

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
NOVEMBER 16, 2020 7:01 P.M.
PUBLIC MEETING**

***Due to the COVID-19 outbreak, this meeting was transmitted virtually via the Webex platform**

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:04 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 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.

The roll call was administered by Clerk Antonides as follows:

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

Flag Salute: was led by Mayor Anesh and Councilman White led the invocation.

Mayor Anesh again reviewed some basic rules for conducting the 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 opened the floor for public comment on agenda items only. Mayor Anesh awaited virtual hand raises; he then unmuted all microphones. With no comments from the public, Mayor Anesh closed the floor.

Authorizing the Approval of Council Minutes:

October 19, 2020 – Agenda Meeting
October 19, 2020 - Public Meeting

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

Proclamations – World Pancreatic Cancer Day
PKS Awareness Day

Mayor Anesh read the aforementioned proclamations in full. Ms. Patricia Feeney was present via phone line to accept the PKS Awareness Day proclamation. Ms. Feeney thanked the Mayor and Council for their support and making the community of aware of PKS and said she hopes everyone will wear red on that day.

The below ordinance 2182 was and read by title by Clerk Antonides on second reading. Mayor Anesh opened the floor for public comment and with no comments from the public, closed the floor.

ORDINANCE 2182

A CAPITAL ORDINANCE AUTHORIZING THE “JOINT PURCHASE OF A FIRE RESCUE TRAILER AND HEAVY RESCUE EQUIPMENT” AS A SHARED SERVICE AGREEMENT WITH NORTH PLAINFIELD, PLAINFIELD AND SOUTH PLAINFIELD FIRE DEPARTMENT TO BE FUNDED BY THE 2019 ASSISTANCE TO FIREFIGHTERS GRANT (THROUGH FEMA) 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 2019 Assistance to Firefighters Grant through FEMA with a 10% match from the Borough of South Plainfield:

Fire Rescue Trailer & Equipment	\$152,477.53
Totals	<u>\$152,477.53</u>

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 \$152,477.53.
- B. That the cost for the Fire Rescue Trailer and Equipment shall be \$138,615.94 from a FEMA AFG Grant and \$13,861.59 from the Capital Improvement Fund.
- C. The estimated useful life of said improvements is hereby determined to be Ten (10) 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 \$5,500.00.

Section 5. This ordinance shall take effect after final passage and publication in accordance with the law.

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

The below ordinance 2183 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for December 7, 2020 at approximately 7 p.m.

ORDINANCE 2183
AN ORDINANCE AMENDING CHAPTER 187, TITLED VEHICLES AND TRAFFIC.

WHEREAS, the Zoning Board of Adjustment of the Borough has granted a variance to All Seasons Sports Academy, LLC for fence height; granted preliminary and final site plan approval for an expansion of use; amended conditions of a prior approval; and for expansion of a non-conforming use, all to add outdoor sports fields;

WHEREAS, one of the conditions for approval is that All Seasons Sports Academy, LLC shall prohibit left turns from its site from 7:00 a.m. to 9:00 a.m., and 4:00 p.m. and 7:00 p.m.;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 187, titled Vehicles and Traffic, shall be amended as follows:

ARTICLE VI: Prohibited Turns, Section 187-28(A) shall be amended to add Section 187-28(A)(18) as follows:

No left turns from exiting the site of 2700 Hamilton Boulevard onto Hamilton Boulevard from 7:00 a.m. to 9:00 a.m., and 4:00 p.m. to 7:00 p.m. on all days of the week.

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

The below ordinance 2184 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for December 7, 2020 at approximately 7 p.m.

ORDINANCE 2184

A CAPITAL ORDINANCE AUTHORIZING THE “PURCHASE OF EQUIPMENT AND FACILITY UPGRADES” DURING THE COVID-19 PANDEMIC FOR MUNICIPAL OFFICES 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 through the CARES ACT:

Filling Stations	\$ 4,568.76
Bathroom Upgrades	\$ 50,430.84
Messaging Boards	\$ 17,300.00
Temperature Screening System	\$ 10,000.00
Computer Equipment	\$ 69,909.00
Totals	\$ 152,208.60

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 \$152,208.60.
- B. That the cost for the Equipment and Upgrades shall be \$152,208.60 from the CARES ACT.
- 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 \$2,500.00.

