

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
MARCH 6, 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 removing resolution 23-109 from the agenda. Council President Bengivenga asked to set aside resolution 23-106 to be voted on separately. Mayor Anesh asked the Council if they had any further comments. There were no further comments.

**RESOLUTION 23-104  
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:

- Legal – Link Logistics

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

**Public Hearing– Release of Performance** Bonds - Release of a Performance Bond Reduction Posted by JSM at South Clinton Avenue for Public Improvements to Block 448, Lot 4.06. A legal representative for JSM at South Clinton Avenue was present. Mayor Anesh opened the floor for public comment. With no comments made, Mayor Anesh closed the floor and advised that a resolution for the release will be on this evenings agenda.

**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 7:06 p.m., seconded by Councilman Wolak and unanimously carried by an all-in favor.

Respectfully Submitted By:

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Amy Antonides, RMC/CMC/CMR