

**SOUTH PLAINFIELD BOROUGH  
BOROUGH COUNCIL MEETING MINUTES  
MAY 6, 2024 7:02 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 7:02 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. Mayor Anesh stated that pursuant to Article IV, Section 2 of the By-Laws, “the presiding officer shall limit such discussion to not more than a three-minute duration.”

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		
<b>ALSO PRESENT</b>			
Administrator Cullen	X		
Clerk Antonides	X		
Attorney Paul Rizzo	X		
Engineer Miller		X	
Chief Papa		X	

**Flag Salute:** was led by Mayor Anesh and Councilwoman Faustini said the invocation.

Mayor Anesh 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 126 663 1990 #. Using the pound button will mute and unmute the voice feature for any phone callers.

**Public Comment:** Mayor Anesh announced that the format for the 2024 agenda has been slightly changed, noting that this will be the only public comment section on the agenda, and you can speak to any matter or those on the agenda. Mayor Anesh opened the floor for public comment. Mayor Anesh also awaited virtual hand raises and unmuted all microphones.

Debbie Boyle of Van Fleet thanked everyone for attending the Mayor’s “Meet with the Mayor Breakfast” this past Sunday saying it was a good turnout.

With no further comments from the public in-person and virtual, Mayor Anesh closed the floor.

**Authorizing the Approval of Council Minutes:**

- April 15, 2024 – Agenda Meeting
- April 15, 2024 - Public Meeting
- April 15, 2024 – Executive Session

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				
			5	0			
<b>Mayor Anesh – TIE ONLY</b>							

**Proclamations:**

Military Appreciation Week – The American Legion Ladies Auxiliary accepted the proclamation.

American Legion Post 243 - 90<sup>th</sup> Anniversary – Commander Jay Cappola accepted the proclamation on behalf of the American Legion.

Police Week - May 12<sup>th</sup> - 18<sup>th</sup> - Officer Ricky Pellegrino accepted the proclamation on behalf of the police department.

Mental Health Awareness Month – Debbie Boyle and Kristy Lowrie accepted the proclamation. Ms. Lowrie read a prepared statement pertaining to the great importance of mental health awareness.

Mayor Anesh read all aforementioned proclamations in full. Everyone extended a round of applause and photos were taken by media and friends/family present.

**ORDINANCES:**

The following ordinance #2305 was read by Clerk Antonides by title for a second reading. Mayor Anesh opened the floor for public hearing and with no comments from the public, closed the floor.

**ORDINANCE 2305  
AN ORDINANCE ESTABLISHING TREE REMOVAL AND REPLACEMENT  
REGULATIONS WITHIN THE BOROUGH OF SOUTH PLAINFIELD**

**BE IT ORDAINED** by the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 444, Trees, of the Code of the Borough be deleted and replaced with the following:

**SECTION I. Purpose:**

An ordinance to establish requirements for tree removal and replacement in the Borough of South Plainfield to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety and welfare.

**SECTION II. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

- A. "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.
- B. "Critical Root Radius (CRR)" – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.
- C. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree.
- D. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.
  - 1. Has an infectious disease or insect infestation;
  - 2. Is dead or dying;
  - 3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
  - 4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
  - 5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or licensed tree expert as

defined pursuant to the Tree Expert and Tree Care Operator's Licensing Act, N.J.S.A. 45:15C-11, et seq.

- E. "Person" means any individual, resident, corporation, utility, company, partnership, firm, or association.
- F. "Planting strip" means the part of a street right-of-way between the public right-of-way adjacent to the portion of the street reserved for vehicular traffic the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.
- G. "Resident" means an individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.
- H. "Street Tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.
- I. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.
- J. "Tree Caliper" means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.
- K. "Tree removal" means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

### SECTION III. Regulated Activities:

- A. Application Process:
  - 1. Any person planning to remove a street tree with DBH of 2.5" or more or any non-street tree with DBH of 6" or more on their property shall submit a Tree Removal Application to Construction Official. **No tree shall be removed until municipal officials have reviewed and approved the removal.**
  - 2. Fees payable for the filing of an application for a tree removal and site clearing permit shall be as follows:
    - a. For existing residential property not involving a subdivision or site plan, the fee shall be \$25.00.
    - b. For any subdivision, vacant land or commercial property, the fee shall be \$100.00 per acre or portion thereof.
- B. Tree Replacement Requirements
  - 1. Any person who removes one or more street tree(s) with a DBH of 2.5" or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.
  - 2. Any person, other than a resident, who removes one or more tree(s) with a DBH of 6" or more per acre, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table.

The species type and diversity of replacement trees shall be in accordance with Appendix A.

Replacement tree(s) shall:

- 1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below;
- 2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the Borough;
- 3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and

4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

**Tree Replacement Requirements Table:**

Category	Tree Removed (DBH)	Required Action
1	DBH of 2.5" (for street trees) or 6" (for other trees) to 12.99"	Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed
2	DBH of 13" to 22.99"	Replant 2 tree with a minimum tree caliper of 1.5" for each tree removed
3	DBH of 23" to 32.99"	Replant 3 tree with a minimum tree caliper of 1.5" for each tree removed
4	DBH of 33" or greater	Replant 4 tree with a minimum tree caliper of 1.5" for each tree removed

C. Replacement Alternatives:

1. If the Borough determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
  - a. Plant replacement trees in a separate area(s) approved by the Borough.
  - b. Provide an estimate from a nursery for supplying the requisite number of trees, unplanted, and the fee shall be twice the estimate. The Borough shall have full and sole discretion to review all estimates and may reject any or all estimates and require submission of further estimates which shall be subject to the same requirements. This fee shall be placed into a fund established by the Borough for environmental programs, such as tree planting, tree maintenance, tree preservation, park development or landscaping and other comparable projects as recommended by the Borough Council.

**SECTION IV. Exemptions:**

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the Borough by all persons claiming an exemption which make consist of photographs, statements from an LTE or certified arborist, or such other evidence as may be required by the Borough.

- A. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- B. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the Borough;
- C. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- D. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- E. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no fee or replacement requirement.

**SECTION V. Enforcement:**

This ordinance shall be enforced by the South Plainfield Police Department or Code Enforcement during the course of ordinary enforcement duties.

**SECTION VI. Violations and Penalties:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine equal to the greater of {A1298313.1 }

\$1,000.00, or the cost of acquiring and planting a replacement tree. The court shall have the discretion in lieu of a fine to require replacement of the basal area of the removed tree.

**SECTION VII. Severability:**

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

**SECTION VIII. Effective Date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

COUNCIL	MOTION	2 <sup>ND</sup>	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				
			5	1			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2306 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for June 3, 2024 at 7 pm.

**ORDINANCE 2306  
AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY  
OF MIDDLESEX, STATE OF NEW JERSEY AMENDING CHAPTER 17  
OF THE CODE OF THE BOROUGH REGARDING  
BOARDS, COMMISSIONS AND COMMITTEES**

**BE IT ORDAINED** by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey that Chapter 17 of the Code of the Borough of South Plainfield titled Boards, Commissions and Committees be amended as follows:

Amend Section 17-2(c) to substitute “may” for “shall” in the first sentence of said Subsection;

Add Section 17-7, Green Team; Members.

The Environmental Advisory Committee shall establish a Green Team and appoint members to develop plans, implement programs, and assist with educational opportunities that support the creation of a community sustainability program.

A. The Green Team shall consist of the Mayor or his designee; the Borough Administrator; a Council liaison; a school board member appointed by the Board of Education; and up to two members of the Environmental Advisory Committee to be appointed by the Chairperson.

B. The Chairperson may appoint with the advice and consent of the Committee advisory members which may include, but is not limited to a Zoning Board or Planning Board member; a local business member; a Recreation Commission member; the Public Works Director or his designee; a youth representative; and up to two concerned citizens.

C. The term of appointment for each Green Team member shall be for one year.

D. The general purposes for the Green Team shall include, but not be limited, to the following:

1. Management of South Plainfield participation in the Sustainable Jersey Program;
2. Encouraging the Borough administration to pursue sustainable practices where possible and implement the environmental goals of the Mayor and Council;
3. At the recommendation of the Mayor and Council, work with existing groups within the Borough whose actions affect environmental issues so as to eliminate duplication and insure that important tasks are completed;
4. Provide suggestions to the Mayor and Council for further research and action in pursuit of the goals and functions of the Green Team;
5. Provide advice and suggestions to the Planning Board and Zoning Board to assure that environmental issues are considered in the deliberations and actions if requested by the Mayor and Council;
6. Upon obtaining approval of the Mayor and Council, solicit and evaluate environmental ideas and suggestions from the community; and
7. Upon obtaining approval of the Mayor and Council, promote the causes of sustainability within the Borough.

D. The Green Team shall meet at a designated time and place scheduled by the Chair of the Environmental Advisory Board or their designee at their discretion.

Renumber all sections as necessitated by the addition of Section 17-7.

Revise current Section 17-27, Establishment, Membership and Terms; Compensation as follows:

17-28

A. There is hereby established a Human Relations Committee for the Borough of South Plainfield that shall consist of up to nine members, including up to six advisory members. The membership of the committee shall include a member from Borough agencies as follows:

1. One member of the South Plainfield Board of Education to be designated by the President of the Board of Education;
2. One member of the Council of the Borough of South Plainfield who shall act as a liaison to be designated by the Mayor;
3. One member of the South Plainfield Police Department to be designated by the Chief of Police;  
and
4. Advisory members who must be 18 years of age and residents of South Plainfield. They shall be appointed by the Mayor with the advice and consent of the Borough Council. Each member shall serve for a term of three years and until the appointment and qualification of their successor, except that the initial term of the advisory member shall be as follows: up to two advisory members for a term of three years; up to two advisory members for a term of two years; and up to two advisory members for a term of one year. The initial appointment of advisory members shall be done at the annual reorganizational meeting of the Mayor and Council next following the adoption of this Ordinance.

Retitle Article XI to be titled Cultural Arts Committee and reference the Cultural Arts Committee in all sections of this Article which currently reference Cultural Arts Commission; and

Delete the last sentence of 17-53(A), which current reads “In the event of a tie vote, the Council liaison shall act as a tie breaking vote”.

Add to Section 17-53(E) at the end of said section “In the event of a tie vote, the Council liaison shall act as the tie breaking vote”.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

COUNCIL	MOTION	2 <sup>ND</sup>	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			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2307 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for June 3, 2024 at 7 pm.

**ORDINANCE # 2307  
CALENDAR YEAR 2024  
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. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% 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 in the County of Middlesex finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$1,027,018.20 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 of the Borough of South Plainfield 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 CY 2024 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 \$1,027,018.20, and that the CY 2024 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
Councilwoman Faustini			X				
Councilwoman Mott			X				
Councilman Smith	X		X				
Councilman White			X				
Councilman Wolak			X				
Council President Bengivenga		X	X				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2308 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for June 3, 2024 at 7 pm.

**ORDINANCE 2308**

**A CAPITAL ORDINANCE AUTHORIZING “IMPROVEMENTS TO THE RECYCLING CENTER” AT A COST OF \$22,500.00, IN THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD, NEW JERSEY** as follows:

Section 1. The aforementioned assets be funded by the following sources:

<b>Middlesex Cty Recycling Grant</b>	<b>\$10,000.00</b>
<b>Capital Improvement Fund</b>	<b>12,500.00</b>
<b>Totals</b>	<b><u>\$22,500.00</u></b>

Section 2. That the improvements described in Section 1 hereof shall be authorized as Capital Improvements for the Borough of South Plainfield in the County of Middlesex, New Jersey.

Section 3. It is hereby determined and declared by this Mayor and Borough Council as follows:

- A. That the maximum estimated amount of money to be raised from all sources for the purposes stated in Section 1, hereof, is \$22,500.00. Improvements shall include, but not be limited to, sheds, dumpsters and other capital equipment.
- B. That the cost for the improvements shall be paid from a Middlesex County Recycling Enhancement Grant \$10,000 and \$12,500.00 from the Capital Improvements Fund.
- C. The estimated useful life of said improvements is hereby determined to be five (5) years.