Section 5. This ordinance shall take effect after final passage and publication in accordance with the law.

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

RESOLUTIONS

**RESOLUTION 20-285
AUTHORIZING THE RELEASE OF PERFORMANCE BONDS POSTED BY
BALDEV BUTTER FOR PUBLIC IMPROVEMENTS
TO BLOCK 498, LOT 4,
AND ACCEPTANCE OF THE MAINTENANCE BONDS
IN THE AMOUNT OF \$1,350.00**

WHEREAS, the Borough of South Plainfield is in possession of a Performance Bond from Baldev Butter for public improvements located at Block 498, Lot 4; and

WHEREAS, has submitted the Maintenance Bond in the amount of \$1,350.00; and

WHEREAS, the Borough Engineer has given approval of the form and content of the aforementioned Maintenance Bond.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of South Plainfield, that the Borough Clerk is hereby authorized to accept the aforementioned Maintenance Bond and release the Performance Bond held for the Public Improvements located at the aforementioned Block(s) and Lot(s).

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

**RESOLUTION: 20-286
AUTHORIZING A CONSTRUCTION PERMIT REFUND IN THE AMOUNT OF \$80.00 TO BRINK’S TANK &
ENVIRONMENTAL SERVICES DUE TO A CANCELLATION
OF WORK TO BE PERFORMED**

WHEREAS, the Construction Official confirms that permit number 200978 was for the removal of a 550g underground storage tank but the job has since been cancelled, and as such, the applicant has requested a refund of the \$80.00 permit fee;

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 refund check(s) in the amount(s) of \$80.00 to the following:

Brink's Tank & Environmental Services
1256 Liberty Avenue
Hillside, NJ 07205

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

RESOLUTION 20-287
STANDARD PROCEDURES AND REQUIREMENTS
FOR EMERGENCY REMOTE MEETINGS.

WHEREAS, the State of New Jersey, Department of Community Affairs, has established regulations set forth in N.J.A.C. 5:39-1.1 through 1.7 for the conduct of remote meetings during public health emergencies; and

WHEREAS, such regulations require adoption of a resolution establishing procedures and requirements for public participation in meetings held during public health emergencies;

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 Borough Council hereby adopts the following protocols, procedures and requirements for emergency remote meetings:

1. A “declared emergency” shall mean a public health emergency as defined in the Health Powers Act, N.J.S.A. 26:13-1, et seq., or a state of emergency declared to P.L. 1942, c. 251, or both, or a state of local disaster emergency which has been declared by the Governor and is in effect;
2. The Borough Council may hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents the local public body from safely conducting public business at a physical location with members of the public present;
3. If, during a declared emergency, the Borough Council holds a physical meeting at a location where, pursuant to State/Federal guidelines meant to mitigate risk, capacity restrictions are required to reduce the number of individuals that can be present at a meeting, the Borough Council shall either:
 - a. Hold the meeting at another location with adequate capacity for the reasonable expected attendance by the public; or
 - b. Hold the public meeting as both an in-person and remote public meeting;
4. A public meeting held solely in person without a remote access alternative provided shall not prohibit members of the public from attending in person;
5. Adequate notice of the remote public meeting shall also include, in addition to the Open Public Meetings Act requirements of N.J.S.A. 10:4-8, clear and concise instructions for accessing the remote public meeting, the means for making public comment and how to access any public documents on the Borough’s website in the manner set forth at N.J.A.C. 5:39-1.5;
6. At the commencement of a remote public meeting, the Mayor, or person chairing the meeting in his or her absence, shall announce publically and shall cause to be entered into the minutes an accurate statement regarding adequate and electronic notice or an explanation of the reason or reasons such notice was not adequately provided as set forth in N.J.A.C. 5:39-1.5;

