

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
DECEMBER 21, 2020 7:00 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 7:13 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 Councilwoman Faustini 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:

December 7, 2020 – Agenda Meeting
December 7, 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							

The below ordinance 2185 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 2185
AN ORDINANCE TO AMEND CHAPTER 90 OF THE CODE OF THE
BOROUGH OF SOUTH PLAINFIELD TITLED “PUBLIC WORKS DEPARTMENT”.**

WHEREAS, the position of Superintendent of Public Works was previously created and is recognized by the Borough of South Plainfield; and

WHEREAS, the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey wish to establish tenure eligibility pursuant to New Jersey statute;

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 90 entitled “Public Works Department”, Article I, Organization and Functions, be amended as follows:

DELETE: Section 90-4 - Superintendent of Public Works

ADD: Section 90-4 - Superintendent of Public Works

A. The office of Superintendent of Public Works shall be a full-time office, and the Superintendent of Public Works is hereby authorized and empowered to undertake and supervise all the tasks as shall be necessary to construct, operate and maintain, as the case may be, streets, sidewalks, storm and sanitary sewers, curbs, pumping stations, street lighting, Street Department equipment and supplies, buildings and real property, and to achieve snow removal and street cleaning, and he shall perform such other duties as may be assigned to him, and he shall hold himself available for consultation and advice to all municipal officials, boards and commissions upon request and shall render such reports and recommendations as may be required at any time or upon special request, and shall give his time exclusively to the Borough of South Plainfield and shall not accept any other employment directly or indirectly.

B. Any person who shall hold the position of Superintendent of Public Works for five consecutive years or more shall be granted tenure of office and shall continue to hold the position of Superintendent of Public Works during good behavior and efficiency, and shall be granted tenure pursuant to the provisions of N.J.S.A. 40A:9-154.6.

C. Any person who shall obtain tenure in the position shall not be removed from said position except upon a public, fair and impartial hearing in accordance with the provisions of N.J.S.A. 40A:9-154.6.

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

The below ordinance 2186 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 2186
AN ORDINANCE VACATING THE BOROUGH’S AUTHORITY AND CONTROL
OVER TEXAS AVENUE IN THE BOROUGH OF SOUTH PLAINFIELD,
MIDDLESEX COUNTY, NEW JERSEY**

WHEREAS, Texas Avenue is a right-of-way depicted on the Borough’s current Tax Map; and

WHEREAS, 150 Durham Realty, LLC is a developer who wishes to develop Lot 11, Block 525 which it owns, and which property is immediately to the south of Texas Avenue; and

WHEREAS, the Borough believes there is no public benefit to continuing Texas Avenue; and

WHEREAS, Texas Avenue is primarily an unpaved road, with a small portion of pavement; and

WHEREAS, 150 Durham Realty, LLC has entered into a Developer’s Agreement with the Borough pursuant to which the Borough has agreed to vacate its rights to Texas Avenue, with the Developer agreeing to pay the Borough for that portion of Texas Avenue which has been paved; and

WHEREAS, the paved portion of Durham Avenue has been appraised by Russell K. Sterling at a value of \$4,200.00, which amount the Developer has agreed to pay to the Borough; and

WHEREAS, the Developer has obtained all necessary unappealable land development approvals necessary for the development of the property in accordance with the agreement of the Borough; and

WHEREAS, Buckstin Associates, which owns the property to the north of Texas Avenue, has provided a waiver of any rights to any of the land within the bed of Texas Avenue; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the Borough to release and extinguish public rights, and the rights of the Borough, arising from the dedication of a street;

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 rights of the public and the Borough of South Plainfield in and to Texas Avenue as described more particularly in the attached Schedule A are hereby extinguished and vacated;
2. The Borough Clerk shall, within 60 days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the Borough to be a true copy thereof, together with proof of publication thereof in the Office of the Clerk of the County of Middlesex in accordance with the provisions of N.J.S.A. 40:67-21.

