### SOUTH PLAINFIELD BOROUGH BOROUGH COUNCIL MEETING MINUTES MAY 3, 2021 7:04 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 hybrid meeting having been provided to the Borough's two official newspapers and also published on the Borough's website. Instructions for accessing the remote public meeting are found on the Borough's website next to the agendas. Documentation pertaining to the remote meeting can be found electronically on the Borough's website.

The roll call was administered by Clerk Antonides as follows:

COUNCIL	Present	Absent	Late
Councilman Bengivenga	X		
Councilwoman Faustini	X		
Councilwoman Mott	X		
Councilman Smith	X		
Councilman Wolak	X		
Council President White	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 Bengivenga led the invocation.

Mayor Anesh again reviewed some basic rules for conducting the hybrid virtual meeting this evening. All lines will be muted until such time that the floor is open for public comment. Each phone call or virtual hand raise will be taken one at a time. To unmute the microphone, just click on the red microphone picture that has a line through it. It will then turn green indicating you have been unmuted and may begin to speak. Callers may dial 1-646-922-2010 followed by the access code of 126 663 1990 #. Using the pound button will mute and unmute the voice feature for any phone callers.

<u>Public Comment:</u> 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:**

April 19, 2021 – Agenda Meeting April 19, 2021 - Public Meeting April 19, 2021 – Executive Session

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

### **Proclamations:**

Older Americans Month – was read in full by Mayor Anesh. Councilwoman Faustini accepted this proclamation on behalf of the Senior Center

National Police Week – was read in full by Mayor Anesh. Police Chief Parker accepted this proclamation and expressed his appreciation.

{A1298313.1}

The below ordinance 2201 was and read by title by Clerk Antonides on the second reading. Mayor Anesh opened the floor for public comment and with no comments from the public closed the floor.

### ORDINANCE # 2201 CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A:4-45.14

**WHEREAS**, the Local Government Cap Law, N.J.S. A. 40A:4-45.1 *et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of South Plainfield find it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of its citizens; and.

**WHEREAS**, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$614,354.25 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of South Plainfield, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2021 budget year, the final appropriations of the Borough of South Plainfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$614,354.25 and that the 2021 municipal budget for the Borough of South Plainfield be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

The below ordinance 2202 was and read by title by Clerk Antonides on the second reading. Mayor Anesh opened the floor for public comment and with no comments from the public closed the floor.

### **BOND ORDINANCE #2202**

BOND ORDINANCE AMENDING THE DESCRIPTION IN SECTION 3(a) OF BOND ORDINANCE NUMBERED 2192 OF THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, FINALLY ADOPTED FEBRUARY 16, 2021, IN ORDER TO INCLUDE IMPROVEMENTS TO NEW MARKET AVENUE

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 One. The description in Section 3(a) of Bond Ordinance #2192 of the Borough of South Plainfield, in the County of Middlesex, Jersey (the "Borough"), finally adopted February 16, 2021 and entitled "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$665,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE PART OF THE COST THEREOF", is hereby amended to include improvements to New Market Avenue and to read as follows:

"Improvements to Camden Avenue, Clark Lane, Roosevelt Avenue, Redding Avenue and New Market Avenue, including, but not limited to, reconstruction and milling, and further including all work and materials necessary therefor and incidental thereto."

Section Two. 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 Three. 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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		X	X				
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman Wolak			X				
Council President White	X		X				
		VOTE:	6	0			
Mayor Anesh - TIE ONLY	•						

The below ordinance 2203 was and read by title by Clerk Antonides on the second reading. Mayor Anesh opened the floor for public comment and with no comments from the public closed the floor.

### **ORDINANCE 2203**

## AN ORDINANCE AMENDING ORDINANCE 2172 THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2021 FOR PART TIME SEASONAL COMMUNITY POOL HELP

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

SECTION 1. The rates of compensation for each employee of the Borough of South Plainfield shall be on an annual basis as follows except where indicated. Such rates of pay shall be effective on January 1<sup>st</sup> of the years shown.

### **Pool Budget 2021**

### **Employees**

Employee Type	Rate per Hour	Stipend for Summer
Pool Attendant (Non-Certified Staff)	\$11.25	
Lifeguard (Tier 1)	\$13.25	
Lifeguard (Tier 2)	\$13.75	
Lifeguard (Tier 3)	\$14.25	
Assistant Managers	\$19.00	
Head Manager		\$14,500.00
Assistant Swim Coach		\$2,250.00
Head Swim Coach		\$5,500.00

<sup>\*</sup>Swim Instruction will pay an additional \$1.00/per hour from guard rate.

SECTION 2. INCONSISTENCY – All ordinance or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. EFFECTIVE DATE – This ordinance shall become effective after publication in accordance with the law.

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

The below ordinance 2204 was and read by title by Clerk Antonides on the first reading. Mayor Anesh set the public hearing for May 17, 2021 at approximately 7 p.m.

#### **BOND ORDINANCE #2204**

BOND ORDINANCE PROVIDING FOR ROAD IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,029,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$980,000 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 \$1,029,000, including the sum of \$49,000 as the down payment required by the Local Bond Law. 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, negotiable bonds are hereby authorized to be issued in the principal amount of \$980,000 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 road improvements, including resurfacing and repair of roads and repairs and installation of storm sewers in and on various roads, all as referenced on the 2021 road list on file in the Office of the Clerk, which list is hereby approved and incorporated herein, 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 {A1298313.1}

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 \$980,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$215,000 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 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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	X		X				
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman Wolak		X	X				
Council President White			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

Councilman Smith asked what the difference between Ordinance #2205 and #2203 is. Clerk Antonides reiterated that Ordinance #2205 was removed from the agenda as it was a duplicate to Ordinance #2203.

#### RESOLUTIONS

## RESOLUTION: 21-157 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 May 14, 2021 at 11:00 a.m. at 2480 Plainfield Avenue, South Plainfield, New Jersey for the following abandoned vehicles:

{A1298313.1}

YEAR	MAKE	MODEL	VIN#	STATUS	MIN. BID
2003	Honda	Accord	1HGCM72653A031904	Fair	\$1,000.00

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

## RESOLUTION 21-158 ACCEPTING THE RESIGNATION OF DYLAN DeLISA FROM THE POSITION OF PART-TIME LEVEL I GROUNDS KEEPER

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

It hereby accepts the resignation of Dylan DeLisa from the position of part-time Level I Grounds Keeper effective March 27, 2021, and

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

- 1. Amy Antonides, Municipal Clerk
- 2. Carmela Miller, Payroll
- 3. Anne Daley, Benefits
- 4. Alice Tempel, Environmentalist
- 5. Len Miller, DPW Superintendent

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

# RESOLUTION 21-159 AUTHORIZING THE NJ STATE CONTRACT SERVICES OF OCEAN COMPUTER GROUP FOR A SONIC WALL SUBSCRIPTION IN AN AMOUNT NOT TO EXCEED \$5,607.20

**BE IT RESOLVED,** by the Borough Council of the Borough of South Plainfield that it hereby authorizes the state contract services of Ocean Computer Group for a sonic wall subscription in an amount not to exceed \$5,607.20 pursuant to state contract number A89967 and A89968, and

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

- 1. Glenn Cullen, CFO
- 2. Amy Antonides, Municipal Clerk
- 3. John Abbruzzese, IT

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

#### **RESOLUTION 21-160**

### AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE SOUTH PLAINFIELD MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2022

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of South Plainfield, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the South Plainfield Municipal Alliance grant for <u>fiscal year 2022</u> in the amount of:

DEDR \$11,578
Cash Match \$2,894.50
In-Kind \$8.683.50

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

### RESOLUTION 21-161 AUTHORIZING VARIOUS SENIOR CENTER REFUNDS FOR A CANCELLED TRIP

**BE IT RESOLVED,** by the Borough Council of the Borough of South Plainfield that it hereby authorizes the refund of \$85.00 for each attendee, on the attached list, for a cancelled Senior Center sponsored trip to Mount Airy Casino that was scheduled for June, 2020.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of South Plainfield that the Finance Office hereby has approval to release the aforementioned refund(s).

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

## RESOLUTION 21-162 AUTHORIZING A 2021 TEMPORARY BUDGET AMENDMENT OF \$1,025,000.00 IN THE CURRENT FUND AND \$1,005,000.00 IN THE SEWER UTILITY

WHEREAS, N.J.S.A. 40a:4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is prior to the adoption of the FY 2021 Budget, and

WHEREAS, the temporary budget set forth below does not exceed twenty-six and one quarter percent of the total appropriations in the previous year's budget (exclusive of any appropriations made for Debt Service, Capital Improvements Fund and Public Assistance).

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the temporary appropriations are hereby amended to add the following amounts and that a certified copy of this resolution is transmitted to the Chief Financial Officer.

CURRENT FUND			AMOUNT
1-01-20-120-000-101	Clerk	S&W	10,000
1-01-20-130-000-101	Finance	S&W	5,000
1-01-20-140-000-225	Computer	O&E	10,000
1-01-20-145-000-101	Tax Collection	S&W	10,000
1-01-22-195-001-101	Code Enforcement	S&W	10,000
1-01-23-210-000-651	Other Insurance	O&E	100,000
1-01-23-220-000-621	Health Insurance	O&E	200,000
1-01-25-240-001-101	Police	S&W	300,000
1-01-25-240-001-475	Police	O&E	20,000
1-01-25-265-001-325	Fire Department	O&E	20,000
1-01-25-265-002-101	Fire Official	S&W	20,000
1-01-26-290-001-101	Public Works Administration	S&W	5,000
1-01-26-305-003-235	Recycling	O&E	100,000
1-01-26-310-000-101	Public Buildings & Grounds	S&W	25,000
1-01-28-370-001-101	Recreation	S&W	10,000
1-01-28-370-002-204	Office on Aging	O&E	3,000
1-01-28-370-002-401	Office on Aging	O&E	2,000
1-01-29-390-000-235	Library	O&E	125,000
1-01-43-490-000-101	Court	S&W	5,000
1-01-31-440-001-541	Telephone	O&E	15,000
1-01-36-472-000-675	SSI	Statutory	30,000
TOTAL CURRENT FUND			1,025,000
SEWER UTILITY			AMOUNT
1-07-55-515-001-585	Sewer Charges	O&E	1,000,000
1-07-55-515-001-675	SSI	Statutory	5,000
TOTAL SEWER UTILITY			1,005,000

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

## RESOLUTION 21-163 AMENDING RESOLUTION 2021-139 WHICH AUTHORIZED THE SALE OF CERTAIN PROPERTY NO LONGER NEEDED FOR PUBLIC USE.

**WHEREAS,** the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey passed Resolution No. 2021-139 declaring the following property as no longer needed for public use and directing that it be available for public sale:

Block 273, Lot 4 Block 273, Lot 5 Block 539, Lot 6; and

**WHEREAS,** Resolution 2021-139 provided for the receipt of bids through a sealed bid process with the opening of such bids to take place on May 3, 2021; and

**WHEREAS,** it has been determined that proceeding by open bids through auction would be preferable to the sealed bid process; and

WHEREAS, the opening of sealed bids to take place on May 3, 2021 was cancelled.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Lots 4 and 5, Block 273, and Lot 6, Block 539 shall be advertised for public sale pursuant to all requirements and procedures as set forth in the Local Lands and Building Law (N.J.S.A. 40A:12-1, et seq.) in accordance with the Notice of Public Sale By Auction attached hereto and made a part hereof.

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

### RESOLUTION 21-164 ENDORSING THE SUBMISSION OF THE 2021 RECYCLING ENHANCEMENT GRANT APPLICATION

WHEREAS A resolution authorizing this municipality to apply for the **2021 Recycling Enhancement Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of Borough of South Plainfield, in the County of Middlesex, to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield in the County of Middlesex, that the Borough of South Plainfield hereby endorses the submission of the 2021 Recycling Enhancement Grant application to Middlesex County and designates Dr. Alice Tempel, C.R.P., as the Recycling Coordinator of the Borough of South Plainfield to ensure that the application is properly executed, administered, and filed; and

**BE IT FURTHER RESOLVED** that the monies received from the 2021 Recycling Enhancement Grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling, and in this case, used to pay for security cameras at the Recycling Center in the Borough of South Plainfield.

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

## RESOLUTION 21-165 AUTHORIZING THE PURCHASE OF ANTI-SLIP MATERIAL FOR THE COMMUNITY POOL FROM ELBTAL USA IN AN AMOUNT NOT TO EXCEED \$4,625.00

**BE IT RESOLVED,** by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of anti-slip material for the Community Pool from Elbtal USA in an amount not to exceed \$4,625.00: 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

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

### RESOLUTION 21-166 AUTHORIZING VARIOUS SENIOR CENTER REFUNDS FOR A CANCELLED TRIP TO WIND CREEK CASINO ON FEBRUARY 19, 2020

**BE IT RESOLVED,** by the Borough Council of the Borough of South Plainfield that it hereby authorizes the refund of \$28.00 for each attendee, on the below list, for a cancelled Senior Center sponsored trip to Wind Creek Casino that was scheduled for February 19, 2020.

Betty Porcile 2305 Orchard Dr SP, NJ 07080

Louise Dicellis 206 Morris Ave. SP, NJ 07080

Grace Kadingo 1210 So 10th St. SP, NJ 07080

Marion Pulsford 1205 So 10th St. SP, NJ 07080

Martha Delmonaco 3176 Clark Lane SP, NJ 07080

{A1298313.1}

Fleurette Taylor 305 Bolliger Way SP, NJ 07080

Cheryl Nagel Smiley 261 E Golf Ave. SP NJ 07080

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of South Plainfield that the Finance Office hereby has approval to release the aforementioned refund(s).

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

### RESOLUTION 21-167 AUTHORIZING THE REFUND OF A TAX APPEAL JUDGMENT IN THE AMOUNT OF \$2,855.70 PERTAINING TO 11 HARMICH ROAD

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

**WHEREAS**, the following list of taxpayers have filed appeals with the Tax Court of New Jersey and have received judgments reducing their assessments:

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the following appeals be refunded.

OWNER/ADDRESSBLOCKLOTYEARAMOUNTCWI of NJ, Inc255272020\$2,855.7011 Harmich Road<br/>South Plainfield, NJ 07080

### Make check payable to:

CWI of NJ, Inc and Janata, LaCap & Hazen, LLP Crossroads Corporate Center One International Blvd., Suite 400, PMB #14 Mahwah, NJ 07495-0400

Total \$2,855.70 \*

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to issue a check(s) in the amount(s) as mentioned above.

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

### **RESOLUTION 21-168**

## AUTHORIZING THE SERVICES OF RJR ENGINEERING FOR THE OPENING-UP OF MAIN & WADING POOLS AS WELL AS FOR THE REMOVAL AND INSTALLATION OF MAIN DRAIN GRATES IN AN AMOUNT NOT TO EXCEED \$5,210.00

**BE IT RESOLVED,** by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of RJR Engineering for the opening-up of main & wading pools as well as for the removal and installation of main drain grates in an amount not to exceed \$5,210.00: 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

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

### RESOLUTION 21-169 AUTHORIZING THE HIRING OF 2021 COMMUNITY POOL PERSONNEL

**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 for employing the following people for seasonal work at the South Plainfield Community Pool Utility at rates pursuant to the Salary Ordinance.

COUNCIL	MOTION	2 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga	X		X				
Councilwoman Faustini							X
Councilwoman Mott			X				
Councilman Smith			X				
Councilman Wolak			X				
Council President White		X	X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

# RESOLUTION 21-170 AUTHORIZING THE PROMOTION OF DPW EMPLOYEE JAMES FARRELL TO DPW TRUCK DRIVER-LEVEL 1 AT THE HOURLY RATE OF \$27.31

BE IT RESOLVED by the Governing Body of the Borough of South Plainfield, New Jersey, that:

WHEREAS, a need exists to supplement the workforce of the Department of Public Works; and

WHEREAS, at the recommended by the Administrator and the Superintendent of Public Works the following employees be promoted at the DPW;

James Farrell To Truck Driver-Level 1 \$27.31 per hour

**NOW THEREFORE BE IT RESOLVED** by the South Plainfield Borough Council that the aforementioned employee be promoted accordingly for the Department of Public Works with a salary pursuant to the current salary ordinance.

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

{A1298313.1}

- 1. Glenn Cullen, CFO/Administrator
- 2. Amy Antonides, Municipal Clerk
- 3. Len Miller, DPW Supervisor
- 4. Anne Daley, Benefits
- 5. Carmela Sutor, Payroll

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

### **RESOLUTION 21-171**

### AUTHORIZING THE SERVICES OF PATTI CONSTRUCTION FOR CONCRETE DECK AT THE POOL IN THE SAND AREA IN AN AMOUNT NOT TO EXCEED \$8,991.00

**BE IT RESOLVED,** by the Borough Council of the Borough of South Plainfield that it hereby authorizes the services of Patti Construction for concrete deck at the pool in the sand area in an amount not to exceed \$8,991.00: 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

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

### **RESOLUTION 21-172**

### AUTHORIZING CHANGE ORDER NO. 1 TO TOP LINE CONSTRUCTION IN ACCORDANCE WITH RESOLUTION 21-123 TO

### INCREASE THE SCOPE OF THE PROJECT TO INCLUDE ADDITIONAL CADY LANE IMPROVEMENTS AND RECREATION

### COMPLEX IMPROVEMENTS RESULTING IN AN INCREASE TO THE CONTRACT AMOUNT BY \$14,100.00

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the additional project scope of Improvements in accordance with Resolution 21-123 to increase the scope of the project to now include additional Cady Lane Improvements and Recreation Complex Improvements resulting in an increase to the contract amount by \$14,100.00. The improvements shall be installed in accordance with the contract unit prices and the original contract amount of \$359,154.50 will be increased \$14,100.00 for a new contract amount of \$373,254.50.

### 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. Top Line Construction

{A1298313.1 }

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

## RESOLUTION 21-173 AUTHORIZING THE PART-TIME SUMMER HELP HIRING OF PAUL MELILLO, JR. FOR THE DPW AT THE HOURL 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 for the Summer Paul Melillo, Jr. for the DPW, without benefits, at the hourly summer 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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		X	X				
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman Wolak			X				
Council President White	X		X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

# RESOLUTION 21-174 AUTHORIZING THE FULL-TIME HIRING OF RYAN HARRIS, NICHOLAS POLLIZANO, AND DYLAN O'CONNOR FOR THE DPW AS LABORER-LEVEL II FOR THE DPW AT THE HOURLY RATE OF \$18.63

**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 full-time basis Ryan Harris, Nicholas Pollizano, and Dylan O'Connor for the DPW as Laborer-Level II, with benefits, at the hourly rate of \$18.63 in accordance with salary ordinance #2161 effective May 4, 2021.

### **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 <sup>ND</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Councilman Bengivenga		X	X				
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman Wolak			X				
Council President White	X		X				
		VOTE:	6	0	_		
Mayor Anesh – TIE ONLY	•					•	

### **CORRESPONDENCE**

• Recreation Commission Minutes – March 9, 2021

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

### PAYMENT OF BILLS

Current Fund	0-01	18,435.59
Current rund	0 01	20, .00.00
Current Fund	1-01	314,488.30
Pool Utility	0-26	0.00
Pool Utility	1-26	7,395.00
Sewer Utility	0-07	1,440.86
Sewer Utility	1-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	27,358.69
Pool Capital	C-27	605.00
Election Account	E-18	0.00
Grant Fund	G-02	10,000.00
Dog Trust	T-12	0.00
Treasurers Trust	T-13	5,825.07
Recreation Trust	T-14	162.00
Senior Citizen Trust	T-16	0.00
TOTAL ALL FUNDS		\$385,710.51

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

### **COUNCIL REPORTS:**

Borough Attorney Paul Rizzo - reported progress.

<u>Administrator Cullen</u> – explained the purpose of both bond ordinance #2202 and #2204 this evening and went on to compliment Mr. Miller on his engineering design for the parking by the pool.

<u>Engineer Miller</u> – thanked the Mayor and Council for the well deserved DPW promotions. These gentlemen all do a very good job for us. On another note, a lot of work has been completed at the community pool as well as with the Cady Lane project. Everything is right on schedule so far for the pool opening at the end of the month. As for the park projects, some of the equipment is on back order and once that comes in, we can than move forward.

<u>Clerk Antonides</u> – reported that the rabies clinic on Saturday was a success and everyone was happy with the milder weather. Over 100 pets were vaccinated and licensed.

<u>Councilwoman Mott</u> – reported progress.

Councilman Smith – thanked all the committees he works with for all their hard work and went on to report progress.

Councilman Bengivenga – said it's great to be in person this evening and see everyone's faces again.

<u>Councilman Wolak</u> – advised that he took his dog to the rabies clinic this week and everything ran very smooth and echoed Councilman Bengivenga saying it's hard to believe it's been over a year since we had an in-person council meeting. Councilman Wolak said he's happy to be back and gave a shout out to the Police in honor of National Police Week.

<u>Councilwoman Faustini</u> – We have had a pretty successful early bird registration for our community pool. Sign-ups are still taking place. So far, we have 357 family memberships, 42 individual plus one memberships, plus 180 individual memberships, and 342 senior memberships. The pool is on schedule to open Memorial Day. T-ball and teeter ball just opened and wished them a happy successful season. To conclude, Councilwoman Faustini acknowledged teachers appreciation week and thanked the teachers for all that they do.

Council President White – The second annual car show will be held on May 22<sup>nd</sup> from 10am to 4pm. A new business; called Sanka Jau (spelling?) owned by AJ & Deshaun will be coming to town. They sell/distribute produce and dairy foods to grocery stores. Council President White reported that he will be forming a special subcommittee of Council to address the new marijuana legislation. On a final note, Council President White noted that Jack Pedersen's windows for his business establishment look great.

<u>Mayor Anesh</u> – provided an update on the Covid-19 numbers. The numbers are down today. South Plainfield has had 2,815 cases to date. The three-day average for cases is 5. Starting May 10<sup>th</sup>, the Governor is increasing various capacity limits, however, you still must wear masks and maintain 6-foot social distancing. To conclude, Mayor Anesh acknowledged Joe Vella's 100<sup>th</sup> birthday this past Saturday.

### **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 thanked the Mayor and Council for attending Joe Vella's birthday. He loved the lapel pin they gave him. Ms. Boyle went on to say the multi-sport program is amazing and the coaches all work so well with the kids.

Nancy Grennier from The Observer asked where the entrance to the community pool will be. Mr. Cullen said it will by the registration booth .

Without further comment from the public, Mayor Anesh closed the floor and announced that at this time, 7:42 p.m. we will be going into a hybrid virtual breakout executive session. Everyone is welcome to remain in the virtual meeting room or hallway until our return.

### **ADJOURNMENT**

Without further comment and no more action necessary for this evening Mayor Anesh called for a motion to adjourn. Councilman Smith made a motion to adjourn at 8:01 p.m., seconded by Councilman Bengivenga and unanimously carried. The meeting was adjourned.

Submitted By:	
Amy Antonides, RMC/CMC/CMR Municipal Clerk	