7. The electronic communications used for a remote public meeting shall have a function that allows the Mayor, or person chairing the meeting in his or her absence, to mute the audio of all members of the public, as well as allow members of the public to mute themselves, and the same shall be announced at the beginning of every remote public meeting;

8. The Borough Council shall allow members of the public to make public comment by audio or by audio and video. In advance of the remote public meeting, public comments may be submitted by electronic mail or in written letter form to the Borough Clerk by noon on the Wednesday preceding the meeting;

9. Public comments submitted through electronic mail or written letter before the remote public meeting will be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public listening;

10. Disruptive conduct at an in-person public meeting or remote public meeting includes sustained inappropriate behaviors, including, but not limited to, shouting, interruption and use of profanity. Any member of the public who continues to act in a disruptive manner at remote public meeting after receiving an initial warning may be muted while other members of the public are allowed to proceed with their questions or comments;

11. Remote public meetings shall be subject to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-1, et seq., and all other applicable ordinances, statutes and regulations.

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

RESOLUTION 20-288

RESOLUTION AUTHORIZING SETTLEMENT OF 2019 and 2020 TAX APPEALS FILED BY MEDI-PHYSICS FOR THE PROPERTY KNOWN AS 900 DURHAM AVENUE AND IDENTIFIED AS BLOCK 528 LOT 46.10, ON THE BOROUGH OF SOUTH PLAINFIELD TAX ASSESSMENT MAPS

WHEREAS, Medi-Physics (hereinafter referred to as “Taxpayer”) is the owner of the property known as 900 Durham Avenue and identified as Block 528, Lot 46.10 on the Borough of South Plainfield’s Tax Assessment Maps (“Property”); and

WHEREAS, the assessed value of the Property was set at \$2,625,500 for tax year 2019 and \$1,525,500 for tax year 2020; and **WHEREAS**, Taxpayer filed appeals of its 2019 and 2020 tax assessments in the Tax Court of the State of New Jersey under docket numbers 007200-2019 and 003287-2020; and

WHEREAS, a proposed settlement of the aforesaid tax appeals was negotiated between Taxpayer and the Borough Tax Assessor and Borough Tax Attorney as set forth in the Stipulations of Settlement annexed hereto; and

WHEREAS, the Borough Appraiser, Russ Sterling, MAI, recommended the settlement be approved and therefore, this proposed settlement is reasonable and reflects the correct market value for the Property which was over assessed for the years under appeal; and

WHEREAS, pursuant to the proposed Stipulations of Settlement annexed hereto, the aforesaid tax appeals are to be resolved as follows:

- The 2019 original assessment in the amount of \$2,625,500 shall be reduced to \$1,575,000 and the Borough of South Plainfield shall provide Taxpayer with a corresponding tax refund for 2019;
- The 2020 original assessment in the amount of \$1,525,500 shall be affirmed and remain unchanged;
- Taxpayer has agreed to waive statutory interest provided the subject refund is paid within sixty (60) days from the date of the entry of Judgment;
- Any refunds regarding overpayment shall be made payable to “Medi-Physics and Garippa, Lotz & Giannuario, P.C., as attorney” and forward to Gregory S. Schaffer, Esq., c/o Garippa, Lotz & Giannuario, P.C., 66 Park Street, Montclair, New Jersey 07042 within 60 days from the date of the entry of Judgment; and
- Taxpayer agrees to waive the provisions of N.J.S.A. 54:51A-8 (Freeze Act).