Section 4. That the total amount of the appropriation to be expended for Architectural and inspection costs, legal costs, advertisement of ordinance and other expenses as provided in Section 48:2-20 of the Revised Statutes, is not to exceed \$2,500.00.

Section 5. This ordinance shall take effect after final passage and publication in accordance with the law.



COUNCIL	MOTION	2 <sup>ND</sup>	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				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2309 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for June 3, 2024 at 7 pm.

**NOTICE OF INTRODUCTION BY SUMMARY  
ORDINANCE 2309**

**AN ORDINANCE REPLACING ORDINANCE 2147 THAT PROVIDES FOR THE COMPENSATION OF EMPLOYEES OF THE BOROUGH OF SOUTH PLAINFIELD AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEARS 2024 THROUGH 2028 FOR NON-UNION AND COMMITTEE SECRETARIES**

Ordinance #2309 was 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 May 6, 2024. In summary, this ordinance replaces Ordinance 2147 that provides for the compensation of employees of the Borough of South Plainfield and the method of payment of such compensation for the years 2024 through 2028 for non-union and committee secretaries. The public hearing where further consideration will be made will be held on May 20, 2024, 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 request. A copy is also located on the municipal website and may be freely viewed and printed.

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				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

The following ordinance #2310 was read by Clerk Antonides by title for a first reading. Mayor Anesh set the public hearing for June 3, 2024 at 7 pm.

**ORDINANCE 2310**

**AN ORDINANCE OF THE BOROUGH OF SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY TO AMEND CHAPTER 399 OF THE CODE OF THE BOROUGH OF SOUTH PLAINFIELD TITLED STORMWATER CONTROL**

**WHEREAS**, the New Jersey Department of Environmental Protection (“DEP”) previously adopted rules as of March 2, 2020 with regard to stormwater management setting forth minimum standards and expectations for such management, and as a result thereof, the Borough adopted Ordinance No. 2195 on March 15, 2021 to incorporate such rules; and

**WHEREAS**, the DEP further amended its rules regarding stormwater management as of July 17, 2023 which again set forth minimum standards and expectations for such management;

**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 399 of the Code of the Borough of South Plainfield be amended as follows:

**Section 399-1(C) - Add the following subsections:**

3. An application required by ordinance pursuant to C.1 above that has been submitted prior to June 3, 2024 shall be subject to the stormwater management requirements in effect on June 2, 2024.

4. An application required by ordinance for approval pursuant to C.1.(b) above that has been submitted on or after March 2, 2021, but prior to June 3, 2024 shall be subject to the stormwater management requirements in effect on June 2, 2024.

5. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023 shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

**Section 399-2 - Add the following definitions:**

Public Roadway or Railroad - means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

Public Transportation Entity - means a federal, state, county, or municipal government, an independent state authority or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52, et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railway.

**Amend Section 399-4 as follows:**

E - Delete the link at the end of this Section and replace with:

<https://dep.nj.gov/stormwater/dmp-manual/>

Delete Section P(2)(b) and replace as follows:

P(2)(b) - Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 2-year storm, as defined and determined pursuant to Section 399-5(D) is infiltrated.

Delete P(4)(a) and replace with the following:

P(4)(a) - Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency ("EPA") at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remediation work plan approved pursuant to the Administrator Requirements for the Remediation of Contaminated Sites Rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials such as gas stations and vehicle maintenance facilities; and

Delete Section 399-4(R)(2)(a), (b) and (c) and replace as follows:

399-4(R)(2)(a) - Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected two-, ten-, and 100-year storm events, as defined and determined in Section 399-5(C) and (B), respectively, of this Ordinance do not exceed at any point in time the pre-construction runoff hydrographs for the same storm events;

399-4(R)(2)(b) - Demonstrate through hydrologic and hydraulic analysis that there is no increase as compared to the preconstruction condition, and the peak rates of stormwater leaving the site for current and projected two-, ten- and 100-year storm events, as defined and determined pursuant to Section 399-5(C) and (D), respectively, of this Ordinance, and that the increased volume or change in timing of stormwater runoff will not increase flood at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage areas;

399-4(R)(2)(c) - Design stormwater management measures so that the post-construction peak runoff rates for the current and projected two-, ten- and 100-year storm events, as defined and determined in Section 399-5(C) and (D), respectively, of this Ordinance are 50, 75 and 80 percent, respectively, of the pre-construction runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or

**Amend Section 399-5 as follows:**

Section 399-5(A)(1) - Replace the existing sentence with the following:

The Design Engineer shall calculate runoff using the following method:

Section 399-5(A)(1)(a) - Delete reference to the link <https://www.nrcs.usda.gov/internet/fsedocuments/stelprdb1044171.pdf> and replace with <https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422> or at United States Department of Agricultural Natural

{A1298313.1 }

Resources Conservation Service, New Jersey State Office”.

Delete Section 399-5(A)(1)(b)

Delete Section 399-5(A)(2) and replace with the following:

399-5(A)(2) - For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “curve number” applies to the NRCS methodology above at Section 399-5(1)(a). A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or a portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption is in good hydrologic condition (if the land use type is pasture, lawn or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

399-5(B) replace website information with the following:

New Jersey Stormwater Best Management Practices Manual, Appendix D: Model Stormwater Control Ordinance for Municipalities <https://www.nj.gov/dep/njgs/pricelst/gsrreport/gsr32.pdf> or at New Jersey Geological and Water Survey, 29 Arctic Parkway, P.O. Box 420, Mail Code 29-01, Trenton, New Jersey 08625-0420.

Add: Section 399-5(C). Precipitation Depths of the current two-, ten-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:

1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (“NOAA”), National Weather Service’s Atlas 14 Point Precipitation Estimates: NJ, in accordance with the location(s) of the drainage area(s) on the site. This data is available at:

[https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\\_map\\_cont.html?bkmrk=nj](https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj); and

3. The applicant shall utilize Table 5: Current precipitation adjustment factors below, which sets forth the applicable multiplier for the drainage area(s) of the site in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternatively, separate rainfall totals can be developed for each county using the values in the table below.

