

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
NOVEMBER 4, 2024, 7:04 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 7:01 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 Councilman Wolak 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.

Ms. Narda Basile expressed her upset regarding the recent overnight road work on Maple Avenue. It went on for a month and the residents on the street have not had any sleep. People have small children who have school in the morning. Ms. Basile has had items fall off shelves due to the vibration from the jack hammering. Both Mr. Cullen and Council President Bengivenga expressed their empathy. It is a county DOT project. Ms. Basile said it is her understanding the governing body can have input as to the time of day the project occurs. Council President Bengivenga said it was deemed best to do the project overnight to have a less traffic impact. Detouring would have been a logistical nightmare, especially with truck traffic. Again Council President Bengivenga apologize for the inconvenience this may have caused.

Debbie Boyle reminded everyone that the Taste of South Plainfield will be at St. Stevens Church on November 11<sup>th</sup> from 6pm to 9pm. There will be 16-17 food establishments present and the social affair permit for the event has been received.

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

**Authorizing the Approval of Council Minutes:**

October 21, 2024 – Agenda Meeting  
October 21, 2024 - Public Meeting  
October 21, 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				
Council President Bengivenga		X	X				
			6	0			
Mayor Anesh – TIE ONLY							

**ORDINANCES:**

The following ordinance #2330 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 2330**

**A SEWER UTILITY CAPITAL ORDINANCE AUTHORIZING THE “ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATION FOR CAPITAL IMPROVEMENTS TO HADLEY ROAD SEWER LINE PROJECT” AT A COST OF \$25,000.00, IN THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY** as follows:

Section 1. The aforementioned assets be funded by Sewer Capital, Capital Improvement Fund.

Sewer Capital Improvement Fund      **\$25,000.00**

**Totals**      **\$25,000.00**

Section 2. That the improvements described in Section 1 hereof shall be authorized as Capital Improvements for the Borough of South Plainfield in the County of Middlesex, New Jersey.

Section 3. It is hereby determined and declared by this Mayor and Borough Council as follows:

- A. That the maximum estimated amount of money to be raised from all sources for the purposes stated in Section 1, hereof, is \$25,000.00.
- B. That the cost for the improvements shall be paid by the Borough’s Sewer Utility Capital Improvement Fund \$25,000.00.
- C. The estimated useful life of said improvements is hereby determined to be five (5) years.

Section 4. That the total amount of the appropriation to be expended for Architectural and inspection costs, legal costs, advertisement of ordinance and other expenses as provided in Section 48:2-20 of the Revised Statutes, is not to exceed \$25,000.00.

Section 5. This ordinance shall take effect after final passage and publication in accordance with the 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 #2331 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 2331**  
**AN ORDINANCE OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX,**  
**STATE OF NEW JERSEY AUTHORIZING THE SALE OF PROPERTY**  
**KNOWN AS LOT 2 IN BLOCK 85 NO LONGER NEEDED FOR PUBLIC USE.**

**WHEREAS**, the Borough of South Plainfield is the owner of Lot 2 in Block 85 on the Borough Tax Map (referred to hereinafter as the “Property”), which is located along Carol Place in the Borough and is a 25 foot by 100 foot tract of vacant land; and

**WHEREAS**, the Property is located in an R-7.5 zone which requires a 7,500 square foot minimum lot size and a 75 a foot minimum lot width and, therefore, the property is less than the minimum size and width required for development and has no capital improvements; and

**WHEREAS**, the Property is not needed by the Borough for any purpose; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., allows the sale of municipally owned property at a private sale, instead of an auction, and in certain circumstances, N.J.S.A. 40A:12-13(b)(5) providing in part as follows:

A sale to the owners of the real property contiguous to the real property being sold; provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that where there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners. Any sale shall be for not less than the fair market value of said real property; and

**WHEREAS**, the Mayor and Council are of the opinion that the criteria set forth in N.J.S.A. 40A:12-13(b)(5) are present, namely: the Property is less than the minimum size required for development in its zone district and without any capital improvements; and

**WHEREAS**, the Borough has had an appraisal performed by Sterling DiSanto & Associates which has valued the Property at \$28,000.00; and

**WHEREAS**, there are four (4) owners of real property contiguous to the Property; and

**WHEREAS**, the Mayor and Council are of the opinion that the sale of the Property is beneficial to the welfare of the residents of the Borough as the Property is not useful to the Borough and requires expenditure of public resources for maintenance and does not generate any real estate tax revenue;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey as follows:

1. The Mayor and Council hereby authorize the sale of the Property identified on Exhibit A attached hereto, such sale to be by auction among the contiguous property owners for a minimum price of \$28,000.00.