WHEREAS, the Borough of South Plainfield Tax Assessor agrees that it is in the best interests of the Borough of South Plainfield to resolve the aforesaid tax appeals pursuant to the terms and conditions set forth above and in the Stipulations of Settlement annexed hereto based on market conditions as well as the uncertainty and costs associated with continued litigation; and

WHEREAS, the aforesaid settlement is based on the specific and identifiable facts and circumstances pertaining to the Property and has no general application to other properties within the Borough of South Plainfield; and

WHEREAS, the Mayor and Borough Council of South Plainfield having reviewed and considered the pending tax appeals and the proposed settlement thereof agree and confirm it is in the best interests of the Borough of South Plainfield to resolve the tax appeals as set forth herein and in the Stipulations of Settlement attached hereto; and

WHEREAS, the Mayor and Borough Council make this settlement with the Taxpayer without prejudice to its dealing with any other South Plainfield taxpayer’s request for tax assessment reduction; and

WHEREAS, the Mayor and Borough Council leave the allocation between land and improvements of the aforesaid tax assessment reductions to the Borough Tax Assessor’s discretion with the direction that same be set so as to be most beneficial to the Borough.

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

1. The Borough Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$1,575,000 total tax assessment for the 2019 tax year for Block 528, Lot 46.10 which is most beneficial to the Borough and advise the Borough Attorney of that allocation.
2. The Borough Attorney is authorized to execute on behalf of the Borough of South Plainfield the attached Stipulations of Settlement pertaining to the tax appeals filed by Medi-Physics under Docket Nos.: 007200-2019 and 003287-2020 for the property known as 900 Durham Avenue and identified as Block 528, Lot 46.10 on the Borough of South Plainfield Tax Assessment Maps which reduces the 2019 total tax assessment on the Property from \$2,625,500 to \$1,575,000; which affirms the 2020 total tax assessment on the Property in the amount of \$1,525,500; which further provides that Taxpayer agrees to waive statutory interest on any refund or overpayment due provided the refund check is paid within sixty (60) days from the entry of Judgment; which further provides that any refunds shall be made payable to “Medi-Physics and Garippa, Lotz & Giannuario, P.C., as attorney” and forward to Gregory S. Schaffer, Esq., c/o Garippa, Lotz & Giannuario, P.C., 66 Park Street, Montclair, New Jersey 07042, NJ within 60 days from the date of the entry of Judgment; and which provides that taxpayer has agreed to waive the provisions of N.J.S.A. 54:51A-8 (Freeze Act).
3. This settlement shall be without prejudice to the Borough’s dealings with any other taxpayer’s request or appeal for a tax assessment reduction.

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

RESOLUTION 20-289

AUTHORIZING RENEWAL OF A SHARED SERVICE CONTRACT BETWEEN THE BOROUGH OF SOUTH PLAINFIELD AND COUNTY OF MIDDLESEX FOR PUBLIC HEALTH SERVICES FOR 2021 IN THE AMOUNT OF \$127,932.25

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, 2021 through December 31, 2021; 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, 2021 through December 31, 2021 in the amount of \$127,932.25.

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

**RESOLUTION # 20-290
AUTHORIZING THE REPLACEMENT OF COMMUNICATION LINES
FOR THE FIRE DEPARTMENT FROM ESS INC.
IN AN AMOUNT NOT TO EXCEED \$10,680.00**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of communication lines for the Fire Department from ESS Inc. of West Caldwell, NJ in an amount not to exceed \$10,680.00; 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. Joe Abbruzzese, Fire Official

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

**RESOLUTION # 20-291
AUTHORIZING THE APPROVAL TO SUBMIT A GRANT APPLICATION AND
EXECUTE A GRANT CONTRACT WITH THE NJ DOT FOR METUCHEN ROAD PROJECT**

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

RESOLUTION: 20-292

**AUTHORIZING THE PUBLIC AUCTION BY THE POLICE DEPARTMENT
FOR ABANDONED UNCLAIMED VEHICLE(S)**

WHEREAS, the South Plainfield Police Department in accordance with R.S. 39:10A-1, are in possession of abandoned vehicles due to the failure of the owners claiming such and are now desirous of conducting a public auction on December 4, 2020 at 11:00 a.m. at 2480 Plainfield Avenue, South Plainfield, New Jersey for the following abandoned vehicles:

YEAR	MAKE	MODEL	VIN#	STATUS	MIN. BID
1997	Dodge	Ram	1B6MF3653VJ574991	Fair	\$200.00
1997	Ford	Trk	1FDLF47G7VEB57424	Fai	\$500.00
2000	Dodge	Int	2B3HD56J5YH326907	Fair	\$200.00
2006	Toyota	Cor	1NXBR32E86Z728607	Fair	\$500.00
1996	Damon	Pop Up	4R8CL2214TN113395	Fair	\$100.00

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that the South Plainfield Police Department are hereby authorized to publicly advertise and auction the aforementioned vehicles deemed to be abandoned by their owner(s).

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

RESOLUTION: 20-293

AUTHORIZING AN AMENDMENT TO THE DEVELOPER’S AGREEMENT WITH GUY MORETTI AND EVELYN SHERWOOD

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

RESOLUTION 20-294

AUTHORIZING THE PART-TIME HIRING OF NICK POLIZZANO AS LABORER I FOR THE DPW AT THE HOURLY RATE OF \$14.00

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield, County of Middlesex, in the State of New Jersey, that it hereby authorizes the Borough to hire on a part-time basis Nick Polizzano as Laborer I for the DPW at the hourly rate of \$14.00, pursuant to the salary ordinance for such.

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. Carmela Miller, Payroll
4. Anne Daley, Benefits
5. Len Miller, DPW Superintendent

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

*****Note...the below Resolution 20-295 was amended at the request of Councilman Smith to correct a small and minor typo in the dollar amount indicated in the first sentence in the body of the resolution (from \$5,900 to \$4,204.09) to match the dollar amount already shown in both the title of the resolution, the invoice that was attached to the resolution, as well as the amount shown on the agenda. Mayor Anesh called for a motion for said amendment. Councilman Bengivenga made the motion, seconded by Councilman White followed by an all-in favor voice vote.**

**RESOLUTION # 20-295
AUTHORIZING THE SERVICES OF JESCO INC. TO REPAIR THE THUMB
OF THE BACKHOE FOR DPW
IN AN AMOUNT NOT TO EXCEED \$4,204.09**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Jesco Inc. to repair the thumb of the backhoe for DPW in an amount not to exceed **\$4,204.09**; and

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Len Miller, Borough Engineer/Superintendent DPW

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

**RESOLUTION 20-296
AUTHORIZING 2020 APPROPRIATION TRANSFERS IN THE AMOUNT OF
\$105,000.00 FOR THE CURRENT FUND AND \$35,000.00 IN 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.

CURRENT FUND				
FROM:				AMOUNT
0-01-22-195-001-102	Code Enforcement	S&W		13,000.00
0-01-25-240-001-102	Police	S&W		55,000.00
0-01-25-240-003-241	Crossing Guards	O&E		14,000.00
0-01-26-315-000-101	Vehicle Maintenance	S&W		7,000.00
0-01-28-370-001-101	Recreation	S&W		5,000.00
0-01-28-370-002-102	Office on Aging	S&W		5,000.00
0-01-30-415-001-101	Accumulated Leave	O&E		5,000.00
0-01-30-425-001-101	Salary & Wage Adjustment	O&E		1,000.00
Total FROM:				105,000.00
TO:				AMOUNT
0-01-20-110-000-101	Executive	S&W		3,000.00
0-01-20-120-000-101	Clerk	S&W		5,000.00
0-01-20-130-000-101	Finance Administration	S&W		10,000.00
0-01-20-140-000-225	Computer	O & E		25,000.00
0-01-20-165-000-204	Engineering	O & E		7,000.00
0-01-21-180-001-235	Planning Board	O & E		1,500.00
0-01-21-185-000-403	Zoning Board	O & E		2,500.00
0-01-22-195-001-661	Code Enforcement	O & E		5,000.00
0-01-25-240-001-235	Police	O & E		5,000.00
0-01-26-310-000-102	Public Buidings & Grounds	S&W		10,000.00
0-01-30-410-001-204	Municipal Support	O & E		2,000.00
0-01-31-440-001-541	Telephone	O & E		15,000.00
0-01-31-445-001-581	Water	O & E		7,000.00
0-01-32-465-001-545	Landfill	O & E		7,000.00
Total TO:				105,000.00
POOL UTILITY				
FROM:				AMOUNT
0-26-55-520-000-101	Pool Salaries	S&W		35,000.00
Total FROM:				35,000.00
TO:				AMOUNT
0-26-55-520-000-215	Repairs	O & E		15,000.00
0-26-55-520-000-235	Specialized Services	O & E		20,000.00
Total TO:				35,000.00

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

RESOLUTION 20-297
AUTHORIZING CONSENT FOR ACCESS TO THE US EPA REGARDING THE CORNELL-DUBLIER ELECTRONICS SUPERFUND SITE

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

Resolution 20-298 was removed from the agenda at the request of the Alliance Coordinator

RESOLUTION: 20-299

AUTHORIZING THE REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$2754.32 PERTAINING TO 146 RISOLI TERRACE 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 122 Lot 23
 146 Risoli Terrace
 South Plainfield, NJ 07080
\$2754.32

MAKE CHECK PAYABLE TO:
MICHELE & RAYMOND GARRY
146 RISOLI TERRACE
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 ND	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Faustini	x		X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION # 20-300
AUTHORIZING THE SERVICES OF PATTI CONSTRUCTION LLC
FOR ADDITIONAL CONCRETE DECK AND CURB AT THE COMMUNITY POOL
IN AN AMOUNT NOT TO EXCEED \$5,750.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Patti Construction LLC for additional concrete and curb at the community pool in an amount not to exceed \$5,750.00; and

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Len Miller, Borough Engineer/Superintendent DPW

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

RESOLUTION # 20-301

AMENDING RESOLUTION 20-249 THAT AUTHORIZED THE SERVICES OF D&L PUMP COMPANY FOR EMERGENCY REPAIRS TO FIX THE WELL AT THE COMMUNITY POOL IN AN AMOUNT NOT TO EXCEED \$6,516.00 TO CHANGE THE COST OF SAID REPAIR TO \$6,835.00 DUE TO ADDITIONAL PIPE AND CABLE

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby amends Resolution 20-249 that authorized the services of D&L Pump Company for emergency repairs to fix the well at the community pool in an amount not to exceed \$6,516.00 to change the cost of said repair to \$6,835.00 due to additional pipe and cable; and

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Len Miller, Borough Engineer/Superintendent DPW

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

RESOLUTION # 20-302

AUTHORIZING THE SERVICES OF HARTY BROS. CARPET & VINYL FOR FLOORING FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$9,056.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Harty Bros. Carpet & Vinyl for flooring for the Police Department in an amount not to exceed \$9,056.00; and

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

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

RESOLUTION # 20-303

AUTHORIZING THE CAPITAL PURCHASE OF IPADS FOR THE GOVERNING BODY AND MUNICIPAL CLERK FROM APPLE STORE FOR GOVERNMENT IN AN AMOUNT NOT TO EXCEED \$9,961.00

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of iPads for the Governing Body and Municipal Clerk from Apple Store for Government in an amount not to exceed \$9,961.00 to be paid for from Capital Ordinance 2184 using Covid-19 Cares Act funding; and

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- John Abbruzzese, IT

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

RESOLUTION 20-304

AUTHORIZING CHANGE ORDER NO. 1 TO STILO EXCAVATING INC. FOR ROAD IMPROVEMENTS TO ST. NICHOLAS AVENUE TO DECREASE THE PROJECT AMOUNT BY \$55,315.60 RESULTING IN A NEW CONTRACT TOTAL AMOUNT OF \$494,602.16

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorized the project for road improvements to St. Nicholas Avenue in a total contract amount of \$549,917.76 (Resolution 20-186). The improvements shall be installed in accordance with the contract unit prices and the original contract amount of which has now decreased by \$55,315.60 of which will now decrease the total contract amount from \$549,917.76 for a new total contract amount of \$494,602.16.

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, Clerk
3. Len Miller, Borough Engineer/Superintendent DPW
4. John Freeman, Najarian Associates
5. Stilo Excavating

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

RESOLUTION 20-305
AUTHORIZING THE PER DIEM HIRING OF MELISSA SZEMAN TO THE POSITION OF
CLERK TYPIST-LEVEL I AT THE HOURLY RATE OF \$21.31

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

It hereby authorizes the per diem hiring of Melissa Szeman to the position of Clerk Typist- Level I for the Planning/Zoning Office to perform the duties of Board Secretary and Performance Bond/Escrow Management at the hourly rate of \$21.31, and

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

1. Glenn Cullen, Administrator/CFO
2. Amy Antonides, Municipal Clerk
3. Carmela Miller, Payroll
4. Anne Daley, Benefits
5. Richard Wolff, Zoning Officer

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

CORRESPONDENCE

- Board of Health Monthly Report – October 2020
- Environmental Commission Monthly Report – September 2020
- Recycling Monthly Report – September & October 2020
- Environmental Commission Minutes – September 9, 2020

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

PAYMENT OF BILLS

Current Fund	19-01	0.00
Current Fund	20-01	\$578,803.89
Pool Utility	20-26	\$12,573.10
Pool Utility	19-26	0.00
Sewer Utility	20-07	\$1,151,090.58
Sewer Utility	19-07	\$11,748.35
Sewer Utility Capital	C-08	\$8,100.00
General Capital	C-04	\$183,880.64
Pool Capital	C-27	0.00
Election Account	E-18	\$12,550.00
Grant Fund	G-02	0.00

Dog Trust	T-12	\$21.00
Treasurers Trust	T-13	\$2,294.56
Recreation Trust	T-14	\$13,272.20
Senior Citizen Trust	T-16	0.00
TOTAL ALL FUNDS		\$1,974,334.32

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – advised that the work pertaining to Ordinance 2184 will need to be submitted to the County before the end of 2020. These items will be paid for by the CARE Act funding. The County portal for reporting CARES Act funding is very user friendly so far. To conclude Mr. Cullen advised we are in the midst of preparing for year end and making progress with our 2021 budget.

Engineer Miller – thanked the Council for their support of the resolutions this evening to submit the grant applications to the state for the two NJ DOT road projects pertaining to Durham Avenue and Metuchen Road.

Clerk Antonides – advised that it is anticipated that the County will be certifying the official election results sometime this Friday. Official election results can be found at www.middlesexcountynj.gov.

Councilman Wolak – reported progress.

Councilman White – wished everyone a very happy Thanksgiving and said we should all focus on all that we have to be thankful for.

Councilman Smith – reported progress.

Councilman Bengivenga – advised that Troop 207, Troop 42 and the South Plainfield American Legion will be rescheduling their annual flag retirement ceremony to November 21st.

Councilwoman Mott – reported progress.

Council President Faustini – echoed Councilman White and wished everyone a happy Thanksgiving.

Mayor Anesh – congratulated both Councilman White and Council President Faustini on the election. Mayor Anesh said on another note, the Governor just released another Executive Order that has reduced inside gatherings down to 10 and outside gatherings down to 150. Indoor dining remains right now at 25% capacity. Mayor Anesh said that there most likely will be more restrictions in the days to come. The Borough is working to make sure all employees and Department Heads are prepared, and we are doing all we can to keep the public safe as well. Mayor Anesh also congratulated the Board of Education members on the election.

COMMENTS FROM THE PUBLIC:

Mayor Anesh opened the floor for public comment reiterating the aforementioned remote directions for making remote public comment.

Debbie Boyle of Van Fleet advised that the Division of Local Government Services are receiving grants for shared services. Our thoughts and prayers are with Stephanie Bartfalvi on the passing of her mother.

Without further comments from the public, Mayor Anesh closed the floor.

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 7:30 p.m., seconded by Council President Faustini and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk