

**BOROUGH OF EAST NEWARK
COUNTY OF HUDSON STATE OF NEW JERSEY**

THE REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF EAST NEWARK WITHIN THE COUNTY OF HUDSON, STATE OF NEW JERSEY IN THE EAST NEWARK MUNICIPAL BUILDING COUNCIL CHAMBERS, 34 SHERMAN AVENUE, EAST NEWARK, NEW JERSEY ON WEDNESDAY, MAY 8, 2019

Minutes of the Regular Meeting of the Mayor and Borough Council held on May 8, 2019

The Pledge of Allegiance to the Flag of the United States of America was recited.

The Honorable Joseph R. Smith, Mayor Presiding. Mayor Smith called the meeting to order at 5:35 P.M.

PUBLIC NOTICE: Adequate Notice of this Regular Meeting was transmitted to the Jersey Journal, Star Ledger, Observer, posted on the official Borough Website and on the bulletin board of the Municipal Building in accordance with applicable laws under the Open Public Meetings Act (Sunshine Law)

Notice was further given that the Mayor and Borough Council met in caucus on May 8, 2019 for the purpose of establishing a final agenda for the Regular Meeting.

ROLL CALL:

Council President Charles F. Tighe-Present
Councilmember Jessica Diaz-Present
Councilmember Rose A. Evaristo-Present
Councilmember Kenneth Graham-Present
Councilmember Hans Peter Lucas-Present
Councilmember Jeanne Zincavage-Present

DECLARATION OF QUORUM: There being six (6) Members of the Borough Council PRESENT and Mayor Joseph R. Smith PRESENT, a QUORUM was declared. Also present were Neil D. Marotta Esq. Borough Counsel, Borough Administrative Assistant/QPA/CFO, Treasurer Brigitte I. Goncalves and Borough Clerk Robert B. Knapp.

APPROVAL OF AGENDA FOR THE REGULAR MEETING OF MAY 8, 2019

Motion by Councilmember Tighe

Seconded by Councilmember Graham

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

MOTION CARRIED

RESOLUTION: READ BUDGET BY TITLE:

Introduced by Councilmember Tighe

Seconded by Councilmember Graham

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

RESOLUTION PASSED

RESOLUTION: ADOPTION OF BUDGET FOR THE YEAR 2019

Introduced by Councilmember Tighe

Seconded by Councilmember Evaristo

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

BUDGET RESOLUTION PASSED-BUDGET FOR 2019 ADOPTED

ORDINANCE: SECOND READING/PUBLIC HEARING: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 "TRAFFIC" OF THE MUNICIPAL CODE OF THE BOROUGH OF EAST NEWARK

Motion to Open Public Hearing by Councilmember Evaristo

Seconded by Councilmember Tighe

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

Motion Carried

No Member of the Public Desired to Be Heard Before the Mayor and Borough Council

Motion to Close Public Hearing by Councilmember Graham

Seconded by Councilmember Tighe

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

Motion Carried

Motion to Approve and Adopt Ordinance on Second Reading/Public Hearing

Introduced by Councilmember Tighe

Seconded by Councilmember Evaristo

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

ORDINANCE APPROVED AND ADOPTED ON SECOND READING/PUBLIC HEARING

ORDINANCE: SECOND READING/PUBLIC HEARING: ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A 40A:4-45.14)

Motion to Open Public Hearing by Councilmember Graham

Seconded by Councilmember Evaristo

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

Motion Carried

No Member of the Public Desired to be Heard Before the Mayor and Borough Council

Motion to Close Public Hearing by Councilmember Evaristo

Seconded by Councilmember Tighe

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

Motion Carried

Motion to Approve and Adopt Ordinance on Second Reading/Public Hearing

Introduced by Councilmember Zincavage

Seconded by Councilmember Tighe

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

ORDINANCE APPROVED AND ADOPTED ON SECOND READING/PUBLIC HEARING

ORDINANCE: SECOND READING/PUBLIC HEARING: BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR PARKING AND OTHER PUBLIC PURPOSES, IN BY AND FOR THE BOROUGH OF EAST NEWARK, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, TO APPROPRIATE THIS SUM OF \$640,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

Motion to Open Public Hearing by Councilmember Evaristo

Seconded by Councilmember Graham

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

Motion Carried

No Member of the Public Desired to be Heard Before the Mayor and Borough Council

Motion to Close Public Hearing by Councilmember Tighe

Seconded by Councilmember Evaristo

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

Motion Carried

Motion To Approve and Adopt Ordinance on the Second Reading/Public Hearing

Introduced by Councilmember Tighe

Seconded by Councilmember Graham

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

ORDINANCE APPROVED AND ADOPTED ON SECOND READING/PUBLIC HEARING

CONSENT AGENDA:

RESOLUTION: RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF EAST NEWARK, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST OF OBLIGATIONS ISSUED BY THE BOROUGH OF EAST NEWARK AND AUTHORIZING THE MAYOR,

BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$670,974 BOND ANTICIPATION NOTE AND A \$20,000 SPECIAL EMERGENCY NOTE, BOTH ISSUES DATED MAY 1, 2019 AND PAYABLE MAY 1, 2020 AS "QUALIFIED TAX EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265 (B) (3) OF THE INTERNAL REVENUE CODE OF 1986 AS AMENDED

RESOLUTION: AUTHORIZATION TO TRANSFER OF FUNDS FROM WATER ACCOUNT

RESOLUTION: AUTHORIZATION TO TRANSFER FUNDS FROM WATER ACCOUNT TO GENERAL ACCOUNT

RESOLUTION: AUTHORIZATION TO ADVERTISE FOR BID-COLLECTION AND TRANSPORTING OF RECYCLING MATERIALS FOR THE PURPOSE OF RECYCLING

RESOLUTION: APPROVAL OF MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOROUGH OF EAST NEWARK OF APRIL 10, 2019

Introduced by Councilmember Tighe

Seconded by Councilmember Graham

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

CONSENT AGENDA PASSED

RESOLUTION: AUTHORIZATION TO ADVERTISE FOR BID—SOLID WASTE REMOVAL

Introduced by Councilmember Tighe

Seconded by Councilmember Evaristo

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

RESOLUTION PASSED

APPROVAL OF PAYMENT OF BILLS

Introduced by Councilmember Zincavage

Seconded by Councilmember Evaristo

Roll Call Diaz-Aye, Evaristo-Aye, Graham-Aye Lucas-Aye , Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

RESOLUTION PASSED

No Further Business To Be Brought Before the Mayor and Borough Council

MOTION TO CLOSE BUSINESS PORTION OF THE MEETING AND OPEN MEETING TO THE PUBLIC FOR COMMENT by Councilmember Tighe

Seconded by Councilmember Evaristo

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye:

MOTION TO CLOSE/ADJOURN MEETING by Councilmember Graham and seconded by Councilmember Tighe

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye , S Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

MOTION CARRIED

David Babb, 34 President Street, East Newark stated that there is an odor/small in town getting worse, from the Kearny Landfill. Mr. Babb was advised by the Mayor that the Borough of East Newark did, along with other municipalities pass a resolution urging the state government to close the landfill. It was suggested to Mr. Babb that he also join the various groups protesting the landfill.

No other member of the public desired to be heard before the Mayor and Borough Council.

MOTION TO ADJOURN/CLOSE MEETING by Councilmember Graham

Seconded by Councilmember Zincavage

Roll Call: Diaz-Aye, Evaristo-Aye, Graham-Aye, Lucas-Aye, Tighe-Aye, Zincavage-Aye

Aye: 6 Nay: 0 Abstain: 0 Absent: 0

MOTION CARRIED

Meeting Closed/Adjourned at 5:53P.M.

Respectfully recorded and submitted by,

Robert B.Knapp, RMC

Borough Clerk

Reports from Borough Departments:

Office of the Borough Clerk

Finance Department

Welfare Department

Police Department

Water Department

Fire Department

Municipal Court