

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
AUGUST 12, 2024 7:00 P.M.
AGENDA MEETING**

***This meeting was also transmitted virtually via the Webex platform**

CALL TO ORDER: Council President Bengivenga called the meeting to order at 7:00 p.m. Council President Bengivenga 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. Council President Bengivenga 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	Virtual		
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		

Council President Bengivenga reviewed some basic rules for conducting this virtual hybrid meeting this evening. All lines will be muted until such a 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 *6 button will mute and unmute the voice feature for any phone callers.

Review of Agenda Items: Clerk Antonides reviewed all the items on the agenda adding resolutions #24-281 and 24-282 plus ordinance #2323. Councilwoman Faustini made a motion to add the two resolutions to the agenda, seconded by Councilman White and unanimously carried with an all in favor. Councilwoman Faustini made a motion to add Ordinance 2323 to the agenda, seconded by Council President Bengivenga and unanimously carried with an all in favor. Ordinance 2323 will be considered for introduction upon return from the closed session meeting.

Mr. Cullen explained that Ordinance 2323 this evening is a result of a late request from the Board of Education. It will just lift the parking restriction only. Councilman Smith questioned the reasoning of this ordinance i.e. permit parking vs. no permits and said he prefers to table this Ordinance. Mr. Rizzo Esq. explained that at this point in the meeting there is nothing to table because the Ordinance has not yet been introduced. The motion on the floor is strictly to add the ordinance to the agenda itself. After a brief discussion, the governing body decided to consider the introduction of Ordinance 2323 upon return from the closed session meeting this evening.

Without any further comments, Council President Bengivenga proceeded.

**RESOLUTION 24-263
AUTHORIZING A CLOSED SESSION MEETING**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 and P.L. 2001, C. 404, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council of the Borough of South Plainfield wishes to go into a closed Executive Session and is of the opinion that such circumstances presently exist which should not be discussed in public, and

WHEREAS the Open Public Meetings Act pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12 permits the Borough Council to discuss certain matter(s) in private, and in this case for the purpose of the Borough Council to discuss the below matters all of which requires attorney-client privilege:

- Contractual – SP BOE
- Contractual – Colonial Oaks

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it will go into an Executive Session for the purpose of Borough Council to discuss the aforementioned matters all of which requires attorney-client privilege in this regard;

BE IT FURTHER RESOLVED that the results of such discussion may be revealed at such time as the matter(s) are resolved. Interested parties may contact the Borough Clerk anytime during normal business hours for periodic updates as to the availability in this regard.

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

PUBLIC COMMENT ON AGENDA ITEMS ONLY: Council President Bengivenga opened the floor for public comment reiterating the aforementioned directions for making remote public comments.

Darlene Cullen inquired what Ordinance #2321 pertains to. Mr. Rizzo Esq. explained that it pertains to the prohibition of short-term rentals.

With no further comments made from the public, Council President Bengivenga closed the floor.

ADJOURN AGENDA MEETING: With no further comments, Council President Bengivenga asked for a motion to adjourn the Agenda Meeting. Councilman Smith made a motion to adjourn from the Agenda Meeting at 7:15 p.m., seconded by Councilwoman Faustini and unanimously carried by an all-in favor.

Respectfully Submitted By:

Amy Antonides, RMC/CMC/CMR