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

The below ordinance 2187 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.

BOND ORDINANCE #2187

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO DURHAM AVENUE AND RELATED IMPROVEMENTS TO HELEN STREET IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,125,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$675,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,125,000, including a grant in the amount of \$438,225 from the State of New Jersey Department of Transportation (the "State Grant"). Although no down payment is required pursuant to N.J.S.A. 40A:2-11(c) as the improvement or purpose described in Section 3(a) hereof is being partially funded by the State Grant, an amount equal to \$11,775 is, nevertheless, provided for as a down payment for this purpose. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment and the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$675,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to Durham Avenue, including, but not limited to, milling, paving and storm sewer improvements, and milling and resurfacing of Helen Street and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$675,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$175,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or, if other than the State Grant referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

The below ordinance 2188 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.

BOND ORDINANCE #2188

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,050,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$995,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of South Plainfield, in the County of Middlesex, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,050,000, and further including the aggregate sum of \$55,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$995,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Improvements to Cady Lane, PAL parking lot and pool parking lot, including, but not limited to, milling, resurfacing, storm water piping and lighting and further including all work and materials necessary therefor and incidental thereto.			

	\$470,000	\$446,000	10 years
b) The acquisition of vehicles, including, but not limited to, police vehicles, fire prevention vehicles and Department of Public Works vehicles and further including all related costs and expenditures incidental thereto.	\$550,000	\$521,000	5 years
c) The acquisition of heating, ventilation and air-conditioning equipment and traffic signage, including all related costs and expenditures incidental thereto.	\$30,000	\$28,000	10 years
Total	<u>\$1,050,000</u>	<u>\$995,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.38 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased

by the authorization of the bonds and notes provided in this bond ordinance by \$995,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$80,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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 2189 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 2189

AN ORDINANCE AMENDING ORDINANCE 2176

TITLED “BOARDS, COMMITTEES AND COMMISSIONS”

UNDER CHAPTER 17, ARTICLE VIII WITHIN THE BOROUGH CODE

WHEREAS, South Plainfield is a wonderful place to live, work, and raise our families, in large part because of our wealth of diverse bodies, minds, and backgrounds.

WHEREAS, the Mayor and Council of the Borough of South Plainfield have determined that it is in the best interest of the Borough to create a Human Relations Committee of the Borough of South Plainfield;

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 17, Article VIII, "Human Relations Committee" Sections 17-45 and 17-46 the Code of the Borough of South Plainfield titled, shall be amended as follows:

17-45. Appointment.

For the initial year the Committee is established, appointments shall be made by the respective Commissions, Committees, groups and individuals as referenced in Section 17-44 by September 1 of each year to serve the remainder of the calendar year. For each year thereafter, appointments shall be made by February 15 of the calendar year. Upon each appointment being made, the person making such appointment shall notify the Borough Clerk of the appointment and provide the name and contact information to the Borough Clerk who shall maintain a record of same. No chair or President of a Committee shall appoint themselves as a member of the Human Relations Committee unless all members of the respected committee have declined to be appointed to the Human Relations committee.

17-46. Powers and Duties. The Committee shall have the following powers and duties:

- A. To establish, amend, and supplement its own bylaws to the extent not inconsistent with this article nor with any other municipal, state or federal regulation or law. The Committee shall meet regularly and at a minimum of bi-monthly (every two months).
- B. To foster, through community effort, good will, cooperation and conciliation among the groups and elements of the inhabitants of this Borough, and to make recommendations to the Mayor and Council for ~~the development of policies and procedures in general~~ and for programs of formal and informal education that will aid in eliminating all types of discrimination based upon race, creed, color, national origin, ancestry, age, gender, sexual preference, marital status, or developmental, mental, or physical disabilities.
- C. To investigate, mediate and attempt to resolve without resort to the judicial system or other form of adjudication any allegations of unlawful discrimination by residents of the Borough.
- D. To make a written annual report in June of each year to the Mayor and Council detailing its activities for the previous year and to make presentations before the Mayor and Council at such time as the Council shall request ~~or the Committee deems desirable~~.
- E. The Human Relations Committee shall advise the Mayor and Borough Council on ways to promote social and cultural harmony throughout the Borough. The Committee shall
 propose educational and cultural programs to promote awareness and foster an inclusive sense of community within South Plainfield. It will also provide guidance to the Mayor and Council and other Borough Committees on ways to encourage kindness, cooperation, and unity among the multicultural residents of our town.
- F. The Committee is dedicated to cultivating an atmosphere of understanding and acceptance in South Plainfield that ensures residents and visitors of all backgrounds and circumstances can feel safe and welcome here.
- G. The Human Relations Committee shall be advisory in nature, it nor its members have the authority to contract, bind or act on behalf of the Borough of South Plainfield. Its sole function is to assist the Mayor, Council, Committees, Boards, Agencies and Administration of the Borough of South Plainfield in matters provided for above in the Borough of South Plainfield.

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				
Councilman Wolak			X				
Council President Faustini		X	X				
			6	0			
Mayor Anesh – TIE ONLY							

RESOLUTIONS

**RESOLUTION 20-328
AUTHORIZING THE RELEASE OF PERFORMANCE BONDS POSTED BY
ALLEN FLAVORS FOR PUBLIC IMPROVEMENTS TO BLOCK 445, LOT 10.03,
AND ACCEPTANCE OF THE MAINTENANCE BONDS IN THE AMOUNT OF \$7,489.00**

WHEREAS, the Borough of South Plainfield is in possession of a Performance Bond from Allen Flavors for public improvements located at Block 445, Lot 10.03; and

WHEREAS, has submitted the Maintenance Bond in the amount of \$7,489.00; 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		X				
Councilwoman Mott			X				
Councilman Smith		X	X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 20-329
AUTHORIZING SALE OF A PORTION OF TEXAS AVENUE
TO 150 DURHAM REALTY, LLC.**

WHEREAS, Texas Avenue is a right-of-way depicted on the Borough’s current Tax Map; and

WHEREAS, 150 Durham Realty, LLC is a developer who wishes to develop Lot 11, Block 525 which it owns, and which property is immediately to the south of Texas Avenue; and

WHEREAS, Texas Avenue is primarily an unpaved road with a small portion of pavement; and

WHEREAS, 150 Durham Realty, LLC has entered into a Developer’s Agreement with the Borough pursuant to which the Borough has agreed to vacate its rights to Texas Avenue, with the Developer agreeing to pay the Borough for that portion of Texas Avenue which has been paved; and

WHEREAS, the Borough has adopted an Ordinance vacating its rights in and to Texas Avenue; and

WHEREAS, 150 Durham Avenue, LLC and the Borough have agreed that a fair market value of \$4,200.00 as determined by an appraisal by Russell K. Sterling is fair consideration for the paved portion of Texas Avenue;

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, Municipal Clerk, and Borough Attorney are authorized to execute all documents that are necessary to sell to 150 Durham Realty, LLC the portion of Texas Avenue as described in the attached Schedule A and in accordance with its Developer’s Agreement with 150 Durham Realty, LLC for consideration of \$4,200.00.