**Table 5: Current Precipitation Adjustment Factors**

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.01	1.02	1.03
Bergen	1.01	1.03	1.06
Burlington	0.99	1.01	1.04
Camden	1.03	1.04	1.05
Cape May	1.03	1.03	1.04
Cumberland	1.03	1.03	1.01
Essex	1.01	1.03	1.06
Gloucester	1.05	1.06	1.06
Hudson	1.03	1.05	1.09
Hunterdon	1.02	1.05	1.13
Mercer	1.01	1.02	1.04
Middlesex	1.00	1.01	1.03

Monmouth	1.00	1.01	1.02
Morris	1.01	1.03	1.06
Ocean	1.00	1.01	1.03
Passaic	1.00	1.02	1.05
Salem	1.02	1.03	1.03
Somerset	1.00	1.03	1.09
Sussex	1.03	1.04	1.07
Union	1.01	1.03	1.06
Warren	1.02	1.07	1.15

Add Section 399-5(D).

Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service's Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

**Table 6: Future Precipitation Change Factors**

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	10-year Design Storm
Atlantic	1.22	1.24	1.39
Bergen	1.20	1.23	1.37
Burlington	1.17	1.18	1.32
Camden	1.18	1.22	1.39
Cape May	1.21	1.24	1.32
Cumberland	1.20	1.21	1.39
Essex	1.19	1.22	1.33
Gloucester	1.19	1.23	1.41
Hudson	1.19	1.19	1.23
Hunterdon	1.19	1.23	1.42
Mercer	1.16	1.17	1.36
Middlesex	1.19	1.21	1.33
Monmouth	1.19	1.19	1.26
Morris	1.23	1.28	1.46
Ocean	1.18	1.19	1.24
Passaic	1.21	1.27	1.50
Salem	1.20	1.23	1.32
Somerset	1.19	1.24	1.48

Sussex	1.24	1.29	1.50
Union	1.20	1.23	1.35
Warren	1.20	1.25	1.37

**Amend Section 399-6 as follows:**

Amend Section 399-6(A) to delete the link provided and substitute with <https://dep.nj.gov/stormwater/bmp/manual/>.

Amend Section 399-6(A)(2) to delete the link provided therein and substitute with "<https://dep-nj.gov/stormwater/maintenance-guidance/>".

Delete 399-6(B) and replace with the following:

399-6(B). Submissions required for review by the Department should be mailed to: Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, P.O. Box 520, Trenton, New Jersey 08625-0420.

**Amend Section 399-8(C)(2)(b) to replace "less" with "greater".**

**Amend Section 399-10 as follows:**

At Section 399-10(B)(8), delete reference to the link and replace with "<https://dep-nj.gov/stormwater/maintenance-guidance/>".

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

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

**BUDGET RESOLUTIONS – Mayor Anesh set the public hearing for the 2024 Municipal Budget for June 3, 2024 at 7:00 p.m.**

**RESOLUTION 24-172  
AUTHORIZING THE MUNICIPAL CLERK TO READ THE PROPOSED  
2024 BUDGET BY TITLE ONLY**

**WHEREAS**, N.J.S.A. 40A:4-8 provides that the budget may be read by title only at the time of the public hearing, providing that at least one week prior to the date of the public hearing, a complete copy of the approved budget as advertised has been posted in the Municipal Building, with copies available to any persons requesting same as well as posted on the Municipal Website; and

**WHEREAS**, the Municipal Clerk shall fulfill her responsibilities of insuring the availability of the Municipal Budget to the public;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield, County of Middlesex, State of New Jersey that the CY 2024 Municipal Budget be read by title only and not in full.

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk

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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTION 24-173**

**CERTIFYING THAT THE GOVERNING BODY OF THE BOROUGH OF SOUTH PLAINFIELD HAS COMPLIED WITH HIRING PRACTICES UNDER N.J.S.A. 40A:4-5**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the Governing Body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the Governing Body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the Governing Body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the Borough Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

**RESOLUTION 24-174**

**AUTHORIZING AND CONDUCTING A SELF-EXAMINATION OF THE 2023 MUNICIPAL BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of South Plainfield has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2024 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Borough of South Plainfield that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer’s certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges

- b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
  3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
  4. That pursuant to the Local Budget Law:
    - a. All estimates of revenue are reasonable, accurate and correctly stated,
    - b. Items of appropriation are properly set forth
    - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
  5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
  6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

**RESOLUTION 24-175**

**AUTHORIZING THE INTRODUCTION OF THE 2024 MUNICIPAL BUDGET**

BE IT RESOLVED by the Borough Council of the Borough of South Plainfield that it hereby introduces the 2024 Municipal Budget pursuant to the attached 2024 proposed municipal budget, read by title by the Municipal Clerk of the Borough of South Plainfield during introduction on May 6, 2024; and

BE IT FURTHER RESOLVED that a public hearing relative to said budget will be conducted on June 3, 2024 at 7:00 p.m., Borough Hall, 2480 Plainfield Avenue, South Plainfield, NJ 07080. A full complete copy of the proposed 2024 Budget is available for public inspection in the office of the Borough Clerk during normal business hours as well as is posted on the Municipal Website; and

BE IT FURTHER RESOLVED that the 2024 Municipal Budget Revenue and Appropriation Summaries shall be published in The Star Ledger and The Observer prior to the aforementioned public hearing.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following;

1. Director of Local Government Services
2. Glenn Cullen, Chief Financial Officer/Administrator
3. Amy Antonides, Municipal Clerk
4. The Star Ledger and The Observer

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				
			6	0			
Mayor Anesh – TIE ONLY							

**RESOLUTIONS:**

**RESOLUTION 24-176  
AUTHORIZING THE EXTENSION OF SERVICES FOR SCHOOL CROSSING GUARD SERVICES WITH DMS  
SYSTEMS FOR THE 2024-2025 SCHOOL YEAR IN AN AMOUNT NOT TO EXCEED AN HOURLY  
RATE OF \$26.00**