2. The contiguous property owners shall be notified that the Borough is authorizing the sale of the Property at the minimum price of \$28,000.00, and such contiguous property owners shall be invited to make offers for the purchase of the Property.

3. The Property shall be sold to the highest bidding contiguous property owner for a price of no less than \$28,000.00.

4. Pursuant to N.J.S.A. 40A:12-13(b), the Borough Clerk shall advertise the sale of the Property in the official newspapers of the Borough within five (5) days following enactment of the Ordinance.

5. The Borough Clerk shall transmit, via certified mail, a copy of this Ordinance to each owner of the contiguous properties who shall then have a period of 20 calendar days following the advertisement herein required to advise the Borough of their intention to purchase the Property.

6. In the event more than one contiguous property owner notifies the Borough of their interest in purchasing the Property, the Borough Clerk and Borough Attorney are authorized to conduct an auction among the contiguous property owners at a time and date to be set by the Borough Clerk and Borough Attorney and upon such terms as may be established by the Borough Clerk and Borough Attorney.

7. The Borough Attorney is hereby authorized to prepare the necessary closing documents to convey the Property to the highest bidding contiguous property owner.

8. The Mayor and Borough Clerk are hereby authorized to sign all necessary closing documents for the sale of the Property.

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

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

## **RESOLUTIONS**

### **RESOLUTION 24-332**

#### **AUTHORIZING RENEWAL OF A SHARED SERVICE CONTRACT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND COUNTY OF MIDDLESEX FOR PUBLIC HEALTH SERVICES FOR 2025 IN THE AMOUNT OF \$138,477.98**

**WHEREAS**, the Borough of South Plainfield and the County of Middlesex (Lead Agency) previously entered into a Shared Services Agreement for Middlesex County Health Department to provide Municipal Health Services of a technical and professional nature; and

**WHEREAS**, both the Borough and the County wish to continue this Shared Service Agreement of which term is for one (1) year, January 1, 2025 through December 31, 2025; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that authorization is hereby given for the Mayor and Municipal Clerk to execute the Shared Services Agreement with Middlesex County to provide Municipal Health Services of a technical and professional nature for a one-year (1) year period, January 1, 2025 through December 31, 2025 in the amount of \$138,477.98.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION #24-333**  
**AUTHORIZING THE SERVICES OF GOVDEALS INC. FOR THE ELECTRONIC AUCTION  
OF MUNICIPAL OR UNCLAIMED SURPLUS PROPERTY NO LONGER  
NEEDED FOR PUBLIC USE BY THE BOROUGH OF SOUTH PLAINFIELD**

**WHEREAS,** the Borough of South Plainfield is the owner of certain surplus property which is no longer needed for public use, and

**WHEREAS,** the Borough is desirous of selling said surplus property in an “as-is” condition without express or implied warranties.

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield hereby authorizes the following:

1. The sale of the surplus property shall be conducted through GovDeals, Inc. pursuant to Sourcewell National Cooperative in accordance with the terms and conditions of said Cooperative. The terms and conditions of the agreement entered into with GovDeals, Inc. are available online at govdeals.com and also available from the Chief Financial Officer.
2. The sale will be conducted online, and the internet address of the auction site is govdeals.com. The online auction will begin November 15, 2024 through November 22, 2024 at staggering times between 4:30 p.m. to 7:30 p.m..
3. The sale is being conducted pursuant to Local Finance Notice 2019-5.
4. A list of the surplus property to be sold at auction is as follows: See Schedule A for a complete list of items as identified on the “Notice of Sale of Property-Public Notice”.
5. The surplus property as identified shall be sold in “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Borough reserves the right to accept or reject any bid submitted.

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

1. Glenn Cullen, Chief Financial Officer/BA
2. Division of Local Government Services, Department of Community Affairs
3. Amy Antonides, Municipal Clerk
4. Chief Papa, Police Department
5. Sgt. Grasso, Traffic Safety Department
6. Officer John Petriello Jr., Police Department

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-334**  
**AMENDING RESOLUTION NO. 24-329 AWARDING A SNOW**  
**REMOVAL CONTRACT TO FIMIANI CONSTRUCTION, INC.**

**WHEREAS**, the Borough solicited bids to provide snow removal services for the winter of 2024/2025; and

**WHEREAS**, the bid specifications included a requirement of evidence of registration for the bidder pursuant to N.J.S.A. 34:11-56.48, et seq. (Public Works Contractor’s Registration Act), which requirement could be waived by the Borough ; and

**WHEREAS**, Fimiani Construction, Inc. submitted a bid to provide snow removal services, but did not include Public Works Contractor’s Registration Act evidence; and

**WHEREAS**, on October 21, 2024, Resolution 24-329 was passed by the Mayor and Council of the Borough of South Plainfield authorizing the bid award for snow removal services to Fimiani Construction, Inc. contingent upon receipt of the executed Public Works Contractor’s Registration Act form; and

**WHEREAS**, Fimiani Construction, Inc. has provided the Borough with evidence of its attempt to obtain registration from the State of New Jersey, and communications from the State advising that the form is not necessary for the provision of snow removal services;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Resolution 24-329 authorizing the bid award for snow removal services to Fimiani Construction, Inc. be amended to remove the requirement that the award be contingent upon receipt of the executed Public Works Contractor’s Registration Act form.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-335**  
**AUTHORIZING THE CANCELLATION OF TAXES FOR 100% DISABLED VETERAN PERTAINING**  
**TO 222 WEST HENDRICKS BOULEVARD IN SOUTH PLAINFIELD**

**WHEREAS**, property known as Lot **5** in Township Block **109** more commonly known as **222 West Hendricks Boulevard** in **South Plainfield, NJ** is owned by **Allen & Evelyn Abundiz**, and

**WHEREAS**, **Allen Abundiz**, who had qualified as a one hundred percent **Disabled Veteran** under the provision of the N.J.S.A. 54:4-3.30, causing his property to be exempt from taxation at the local level commencing on **August 26, 2024** as verified by the Tax Assessor; and

**WHEREAS**, the Tax Bills for the four quarters of Calendar Year 2024 were generated from the 2023 Assessor's Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with tax bills for 2024, while the property is correctly classified as being Tax Exempt for the same period;

**NOW THEREFORE BE IT RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel and refund monies levied for the 3<sup>rd</sup> quarter of 2024 in the amount of **\$772.74**; and

**BE IT FURTHER RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 4<sup>th</sup> quarter of 2024 in the amount of **\$2,169.61**.

**BE IT FURTHER RESOLVED**, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2025 in the amount of **\$3,983.23**.

**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) of **\$772.74**, as mentioned above.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-336**  
**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:

**3285 – Dell PowerEdge R430**  
**1235 – Dell power Connect 2708 switch**  
**3290 – ALTUSCN Hideway KVM switch**  
**1393 – Rack for 911 Equipment.**  
**1514 – Savin 8025**  
**3089 – Optiplex 390**  
**1617 – Polaroid 100 card printer**  
**2339 – Precision T 3400**  
**No Tag Dell PowerEdge R220**  
**2723 – APC AS1627192259**  
**2724 – Server**

**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 <sup>ND</sup>	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				
			6	0			
Mayor Anesh – TIE ONLY							

### RESOLUTION 24-337

**AMENDING RESOLUTION 24-182 THAT AUTHORIZED THE ENGINEERING SERVICES OF NAJARIAN ASSOCIATES FOR ROAD IMPROVEMENTS TO NEW MARKET AVENUE THAT CHANGED THE AMOUNT TO \$112,350.00, TO NOW CHANGE THE NOT TO EXCEED AMOUNT TO \$127,000.00**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby amends resolution 24-182 that authorized the engineering services of Najarian Associates for road improvements in the Borough of South Plainfield to New Market Avenue in an amount not to exceed \$112,350.00, to now change the amount not to exceed \$127,000.00 and close-out the New Market Avenue Road Improvement Project with roads associated with said project.

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be forwarded as follows:

1. Municipal Clerk
2. Chief Financial Officer
3. Najarian Associates
4. Len Miller, DPW Superintendent

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			6	0			
Mavor Anesh – TIE ONLY							

### RESOLUTION 24-338

**AUTHORIZING THE ENGINEERING SERVICES OF NAJARIAN ASSOCIATES FOR THE HADLEY ROAD SEWER LINING PROJECT IN AN AMOUNT NOT TO EXCEED \$20,000.00**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield hereby authorizes the engineering services of Najarian Associates for the Hadley Road Sewer Lining Project in an amount not to exceed \$20,000.00.

