

**SOUTH PLAINFIELD BOROUGH
BOROUGH COUNCIL MEETING MINUTES
MARCH 6, 2023 7:06 P.M.
PUBLIC 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 7:06 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
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		

Flag Salute: was led by Mayor Anesh and Councilwoman Mott said 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.

Public Comment: Mayor Anesh opened the floor for public comment on agenda items only. Mayor Anesh also awaited virtual hand raises; he then unmuted all microphones. With no comments from the public in-person and virtual, Mayor Anesh closed the floor.

Authorizing the Approval of Council Minutes:

February 21, 2023 – Agenda Meeting
February 21, 2023 - Public Meeting
February 21 2023 – CDBG Public Hearing

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

ORDINANCES:

The following ordinance #2259 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment and council comment. With no comments from the public or council, Mayor Anesh closed the floor.

BOND ORDINANCE #2259

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF SOUTH PLAINFIELD, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$2,721,067 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,995,107 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 \$2,721,067, including a grant from the State of New Jersey Department of Transportation in the amount of \$619,460 for improvements to Norwood Avenue as described in Section 3(a) (the "State Grant") and further including the aggregate sum of \$106,500 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 and the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,995,107 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) Resurfacing and curbing and other road improvements to Norwood Avenue and other various roads, all as set forth on list on file in the Office of the Clerk and further including all work and materials necessary therefor and incidental thereto.	\$1,997,317 (includes a \$619,460 grant from the State of New Jersey Department of Transportation for Norwood Avenue)	\$1,306,857	10 years
b) The acquisition of sport utility vehicles for the Police Department, including all related costs and expenditure incidental thereto.	\$335,000	\$318,250	5 years
c) The acquisition of equipment and vehicles for the Department of Public Works and Code Enforcement, including, but not limited to, a sport utility vehicle, pick-up trucks, plows, trailers and mowers and further including all related costs and expenditures incidental thereto.	\$215,250	\$205,000	5 years
d) Environmental licensed site remediation professional cleanup at various sites, other environmental engineering costs and engineering costs for storm sewers, including all work and materials necessary therefor and incidental thereto.	<u>\$173,500</u>	<u>\$165,000</u>	15 years
Total	<u>\$2,721,067</u>	<u>\$1,995,107</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 and the State Grant, as applicable, 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 {A1298313.1 }

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 9.10 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 \$1,995,107, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$450,000 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, 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 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
Councilwoman Faustini			X				
Councilwoman Mott	x		X				
Councilman Smith			X				
Councilman White		x	X				
Councilman Wolak			X				
Council President Bengivenga			X				
		VOTE:	6	0			
Mayor Anesh – TIE ONLY							

The following ordinance #2260 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment and council comment. With no comments from the public or council, Mayor Anesh closed the floor.

ORDINANCE 2260

ORDINANCE THAT AMENDS ORDINANCES 2241, 2129 AND 2160 THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2020 THROUGH 2023 TO AMEND THE PUBLIC DEFENDER’S SALARY

The ordinance #2260 read by title upon first reading herewith has been introduced at the meeting of the Mayor and Borough Council of the Borough of South Plainfield, held on February 21, 2023. In summary, this ordinance amends Ordinances 2241, 2129 and 2160 that provides for the compensation of employees of South Plainfield and the method of payment of such compensation for the years 2020 through 2023 to now amend the Public Defenders 2023 salary to show a range between \$9,000.00 to \$17,500.00. The public hearing where further consideration will be made will be held on March 6, 2023, at approximately 7:00 p.m. at the Municipal Building located at 2480 Plainfield Avenue, South Plainfield, NJ. A full complete copy of this ordinance shall be provided, free of charge prior to adoption, to all those who request said copy at the Borough Clerk’s office during normal business hours of 8 a.m. to 4 p.m. or emailed upon req

uest. A copy is also located on the municipal website and may be freely viewed and printed.

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

The following ordinance #2261 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public comment and council comment. With no comments from the public or council, Mayor Anesh closed the floor. Councilman Smith advised that when this ordinance was first introduced he had abstained because he needed more time to review it and as such is now prepared to approve it tonight.

ORDINANCE 2261

AN ORDINANCE DELETING AND REPLACING CHAPTER 350 OF THE CODE OF THE BOROUGH RE: RENTAL OF THE SENIOR CENTER

WHEREAS, the Mayor and Council of the Borough of South Plainfield desire to amend the Borough Code as to fees, rules and regulations for the rental of the South Plainfield Senior Center;

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 350 of the Borough Code shall be deleted and replaced as follows:

USE OF SENIOR CENTER

Section 350-1. ORGANIZATIONS UTILIZING THE SENIOR CENTER

The use of Senior Center (hereinafter “Center”) may only be permitted, without charge, to boards, commissions, committees and agencies of the Borough. Each Borough board, commission, committee and agency shall be entitled to use the Center once per year.

Borough boards, commissions, committees and agencies shall be defined as any group formed under the Borough Code and designated as a board, commission, committee or agency whose members have been appointed pursuant to the Borough Code by the Mayor or Borough Council, as the case may be. Borough boards, commissions, committees and agencies may only utilize the Center for public purposes.

Section 350-2. RESERVATION PROCEDURES

Reservation requests must be submitted at least 14 calendar days prior to the requested date. One individual shall be designated as the responsible party for the requesting board, commission, committee or agency and such person shall be the responsible party and assume the responsibility for the cleanup of the Center.

Section 350-3. ADDITIONAL USE

Any board, commission, committee and agency which has used the Center may request one additional use of the Center in any calendar year, such request to be made to the Mayor and Council who shall have full and absolute discretion in the determination of whether an additional use will be permitted to such board, commission, committee or agency.

Section 350-4. SETUP AND TAKE DOWN

Setup and take down may take place only on the date and time designated by the Center. Access to the building prior to the use time for setup must be confirmed in advance. The board, commission, committee or agency using the Center shall be responsible for all setup and take down.

SECTION 350-5. USE OF KITCHEN

Permission to use the Senior Center may include use of the kitchen. Kitchen users must make their own catering arrangements, and arrange for cleaning the kitchen after use. The kitchen shall be used for heating/warming purposes only. No cooking shall be allowed.

SECTION 350-6. SIGN AND DECORATION PLACEMENT

All signs, decorations, scenery, etc. shall be erected without defacing the facility in any way, and shall be subject to the approval of the Senior Director. All signs, decorations, scenery, etc. shall be installed and removed from the facility within the time reserved. No items or materials may be affixed to walls, doors, flooring, furniture, etc. that will leave a residue, stain, scratch, or otherwise mar the surfaces. No smoking, use of candles, open flames and/or decorations which may be flammable or combustible, smoke or fog generating equipment or apparatus shall be allowed.

SECTION 350-7. SENIOR CENTER'S CLEANING STAFF

The Senior Center's cleaning staff shall ensure the Center is cleaned following the event. Only Senior Center staff shall be allowed to take down tables or chairs following the event. While the Center's cleaning staff does the cleaning, the board, commission, committee or agency shall remain responsible for the following:

- A. Cleaning of rooms:
 - 1. Removal of decorations and personal items from the facility.
 - 2. Place all garbage into the garbage cans.
 - 3. Pour all liquids down the drain, and do not place in garbage cans.

- B. Cleaning of kitchen if used:
 - 1. Empty all garbage containers into the outside dumpster.
 - 2. Wipe off all countertops (dish towels are available in kitchen).
 - 3. Empty coffee maker and clean coffee pots.
 - 4. Put all items back in the respective areas.
 - 5. Do not remove towels from kitchen areas, hang over sink to dry.
 - 6. Do not use dish towels to clean up spills or for cleaning purposes.
 - 7. Do not remove any item which belongs to the Center.
 - 8. Users shall bring their own containers to take leftovers from the Center.

Failure to follow these cleaning guidelines may result in the withholding of permission to use the Senior Center in the future.

SECTION 350-8. NO SMOKING POLICY

The Senior Center is a NON-SMOKING FACILITY. Smoking is permitted outside only, and all cigarette butts must be deposited in containers provided.

SECTION 350-9. NO ALCOHOL ALLOWED

Alcohol is not permitted in the Senior Center or on its grounds.

SECTION 350-10. SECURITY

The Senior Center Director may, at their discretion, require security permits. Security will be provided by the Center at a charge. The board, commission, committee or agency shall be responsible for paying the charge. Security may be requested by the board, commission, committee or agency, or may be required by the Director in the Director's sole discretion.

SECTION 350-11. INJURY/LOST ARTICLES

The Borough of South Plainfield and the Center assume no responsibility for accidents, injuries, lost or damaged articles while attending a meeting or event of a group.

SECTION 350-12. FIRE REGULATIONS

A fire permit application must be completed and returned to the Senior Center, along with final payment. The Center staff shall provide a copy of the application to the board, commission, committee or agency. The application may be filled out and mailed, faxed or dropped off to the Bureau of Fire Prevention, 123 Maple Avenue, South Plainfield, New Jersey 07080.

All groups must observe the following fire regulations:

- A. Use of open flames is prohibited.
- B. Electrical extension cords and decorations must be flame proof.
- C. Exits, corridors and hallways must be free of obstructions at all times.
- D. Persons may never stand in aisles of exit.
- E. Maximum capacity numbers in rooms must be observed.

SECTION 350-13. NOTICE OF RESPONSIBILITY/LIABILITY

The Borough of South Plainfield and the Center shall be responsible only to maintain the building and its structural components and systems, such as plumbing, lighting and electricity in a safe and operable condition. Neither the Borough nor the Center shall be responsible for the conduct of persons participating in events held at the facility. It shall be the board, commission, committee or agency’s responsibility to see that all participants use the facility in a safe and reasonable manner and obey all laws.

It shall be the board, commission, committee or agency’s responsibility to see that all participants use the facility in a safe and reasonable manner and obey all laws.

SECTION 350-14. POLICY EXCEPTIONS:

Any exceptions or variations to this policy will require the prior approval of the Mayor and Council. Requests must be made in writing and accompany the written application for use of the Senior Center. The Mayor and Council have the final authority for all decisions.

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

RESOLUTIONS:

RESOLUTION 23-105

AUTHORIZING THE REFUND OF A TAX OVERPAYMENT IN THE AMOUNT OF \$1,762.52 PERTAINING TO BLOCK 169, LOT 29

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

WHEREAS, the Tax Collector advises that the following taxpayers and/or their agents have overpaid their Tax and have requested refunds:

**Block 169; Lot 29
MICHELLE RILEY
5 STEVEN TERRACE
SOUTH PLAINFIELD, NJ 07080
\$1762.52**

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

RESOLUTION 23-106
AUTHORIZING THE RELEASE OF A PERFORMANCE BOND REDUCTION POSTED BY
JSM AT SOUTH CLINTON AVENUE FOR PUBLIC IMPROVEMENTS
TO BLOCK 448, LOT 4.06

WHEREAS, the Borough of South Plainfield is in possession of a performance bond pertaining to JSM at South Clinton Avenue known as Block 448, Lot 4.06 for public improvements in the amount of \$65,690.00 and as such, has requested a reduction of their performance bond; and

WHEREAS, the applicant has submitted their request for a reduction of their performance bond to T&M Associates who in turn has approved a reduction of said performance bond from \$65,390.00 to the new amount of \$32,840.00; and

WHEREAS, the Borough Engineer has given approval of the form and content of the aforementioned reduced performance 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 reduced performance bond for \$32,840.00 in place of the original performance bond in the amount of \$65,390.00 held for the public improvements located at the aforementioned Block(s) and Lot(s).

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

RESOLUTION 23-107
AUTHORIZING A 2023 TEMPORARY BUDGET AMENDMENT FOR \$2,500,000.00
IN THE CURRENT FUND, \$1,500,000.00 IN THE SEWER UTILITY
AND \$100,00.00 IN THE POOL 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 2023 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
3-01-20-100-000-101	Administration	S&W	30,000.00
3-01-20-110-000-101	Executive	S&W	10,000.00
3-01-20-130-000-235	Finance	O&E	16,000.00
3-01-20-140-000-101	Computers	S&W	10,000.00
3-01-23-220-000-601	Health Benefits	O&E	425,000.00
3-01-25-240-001-101	Police	S&W	325,000.00
3-01-25-240-003-241	Crossing Guards	O&E	50,000.00
3-01-25-265-001-201	Fire Department	O&E	20,000.00
3-01-25-265-003-581	Fire Service Charges	O&E	150,000.00
3-01-26-310-000-101	Buildings & Grounds	S&W	100,000.00
3-01-26-315-000-101	Vehicle Maintenance	S&W	20,000.00
3-01-26-315-000-401	Vehicle Maintenance	O&E	15,000.00
3-01-27-330-002-101	Youth Aid	S&W	1,000.00
3-01-27-335-001-101	Environmental Commission	S&W	10,000.00
3-01-28-370-001-515	Recreation	O&E	5,000.00
3-01-30-415-001-101	Accumulated Leave	O&E	25,000.00
3-01-31-440-001-541	Telephone	O&E	10,000.00
3-01-38-481-000-225	Tax Appeals	O&E	35,000.00
3-01-45-920-000-801	Bond Principal	Debt	1,038,000
3-01-45-930-000-802	Interest on Bonds	Debt	185,000.00
3-01-31-465-001-565	Gas	O&E	10,000.00
3-01-36-472-000-675	SSI	Statutory	10,000.00
Total CURRENT FUND			2,500,000.00
SEWER UTILITY			AMOUNT
3-07-55-910-001-803	Note Principal	Debt	5,000.00
3-07-55-515-001-585	Sewer O&E	O&E	1,491,500.00
3-07-55-912-000-235	Note Interest	Debt	3,500.00
Total SEWER UTILITY			1,500,000.00
POOL UTILITY			AMOUNT
3-26-55-902-000-801	Bond Principal	Debt	37,000.00
3-26-55-903-000-802	Interest on Bonds	Debt	7,000.00
3-26-55-520-000-101	Pool Salaries	S&W	23,500.00
3-26-55-904-000-804	Note Principal	Debt	25,000.00
3-26-55-905-000-803	Note Interest	Debt	7,500.00
Total POOL UTILITY			100,000.00

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

RESOLUTION: 23-108

AUTHORIZING ALICE TEMPEL TO SUBMIT AN APPLICATION FOR A RECYCLING ENHANCEMENT GRANT (REG)

WHEREAS, the County of Middlesex in continuing to recognize the importance of recycling and the role that the individual municipalities play in conjunction with the County towards achieving an exemplary recycling rate has proposed to provide grant monies to municipalities through the Recycling Enhancement Grant (REG) Program; and

WHEREAS, it is the intent of the REG Program to provide funds to qualifying municipalities to be used for a paper shred event to enhance a municipality's recycling program; and

WHEREAS, it appears to be in the best interest of the Borough of South Plainfield and its citizens to apply for this grant;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of South Plainfield that Alice Tempel, Recycling Coordinator, is hereby authorized to submit the attached application for consideration of a grant to the Middlesex County Division of Solid Waste Management.

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

**REMOVED FROM THE AGENDA
RESOLUTION 23-109**

RESOLUTION 23-110

**AUTHORIZING T&M ASSOCIATES TO PERFORM STORM SEWER MAPPING AND RELATED WORK IN AN
AMOUNT NOT TO EXCEED \$25,500.00**

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for T&M Associates to perform storm sewer mapping and related work for the Borough of South Plainfield in an amount not to exceed \$25,500.00.

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

1. Municipal Clerk
2. Chief Financial Officer
3. T&M Associates
4. Len Miller, DPW Superintendent

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

**RESOLUTION 23-111
ACCEPTING THE RETIREMENT OF CHIEF JAMES PARKER
FROM THE POLICE DEPARTMENT EFFECTIVE 09/01/2023**

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

It hereby accepts the retirement of Chief James Parker from the Police Department effective 09/01/2023; 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 Miller, Payroll
5. James Parker, Chief of Police
6. John Abbruzzese, IT

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

RESOLUTION: 2023-112

AUTHORIZING THE CANCELLATION OF TAXES FOR THE CHURCH IN EDISON PERTAINING TO 225 MAPLE AVENUE IN SOUTH PLAINFIELD

WHEREAS, property known as Lot 6 in Township Block 198 more commonly known as 225 Maple Avenue in South Plainfield, NJ is owned by **The Church in Edison**; and

WHEREAS, the Tax Assessor has deemed that the property listed in the tax duplicate as 225 Maple Avenue will be used for Religious Corporation and is 100 % exempt from property taxes, effective November 10, 2022 under the provision of the N.J.S.A. 54:4-3.6; and

WHEREAS, the Church in Edison owns the property listed in the tax duplicate as 225 Maple Avenue, South Plainfield, NJ, and is entitled to one hundred percent of the taxes for this property exempt; and

WHEREAS, one hundred percent of the taxes on this property will be entitled to exemption for as long as The Church in Edison is an owner of the property; and

NOW THEREFORE BE IT RESOLVED, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 1st and 2nd quarters of 2023 totaling **\$7,831.57**; and

BE IT FURTHER RESOLVED, that the Tax Collector be, and she hereby is, authorized and directed to cancel monies levied for the 3rd and 4th quarters of 2023, and 1st and 2nd quarters of 2024 once the preliminary bills are determined.

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

RESOLUTION 23-113

AUTHORIZING ENVIRONMENTAL RESOLUTIONS, INC. TO PERFORM CONTINUED REMEDIAL SERVICES AND GROUND WATER SAMPLING AT THE MUNICIPAL BUILDING IN AN AMOUNT NOT TO EXCEED \$58,450.00

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for Environmental Resolutions, Inc. to perform continued remedial services and ground water sampling at the municipal building in an amount not to exceed \$58,450.00.

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

1. Municipal Clerk
2. Chief Financial Officer
3. Environmental Resolutions Inc.
4. Len Miller, DPW Superintendent

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

RESOLUTION 23-114

AUTHORIZING ENVIRONMENTAL RESOLUTIONS, INC. TO PERFORM GROUND WATER AND SURFACE WATER SAMPLING AT THE SOUTH PLAINFIELD SANITARY LANDFILL IN AN AMOUNT NOT TO EXCEED \$35,000.00

BE IT RESOLVED that authorization by the Governing Body of the Borough of South Plainfield is hereby granted for Environmental Resolutions, Inc. to perform ground water and surface water sampling at the South Plainfield sanitary landfill in an amount not to exceed \$35,000.00.

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

1. Municipal Clerk
2. Chief Financial Officer
3. Environmental Resolutions Inc.
4. Len Miller, DPW Superintendent

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

**RESOLUTION 23-115
AUTHORIZING THE MAYOR TO EXECUTE AN ACCESS AGREEMENT
WITH BRITTANY TARA MILLER AND DAVID R. MILLER**

WHEREAS, BrittanyTara Miller and David R. Miller are the owners of property known as 937 Franklin Avenue within the Borough, also known as Lot 114 in Block 152 on the Tax Map of the Borough; and

WHEREAS, there currently exists a storm sewer culvert which is blocked on the property of Brittany Tara Miller and David R. Miller; and

WHEREAS, Brittany Tara Miller and David R. Miller are willing to allow access to permit the Borough to perform such work as is necessary to clear the blockage and otherwise perform work for stormwater management at such site;

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 is hereby authorized to execute an Agreement to permit access to the property owned by Brittany Tara Miller and David R. Miller known as 937 Franklin Avenue, Lot 114 in Block 152, to permit stormwater management work at a culvert on such property, a copy of which Agreement is attached hereto.

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

CORRESPONDENCE:

- Health Advisory Board Monthly Report – February 2023
- BEDAG Minutes – October 5, 2022
- Environmental Commission Minutes – January 11, 2023
- Thank you letter from Congressman Frank Pallone, Jr.

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

PAYMENT OF BILLS

Current Fund	3-01	393,809.26
Current Fund	2-01	15,515.53
Pool Utility	3-26	0.00
Pool Utility	2-26	0.00
Sewer Utility	3-07	1,162,016.02
Sewer Utility	2-07	301.99
Sewer Utility Capital	C-08	0.00
General Capital	C-04	1,675.40
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	7,539.00
Dog Trust	T-12	0.00
Treasurers Trust	T-13	6,327.50
Recreation Trust	T-14	240.00
Senior Citizen Trust	T-16	0.00
Total All Funds:		\$1,587,424.70

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

COUNCIL REPORTS:

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – reported that we are in the midst of our budget process. The AFS is now completed and on our website. We have had communication with the DCA pertaining to the \$525,000 grant for the turf field and next we will be meeting to discuss the turf field further. We should have more details in the coming weeks. To conclude Mr. Cullen congratulated Chief Parker on his forthcoming retirement.

Engineer Miller – advised that the field work and work on the capital road projects have begun. We are hoping to go out to bid soon.

Clerk Antonides – reported progress.

Councilman Smith – we had some great leadership under our Chief and personally thanked him for everything. He will be sorely missed.

Councilman Wolak – echoed the Council’s well wishes for Chief Parker.

Councilwoman Mott – thanked Chief Parker and congratulated him on his forthcoming retirement. We wish you the best of luck. Councilwoman Mott thanked everyone for their participation with the Buddy Ball Glow Dance this past weekend. It was a great team effort and turned out really well. A special thanks to the buddies and all the volunteers, including the many generous sponsors.

Council President Bengivenga – jokingly said he was tempted to vote no on accepting the Chief’s retirement. Council President Bengivenga said he has had a 12 year professional relationship with the Chief and the thing he admires most about the Chief is that he never sugar coated anything and came forth with the things he truly needed. We wish him well.

Councilwoman Faustini – thanked Councilwoman Mott for taking charge and helping with the Buddy Ball Glow Dance. Registrations are still available for our summer Camp Legend and also our South Plainfield Community Pool. Summer parks and camps should be announced within the next week or so. Registration for those should start in May. The Bunny Hop will be at Putnam Park on April 1st with a rain date of April 2nd. Councilwoman Faustini concluded by congratulating Chief Parker and wishing him well. The library will be sponsoring in honor of St. Patrick’s Day an Irish Ballater at 1pm.

Councilman White – thanked Chief Parker for all he has done for our community and wished him all the best.

Mayor Anesh – said that when you speak to Chief Parker there are three basic words he usually says: “I’ll handle it”, “I’m good”, or “I’ve got it”. Chief Parker has always followed through with any assignment. It was always solid leadership from Chief Parker. We thank him and congratulate and wish him well. Thank you will never be enough.

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 congratulated Chief Parker on his retirement. Congratulations to Charlie Kurland for being named Elks Citizen of the Year. Mr. Kurland and his wife are the owners of Hometown Heros. Mr. Kurland is a large supporter of South Plainfield’s youth community.

Darlene Cullen announced that TapInto will be having an essay contest with the theme of “Women Who Make a Difference in South Plainfield”.

Without no further comment from the public, Mayor Anesh closed the floor from the public.

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 7:25 p.m., seconded by Council President Bengivenga and unanimously carried. The meeting was adjourned.

Submitted By:

Amy Antonides, RMC/CMC/CMR
Municipal Clerk