**WHEREAS**, a need has been determined for School Crossing Guard services for the 2024 – 2025 school year; and

**WHEREAS**, sealed bids for School Crossing Guard Services were received and publicly opened on April 20, 2022 at 10:00 a.m., of which two bids were received; and

**WHEREAS**, DMS Systems, Inc., 27 Washington Avenue, Box 274, Milltown, New Jersey 08850 was determined to be the lowest qualified bidder, in the amount of \$22.00 per guard per hour for a one-year term to expire June 30, 2023; and

**WHEREAS**, in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11-15, said agreement may be extended for two (2) one-year terms (2023-2024 and 2024-2025); and

**WHEREAS**, it has been determined to extend the contract for the third and final term of 2024-2025 term in the amount of \$26.00 per guard per hour to expire on June 30, 2025; and

**WHEREAS**, the Borough reserves the right to adjust locations and/or personnel as needed; and

**WHEREAS**, funds for said purpose will be made available in the CY 2024 and CY 2025 budgets;

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that authorization is hereby granted to award Crossing Guard Services for the Borough of South Plainfield to DMS Systems, Inc., at an hourly rate of \$26.00 per guard per hour for the period August 15, 2024 through June 30, 2025.

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

**RESOLUTION 24-177  
AUTHORIZING A 2024 TEMPORARY BUDGET AMENDMENT  
FOR \$440,000.00 IN THE CURRENT FUND, \$63,750.00 IN THE SEWER UTILITY  
AND \$38,350.00 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 2024 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.



<b>CURRENT FUND</b>				
				<b>AMOUNT</b>
4-01-45-934-000-235	Note Principal	Debt		<b>265,000</b>
4-01-45-935-000-235	Note Interest	Debt		<b>175,000</b>
<b>TOTAL CURRENT FUND</b>				<b>440,000</b>
<b>SEWER UTILITY</b>				
				<b>AMOUNT</b>
4-07-55-910-001-803	Sewer Principal	Debt		<b>30,000</b>
4-07-55-912-000-235	Sewer Interest	Debt		<b>33,750</b>
<b>TOTAL SEWER UTILITY</b>				<b>63,750</b>
<b>POOL UTILITY</b>				
				<b>AMOUNT</b>
4-26-55-904-000-804	Pool Principal	Debt		<b>25,000</b>
4-26-55-905-000-803	Pool Interest	Debt		<b>13,350</b>
<b>TOTAL POOL UTILITY</b>				<b>38,350</b>

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

**RESOLUTION 24-178**

**AUTHORIZING THE PURCHASE OF A SHED FOR THE RECYCLING CENTER FROM STOLZFUS STRUCTURES  
IN AN AMOUNT NOT TO EXCEED \$7,170.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of a shed for the Recycling Center from Stolfus Structures in an amount not to exceed \$7,170.00 of which will be paid by the 2024 Municipal Recycling Enhancement Grant; 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. Kristina Nieradka, Recycling Coordinator

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

**RESOLUTION 24-179**  
**AUTHORIZING THE PURCHASE A TRAILER FOR THE DPW FROM MIDDLETOWN TRAILER SUPPLY IN AN AMOUNT NOT TO EXCEED \$8,190.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of a trailer for the DPW from Middletown Trailer Supply in an amount not to exceed \$8,190.00; and

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

- Glenn Cullen, CFO
- Amy Antonides, Municipal Clerk
- Len Miller, DPW Superintendent

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

**RESOLUTION: 24-180**  
**AUTHORIZING A REFUND PERTAINING TO LEGENDS CAMP FEE**

**WHEREAS**, the Recreation Director confirms that the below refunds are necessary based upon the request for a refund from Community Pass ID holders that pertain to Legends Camp fees for the 2024 summer season as follows:

**Community Pass ID: 1379630**

1x Week of Legends Camp (\$260.00)

**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
Councilwoman Faustini	X		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White		X	X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 24-181**  
**AUTHORIZING THE AWARD OF A BID TO AMERICAN ASPHALT & TRUCKING LLC FOR THE NEW MARKET AVENUE ROAD PROJECT IN AN AMOUNT NOT TO EXCEED \$1,537,024.84**

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

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40A:11, any expenditure of public funds in excess of \$17,500 requires municipalities to advertise for proposals for delivery of said goods or services; and

**WHEREAS**, a need has been determined that various road improvements are necessary; and

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**WHEREAS** bids were solicited and opened on Wednesday, August 17, 2024 at 10:30 a.m. and the following picked-up bid packages and submitted bids as follows:

American Asphalt Trucking	\$1,537,024.84
Stilo Excavation	\$1,623,652.99
Black Rock Enterprises	\$1,734,775.08
Topline Construction	\$1,838,499.94
JA Alexander, Inc.	\$2,508,054.74

**WHEREAS**, the bids have been reviewed by the Borough’s Engineer and Attorney and as such it has been determined that American Asphalt Trucking is the lowest qualified bidder and it is recommended the bid be awarded to them in the amount of \$1,537,024.84 for the New Market Avenue Road Project; and

**WHEREAS**, funds for said purpose have been certified by the Chief Financial Officer and are available through the current fund budget and/or via capital bonding.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Mayor and Municipal Clerk are hereby authorized to execute a contract if applicable for the aforementioned vendor.

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

**RESOLUTION 24-182**

**AMENDING RESOLUTION 22-242 THAT AUTHORIZED THE ENGINEERING SERVICES OF NAJARIAN ASSOCIATES FOR ROAD IMPROVEMENTS TO NEW MARKET AVENUE IN AN AMOUNT NOT TO EXCEED \$59,750.00 TO NOW CHANGE THE AMOUNT NOT TO EXCEED \$112,350.00**

**BE IT RESOLVED** that authorization by the Governing Body of the Borough of South Plainfield is hereby amends resolution 22-242 that authorized the engineering services of Najarian Associates for road improvements in the Borough of South Plainfield to New Market Avenue in an amount not to exceed \$59,750.00, to now change the amount not to exceed \$112,350.00.

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

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

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

**RESOLUTION 24-183  
AUTHORIZING EXECUTION OF A MULTI-PARTY TRAFFIC SIGNAL  
AGREEMENT WITH COLONIAL OAKS, LLC**

**WHEREAS**, Colonial Oaks, LLC (“Colonial Oaks”) is a developer of property within the Borough and such development requires installation of a traffic signal at the intersection of New Brunswick Avenue and a proposed private driveway to be known as Brewster Boulevard; and

**WHEREAS**, the County of Middlesex requires installation of a traffic light at such intersection, and New Brunswick Avenue is divided between the Borough of South Plainfield and the Township of Piscataway; and

**WHEREAS**, all parties recognize the desirability of installation of the traffic signal at such intersection and the Borough previously agreed to a form of agreement with Colonial Oaks, LLC for such installation, authorizing execution of such agreement by Resolution 23-380 on December 18, 2023; and

**WHEREAS**, after adoption and execution of the agreement, the County of Middlesex required revision of such agreement; and

**WHEREAS**, Colonial Oaks has proposed a new Multi-Party Traffic Signal Agreement between it, the County and the municipalities in accord with the requirements of the County, which revisions do not alter the obligations of the Borough; and

**WHEREAS**, Colonial Oaks has proposed a Multi-Party Traffic Signal Agreement between it, the County and the Municipalities and such agreement has been reviewed and approved by the Borough Attorney and engineers;

**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 and Clerk are authorized to execute the Multi-Party Traffic Signal Agreement attached hereto as Exhibit A.

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

**RESOLUTION 24-184  
AUTHORIZING THE PURCHASE OF VARIOUS POOL CHEMICALS FROM S&R POOL SUPPLY IN AN AMOUNT  
NOT TO EXCEED THE VARIABLE FEE STRUCTURE AS PER THE QUOTATION**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of various pool chemicals from S&R Pool Supply in an amount not to exceed the following fee structure:

- Bulk Sodium Hypochlorite           \$4.19/Gallon
- 5 Ga. Liquid Chlorine       \$42.20/Each
- 15 Ga. Muriatic Acid       \$125.40/Each

**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. Elizabeth Yarus, Recreation Director

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

**RESOLUTION 24-185  
AUTHORIZING THE PURCHASE OF A 2019 BOBCAT EXCAVATOR FROM PATTI CONSTRUCTION LLC IN AN  
AMOUNT NOT TO EXCEED \$27,250.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the purchase of a 2019 Bobcat Excavator from Patti Construction LLC in an amount not to exceed \$27,250.00; 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
3. Len Miller, DPW Supervisor

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

**RESOLUTION: 24-186  
AUTHORIZING A CONSTRUCTION PERMIT REFUND IN THE AMOUNT OF \$439.00 TO PURVEH SHETH FOR  
WORK THAT WAS NOT DONE**

**WHEREAS**, the Construction Official confirms that the below refund is necessary based upon the request for a refund for a permit for basement construction that was never done:

Purveh Sheth  
Permit #3317  
\$439.00

**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
Councilwoman Faustini	X		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White		X	X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION: 24-187**

**AUTHORIZING A CONSTRUCTION PERMIT REFUND IN THE AMOUNT OF \$75.00 TO BONNIE THOMPSON  
BASED UPON SENIOR CITIZEN FEES**

**WHEREAS**, the Construction Official confirms that the below refund is necessary based upon the request for a refund for a permit pertaining to a water heater due to the applicant’s age being over 65:

Bonnie Thompson  
Permit #240204  
\$75.00

**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
Councilwoman Faustini	X		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White		X	X				
Councilman Wolak			X				
Council President Bengivenga			X				
			<b>6</b>	<b>0</b>			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION: 24-188**

**ESTABLISHING THE RATES FOR VARIOUS PROFESSIONALS AND UNCLASSIFIED  
POSITIONS THAT ARE SET FORTH IN RANGES  
PURSUANT TO SALARY ORDINANCE 2304**

**WHEREAS**, the Borough Council of the Borough of South Plainfield establishes the rates for various professionals and unclassified position that are set forth in ranges pursuant to salary ordinance 2304 as follows:

<b>Professional Managers Salaries for Those Listed in Ranges</b>		
<b>2024</b>		
<b>Position</b>	<b>Employee</b>	<b>2024 Salary</b>
Purchasing Agent	Kelly Cupit	5,908
Electrical Sub-Code Official	Dominic DeMico	15,952
Public Defender	Edward Santoro	15,450
Social Service Director	Heather Barry	20,089
Recreation Leader	Thomas Heim, III	42,230
Recreation Leader - 3 Years	Nancy McMahon	46,453
Court Administrator	Yolanda Diaz	89,647
Zoning Officer	Richard Wolff	84,632
Recreation Director	Elizabeth Yarus	103,219
Plumbing Subcode/Building Inspector	John Kostrowski	95,448
Supervisor Recycling Operations	Paul Zawacki	93,679
Municipal Clerk	Amy Antonides	104,859
Deputy Municipal Department Head	James Patti	124,579
Construction Officer	Dominic DeMico	135,527
Chief Financial Officer	Glenn Cullen	166,823
Municipal Engineer/Superintendent	Leonard Miller	195,599
Fire Official	Joe Abbruzzese	108,941
Fire Sub Code	Joe Abbruzzese	7,868

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the Chief Financial Officer is hereby authorized to set forth the aforementioned salaries accordingly.

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

**RESOLUTION: 24-189**

**AUTHORIZING A SOLE SOURCE PROVIDER PURCHASE FROM SINHUME OF AMERICA INC. FOR AQUATIC REPAIRS AND MOBILIZATION FOR THE COMMUNITY POOL IN AN AMOUNT NOT TO EXCEED \$8,200.00**

**WHEREAS**, the Borough Council of the Borough of South hereby authorizes the sole source provider purchase from Sinhume of America Inc. located at 2308 Welch Road, Salisbury, NC 28144 for aquatic repairs and mobilization for the community pool in an amount not to exceed \$8,200.00;

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of South Plainfield that the aforementioned sole source provider purchase be executed.

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

**RESOLUTION 24-190**

**AUTHORIZING THE HIRING OF VARIOUS PART-TIME SUMMER HELPERS FOR THE DPW AT THE HOURLY RATE PURSUANT TO THE SALARY ORDINANCE**

**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 the following individuals for the DPW, without benefits, at the hourly summer rate of \$14.50 pursuant to salary ordinance 2290:

- Timothy Figueiredo
- Joseph Mongiovi
- Kyle Griswold

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

4. Glenn Cullen, CFO
5. Amy Antonides, Municipal Clerk
6. Carmela Miller, Payroll
7. Anne Daley, Benefits
8. Len Miller, DPW Superintendent

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

**RESOLUTION 24-191**  
**AUTHORIZING THE NJ STATE CONTRACT PURCHASE OF PRO SUPPORT PLUS & 4 HR.**  
**SITE SERVICE WITH EMERGENCY DISPATCH FROM OCEAN COMPUTER GROUP**  
**IN AN AMOUNT NOT TO EXCEED \$9,586.18**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the NJ State Contract purchase of Pro Support Plus & 4 Hr. Site Service with emergency dispatch from Ocean Computer Group in an amount not to exceed \$9,586.18 pursuant to the NJ state contract number 19-TELE-71883: 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
Councilwoman Faustini	X		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White		X	X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION 24-192**  
**AUTHORIZING THE HIRING OF 2024 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
Councilwoman Faustini	X		X				
Councilwoman Mott			X				
Councilman Smith			X				
Councilman White		X	X				
Councilman Wolak			X				
Council President Bengivenga			X				
			6	0			
<b>Mayor Anesh – TIE ONLY</b>							

**RESOLUTION #24-193**

**AUTHORIZING THE SERVICES OF GOVDEALS INC. FOR THE ELECTRONIC AUCTION OF**  
**MUNICIPAL OR UNCLAIMED SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC**  
**USE BY THE BOROUGH OF SOUTH PLAINFIELD**



**WHEREAS**, the Borough of South Plainfield is the owner of certain surplus property which is no longer needed for public use, and

**WHEREAS**, the Borough is desirous of selling said surplus property in an “as-is” condition without express or implied warranties.

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of South Plainfield hereby authorizes the following:

1. The sale of the surplus property shall be conducted through GovDeals, Inc. pursuant to Sourcewell National Cooperative in accordance with the terms and conditions of said Cooperative. The terms and conditions of the agreement entered into with GovDeals, Inc. are available online at govdeals.com and also available from the Chief Financial Officer.
2. The sale will be conducted online, and the internet address of the auction site is govdeals.com. The online auction will begin May 24, 2024 at 9:00 a.m. through May 31, 2024, at staggering times between 4:30 p.m. and 7:30 p.m.
3. The sale is being conducted pursuant to Local Finance Notice 2019-5.
4. A list of the surplus property to be sold at auction is as follows: See Schedule A for a complete list of items as identified on the “Notice of Sale of Property-Public Notice”.
5. The surplus property as identified shall be sold in “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Borough reserves the right to accept or reject any bid submitted.

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

1. Glenn Cullen, Chief Financial Officer/BA
2. Division of Local Government Services, Department of Community Affairs
3. Amy Antonides, Municipal Clerk
4. Chief Papa, Police Department
5. Sgt. Grasso, Traffic Safety Department

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

**RESOLUTION 24-194  
AUTHORIZING A 2024 TEMPORARY BUDGET AMENDMENT  
FOR \$1,800,000.00 IN THE CURRENT FUND, AND \$15,000.00 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 2024 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).  
{A1298313.1 }

**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.

<b>CURRENT FUND</b>				<b>AMOUNT</b>
4-01-20-100-000-101	Administration	S&W		<b>30,000</b>
4-01-20-110-000-101	Executive	S&W		<b>10,000</b>
4-01-20-120-000-101	Clerk	S&W		<b>20,000</b>
4-01-20-130-000-101	Finance	S&W		<b>10,000</b>
4-01-20-140-000-101	Computers	S&W		<b>10,000</b>
4-01-20-140-000-331	Computers	O&E		<b>12,000</b>
4-01-20-145-000-102	Taxes	S&W		<b>10,000</b>
4-01-20-145-000-519	Taxes	O&E		<b>3,000</b>
4-01-20-150-000-101	Assessing	S&W		<b>20,000</b>
4-01-20-150-000-221	Assessing	O&E		<b>12,000</b>
4-01-20-165-001-235	Engineering	O&E		<b>12,000</b>
4-01-21-185-000-101	Zoning Board	S&W		<b>15,000</b>
4-01-22-195-001-101	Code Enforcement	S&W		<b>25,000</b>
4-01-23-210-000-661	Other Insurance	O&E		<b>215,000</b>
4-01-23-220-000-621	Health Insurance	O&E		<b>250,000</b>
4-01-25-240-001-101	Police	S&W		<b>400,000</b>
4-01-25-240-001-102	Police	S&W		<b>103,000</b>
4-01-25-240-001-225	Police	O&E		<b>25,000</b>
4-01-25-240-003-241	Crossing Guard	O&E		<b>25,000</b>
4-01-25-250-000-101	911	S&W		<b>100,000</b>
4-01-25-252-000-101	OEM	S&W		<b>2,000</b>
4-01-25-265-001-475	Fire	O&E		<b>20,000</b>
4-01-25-265-002-101	Fire Official	S&W		<b>25,000</b>
4-01-25-265-003-581	Fire Service Charges	O&E		<b>50,000</b>
4-01-26-290-001-102	Public Works Administration	S&W		<b>25,000</b>
4-01-26-290-001-325	Public Works Administration	O&E		<b>2,000</b>
4-01-26-290-002-101	Road Repairs & Maintenance	S&W		<b>50,000</b>
4-01-26-290-002-425	Road Repairs & Maintenance	O&E		<b>5,000</b>
4-01-26-305-003-235	Recycling	S&W		<b>10,000</b>
4-01-26-310-000-101	Public Buildings & Grounds	S&W		<b>50,000</b>
4-01-26-310-000-415	Public Buildings & Grounds	O&E		<b>10,000</b>
4-01-26-315-000-101	Vehicle Maintenance	S&W		<b>10,000</b>
4-01-26-315-000-401	Vehicle Maintenance	O&E		<b>10,000</b>
4-01-27-330-001-101	Board of Health	S&W		<b>2,000</b>
4-01-27-330-001-235	Board of Health	O&E		<b>10,000</b>
4-01-27-330-002-101	Youth Aid	S&W		<b>2,000</b>
4-01-28-370-001-101	Recreation	S&W		<b>35,000</b>
4-01-28-370-001-415	Recreation	O&E		<b>10,000</b>
4-01-28-370-002-101	Office on Aging	S&W		<b>20,000</b>
4-01-28-370-002-321	Office on Aging	O&E		<b>3,000</b>
4-01-30-410-001-535	Municipal Support	O&E		<b>20,000</b>
4-01-30-420-000-235	Public Celebrations	O&E		<b>15,000</b>
4-01-43-490-000-101	Court	S&W		<b>52,000</b>
4-01-31-445-001-581	Water	O&E		<b>5,000</b>
4-01-36-472-000-675	SSI	Statutory		<b>50,000</b>
<b>Total CURRENT FUND</b>				<b>1,800,000</b>
<b>POOL</b>				<b>AMOUNT</b>
4-26-55-520-000-254	Pool O&E	O&E		<b>15,000</b>
<b>TOTAL POOL</b>				<b>15,000</b>

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

**RESOLUTION 24-195**

**AUTHORIZING CHANGE ORDER NO. 1 TO STILO EXCAVATION, INC. FOR THE 2024 SOUTH PLAINFIELD ROAD PROGRAM TO INCREASE THE SCOPE OF THE PROJECT TO INCLUDE IMPROVEMENTS TO ADDITIONAL ROADS THUS INCREASING THE AMOUNT OF THE CONTRACT BY \$151,595.00**

**BE IT RESOLVED**, by the Borough Council of the Borough of South Plainfield that it hereby authorizes the additional project scope of the 2024 South Plainfield Road Program to now include additional roads. The original contract amount of \$1,515,950.64 will be increased by \$151,595.00 for a new contract amount of \$1,667,545.64.

**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, Municipal Clerk
3. Len Miller, Borough Engineer/Superintendent DPW
4. Stilo Excavation, Inc.
5. John Freeman, PE

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

**CORRESPONDENCE - Mayor Accepted all correspondence.**

- Board of Health Monthly Report – April 2024
- Resignation of Jamie Reynolds from the Building Department effective 5/10/2024

**PAYMENT OF BILLS**

Current Fund	4-01	439,735.01
Current Fund	3-01	3,827.50
Pool Utility	4-26	5,935.12
Pool Utility	3-26	0.00
Sewer Utility	4-07	1,236,567.83
Sewer Utility	3-07	0.00
Sewer Utility Capital	C-08	0.00
General Capital	C-04	459,732.68
Pool Capital	C-27	0.00
Election Account	E-18	0.00
Grant Fund	G-02	873.75
Land for Rec & Consv.	T-10	0.00
Legends Camp Trust	T-11	0.00
Dog Trust	T-12	0.00
Treasurers Trust	T-13	6,876.83
Recreation Trust	T-14	17,616.76
Senior Citizen Trust	T-16	0.00
<b>Total All Funds:</b>		<b>\$2,171,165.48</b>
<b>Plus wires totaling:</b>		<b>\$6,183,489.99</b>
<b>GRAND TOTAL:</b>		<b>\$8,354,655.47</b>

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	X				
Council President Bengivenga			X				
			<b>VOTE:</b>	<b>6</b>	<b>0</b>		
<b>Mayor Anesh – TIE ONLY</b>							

## **COUNCIL REPORTS:**

Borough Attorney Paul Rizzo – reported progress.

Administrator Cullen – reported that the 2023 road project was completed last week and the 2024 road projects are just beginning. There was a supply chain hold-up pertaining to the Putnam Park project, however, weather permitting it should be ready to reopen by Memorial Day weekend. There will be a New Market Avenue/Pit Street preconstruction meeting later this week. Mr. Jim Patti confirmed that the flag pole and new plaque is ready to install soon. Also the new garbage truck has arrived and will soon be decal with the Borough seal.

Engineer Miller – was absent this evening.

Clerk Antonides –reported progress.

Chief Papa – was absent this evening.

Councilwoman Mott – thanked everyone who attended the clean-up day. Everyone did a really great job and there was a nice turnout with great teamwork.

Councilman Smith – wished all mothers a happy Mother’s Day this Sunday and went on to say what a phenomenal job that Mr. Patti is doing at the DPW in Mr. Miller’s absence adding appreciation for the new bobcat purchase that was authorized this evening.

Councilman Wolak – reported progress.

Councilwoman Faustini – advised that summer park sign-ups have begun. We are in good shape regarding the community pool sign-ups and are slightly ahead of last year. The South Plainfield Cultural Arts and library will be sponsoring a Juneteenth Celebration on June 1<sup>st</sup> at the library at 11:00 a.m. with the theme of “A Journey Through African American Music”. The library will also be holding a “Asian American Pacific Islander Heritage Month Celebration” on May 18<sup>th</sup> at 10:00 a.m., and the Buddha’s Light International Association will be hosting “A Taste of Tea and More” at the library on May 28<sup>th</sup> at 3:00 p.m.

Councilman White – reminded everyone that the new Saker Shoprite will hold their grand opening on May 8<sup>th</sup> at 7:00 a.m. at the new Hadley Commons shopping center on Hadley Road. It will be 93,000 square feet with a full compliment of services throughout the store.

Council President Bengivenga – acknowledged Municipal Clerk’s week this week and expressed his appreciation for all the work Amy Antonides does for our town.

Mayor Anesh – thanked all who came out and attended the Meet the Mayor’s breakfast and looks forward to doing it again in the near future.

With no further business Mayor Anesh announced (at 7:50 p.m.) we will be going into executive session of which no further action will be taken this evening.

## **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 8:03 p.m., seconded by Councilman Smith and unanimously carried. The meeting was adjourned.

Submitted By:

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Amy Antonides, RMC/CMC/CMR  
Municipal Clerk