

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
SEPTEMBER 3, 2024 7:00 P.M.
AGENDA MEETING**

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

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:00 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	

Mayor Anesh 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 removing resolution 24-309 and adding resolution 24-310. Clerk Antonides also added \$1,682.13 to the bills list for a new grand total of \$2,848,446.35 (which includes wires). Council President Bengivenga made a motion to remove resolution 24-309 from the agenda, seconded by Councilman Smith and unanimously carried. Councilman Wolak made a motion to add resolution 24-310 to the agenda, seconded by Councilwoman Mott and unanimously carried. Councilman Smith made a motion to amend the bills list, seconded by Council President Bengivenga and unanimously carried. Mayor Anesh asked if the Council has any comments on the agenda. With no comments made, Mayor Anesh proceeded.

**RESOLUTION 24-299
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 – 1001 Durham Partners - TUMI Site

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	
Councilman Wolak			X				
Council President Bengivenga		X	X				
			5	0			
Mayor Anesh – TIE ONLY							

Public Hearing– Release of Performance Bonds -Release of a Performance Bond Posted by Aros Development LLC for Public Improvements to Block 328, Lot 11. Mayor Anesh asked Clerk Antonides if all is in order. Clerk Antonides said yes. Mayor Antonides asked if the attorney and applicant who were both in attendance virtually would like to say anything. No comments were made. Mayor Anesh opened the floor for public comment and with no comments from the public, closed the floor. Mayor Anesh announced that the resolution authorizing the release of the performance bonds is on the agenda this evening for consideration.

PUBLIC COMMENT ON AGENDA ITEMS ONLY: Mayor Anesh opened the floor for public comment reiterating the aforementioned directions for making remote public comments. With no comments made from the public, Mayor Anesh closed the floor.

ADJOURN AGENDA MEETING: With no further comments, Mayor Anesh asked for a motion to adjourn the Agenda Meeting. Councilman Smith made a motion to adjourn from the Agenda Meeting at 7:05 p.m., seconded by Council President Bengivenga and unanimously carried by an all-in favor.

Respectfully Submitted By:

Amy Antonides, RMC/CMC/CMR