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be forwarded as follows:



1. Municipal Clerk
2. Chief Financial Officer
3. Najarian Associates
4. Len Miller, DPW Superintendent

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-339**  
**AUTHORIZING 2024 APPROPRIATION TRANSFERS IN THE AMOUNT OF**  
**\$120,000.00 FROM THE CURRENT FUND AND \$3,000.00 FROM THE POOL UTILITY**  
**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>
4-01-30-425-001-101	Salary & Wage Adj.		O&E	1,000.00
4-01-25-265-002-621	Fire Official		O&E	13,000.00
4-01-26-290-002-435	Road Repair & Maintenance		O&E	7,000.00
4-01-31-440-001-541	Phone		O&E	5,000.00
4-01-43-490-000-621	Court		O&E	13,000.00
4-01-30-415-001-101	Accumulated Leave		O&E	15,000.00
4-01-36-471-000-681	PERS		Statutory	66,000.00
<b>Total FROM:</b>				<b>120,000.00</b>
<b>TO:</b>				<b>AMOUNT</b>
4-01-20-140-000-204	Computers		O&E	24,000.00
4-01-20-165-001-235	Engineering		O&E	24,000.00
4-01-25-252-000-321	OEM		O&E	5,000.00
4-01-26-315-000-401	Vehicle Maintenance		O&E	20,000.00
4-01-31-440-001-541	Water		O&E	18,000.00
4-01-20-110-000-505	Executive		O&E	2,000.00
4-01-20-145-000-403	Tax Collection		O&E	2,000.00
4-01-20-150-000-225	Tax Assessing		O&E	5,000.00
4-01-28-370-001-104	Recreation		S&W	12,000.00
4-01-28-370-002-321	Office on Aging		O&E	3,000.00
4-01-30-410-001-535	Municipal Support		O&E	5,000.00
<b>Total TO:</b>				<b>120,000.00</b>
<b>POOL UTILITY</b>				
<b>FROM:</b>				<b>AMOUNT</b>
4-26-55-560-000-675	PERS		Statutory	3,000.00
<b>Total FROM:</b>				<b>3,000.00</b>
<b>TO:</b>				<b>AMOUNT</b>
4-26-55-520-000-101	Salary & Wages		S&W	1,500.00
4-26-55-520-000-254	Other Expenses		O&E	1,500.00
<b>Total TO:</b>				<b>3,000.00</b>

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-340**  
**AUTHORIZING THE ESCNJ COOPERATIVE PURCHASE AND INSTALLATION**  
**OF A CATERPILLAR POWER SYSTEM GENERATOR FOR BOROUGH HALL**  
**FROM FOLEY POWER SYSTEMS**  
**IN AN AMOUNT NOT TO EXCEED \$119,132.00**

**WHEREAS**, Borough of South Plainfield is currently a member of the Educational Services Commission of New Jersey which is a state approved cooperative; and

**WHEREAS**, Foley Power Systems located at 2975 Galloway Road, Bensalem, PA 19020 is an approved vendor under Educational Services Commission of New Jersey Co-Op bid #ESCNJ 22/23-46; and

**WHEREAS** Foley Power Systems under ESCNJ bid #22/23-46 (Quotation #AXA240930-1) has provided a proposal to furnish and install a Caterpillar Power System Generator for Borough Hall at a cost of \$119,132.00;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the ESCNJ cooperative purchase and installation of a Caterpillar Power System Generator for Borough Hall from Foley Power Systems located at 2975 Galloway Road, Bensalem, PA 19020 in a total amount not to exceed \$119,132.00 pursuant to the ESCNJ cooperative contract number #ESCNJ 22/23-46; 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. Peter Papa, Police Chief
4. Kelly Cupit, Purchasing Agent

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-341**  
**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ESCROW FUNDING AGREEMENT**  
**WITH 1001 DURHAM PARTNERS, LLC**

**WHEREAS**, 1001 Durham Partners, LLC (hereinafter “Durham Partners”) has requested that the Borough of South Plainfield commence a preliminary investigation to determine that certain property satisfies the statutory criteria under New Jersey statutes for redevelopment law to be designated as a non-condemnation redevelopment area; and

**WHEREAS**, Durham Partners has agreed to bear the costs for the efforts by the Borough, including, but not limited to, professionals to assist the Borough in its tasks required in undertaking the investigation;

**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 is hereby authorized to execute an Agreement to provide for the establishment of an escrow account and payment by Durham Partners for expenses incurred by the Borough in undertaking a preliminary investigation as requested, a copy of which Agreement is attached hereto.

This Resolution 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	X				
Councilman Smith			X				
Councilman White	X		X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-342**  
**AUTHORIZING THE BOROUGH OF SOUTH PLAINFIELD TO EXECUTE A**  
**MEMORANDUM OF UNDERSTANDING WITH THE MIDDLESEX COUNTY PROSCUTOR'S**  
**OFFICE FOR PARTICIPATION WITH THE MIDDLESEX COUNTY**  
**“VETERAN’S IN CRISIS INTERVENTION RESPONSE TEAM”**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the Borough of South Plainfield to execute a memorandum of understanding with the Middlesex County Prosecutor’s Office for participation with the Middlesex County “Veterans’ in Crisis Intervention Response Team” (VCIRT); 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
4. Middlesex County Prosecutor’s Office

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-343**  
**AUTHORIZING THE REFUND OF A SEWER OVERPAYMENT IN THE AMOUNT OF \$195.00**  
**PERTAINING TO**  
**105 SUSAN TERRACE 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 225 Lot 3**

**9 Lyford Ct.**  
**Toms River, N.J. 08757**  
**\$195.00**

**MAKE CHECK PAYABLE TO:**  
**9 Lyford Ct.**  
**Toms River, N.J. 08757**

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

**CORRESPONDENCE - Mayor Anesh Accepted all Correspondence:**

- There were no matters of correspondence this evening.

**PAYMENT OF BILLS**

Current Fund	4-01	405,731.10
Current Fund	3-01	0.00
Pool Utility	4-26	876.45
Pool Utility	3-26	0.00
Sewer Utility	4-07	39,288.54
Sewer Utility	3-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	15,282.92
Pool Capital	C-27	3,892.18
Election Account	E-18	0.00
Grant Fund	G-02	0.00
Land for Rec & Consv.	T-10	0.00
Legends Camp Trust	T-11	0.00
Dog Trust	T-12	5,537.93
Treasurers Trust	T-13	1,500.00
Recreation Trust	T-14	199.07
Senior Citizen Trust	T-16	0.00
<b>Total All Funds:</b>		<b>\$472,308.19</b>
<b>Plus wires totaling:</b>		<b>\$4,869,587.33</b>
<b>GRAND TOTAL:</b>		<b>\$5,869,587.33</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	X				
Council President Bengivenga			X				
		<b>VOTE:</b>	<b>6</b>	<b>0</b>			
Mayor Anesh – TIE ONLY							

**COUNCIL REPORTS:**

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – reported that he expects to have a bond ordinance on for the next meeting as the Borough has received approval for a secondary interlocal infrastructure \$1 million grant from the NJDOT. We are looking to do from Front Street to Park Avenue leading up to Oak Tree Avenue. This is still considered a 2023 grant. 2024 grant is for South Plainfield Avenue.

Engineer Miller – was absent this evening.

Clerk Antonides – reminded everyone that tomorrow, November 5<sup>th</sup> is the General Election and all normal polling locations will be open from 6 a.m. to 8 p.m. and went on to report progress.

Chief Papa – thanked the governing body for their support of resolution 24-342 “Veteran’s in Crisis Intervention Response Team”.

Councilwoman Mott – reported progress.

Councilman Smith – congratulated Councilwoman Faustini and the Celebrations Committee for a great Trunk or Treat event. To conclude Councilman Smith gave a shout out to the Mayor, Council and first responders of this town who help to keep us safe.

Councilman Wolak – reported progress.

Councilwoman Faustini – thanked everyone who participated in last week’s Trunk or Treat event, and all the donations were greatly appreciated. Councilwoman Faustini concluded by advising the annual Tree Lighting will be held on December 1<sup>st</sup>.

Councilman White – said that he is hopefully optimistic that the new Popeyes will be open by our next Council meeting as they have recently submitted application for their final c/o with the building department. A new chiropractor location called Spinal Orchard at 906 Oaktree Road will be holding their grand opening soon.

Council President Bengivenga – wished everyone a happy Veteran’s Day and thanked all veterans for their service.

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 7:26 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