

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
January 23, 2023, 7:00 P.M.
AGENDA MEETING**

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

CALL TO ORDER: Mayor Anesh called the meeting to order at 7:00 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 Amy Antonides as follows:

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

Mayor Anesh reviewed some basic rules for conducting this virtual hybrid 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 *6 button will mute and unmute the voice feature for any phone callers.

Review of Agenda Items: Clerk Antonides reviewed all the items on the agenda. Mr. Cullen requested an amendment to both Resolution 23-79 and Ordinance 2257 to add language to both that says, "a transaction fee of no more than 4% may be charged on credit transactions in Community Pass". Councilman White made a motion to amend Resolution 23-79 accordingly, seconded by Council President Bengivenga and unanimously carried. Councilman White made a motion to amend Ordinance 2257 accordingly, seconded by Council President Bengivenga and unanimously carried. Council President Bengivenga then made a motion to add a matter for closed session tonight titled "Contractual – PBA", seconded by Councilman Wolak and unanimously carried. Mayor Anesh asked the Council if they had any further comments. There were no further comments.

**RESOLUTION 23-52
AUTHORIZING A CLOSED SESSION MEETING**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 and P.L. 2001, C. 404, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council of the Borough of South Plainfield wishes to go into a closed Executive Session and is of the opinion that such circumstances presently exist which should not be discussed in public, and

WHEREAS the Open Public Meetings Act pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12 permits the Borough Council to discuss certain matter(s) in private, and in this case for the purpose of the Borough Council to discuss the below matters all of which requires attorney-client privilege:

- Contractual – Animal Control Services
- Legal – Durham Plaza LLC
- Legal – Middlesex County Order for Revaluation
- Legal – DSC of Newark/Cornell Dubilier
- Contractual – PBA (added to the agenda this evening)

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it will go into an Executive Session for the purpose of Borough Council to discuss the aforementioned matters all of which requires attorney-client privilege in this regard.

BE IT FURTHER RESOLVED that the results of such discussion may be revealed at such time as the matter(s) are resolved and/or a contract(s) is signed and/or the negotiations are formally settled. Interested parties may contact the Borough Clerk anytime during normal business hours for periodic updates as to the availability in this regard.

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

PUBLIC COMMENT ON AGENDA ITEMS ONLY: Mayor Anesh opened the floor for public comment reiterating the aforementioned directions for making remote public comments. With no comments made from the public, Mayor Anesh closed the floor.

ADJOURN AGENDA MEETING: With no further comments, Mayor Anesh asked for a motion to adjourn from the Agenda Meeting. Councilman White made a motion to adjourn from the Agenda Meeting at 7:05 p.m., seconded by Councilman Smith and unanimously carried by an all-in favor.

Respectfully Submitted By:

Amy Antonides, RMC/CMC/CMR