

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
OCTOBER 21, 2022 9:02 A.M.
SPECIAL MEETING**

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

CALL TO ORDER: Council President Faustini called the meeting to order at 9:02 a.m. Council President Faustini 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 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 Council President Faustini

Council President Faustini 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.

**RESOLUTION 22-323
AUTHORIZING REJECTING BID FOR 2019 AMBULANCE
AND AUTHORIZING SALE OF PROPERTY NO LONGER
NEEDED FOR PUBLIC USE.**

WHEREAS, the Borough of South Plainfield has determined that personal property described on Schedules A and B attached hereto and incorporated herein are no longer needed for public use; and

WHEREAS, an open public auction was held on October 17, 2022 pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-36 in which bidders were offered to participate in person or by video conference; and

WHEREAS, one bidder appeared in person and made a bid for the minimum price of \$90,000.00 for the 2019 ambulance (Schedule A); and

WHEREAS, the open public auction was closed with no further bids, but thereafter, it was determined that there was at least one other interested party attempting to participate by video conference, and it was discovered that there had been a problem with the video conferencing system and any persons attending by video were unable to participate; and

WHEREAS, the Borough Council had reserved the right to reject all bids in its Resolution Authorizing Sale by Auction, and it further provided that acceptable bids would not be confirmed until passed by resolution of the Council no later than the first meeting following the date of the auction; and

WHEREAS, as a result of the malfunction of the video conferencing system, the Borough Council has determined that the bid offered on October 17, 2022 must be rejected and a new auction be held; and

WHEREAS, the properties described on Schedules A and B attached shall be sold by way of public auction on November 10, 2022 at 7:00 p.m. at the Borough's Municipal Building, 2480 Plainfield Avenue, South Plainfield, New Jersey; and

WHEREAS, the minimum bid price for the 2019 (Schedule A) ambulance shall be \$90,000.00 and the minimum bid price for the 2005 ambulance (Schedule B) shall be \$10,000.00; and

WHEREAS, the Borough of South Plainfield expressly reserves the right to reject all bids where the highest bid is not accepted;

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

Any and all bids made for the purchase of the 2019 ambulance (Schedule A) on October 17, 2022 at the open public auction shall be and are hereby rejected;

The Borough Administrator, Borough Clerk and Borough Attorney are authorized to take such steps as necessary to offer for sale to the highest bidder at open auction the property described on the attached Schedules A and B;

The auction shall take place on November 10, 2022 at 7:00 p.m. at the Borough’s Municipal Building, 2480 Plainfield Avenue, South Plainfield, New Jersey. All interested parties may participate in person or by video conference at that time or as soon thereafter as the matter may be heard and publicly announced, provided the sale is not cancelled;

Any successful bidder shall make payment by check or money order for a deposit of ten percent (10%) of a successful bid within 48 hours of conclusion of the auction and the balance of the purchase price shall be paid no later than 30 days following acceptance of the bid by the Borough. The purchaser shall be entitled to possession immediately following payment of the full purchase price;

The Borough makes no representations as to the presence or absence of defects, and the bidder assumes the risk of any condition, the property being sold “AS IS”;

The Borough reserves the right to waive any and all defects and informalities in any bid and to accept or reject any and all bids at the public sale and to not award to the highest bidder. No bid shall be finally accepted until final passage of a resolution by the Borough Council as set forth hereinafter;

Acceptable bids shall be confirmed by resolution of the Borough Council no later than the first regular meeting of the Borough Council following the date of the auction;

This Resolution shall constitute and serve as the public notice to be published in a newspaper circulating in the Borough being published not earlier than fourteen days prior to the date set forth for the public sale;

In the event a successful bidder fails to complete the purchase after confirmation of the sale by resolution of the Borough Council, they shall forfeit the deposit and the Borough may again offer the property for sale;

All prospective bidders and purchasers are put on notice that no employee, agent or officer of the Borough has authority to waive, modify or amend any of the conditions of sale;

The 2019 ambulance (Schedule A) shall be sold at a minimum price of \$90,000.00; and the 2005 ambulance (Schedule B) shall be sold at a minimum price of \$10,000.00;

If any section or provision of this Resolution shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Resolution, except as far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof;

This Resolution shall take effect immediately.

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	X				
Council President Faustini			X				
		VOTE:	5	0			
Mayor Anesh – TIE ONLY							

COMMENTS FROM THE PUBLIC:

Council President Faustini opened the floor for public comment reiterating the aforementioned remote directions for making remote public comment.

Without any comment from the public, Council President Faustini closed the floor from the public.

ADJOURNMENT

Without comment and no more action necessary for this morning, Council President Faustini called for a motion to adjourn. Councilman Wolak made a motion to adjourn at 9:06 a.m., seconded by Councilwoman Mott and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk