough Administrator to execute a labor agreement between the Borough of South Plainfield and PBA #100 for the period of January 1, 2024 – December 31, 2028.

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				
			6	0			
Mayor Anesh – TIE ONLY							

CORRESPONDENCE:

- Environmental Committee Minutes – November 8, 2023

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

PAYMENT OF BILLS

Current Fund	4-01	84,641.74
Current Fund	3-01	31,237.33
Pool Utility	4-26	3,123.85
Pool Utility	3-26	0.00
Sewer Utility	4-07	1,966.77
Sewer Utility	3-07	17,681.62
Sewer Utility Capital	C-08	0.00
General Capital	C-04	462,426.52
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	444.15
Land for Rec & Conserv.	T-10	0.00
Legends Camp Trust	T-11	9.45
Dog Trust	T-12	0.00
Treasurers Trust	T-13	300.00
Recreation Trust	T-14	3,417.62
Senior Citizen Trust	T-16	0.00
Total All Funds:		\$605,249.05
Plus wires totaling:		\$9,043,881.41
GRAND TOTAL:		\$9,649,130.46

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				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – The agent for the owner of the Woodbrook Road superfund site is looking to see if the governing body would rescind the resolution that acknowledged the metes and bounds at the preserve. They did their own survey and take issue with the preserves and have filed suit for a variety of reasons to avoid the survey. Mr. Rizzo said the reason he thinks they are doing this is because it’s been going on for years with the EPA who want a very high-end clean-up of the site claiming it’s a recreation area. The owner has said they would be amendable to a solar farm. To date, the EPA has ignored us. The Preserve has objected to our comments acknowledging that the property is within our town, claiming we don’t have a say, despite the fact the preserve is in our town. Currently the agent is seeking the Council and the adjoining towns to rescind the resolution. Council President Bengivenga said we worked very long and hard in having the metes and bonds done and would personally not be in favor of rescinding it.

Administrator Cullen – thanked the DPW for all their efforts managing the recent snowstorm which produced 8-9 inches of snow. They did a fine job. As there is still snow on the turf field, that project has a completion delay to March 22nd. Putnam Park we are still hoping to have completed by the Spring, weather permitting. Pool registrations have begun.

Engineer Miller – advised that New Market Road will be the first road project for 2024, as it was approved for NJDOT grant funding. Mayor Anesh expressed his concerns for the road conditions on Woodland Avenue saying he would like to work with both the County and Edison on going out to bid for road improvements for this road. Mayor Anesh said he will reach out to Edison about this. Council President Bengivenga said he can also help facilitate this if needed.

Clerk Antonides –reported progress.

Chief Papa – reported that the new tow yard is now up and running and so far, to date, there have been no major issues.

Councilwoman Mott – reported progress.

Councilman Smith – thanked the Chief and police for everything they do to keep us all safe. Councilman Smith welcomed newly appointed Fireman John Basalatan.

Councilman Wolak – reported progress.

Councilwoman Faustini – Buddy Ball is taking place March 16th at the Pal and volunteers are still needed. The Bunny Hop is scheduled for March 23rd with a rain date of March 24th. Advance sign-ups are required beginning March 11th. In addition to pool registration, we are also hiring for summer pool help, parks and camps. The early bird pool price is in effect until May 1st. Camp Legends is also back this year with registration beginning February 26th. T-ball sign-ups are taking place. The South Plainfield Senior Center in partnership with the County as well as the South Plainfield Police Department will be hosting a Senior Fraud Prevention Conference on March 4th from 10:30am to 1:30pm. Residents age 60+ are required to sign-up in advance by calling the Senior Center.

Councilman White – reported progress

Council President Bengivenga – said he wants to recognize and congratulate Councilwoman Faustini for her appointment on Thursday night at the County Commissioners meeting to serve on the Middlesex County Magnet Schoolboard which is formally the vocational school. She is one of four board of education members that will serve the County in that capacity.

Mayor Anesh – reported progress.

Mayor Anesh announced that we are now going into closed session at 7:22 p.m. All are welcome to stay should they wish to.

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 7:57 p.m., seconded by Councilman White and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk