

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
MARCH 4, 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 7:02 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		
<b>ALSO PRESENT</b>			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller	X		
Chief Papa	X		

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

Mayor Anesh 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 of some forthcoming Mayor’s Wellness related events and went on to inquire when the EMS contract will be going out to bid. Mr. Cullen said he will look into it.

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

**Authorizing the Approval of Council Minutes:**

- February 20, 2024 – Agenda Meeting
- February 20, 2024 - Public Meeting
- February 20, 2024 – Executive Session

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

**ORDINANCES:**

The following ordinance #2296 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.

**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 &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; 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 <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				
			6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2297 was read by Clerk Antonides by title for a first reading. Mayor opened the floor for public hearing and with no comments from the public, closed the floor.

**ORDINANCE 2297**

**ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$100,000 FOR THE PREPARATION OF AN APPROVED TAX MAP IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1. The preparation of an approved tax map for use by the local assessor in and by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough"), is hereby authorized, and a special emergency appropriation in the amount of \$100,000 is hereby authorized pursuant to the Local Budget Law (N.J.S.A. 40A:4-53).

Section 2. A copy of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 3. This ordinance shall take effect in accordance with applicable law.

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

The following ordinance #2298 was read by Clerk Antonides by title for a first reading. Mayor opened the floor for public hearing and with no comments from the public, closed the floor.

**ORDINANCE 2298**

**AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 71, OFFICERS AND EMPLOYEES OF THE CODE OF THE BOROUGH TO CREATE A NEW SECTION ENTITLED "ANTI-NEPOTISM POLICY"**

**WHEREAS**, the Mayor and Council of the Borough of South Plainfield deem it in the best interests of the public health, safety and welfare to provide fair and equal opportunities of employment and to safeguard against potential undue influence or favoritism; and

**WHEREAS**, the Mayor and Council wish to amend the Code of the Borough of South Plainfield to accomplish such purposes by establishment of an Anti-Nepotism Policy;

**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 Code shall be amended to add to Chapter 71 titled Officers and Employees, Article III to be titled Anti-Nepotism Policy as follows:

**Section 71-16 - Purpose.**

The purpose of this policy is to ensure equal opportunity and effective employment practices to include recruiting, testing, hiring compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security while maintaining positive morale by avoiding actual or perceived favoritism, discrimination or other actual or potential conflicts of interest between officers and employees of the Borough.

**Section 17-17 - Definitions.**

A. **Business Relationship** - Service as an employee, tenant, landlord, independent contractor, compensated consulting, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or any other transaction where the employee's annual interest, compensation, investment or obligation is greater than \$250.00.

B. **Conflict of Interest** - Any actual, perceived or potential conflict of interest in which it reasonably appears that an employee's action, inaction or decisions are or may be influenced by the employee's personal and/or business relationship with another employee.

C. **Nepotism** - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official to influence these personnel decisions.

C. **Personal Relationships** - Marriage, cohabitation, co-parenting, dating or any other intimate relationship beyond mere friendship or coworkers.

D. **Public Official** - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

E. **Relative** - A spouse, domestic partner, cohabitant, parent, child, adopted child, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, first cousin, in-law (applies to parents and siblings of a spouse), half-relative (applies to parents and siblings), or a person with whom a significant committed relationship exists (living together for more than 12 months).

F. **Subordinate** - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

G. **Supervisor** - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

**Section 17-18 - Restrictions and Assignments**

A. The Borough of South Plainfield will not prohibit all personal or business relationships between employees. However, to minimize the potential for nepotism or other inappropriate conflicts of interest, the following restrictions shall apply:

1. Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they have a personal or business relationship.
  - a. If extraordinary circumstances require that a supervisor/ subordinate relationship exists temporarily (i.e., an employee is held over past their normal shift hours to complete a report), the involved supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to a supervisor where no conflict exists.
  - b. When personnel and circumstances permit, the Borough of South Plainfield will make reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Borough reserves the right to transfer or reassign any employee to another position within the same classification in

- order to avoid conflicts with any provision of this policy.
- c. Supervisory personnel will make reasonable efforts to avoid scheduling employees to the same shift as a relative, or someone with whom they have a business or personal relationship.
  2. Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they have a personal or business relationship.
  3. Training Officers and other trainers will not be assigned to directly train relatives or persons with whom they are involved in a personal or business relationship. Training Officers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully documented as complete and the employee is off probationary status.
  4. To avoid actual or perceived conflicts of interest, employees of the Borough of South Plainfield shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of, or as a direct result of, any official contact.
  5. Except as required in the performance of official duties or in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should have known is under criminal investigation, is a convicted felon, parolee, fugitive or registered sex offender, or who engages in intentional violations of state or federal laws.

#### **Section 17-19 - Employee Responsibilities**

- A. Prior to entering into any personal or business relationship or other circumstance that the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his or her immediate supervisor in writing.
  1. If the employee's immediate supervisor is the person with whom the relationship is with, it shall be the responsibility of that immediate supervisor to notify their supervisor in writing.
    - a. Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall immediately notify his or her immediate supervisor.

#### **Section 17-20 - Supervisor's Responsibilities**

- A. Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever reasonably possible.

#### **Section 17-21 - Restriction of Hiring, Promoting and Supervision of Employees**

The following restrictions shall apply to the hiring and promotion of employees to employment positions of the Borough of South Plainfield. Unless otherwise prohibited by law, but notwithstanding the terms of any collective bargaining agreement to the contrary, the following shall apply:

- A. No person who is a relative of an elected official or an executive shall be appointed, hired or employed to work for the Borough of South Plainfield in any unclassified position.
- B. No person shall be employed by or transferred to a position of employment within the Borough where such person will be supervisor of or be supervised by their relative who is an existing employee within the same department.
- C. No elected official or executive in any department may participate in the promotion process or hiring process in that department of any existing employee who is a relative of such elected official or executive, unless otherwise required by law or New Jersey Department of Personnel Rules. Such elected official or executive shall abstain from participation in such personnel action as it applies to such relative.

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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTIONS:**

**RESOLUTION 24-117**

**AUTHORIZING THE REFUND OF A TAX OVERPAYMENT IN THE AMOUNT OF \$1273.27 PERTAINING TO 1124 STAATS COURT 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 528 Lot 43 QUAL. C1124**  
**SHEETAL SINGH**  
**1124 STAATS COURT**  
**SOUTH PLAINFIELD, NJ**  
**\$1,273.27**

**MAKE CHECK PAYABLE TO:**

**SHEETAL SINGH**  
**1124 STAATS COURT**  
**SOUTH PLAINFIELD, N.J. 07080**

**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
Councilwoman Faustini	X		X				
Councilwoman Mott		X	X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-118**

**AUTHORIZING SENIOR CENTER REFUNDS TO VARIOUS SENIORS DUE TO CANCELLED TRIPS**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the following refund(s) for a cancelled trip to Brownstone-Rock Around the Clock that was scheduled for February 14, 2024:

- Joe Belardo – 5277 O’Donahue Avenue - \$260
- Maria Campagna – 246 Adeline Street - \$130
- Pat Casterline – 2519 Linden Avenue - \$130
- Shelly Costello – 436 Joan Street - \$130
- Pat DiGiacomo – 1576 Pershing Place - \$130
- Joann Giordano – 216 Clifford Street - \$130
- Angela Greco – 135 Jerome Avenue - \$130

Myrtle Harris – 606 Ritter Road - \$130  
 Cheryl Nagle Smiley – 216 E Golf Street - \$130  
 Ann Piro – 127 W Fairview Avenue - \$130  
 Joann Robinson – 1015 Worth Drive - \$130  
 Robin Siminoff – 458 Joan Street - \$130  
 Patty Taber – 1603 Kenyon Avenue - \$130  
 Sandy Zaluska – 1305 Yurgle Drive - \$130

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of South Plainfield that the Finance Office hereby has approval to release the aforementioned refund(s).

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

**RESOLUTION 24-119**  
**AUTHORIZING THE BOROUGH OF SOUTH PLAINFIELD POLICE DEPARTMENT TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE MIDDLESEX POLICE DEPARTMENT FOR THE USE OF THE SOUTH PLAINFIELD FIREARMS RANGE**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the Borough of South Plainfield Police Chief to execute a memorandum of understanding with the Middlesex Police Department (MPD) for the use of the South Plainfield Firearms Range for a five-year term to commence upon execution by both parties and the receipt of the initial \$2,000 payment being made by MPD to the South Plainfield Police Department; 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

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

**RESOLUTION 24-120**

**AUTHORIZING A GRANT AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF SOUTH PLAINFIELD FOR GRANT FUNDS IN THE AMOUNT OF \$673,750.00 FROM THE MIDDLESEX COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR THE PITT STREET PARK AND KENNETH AVENUE PARK REVITALIZATION PROJECT AND AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE SAID AGREEMENT**

**BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that they hereby authorize a grant agreement between the County of Middlesex and the Borough of South Plainfield for acceptance of grant funds in the amount of \$673,750.00 from the Middlesex County Open Space, Recreation, Farmland and Historic Preservation Trust Fund for the Pitt Street Park and Kenneth Avenue Park Revitalization Project; and

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to execute said agreement and that copies of this Resolution shall be forwarded to the following:

1. Glenn F. Cullen, JR., CFO/Administrator
2. Amy Antonides, Municipal Clerk
3. Elizabeth Yarus, Recreation Director
4. Len Miller, Borough Engineer / DPW Superintendent
5. Honorable Ronald G. Rios, Middlesex County Board of Commissioners
6. Rick Lear, Middlesex County Director of Parks & Recreation

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

**RESOLUTION 24-121**

**AUTHORIZING THE HIRING OF KATHLEEN CHRISTIE AS PART-TIME TELECOMMUNICATION OFFICER AT THE HOURLY TRAINING RATE OF \$ \$31.50 EFFECTIVE MARCH 5, 2024**

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

It hereby authorizes the hiring Kathleen Christie as part-Time Telecommunication Officer for the South Plainfield Police Department at the hourly training rate of \$31.50 with an effective date of March 5, 2024, and

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

1. Amy Antonides, Municipal Clerk
2. Carmela Miller, Payroll
3. Anne Daley, Benefits
4. Joseph Nappe, Communications Supervisor
5. Peter Papa, Police Chief
6. John Abbruzzese, IT

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

**RESOLUTION 24-122**

**AUTHORIZING CHANGE ORDER NO. 1 TO STILO EXCAVATION, INC. FOR THE 2023 SOUTH PLAINFIELD ROAD PROGRAM TO INCREASE THE SCOPE OF THE PROJECT TO INCLUDE IMPROVEMENTS TO DUNHAM AVENUE, BOBING COURT, AND MEADOW TERRACE RESULTING IN AN INCREASE TO THE CONTRACT AMOUNT BY \$189,700.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the additional project scope of the 2023 South Plainfield Road Program to now include improvements to Dunham Avenue, Bobing Court, and Meadow Terrace. The original contract amount of \$973,862.52 will be increased by \$189,700.00 for a new contract amount of \$1,163,562.52.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of South Plainfield that a copy of this resolution be distributed to the following:

1. Glenn Cullen, CFO/BA
2. Amy Antonides, Municipal Clerk
3. Len Miller, Borough Engineer/Superintendent DPW
4. Stilo Excavation, Inc.
5. John Freeman, PE

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

**RESOLUTION 24-123**  
**AUTHORIZING 2024 APPROPRIATION TRANSFERS IN THE AMOUNT OF**  
**\$40,000.00 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.

<b>CURRENT FUND</b>				
<b>FROM:</b>				<b>AMOUNT</b>
3-01-31-420-001-555	Electric		O&E	<b>15,000.00</b>
3-01-31-435-002-555	Street Lights		O&E	<b>20,000.00</b>
3-01-31-440-001-541	Phone		O&E	<b>5,000.00</b>
<b>Total FROM:</b>				<b>40,000.00</b>
<b>TO:</b>				<b>AMOUNT</b>
3-01-20-155-000-221	Legal		O&E	<b>1,500.00</b>
3-01-20-120-000-235	Clerk		O&E	<b>4,500.00</b>
3-01-25-240-001-102	Police		S&W	<b>2,000.00</b>
3-01-26-290-001-515	Public Works Admin		O&E	<b>1,000.00</b>
3-01-26-290-003-321	Snow		O&E	<b>4,000.00</b>
3-01-26-315-000-401	Vehicle Maintenance		O&E	<b>2,000.00</b>
3-01-28-370-002-204	Office on Aging		O&E	<b>2,000.00</b>
3-01-30-415-001-101	Accumulated Leave		O&E	<b>21,000.00</b>
3-01-38-481-000-225	Tax Appeals		O&E	<b>2,000.00</b>
<b>Total TO:</b>				<b>40,000.00</b>

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

**RESOLUTION 24-124**  
**AUTHORIZING A 2024 TEMPORARY BUDGET AMENDMENT FOR \$550,000.00**  
**IN THE CURRENT FUND AND \$1,500,000.00 IN THE SEWER 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.

<b>CURRENT FUND</b>			<b>AMOUNT</b>
4-01-20-120-000-101	Clerk	S&W	<b>20,000</b>
4-01-20-130-000-102	Finance	S&W	<b>5,000</b>
4-01-20-140-000-101	Computer	S&W	<b>5,000</b>
4-01-20-140-000-311	Computer	O&E	<b>10,000</b>
4-01-20-145-000-101	Tax Collection	S&W	<b>5,000</b>
4-01-22-195-001-101	Code Enforcement	S&W	<b>20,000</b>
4-01-23-220-000-621	Health Insurance	O&E	<b>200,000</b>
4-01-25-240-001-401	Police	O&E	<b>20,000</b>
4-01-25-240-003-241	Crossing Guard	O&E	<b>50,000</b>
4-01-25-250-000-102	911	S&W	<b>10,000</b>
4-01-26-310-000-101	Public Buildings & Grounds	S&W	<b>50,000</b>
4-01-26-310-000-445	Public Buildings & Grounds	O&E	<b>10,000</b>
4-01-28-370-002-403	Office on Aging	O&E	<b>4,000</b>
4-01-28-370-002-485	Office on Aging	O&E	<b>4,000</b>
4-01-29-390-000-235	Library	O&E	<b>100,000</b>
4-01-31-445-001-581	Water	O&E	<b>10,000</b>
4-01-31-465-001-565	Gasoline	O&E	<b>5,000</b>
4-01-32-465-001-545	Landfill	O&E	<b>5,000</b>
4-01-36-472-000-675	SSI	Statutory	<b>15,000</b>
4-01-36-473-000-684	DCRP	Statutory	<b>2,000</b>
<b>Total CURRENT FUND</b>			<b>550,000</b>
<b>SEWER UTILITY</b>			<b>AMOUNT</b>
4-07-55-515-001-585	Sewer	O&E	<b>1,500,000</b>
<b>Total SEWER UTILITY</b>			<b>1,500,000</b>

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

**RESOLUTION 24-125**  
**AUTHORIZING THE SERVICES OF ENVIRONMENTAL RESOLUTIONS INC.**  
**FOR GROUNDWATER AND WATER SAMPLING AT THE SANITARY LANDFILL**  
**IN AN AMOUNT NOT TO EXCEED \$35,000.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Environmental Resolutions Inc. for groundwater and water sampling at the sanitary landfill in an amount not to exceed \$35,000.00.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Len Miller, DPW Superintendent

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

**RESOLUTION: 24-126**

**AUTHORIZING THE REFUND OF A SEWER OVERPAYMENT IN THE AMOUNT OF \$195.00 PERTAINING TO 108 GROVE STREET IN SOUTH PLAINFIELD**

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

**OWNER/ADDRESS**

**Block 200 Lot 5**  
**Evelyn Simanski**  
**108 Grove St.**  
**South Plainfield, NJ 07080**  
**\$195.00**

**MAKE CHECK PAYABLE TO:**

**Evelyn Simanski**  
**108 Grove St.**  
**South Plainfield, NJ 07080**

**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
Councilwoman Faustini	X		X				
Councilwoman Mott		X	X				
Councilman Smith			X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 24-127**  
**AUTHORIZING THE SERVICES OF ENVIRONMENTAL RESOLUTIONS INC.**  
**FOR ENVIRONMENTAL WORK ASSOCIATED WITH THE MUNICIPAL COMPLEX**  
**IN AN AMOUNT NOT TO EXCEED \$28,700.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Environmental Resolutions Inc. for environmental work associated with the municipal complex in an amount not to exceed \$28,700.00.

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

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Len Miller, DPW Superintendent

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

**RESOLUTION 24-128**

**AUTHORIZING THE REASSIGNMENT OF JENNIFER ABALO AS RECYCLING CENTER LABORER FROM FULL-TIME STATUS TO PART-TIME STATUS  
EFFECTIVE MARCH 16, 2024**

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

It hereby authorizes the reassignment of Jennifer Abalo as Recycling Center Laborer from full-time status with health benefits to part-time status with no health or PERS benefits with an effective date of March 16, 2024, and

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

1. Amy Antonides, Municipal Clerk
2. Carmela Miller, Payroll
3. Anne Daley, Benefits
4. Len Miller, DPW Superintendent

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

**CORRESPONDENCE:**

- Pitt Street Park and Kenneth Avenue Park – Grant Award
- Acknowledging the resignation of SLEO Joseph Falcone effective 2/23/2024

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>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**PAYMENT OF BILLS**

Current Fund	4-01	387,674.40
Current Fund	3-01	18,704.79
Pool Utility	4-26	0.00
Pool Utility	3-26	0.00
Sewer Utility	4-07	1,282.12
Sewer Utility	3-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	290,878.39
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	0.00
Land for Rec & Conserv.	T-10	0.00
Legends Camp Trust	T-11	0.00
Dog Trust	T-12	5,537.93
Treasurers Trust	T-13	2,160.02
Recreation Trust	T-14	2,826.81
Senior Citizen Trust	T-16	0.00
<b>Total All Funds:</b>		<b>\$709,064.46</b>
<b>Plus wires totaling:</b>		<b>\$527,664.70</b>
<b>GRAND TOTAL:</b>		<b>\$1,236,729.16</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				
Council President Bengivenga		X	X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**COUNCIL REPORTS:**

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – advised that last week the Senior Center was closed for utility repairs due to a vehicle hitting the transformer. As a result, there was a huge surge which blew out a number of things. The fire alarms system was also blown. As of now, everything is back in working order. The Legends Camp is already full, and we have 145 pool registrations so far. The new turf field looks great, but it is not yet fully complete. We anticipate a late March opening, weather permitting. Mr. Cullen thanked the county for the grant funding for the Pitt Street and Kenneth Avenue park revitalization.

Engineer Miller – reported that this evening’s change order reflects three additional roads that we will be able to improve in conjunction with our 2023 road improvements. We are preparing to go out to bid in the coming days for New Market Avenue and soon we will go out to bid with our first 2024 road improvement project.

Clerk Antonides –reported progress.

Chief Papa –reported that today’s Senior Fraud Conference at the Senior Center was well attended by over 120 senior citizens. It was a great event and well received. On another note, Chief Papa reported that he and some officers participated in Read Across America today at the school.

Councilwoman Mott – reported progress.

Councilman Smith – reported progress.

Councilman Wolak – reported progress.

Councilwoman Faustini – announced that new to the recreation department will be tennis that will begin this spring for grades 5 thru 12 as well as adult programs held at Spring Lake Park. Early bird pricing for the pool is available until May 1<sup>st</sup>. Camp registration is doing very well and will open to non-residents on March 11<sup>th</sup>. Residents are advised to register as soon as possible if interested. The Bunny Hop will take place at Veteran’s Park on March 23<sup>rd</sup> with a rain date of March 24<sup>th</sup>. Renovations will soon take place in the PAL weight room.

Councilman White – announced that “School of Rock” will be coming to Oak Park Commons and “Scoop To My Loo” homemade ice cream has submitted plans for Hamilton Commons.

Council President Bengivenga – thanked the County for their generous grant funding for the revitalization of Pitt Street and Kenneth Avenue Parks.

Mayor Anesh – reported progress.

**ADJOURNMENT**

Without further comment and no more action necessary for this evening Mayor Anesh called for a motion to adjourn. Councilman White made a motion to adjourn at 7:38 p.m., seconded by Councilman Smith and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC/CMR  
Municipal Clerk