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

RESOLUTION: 20-330

AUTHORIZING THE REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$2224.96 PERTAINING TO 1600 PEEK ST. 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 431 Lot 2

**Christian and Tisha Villagomez
1600 Peek St
\$2224.96**

MAKE CHECK PAYABLE TO:

**Christian and Tisha Villagomez
1600 Peek Street
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
Councilman Bengivenga	X		X				
Councilwoman Mott			X				
Councilman Smith		X	X				
Councilman White			X				
Councilman Wolak			X				
Council President Faustini			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

RESOLUTION 20-331

AUTHORIZING THE PROFESSIONAL ENGINEERING SERVICES OF NAJARIAN ASSOCIATES FOR CADY LANE AND PARKING LOT IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$32,200.00

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for Najarian Associates for professional engineering services for Cady Lane and parking lot improvements in an amount not to exceed \$32,200.00; and

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

RESOLUTION 20-332

AUTHORIZING THE RENTAL SERVICES OF SEAL MASTER FOR AN ASPHALT HOT BOX FOR THE DPW IN AN AMOUNT NOT TO EXCEED \$3,692.00 FOR ONE MONTH

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the rental services of Seal Master for an asphalt hot box for the DPW for one month in an amount not to exceed \$3,692.00 for one month; 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

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

RESOLUTION 20-333
AUTHORIZING THE SOLE SOURCE PROVIDER PURCHASE OF SUPPORT AND MAINTENANCE CAD/RMS SYSTEM SERVICES FROM LAW SOFT INC. IN AN AMOUNT NOT TO EXCEED \$23,215.00

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 from Law Soft Inc. in an amount not to exceed \$23,215.00; 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. Fire Department
4. EMS

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

RESOLUTION 20-334
AUTHORIZING RATES FOR USE OF THE SOUTH PLAINFIELD COMMUNITY POOL FOR 2021

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey that at the recommendation of the Director of Recreation, authorization is hereby given to establish the 2021 Community Pool Fees as follows:

Pool 2021 Rates

Membership Type

Membership Type	Before 4/30/2021	After 4/30/2021	# Guest Passes Included with Membership
Resident - Individual	\$210.00	\$250.00	2
Resident - Individual + 1	\$315.00	\$350.00	2
Resident - Family	\$365.00	\$425.00	5
Resident - Senior Citizen	\$85.00	\$125.00	3

Non-Resident - Individual	\$350.00	\$390.00	2
Non-Resident - Individual + 1	\$475.00	\$525.00	2
Non-Resident - Family	\$625.00	\$700.00	2
Non-Resident - Senior Citizen	\$155.00	\$200.00	2

Infant: Under 2 years of age FREE (age as of 5/31/2021)

Individual: Age 13 & Over (as of 5/31/2021). Applicants under 18 must have parental consent.

Individual + 1: Adult plus one additional adult or child

Family: Adult plus 2 or more

Senior Citizen: 60 years of age (as of 5/31/21)

All adults must show proof of residency. Group Memberships (Individual + 1 and Family) must reside in the same home. Children 12 and under must be accompanied by an adult.

Day Passes (2 years and older)

Day Pass	Weekday (Mon-Friday)	Weekends & Holidays
Resident - 2 years and older (before 5pm)	\$14.00	\$18.00
Resident - 2 years and older (after 5pm)	\$12.00	\$13.00
Non Resident - 2 years and older (before 5pm)	\$25.00	\$30.00
Non-Resident - 2 years and older (after 5pm)	---	---

Guest Passes

Pack of 10 Guest Passes (for members only - members must accompany guests)	Rate
10 Guest Passes	\$125.00

Swim Team

Members Only	Rate
Swim Team rate Individual	\$40.00
Swim Team rate for each additional family member after 1	\$25.00

Swim Lessons

Session (8 - 30 minute lessons)	Rate
Member	\$40.00
Non-Member Resident	\$80.00
Non-Member Non-Resident	\$120.00

Picnics/Group Events

Pool Members ONLY. Minimum party of 15 or more. No Guest Passes. Limit 2 parties per household per season. Parties not available for booking on holidays.	\$10.00 per person
--	--------------------

This ordinance shall take effect upon final adoption and publication according to law.

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

1. Elizabeth Yarus, Recreation Director
2. Glenn Cullen, Chief Financial Officer

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

RESOLUTION 20-335

A RESOLUTION APPROVING PARTICIPATION IN THE FEDERAL GRANT PROGRAM FOR 2021 SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS the Police Department of the Borough of South Plainfield, in the County of Middlesex, State of New Jersey wishes to apply for a 2021 Safe and Secure Communities Grant Program (Grant 21-1222); and

WHEREAS the Governing Body of the Borough of South Plainfield has reviewed the application and has approved said request for a total grant of \$32,400.00 under subaward number 21-1222, for the subaward period of 7/1/2020 to 6/30/2021 to provide for additional law enforcement personnel to address crime in a focused community oriented manner; and

WHEREAS the total project cost of \$32,400.00 includes the federal amount of \$32,400.00 and the in-kind match of fringe benefits.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield that

1. The Borough of South Plainfield Police Department is approved to participate in the 2021 Safe and Secure Communities Grant Program.
2. The Borough of South Plainfield accepts the grant funding in the amount of \$32,400.00 for the Police Department’s additional law enforcement project under the Safe and Secure Communities Program administered by N.J. Department of Law & Public Safety, Office of the Attorney General
3. The Mayor and Administrator of the Borough of South Plainfield are hereby authorized and directed to execute such grant documents required for the aforementioned participation.

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

**RESOLUTION # 20-336
AUTHORIZING THE CAPITAL PURCHASE OF 6
TEMPERATURE SCREENING SYSTEMS FROM CAN-AM WIRELESS LLC
IN AN AMOUNT NOT TO EXCEED \$9,594.00**

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the capital purchase of 6 temperature screening systems from Can-Am Wireless LLC in an amount not to exceed \$9,594.00 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:

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Len Miller, Superintendent of DPW

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

RESOLUTION 20-337
ACCEPTING THE RETIREMENT OF DIANE JANUS
FROM THE MUNICIPAL CLERK’S OFFICE/BOARD OF HEALTH

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

It hereby accepts the retirement of Diane Janus from the Municipal Clerk’s Office/Board of Health in 2021 upon use of outstanding vacation/sick-time of which exact date to be determined; 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. Anne Daley, Benefits
4. Carmela Sutor, Payroll

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

RESOLUTION 20-338
A RESOLUTION CONSENTING TO THE PROPOSED LOWER RARITAN/MIDDLESEX COUNTY
WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT

WHEREAS, the Borough of South Plainfield desires to provide the orderly development of wastewater facility within the Lower Raritan/Middlesex County Water Quality Management (WQM) Planning Area; and

WHEREAS, the Borough of South Plainfield desires for the orderly development of wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment publicly noticed in the New Jersey Register on October 19, 2020, for the “BP South Plainfield Warehouse” (189,059 square foot warehouse) will expand MCUA’s sewer service area by approximately 1.48 acres and will generate a project wastewater flow of 2,400 gallons per day to be located in the Borough of South Plainfield has been prepared by Bridge Development Partners, LLC.

NOW, THEREFORE, BE IT RESOLVED on this 21st day of December 2020, by the Governing Body of the Borough of South Plainfield that:

1. The Borough of South Plainfield hereby consents to the proposed amendment to the MCUA Sewer Service Area Map notice in the NJDEP Register on October 19, 2020, attached hereto, for the BP South Plainfield Warehouse (NJDEP Program Interest No. 435463, Activity No. AMD200004) which will expand the MCUA’s sewer service area by approximately 1.48 acres and generate a projected wastewater flow of 2,400 gallons a day to be located at 602 New Market Ave. (portion of Block 284, Lot 18) within the Borough prepared by Bridge Development Partners LLC for the purpose of incorporation into the Lower Raritan/Middlesex County Water Quality Management Plan.
2. All applicable Federal, State, MCUA, and local rules and regulations, including those of the Borough of South Plainfield regarding the submittal of applications, physical connections to the sanitary sewer and quantity/quality as related to the wastewater to be discharged shall be complied with by the applicant.
3. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.5(g)6.

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

RESOLUTION 20-339
AUTHORIZING 2020 APPROPRIATION TRANSFERS IN THE AMOUNT OF
\$90,000.00 FOR THE CURRENT FUND, \$5,000 FOR THE POOL UTILITY,
AND \$17,500 FOR THE SEWER 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					AMOUNT
FROM:					
0-01-20-120-000-101	Clerk		S&W		5,000.00
0-01-20-145-000-101	Taxes		S&W		4,000.00
0-01-20-145-000-101	Assessing		S&W		2,000.00
0-01-20-155-000-221	Legal		O&E		10,000.00
0-01-25-240-001-101	Police		S&W		12,500.00
0-01-25-265-002-101	Fire Official		S&W		5,000.00
0-01-26-290-001-101	Public Works Admin		S&W		15,000.00
0-01-28-370-001-101	Recreation		S&W		2,500.00
0-01-28-370-001-235	Recreation		O&E		6,500.00
0-01-28-370-002-102	Office on Aging		S&W		2,500.00
0-01-31-420-001-555	Electric		O&E		5,000.00
0-01-23-210-000-651	Other Insurance		O&E		20,000.00
Total FROM:					90,000.00
TO:					AMOUNT
0-01-20-150-000-225	Assessing		O & E		1,000.00
0-01-25-265-001-201	Fire Department		O & E		2,500.00
0-01-25-265-002-331	Fire Official		O & E		2,000.00
0-01-26-290-001-325	Public Works Admin		O & E		2,000.00
0-01-26-290-002-101	Road Repairs		S&W		1,000.00
0-01-26-290-003-102	Snow		S&W		20,000.00
0-01-26-290-003-321	Snow		O & E		25,000.00
0-01-26-305-003-235	Recycling		O & E		3,000.00
0-01-26-310-000-102	Public Buildings & Grounds		S&W		1,000.00
0-01-27-335-001-101	Environmental Commission		S&W		1,500.00
0-01-31-440-001-541	Telephone		O & E		2,000.00
0-01-31-445-001-581	Water		O & E		10,000.00
0-01-31-465-001-545	Gasoline		O & E		5,000.00
0-01-32-465-001-545	Landfill		O & E		5,000.00
0-01-36-472-000-675	SSI		Statutory		9,000.00
Total TO:					90,000.00
POOL UTILITY					AMOUNT
FROM:					
0-26-55-520-000-101	Pool Salaries		S&W		5,000.00
Total FROM:					5,000.00
TO:					AMOUNT
0-26-55-520-000-400	Supplies		O & E		5,000.00
Total TO:					5,000.00
SEWER UTILITY					AMOUNT
FROM:					
0-07-55-515-002-235	Sewer O&E		O&E		17,500.00
Total FROM:					17,500.00
TO:					AMOUNT
0-07-55-517-001-675	SSI		Statutory		17,500.00
Total TO:					17,500.00

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

RESOLUTION 20-340

AUTHORIZING THE REFUND AND CANCELLATION OF TAXES FOR 100% DISABLED VETERAN PERTAINING TO 201 MERCHANTS AVENUE IN SOUTH PLAINFIELD

WHEREAS, property known as Lot 177 in Township Block 1 more commonly known as 201 Merchants Avenue in South Plainfield, NJ is owned by Paul Valcin; and

WHEREAS, Paul Valcin, 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 50% of property to be exempt from taxation at the local level commencing on November 13, 2020 as verified by the Tax Assessor; and

WHEREAS, the Tax Bills for the four quarters of Calendar Year 2020 were generated from the 2019 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 2020, 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 4th quarter of 2020 in the amount of \$755.13; and

BE IT FURTHER RESOLVED, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 1st quarter of 2021 in the amount of \$1,385.50; and

BE IT FURTHER RESOLVED, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 2nd quarter of 2021 in the amount of \$1385.49; and

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 \$755.13, as mentioned above.

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

RESOLUTION 20-341

AUTHORIZING THE CANCELLATION OF CURRENT YEAR UNEXPENDED BALANCES IN THE SEWER UTILITY FUND TO BE CREDITED TO SURPLUS

WHEREAS, the following CY2020 SEWER Utility Fund budget appropriation reserve balances remain unexpended:

SEWER UTILITY FUND

ACCT #	ACCOUNT	AMOUNT
0-07-55-515-002-235	Sewer O&E	\$50,000.00
Total Sewer Utility Operations		<u>\$50,000.00</u>

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey, that the above listed unexpended balances in the Current Fund be cancelled.

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

RESOLUTION 20-342
AUTHORIZING THE CANCELLATION OF CURRENT YEAR UNEXPENDED BALANCES IN THE POOL UTILITY FUND TO BE CREDITED TO SURPLUS

WHEREAS, the following CY2020 Pool Utility Fund budget appropriation reserve balances remain unexpended:
POOL UTILITY FUND

<u>ACCT #</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
0-26-55-520-000-101	Pool S&W	\$10,000.00
Total Pool Utility Operations		<u>\$10,000.00</u>

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey, that the above listed unexpended balances in the Current Fund be cancelled.

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

RESOLUTION # 20-343
AUTHORIZING THE CAPITAL PURCHASE OF 5 BOTTLE FILLING STATIONS WITH SINGLE ADA DRINKING FOUNTAIN FROM HOME DEPOT IN AN AMOUNT NOT TO EXCEED \$5,341.65

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the capital purchase of 5 bottle filling station with single ADA drinking fountain from Home Depot in an amount not to exceed \$5,341.65 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:

1. Glenn Cullen, CFO
2. Amy Antonides, Municipal Clerk
3. Len Miller, Superintendent of DPW

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

RESOLUTION 20-344
AUTHORIZING 2020 APPROPRIATION TRANSFERS IN THE AMOUNT OF \$30,000.00 FOR THE CURRENT FUND 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
0-01-20-120-000-103	Clerk		S&W	2,500.00
0-01-20-130-000-235	Finance		O&E	3,500.00
0-01-20-155-000-221	Legal		O&E	1,000.00
0-01-25-240-001-101	Police		S&W	5,000.00
0-01-25-240-001-241	Police		O&E	6,000.00
0-01-25-265-002-102	Fire Official		S&W	2,000.00
0-01-25-265-003-265	Fire Service		O&E	2,000.00
0-01-26-290-001-101	Public Works Admin		S&W	3,500.00
0-01-28-370-001-104	Recreation		S&W	3,000.00
0-01-28-370-002-101	Office on Aging		S&W	1,500.00
Total FROM:				30,000.00
TO:				AMOUNT
0-01-25-265-001-475	Fire Department		O & E	2,000.00
0-01-26-290-003-102	Snow		S&W	2,000.00
0-01-26-290-003-321	Snow		O & E	6,000.00
0-01-27-330-001-235	Board of Health		O & E	10,000.00
0-01-27-335-001-101	Environmental Commission		S&W	1,000.00
0-01-31-440-001-541	Telephone		O & E	1,000.00
0-01-31-445-001-581	Water		O & E	2,000.00
0-01-31-465-001-545	Gasoline		O & E	3,000.00
0-01-32-465-001-545	Landfill		O & E	1,500.00
0-01-36-472-000-675	SSI		Statutory	1,500.00
Total TO:				30,000.00

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

RESOLUTION # 20-345
AUTHORIZING THE PURCHASE OF OFFICE FURNITURE FOR THE POLICE DETECTIVE BUREAU FROM COOPER’S OFFICE FURNITURE
IN AN AMOUNT NOT TO EXCEED \$5,169.20

BE IT RESOLVED, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of office furniture for the Police Detective Bureau from Coopers Office Furniture in an amount not to exceed \$5,169.20; 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. James Parker, Police Chief

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

CORRESPONDENCE

- Environmental Commission Minutes – October 14, 2020
- Recycling Monthly Report – November 2020
- Planning Board Minutes – February 25, 2020 and July 28, 2020
- Zoning Board Minutes – July 7, 2020 and July 21, 2020
- Environmental Monthly Report – November 2020
- Recreation Commission Minutes – November 10, 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	318,899.55
Pool Utility	20-26	8,520.82
Pool Utility	19-26	0.00
Sewer Utility	20-07	13,982.18
Sewer Utility	19-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	245,691.76
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	5,026.78
Dog Trust	T-12	0.00
Treasurers Trust	T-13	2,529.05
Recreation Trust	T-14	0.00
Senior Citizen Trust	T-16	0.00
TOTAL ALL FUNDS		\$594,650.14

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – reported that despite the pandemic we believe we will end the year with an increase in our ratable base north of \$7 million. Mr. Cullen thanked the DPW for the great job they did with the recent snowstorm then went on to report progress wishing everyone a happy holiday.

Engineer Miller – advised that the DPW spent 30+ hours straight working on the snowstorm then went on to report progress.

Clerk Antonides – reported progress.

Councilman Wolak – reported progress and wished everyone a happy holiday.

Councilman White – wished everyone a happy, healthy, safe, prosperous holiday season.

Councilman Smith – wished everyone a Merry Christmas and Happy New Year and said to please be safe.

Councilman Bengivenga – said that obviously 2020 has been a challenging time for a lot of families. Myrah Stillman, a former Board of Education member, recently passed away as well as Jake Cataldo, a former police officer and former Mayoral candidate, also recently passed. Please keep them as well as all others in our thoughts and prayers. Mr. Cataldo was a mentor to both himself and Mayor Anesh. Councilman Bengivenga concluded by wishing everyone a Merry Christmas.

Councilwoman Mott – thanked the DPW for the amazing job they did with the snowstorm and then went on to report progress.

Council President Faustini – congratulated Alice Price for joining the ranks of firefighter and thanked her for her service. The Recreation Department is accepting registration for basketball and wrestling which is scheduled to start in January, if allowed. We are also looking into pop-up sport days. More information pertaining to that will be forthcoming. Art classes and stem running will be other virtual options that will be forthcoming. These programs will be located on the recreation page of the website. Council President Faustini thanked everyone who entered submissions for the snowman building contest. They are all wonderful. A winner will be selected and notified. Thank you to everyone that participated in this contest. Council President concluded by wishing everyone Merry Christmas, Happy Holidays and Happy New Year.

Mayor Anesh – expressed what an interesting year it has been. We have been seeing a rise in cases not just in South Plainfield or the County but throughout the state and country. We did expect to see a second wave to occur in the winter, so this is not surprising. Mayor Anesh thanked everyone for doing a great job and said he looks forward to the old normal. Better days are hopefully around the corner. Mayor Anesh said especially with the holidays coming up we all must do what we can to protect ourselves and our loved ones. Please continue to observe CDC guidelines. Wash your hands frequently, don't touch your face or mouth and make sure you wear a mask. Be as vigilant as you can. The Borough has taken a lot of steps to make our facility as compliant as we can. Mayor Anesh concluded by thanking Glenn, Anne, Borough employees and all residents who have given to the Toys for Tots. The generosity was truly humbling.

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 expressed thoughts and prayers all those who have lost loved ones this year. Ms. Boyle thanked the DPW for their good job with the snowstorm and went on to wish everyone a healthy, happy, holiday season.

Without further comment from the public, Mayor Anesh closed the floor and announced that at this time, 7:45 p.m. we will be going into a virtual breakout executive session. Everyone is welcome to remain in the virtual meeting room until our return, though we don't know how long that will be.

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 8:57 p.m., seconded by Council President Faustini and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk