

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
SEPTEMBER 3, 2024, 7:02 P.M.
PUBLIC MEETING**

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

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:15 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. Mayor Anesh stated that pursuant to Article IV, Section 2 of the By-Laws, "the presiding officer shall limit such discussion to not more than a three-minute duration."

The roll call was administered by Clerk Antonides as follows:

COUNCIL	Present	Absent	Late
Councilwoman Faustini	X		
Councilwoman Mott	X		
Councilman Smith	X		
Councilman White	X		
Councilman Wolak	X		
Council President Bengivenga	X		
Mayor Anesh	X		
ALSO PRESENT			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller		X	
Chief Papa	X		

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

Mayor Anesh 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 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 thanked Captain Born for his help from the CERT team for her recent family event. Ms. Boyle went on to thank everyone who participated in the 5K race/walk on Monday and announced the save the date of October 14th for the Taste of South Plainfield to be held at St. Stevens Church.

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

Authorizing the Approval of Council Minutes:

August 12, 2024 – Agenda Meeting
August 12, 2024 - Public Meeting
August 12, 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		X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
Mayor Anesh – TIE ONLY							

Proclamations – Junior Baseball 10U Travel Team
World Suicide Prevention Day

Mayor Anesh read both proclamations in full. The Junior Baseball team and their coaches accepted the proclamation, and everyone extended a round of applause and photographs were taken by family, friends and media present. Each governing body member extended their heartfelt congratulations. Kristy Lowry accepted the World Suicide Prevention Day proclamation and read a prepared statement that focused on awareness. Everyone extended a round of applause and photographs were taken by family and media present.

ORDINANCES:

The following ordinance #2321 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public hearing and with no comments from the public, closed the floor.

ORDINANCE 2321

AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD AMENDING THE BOROUGH CODE TO PROHIBIT SHORT-TERM RENTALS

Ordinance #2321 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 August 12, 2024. In summary, this ordinance prohibits short term rentals within the Borough of South Plainfield. The public hearing where further consideration will be made will be held on September 3, 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.

Mayor Anesh asked if the Council had any comments. Councilman White thanked Mr. Rizzo Esq. for putting this ordinance together for us. The reason behind this ordinance was due to a particular Air B&B that was causing major quality of life issues for a neighborhood.

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				
			6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2322 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public hearing and with no comments from the public, closed the floor.

ORDINANCE 2322

AN ORDINANCE AMENDING ORDINANCES 2225 AND 2157 THAT PROVIDES FOR THE COMPENSATION OF PART-TIME EMPLOYEES FOR THE BOROUGH OF SOUTH PLAINFIELD FOR THE YEARS 2024 THROUGH 2028					
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 10/1/2024 unless otherwise noted.					
PART-TIME EMPLOYEES:					
Position	2024	2025	2026	2027	2028
Clerk Typist	\$15.55	16.01	16.49	16.99	17.54
Finance Clerk	\$15.55	16.01	16.49	16.99	17.54
Groundskeeper Level I	\$15.55	16.01	16.49	16.99	17.54
Groundskeeper Level II	\$15.67	16.14	16.62	17.12	17.68
DPW Summer Help	\$15.55	16.01	16.49	16.99	17.54
DPW Part Time Level I	\$15.55	16.01	16.49	16.99	17.54
DPW Part Time Level II	\$19.01	19.58	20.17	20.77	21.45
PT Building-Electrical Inspector - Sub Code	\$45.21	46.57	47.96	49.40	51.01
PT Plumbing Inspector- Sub Code/Building Inspector	\$42.12-\$63.19	\$43.38-\$65.09	\$44.68-\$67.04	\$46.02-\$69.05	\$47.52-\$71.29
Police Aide	\$25.69	26.46	27.25	28.07	28.98
Public Safety Telecommunicator Training Phase	\$23.63	24.34	25.07	25.82	26.66
Public Safety Telecommunicator Upon Completion of Training	\$32.37	33.34	34.34	35.37	36.52
PT Interim Recreation Director	\$40.59	41.80	43.06	44.35	45.79
Recreation Attendent I	\$15.55	16.01	16.49	16.99	17.54
Recreation Attendent II**	\$16.70	17.20	17.71	18.25	18.84
Recreation Attendent III ***	\$18.50	19.05	19.62	20.21	20.87
Recreation Attendent IV ****	\$19.78	20.37	20.98	21.61	22.32
Clean Neighborhood Program Aid	\$19.01	19.58	20.17	20.77	21.45
Recreation Leader	\$22.00-\$32.00	\$22.66-\$32.96	\$23.34-\$33.95	\$24.04-\$34.97	\$24.82-\$36.10
ALL 2024 RATES SHALL BE EFFECTIVE 10/1/24					
***after 5 years of service as attendant II					
***Each year the State of NJ publishes new minimum wage standards any rate listed in this ordinance that may fall below the State of New Jersey minimum wage shall automatically default to that rate.					
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				
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 #2323 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public hearing and with no comments from the public, closed the floor.

ORDINANCE 2323

AN ORDINANCE AMENDING CHAPTER 187 OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD TITLED “VEHICLES AND TRAFFIC”

Council President Bengivenga requested that this ordinance be withdrawn due to the fact that it is not a fire zone and just acts a just drop-off area.

***ORDINANCE 2323 – DEFEATED AND NOT ADOPTED**

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			
			0	6			
Mayor Anesh – TIE ONLY							

The following ordinance #2324 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for September 16, 2024 at 7 p.m.

ORDINANCE 2324
AN ORDINANCE AMENDING CHAPTER 409 TITLED STREETS AND SIDEWALKS

BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 409, titled Streets and Sidewalks, be amended to add Article VII to be titled “Maintenance of Sidewalks” as follows:

Section 409-58. Maintenance and Repair.

A. It shall be the duty of any owner or occupant of real property within the Borough to keep the sidewalk and curb abutting such property maintained and properly repaired so as to minimize any endangerment to the public health, safety and welfare of any individual using the sidewalks.

B. Whenever the Property Maintenance Official of the Borough determines that sidewalk or curb work is necessary, they shall cause notice in writing to be served upon the owner or occupants of the property, requiring the necessary specified work to the sidewalk or curb to be done by the owner or occupant within a period of 30 days from the date of service of the notice. Whenever any property is unoccupied and the owner cannot be located within the Borough, or in case such owner is a nonresident of the Borough, or the post office address cannot be ascertained, the notice shall be provided as specified in N.J.S.A. 40:65-14.

Section 409-59. Procedure When Owner or Occupant Fails to Act.

A. In the event the owner or occupant of property shall not comply with the requirements of notice issued by the Property Maintenance Official, the Public Works Department of the Borough may cause the required work to be done, and paid out of Borough funds available for such purpose.

B. The cost of such work shall be certified by the Public Works Department to the Tax Collector of the Borough.

C. Upon the filing of a Certificate of Cost, the amount of the cost of such work shall be and become a lien upon the abutting land in front of which such work was done to the same extent that assessments for local improvements are liens in the Borough, and shall be collected in the manner provided by law for the collection of such assessments, and shall bear interest at the same rate.

D. The Borough may institute any action necessary to recover the cost of repair work performed by the Public Works Department against the owner or occupant of the property in any court having competent jurisdiction thereof.

409-60. Penalty.

Any person who shall violate any provision of this Article or who shall fail to comply with any notice issued pursuant to this Article shall, upon conviction thereof, be punished by a fine of not less than \$250.00 nor greater than

\$2,000.00. A prosecution under this section may be maintained regardless of whether the Borough elects to proceed as authorized under Subsection 409-59.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

COUNCIL	MOTION	2 ND	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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS

RESOLUTION 24-285
AUTHORIZING THE SOLE SOURCE PROVIDER PURCHASE OF SUPPORT
AND MAINTENANCE CAD/RMS SYSTEM SERVICES FOR 2024 FROM LAWSOFT INC.
IN AN AMOUNT NOT TO EXCEED \$24,225.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the sole source provider purchase of support and maintenance of CAD/RMS system services for 2024 from LawSoft Inc. in an amount not to exceed \$24,225.00; 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: 24-286
AUTHORIZING THE REFUND OF A TAX OVERPAYMENT IN THE AMOUNT OF \$2,525.18
PERTAINING TO 108 VAKARICH PLACE 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 240 Lot 5

JAMES LUNDY
108 VAKARICH PL

MAKE CHECK PAYABLE TO:
JAMES LUNDY
108 VAKARICH PLACE
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 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 24-287
AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF A NEW FUELING STATION
FROM R.J. WALSH ASSOCIATES, INC.
IN AN AMOUNT NOT TO EXCEED \$936,320.05

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of a new Fueling Station from R.J. Walsh Associates, Inc. in an amount not to exceed \$936,320.05 pursuant to state contract number #A42268; 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. Len Miller, DPW Superintendent/Engineer

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			
Mavor Anesh – TIE ONLY							

RESOLUTION 24-288
BOROUGH OF SOUTH PLAINFIELD
COUNTY OF MIDDLESEX

AUTHORIZING INSERTION OF ITEM OF REVENUE FOR BUDGET YEAR 2024 FOR THE
GOVERNOR’S COUNCIL ON ALCHOHOLISM AND DRUG ABUSE
GRANT IN THE AMOUNT OF \$13,578.00

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of South Plainfield in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2024 in the total sum of \$13,578.00 which is now available and is broken down as follows:

GCADA Grant Fund	\$13,578.00
Total Grants	\$13,578.00

BE IT FURTHER RESOLVED, that the like sum of \$13,578.00 is hereby appropriated under the aforementioned Grants;

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services, and one copy shall be forwarded to the Chief Financial Officer.

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 24-289
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) related to the Senior Center pertaining to trip cancellations for Whale Watching on September 11, 2024:

Joanne Stogoski
South Plainfield, NJ
Refund: \$110.00

Laurie Kurilew
South Plainfield, NJ
Refund: \$110.00

Jan Wells
South Plainfield, NJ
Refund: \$110.00

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 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 24-290
AUTHORIZING THE DISPOSAL OF IT EQUIPMENT THAT IS DEEMED TO HAVE OUTLIVED ITS
USEFUL LIFE, IS PERMANENTLY DAMAGED,
OR HOLDS NO MONETARY VALUE

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes John Abbruzzese, IT Officer, to dispose of the following items deemed to have outlived its useful life and/or is permanently damaged, and/or that holds no monetary value:

1435 – Zetron 4217b Audio Panel
2649 – Optiplex X22
2852 - Optiplex X22
2389 -
2833 –
2645 –
1485 –

1286 –
 2553 –
 2383 –
 2391 –
 1285 –
 1275 –
 1314 –
 2646 –
 2102 – Monitor P190S
 2650 – Optiplex XE2
 2291 – Optiplex 3010

BE IT RESOLVED that the aforementioned item(s) are also to be removed from the Borough of South Plainfield's asset inventory; 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. John Abbruzzese, IT 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: 24-291

**AUTHORIZING THE CREDIT OF TAX APPEAL JUDGMENTS IN THE AMOUNT OF \$10,054.08
PERTAINING TO MULTIPLE PROPERTIES IN SOUTH PLAINFIELD**

WHEREAS, the following list of taxpayers have filed appeals with the Middlesex Tax Court 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 credited.

<u>OWNER/ADDRESS</u>		<u>BLOCK</u>	<u>LOT</u>	<u>YEARAMOUNT</u>
Thandavamurthy, M & Krishnamurthy, B 1415 Central Avenue South Plainfield, NJ 07080	35	1	2024	\$1,284.69
SAPJ Realty, LLC 2603 Park Avenue South Plainfield, NJ 07080	84	10	2024	\$4,189.20
Hancock VP, LLC 310 Hancock Street South Plainfield, NJ 07080	330	9.02	2024	\$2,492.57
Randy Enterprises, LLC 104 Snyder Road South Plainfield, NJ 07080	409	10	2024	\$1,389.42
Leonardis, Giovanni & Marta 114 New York Ave South Plainfield, NJ 07080	426	4.01	2024	\$698.20

Total

\$10,054.08*

*** No refund check to be issued. Credit will be applied to outstanding taxes.**

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 credit(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: 24-292

AUTHORIZING REFUNDS PERTAINING TO VARIOUS RECREATION PROGRAMS

WHEREAS, the Recreation Director confirms that the below refunds are necessary based upon the request for a refund from Community Pass ID holders that pertain to various recreation programs for the 2024 summer season as follows:

Community Pool – Summer Bash Refund Requests

Family ID: 1583963

5 tickets Summer Bash (\$20.00)

Family ID: 2553661

3 tickets Summer Bash (\$12.00)

Family ID: 1740949

1 tickets Summer Bash (\$4.00)

Family ID: 961209

5 tickets Summer Bash (\$20.00)

Additionally, we have a medical excuse for Swim lessons:

Family ID: 2651082

4 lessons of Swim Sessions prorated (\$75.00)

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 24-293

**AUTHORIZING EXECUTION OF A MULTI-PARTY TRAFFIC SIGNAL
AGREEMENT WITH COLONIAL OAKS, LLC AND THE
COUNTY OF MIDDLESEX**

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

WHEREAS, the parties recognize the desirability of installation of the traffic signal at such intersection and the Borough previously agreed to forms of agreement with Colonial Oaks, LLC and the County of Middlesex for such installation, authorizing execution of one form of agreement by Resolution 23-380 on December 18, 2023, and a second form of agreement by Resolution 24-183 on May 6, 2024; and

WHEREAS, the previous forms of agreement included the Township of Piscataway which objected to inclusion based upon its position that it did not have jurisdiction of such intersection; and

WHEREAS, after adoption and execution of such forms of agreement, the County of Middlesex has agreed with the position of the Township of Piscataway and does not require that the township be a party to such agreement; and

WHEREAS, Colonial Oaks has proposed a new Multi-Party Traffic Signal Agreement between it, the County and the municipalities in accord with the requirements of the County; and

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

WHEREAS, the County has confirmed that it takes no position on whether the Borough may delegate sidewalk maintenance responsibility set forth in the agreement to the developer or owner, which the Borough is doing by agreement with the developer and introduction of an ordinance codifying the policy of the Borough to make owners of abutting property responsible for maintenance of sidewalks and curbs;

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				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 24-294
AUTHORIZING AN AMENDMENT TO THE DEVELOPER’S AGREEMENT
BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND
COLONIAL OAKS, LLC

WHEREAS, Colonial Oaks, LLC is a developer of certain property located within the Borough; and

WHEREAS, Colonial Oaks, LLC applied to the Borough Planning Board for preliminary and final major site plan approval for an inclusionary multi-family residential development and received approval from said Planning Board; and

WHEREAS, the Borough and Colonial Oaks, LLC entered into a Developer’s Agreement for the development of the subject property in accord with the approval of the Planning Board in June 2023; and

WHEREAS, the Borough and Colonial Oaks, LLC desire to amend the agreement by inserting additional language concerning the maintenance of sidewalks to abut the property with all other covenants and agreements contained in the agreement to remain in full force and effect;

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 hereby authorize the Mayor to execute the amendment to the Developer's Agreement between the Borough of South Plainfield and Colonial Oaks, LLC 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				
			6	0			
Mavor Anesh – TIE ONLY							

RESOLUTION 24-295

AUTHORIZING THE PURCHASE OF PORTABLE RADIOS, BATTERIES AND CHARGERS FROM WEJ CONSULTING LLC FOR THE FIRE PREVENTION BUREAU IN AN AMOUNT NOT TO EXCEED \$30,000.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of portable radios, batteries and chargers from WEJ Consulting, LLC located at 675 Columbus Circle, Perth Amboy, NJ 08861 for the Fire Prevention Bureau in an amount not to exceed \$30,000.00 of which funds will be expended out of the Fire Prevention Trust Fund; 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. Joe Abbruzzese, Fire Official

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			
Mavor Anesh – TIE ONLY							

RESOLUTION 24-296

AUTHORIZING AWARD OF A CONTRACT TO PABCO INDUSTRIES, LLC FOR BIODEGRADABLE AND RECYCLABLE LEAF BAGS FOR THE BOROUGH OF SOUTH PLAINFIELD IN AN AMOUNT NOT TO EXCEED THE PER UNIT PRICE OF \$0.479/NOT TO EXCEED \$33,625.80 DUE TO PURCHASE IN FULL PALLET INCREMENTS

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:11 any expenditure of public funds in excess of \$17,500 requires the advertisement for proposals for delivery of said goods or services; and

WHEREAS, a need has been determined to provide biodegradable and recyclable leaf bags for the Borough of South Plainfield citizens; and

WHEREAS, the Request for Proposals (hereinafter RFP) were solicited and opened on Wednesday, August 28, 2024 at 10:00 a.m. and the following proposals were submitted:

- Pabco Industries, LLC \$0.479/unit in an amount not to exceed *\$33,625.80
*in full pallet increments
- Cari Trading Company \$0.56/unit in an amount not to exceed \$39,312.00

- Blink Marketing Inc. \$0.94/unit in an amount not to exceed \$65,988.00

WHEREAS, the RFP has been reviewed by the Borough Engineer, and the Borough Attorney, and it is their recommendation that the RFP from Pabco Industries, LLC. for biodegradable and recyclable leaf bags in the amount not to exceed \$33,625.80 (\$0.479 per bag) be accepted and a unit price contract be awarded; and

WHEREAS, funds for said purpose have been certified by the Chief Financial Officer and are available in the 2024 current budget account;

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that authorization is hereby given to award a unit price contract to Pabco Industries, LLC for biodegradable and recyclable leaf bags at a cost not to exceed \$33,625.80 (\$0.479 per bag).

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk, if applicable, are hereby authorized to execute the necessary agreement with Pabco Industries, LLC., the lowest responsible provider for the services described.

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 24-297

ADOPTING A NEW OPRA REQUEST FORM PURSUANT TO P.L. 2024, C.16 FOR THE BOROUGH OF SOUTH PLAINFIELD EFFECTIVE SEPTEMBER 3, 2024

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the adoption of the attached new OPRA Request Form for the Borough of South Plainfield, County of Middlesex, State of New Jersey pursuant to P.L. 2024, c.16, and N.J.S.A. 47:1A-5(f) (g) effective September 3, 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. NJ Government Records Council

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 24-298

REJECTING ALL PROPOSALS FOR SERVICE OF THE BOROUGH'S PUBLIC LITTER CANS AND AUTHORIZING THE RESUBMITTAL OF SAID PROPOSALS

WHEREAS, the Borough of South Plainfield sought proposals (RFP's) for service of the Borough's public litter cans of which the submittal was due on August 23, 2024; and

WHEREAS, the Borough of South Plainfield received two proposals as follows:

Pinto Brothers	1 st Year:	\$8,253.00
	2 nd Year:	\$8,253.00
	Total:	\$16,506.00

Grand Sanitation Services	1 st Year:	\$15,120.00
	2 nd Year:	\$15,270.00
	Total:	\$30,690.00

WHEREAS, upon review by the Borough's DPW Superintendent/Engineer, and the Borough Attorney, it was determined that there were defects in the documentation submitted by Pinto Brothers, the lowest apparent proposal, and further it was determined that the second proposal submitted by Grand Sanitation Services exceeds the Borough's estimated cost for said services.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby rejects all proposals received for service of the Borough's public litter cans and further directs the Recycling & Clean Community Coordinator to resubmit a request for proposals for said service.

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/Engineer
4. Kristina Nieradka, Recycling & Clean Community Coordinator

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 - Council President Bengivenga Accepted all Correspondence:

- Retirement of Joe Abbruzzese-Fire Official- effective January 1, 2025
- Fire Marshal Notice – Fire Lane Jackson Avenue

PAYMENT OF BILLS

Current Fund	4-01	896,164.01
Current Fund	3-01	0.00
Pool Utility	4-26	6,300.85
Pool Utility	3-26	0.00
Sewer Utility	4-07	13,720.00
Sewer Utility	3-07	0.00
Sewer Utility Capital	C-08	299,522.81
General Capital	C-04	1,430,356.28
Pool Capital	C-27	375.14
Election Account	E-18	0.00
Grant Fund	G-02	2,593.16
Land for Rec & Consv.	T-10	0.00
Legends Camp Trust	T-11	5,545.72
Dog Trust	T-12	5,780.47
Treasurers Trust	T-13	15,565.65
Recreation Trust	T-14	2,973.25
Senior Citizen Trust	T-16	0.00
Total All Funds:		\$2,678,897.34
Plus wires totaling:		\$4,869,587.33
GRAND TOTAL:		\$7,548,484.67

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – the ribbon cutting ceremony for Putnam Park will take place on September 28th at Putnam Park at 12:30 p.m. with the National Night Out to take place at 1 p.m. The parking lot was expanded at this park which will prove to be very helpful. The new fueling station mentioned on the agenda this evening is being off set by a state grant. The 2024 road projects are near completion. We still have some punch-list items to finish up before final completion.

Engineer Miller – was absent this evening.

Clerk Antonides – thanked the person who filmed both the Labor Day Parade and the fireworks yesterday. The videos were well appreciated to be able to watch from home.

Chief Papa – thanked all the officers for providing parade security, they did a great job. On another note, a speed hump study is taking place on Edgar Avenue. Consideration for the installment of speed humps is taking place.

Councilwoman Mott – congratulated Joe Abbruzzese on his retirement and thanked Councilwoman Faustini and everyone who assisted with putting together the parade.

Councilman Smith – said that yesterday made him so proud to be a resident of this Borough. It was a great day, and the parade was simply amazing. Councilman Smith thanked everyone involved for helping put together such a great event and then went on to congratulate the Junior Baseball Team saying how amazing their achievement was.

Councilman Wolak – said he had a fantastic time at the parade. It was just a beautiful day and went on to especially thank the police for their security.

Councilwoman Faustini – said in relation to the parade, “it takes a village”, and went on to thank all who helped put it together. There are just too many to personally name. Councilwoman Faustini gave a special thank you to Kristy Lowrie for being so brave and for bringing attention to suicide prevention.

Councilman White – thanked Kristy Lowrie for her transparency. It is very important to be aware that if someone doesn’t seem ok, they’re not ok. It is imperative to check on them and show your support.

Council President Bengivenga – said hats off to everyone last evening for the great firework show.

Mayor Anesh – reiterated a nice comment from a fellow resident of the town who expressed his pride in our community. He said he proudly tells everyone he is from South Plainfield.

Mayor Anesh announced at 7:35 p.m. that we will be going into closed session and all are welcome to stay if they choose though no further action is anticipated.

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 8:07 p.m., seconded by Councilman White and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk