

BOROUGH OF EAST NEWARK
 COUNTY OF HUDSON
 STATE OF NEW JERSEY

**REGULAR MEETING
 OF THE
 MAYOR AND BOROUGH COUNCIL**

DATE: WEDNESDAY, FEBRUARY 8, 2017
 TIME: 5:30 PM

AGENDA

	ORDINANCE (FIRST READING/INTRODUCTION)
	ORDINANCE (SECOND READING/PUBLIC HEARING)
	RESOLUTIONS
28-17	Approval Of Dedication By Rider - Fire Prevention
29-17	Authorization To Transfer Of Funds From Water Account
30-17	Authorization To Transfer Of Interest Funds From Water Account To The Borough's General Account
31-17	Acceptance Of Resignation Of Kenneth M. Sheehan, Sr. As Class III Planning Board Member, East Newark Planning/Zoning Board
32-17	Transfer Of Funds - Appropriation Reserves
33-17	Approval of Minutes
34-17	Approval of the Payment of Bills
35-17	Authorizing Formal Settlement With East Newark Towne Center, LLC
36-17	Appointment Of Special Counsel-Labor Matters - Memorialization
	DEPARTMENTAL REPORTS
	Clerk's Office
	Finance Department
	Welfare and Human Resources Department
	Water Department
	Police Department
	Municipal Court
	CORRESPONDENCE

*ANY OTHER BUSINESS PRESENTED BY THE MAYOR AND BOROUGH COUNCIL
 FORMAL ACTION MAY OR MAY NOT BE TAKEN*

RESOLUTION NUMBER: 28-17

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

**RESOLUTION: APPROVAL OF DEDICATION BY RIDER – FIRE
PREVENTION**

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

WHEREAS, N.J.S.A. 40A:4-39 provides for the anticipation and expenditures of certain items of dedication revenues which are not subject to reasonable accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39, also provides that such anticipation and expenditures of dedicated revenue is subject to the approval of the Director of the Division of Local Government Services; and

WHEREAS, it is the desire of the Borough Council of the Borough of East Newark to anticipate and expend certain dedicated revenue under the provisions of the aforementioned statute.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of East Newark, County of Hudson, State of New Jersey that the Director of the Division of Local Government Services within the Department of Community Affairs, be and is hereby requested to give written consent to the insertion, under the dedication by rider in the Budget for 2017 of the following:

FIRE PREVENTION

BE IT FURTHER RESOLVED that two certified copies of this resolution be furnished to the Director of the Division of Local Government Services in the Department of Community Affairs.

ROLL CALL	Aye	Nay	Abstain	Absent
Lucas				
Salas				
Sheehan, Sr.				
Silva				
Tighe				
Zincavage				

I HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK AT A PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK HELD ON FEBRUARY 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY APPROVE THE ABOVE RESOLUTION ON THIS THE 8TH DAY OF FEBRUARY, 2017.

JOSEPH R. SMITH, MAYOR

RESOLUTION NUMBER: 29-17

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

**RESOLUTION: AUTHORIZATION TO TRANSFER OF FUNDS FROM
WATER ACCOUNT**

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of East Newark that funds in the amount of \$337,000. in the PNC Bank Water Account (East Orange Water/East Newark Water) Account Number 80-3659-8522, be and hereby are authorized to be transferred to the Valley National, East Newark Water Account, Account Number 003878 021201383 882502399.

ROLL CALL	Aye	Nay	Abstain	Absent
Lucas				
Salas				
Sheehan, Sr.				
Silva				
Tighe				
Zincavage				

I HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK AT A PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK HELD ON FEBRUARY 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY APPROVE THE ABOVE RESOLUTION ON THIS THE 8TH DAY OF FEBRUARY, 2017.

JOSEPH R. SMITH, MAYOR

RESOLUTION NUMBER: 30-17

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

**RESOLUTION: AUTHORIZATION TO TRANSFER OF INTEREST FUNDS
FROM WATER ACCOUNT TO THE BOROUGH'S GENERAL ACCOUNT**

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

WHEREAS, the East Newark Water Account (PNC Bank) accumulated a total of \$98.53 in interest during the 2016 calendar year; and

WHEREAS, interest should be transferred to the Borough's General Operating Account.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of East Newark that funds in the amount of \$98.53. in the East Newark Water Account, Valley National Bank Account Number 882502399, be and hereby are authorized to be transferred to the East Newark General Account, Valley National Bank Account Number 884501155.

ROLL CALL	Aye	Nay	Abstain	Absent
Lucas				
Salas				
Sheehan, Sr.				
Silva				
Tighe				
Zincavage				

I HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK AT A PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK HELD ON FEBRUARY 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY APPROVE THE ABOVE RESOLUTION ON THIS THE 8TH DAY OF FEBRUARY, 2017.

JOSEPH R. SMITH, MAYOR

RESOLUTION NUMBER: 31-17

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

**RESOLUTION: ACCEPTANCE OF RESIGNATION OF KENNETH M.
SHEEHAN, SR. AS CLASS III PLANNING BOARD MEMBER, EAST NEWARK
PLANNING/ZONING BOARD**

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of East Newark, County of Hudson, State of New Jersey that the resignation of Kenneth M. Sheehan, Sr. Class III member of the East Newark Planning Board be and is hereby accepted as of January 20, 2017.

ROLL CALL	Aye	Nay	Abstain	Absent
Lucas				
Salas				
Sheehan, Sr.				
Silva				
Tighe				
Zincavage				

I HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK AT A PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK HELD ON FEBRUARY 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY APPROVE THE ABOVE RESOLUTION ON THIS THE 8TH DAY OF FEBRUARY, 2017.

JOSEPH R. SMITH, MAYOR

RESOLUTION NUMBER: 32-17

**BOROUGH OF EAST NEWARK
COUNTY OF HUDSON**

RESOLUTION: TRANSFER OF FUNDS – APPROPRIATION RESERVES

Introduced by Councilmember _____

Seconded by Councilmember _____

WHEREAS, certain transfer of funds for various 2016 budget appropriation reserves are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40A:4-59 provides for transfers from appropriation reserves with an excess over and above the amount deemed to be necessary to fulfill the purpose for such appropriation reserves, to those appropriation reserves deemed to be insufficient;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of East Newark, County of Hudson, State of NJ that the transfers be made between the 2016 budget appropriations as follows:

AS PER THE ATTACHED SHEET(S)

ROLL CALL	Aye	Nay	Abstain	Absent
Lucas				
Salas				
Sheehan, Sr.				
Silva				
Tighe				
Zincavage				

I HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK AT A PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK HELD ON FEBRUARY 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY APPROVE THE ABOVE RESOLUTION ON THIS THE 8TH DAY OF FEBRUARY, 2017.

JOSEPH R. SMITH, MAYOR

APPROPRIATION RESERVES

Account Description		From	To
Social Security	4722	\$10,000	
Utilities - Electricity	4300	\$4,000	
Recreation o/e	3702	\$7,000	
Garbage Collection	3062	\$2,000	
Snow Removal	2972	\$5,000	
Unemployment Compensation	2250	\$15,000	
Financial Admin o/e	1302	\$4,000	
Admin & Exec. o/e	1002	\$3,637	
Hudson County CDBG	7070	\$9,475	
HC Disability Resource OOA		\$14,776	
		\$74,888	\$0
Admin o/e Mayor & Council	1102		\$1,200
Legal Services & Costs	1552		\$31,086
Public Buildings & Grounds o/e	3102		\$400
Senior Citizens s/w	3651		\$9,475
Hudson County Sr	7120		\$17,951
Administrative s/w			\$9,684
Motor Vehicle Pool			\$5,092
		\$0	\$74,888

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

RESOLUTION: APPROVAL OF MINUTES

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

WHEREAS, copies of the minutes of the following meetings of the Mayor and Council of the Borough of East Newark have been provided to the members of the council and reviewed;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Newark, County of Hudson, State of New Jersey that the minutes of the Reorganization Meeting of January 4, 2017 and the Regular Meeting of January 4, 2017 be and are hereby approved.

ROLL CALL	Aye	Nay	Abstain	Absent
Lucas				
Salas				
Sheehan, Sr.				
Silva				
Tighe				
Zincavage				

I HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK AT A PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK HELD ON FEBRUARY 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY APPROVE THE ABOVE RESOLUTION ON THIS THE 8TH DAY OF FEBRUARY, 2017.

JOSEPH R. SMITH, MAYOR

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

THE RE-ORGANIZATION MEETING OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF EAST NEWARK WITHIN THE COUNTY OF HUDSON, STATE OF NEW JERSEY WAS HELD ON WEDNESDAY, JANUARY 4, 2017 IN COUNCIL CHAMBERS OF THE EAST NEWARK MUNICIPAL BUILDING, 34 SHERMAN AVENUE, EAST NEWARK, NEW JERSEY 07029

Minutes of the Re-Organization Meeting of the Mayor and Borough Council of the Borough of East Newark

The Re-Organization Meeting was called to order by the Honorable Joseph R. Smith, Mayor, Presiding at 5:35 P.M.

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

NOTICE is further given that the Mayor and Borough Council met in caucus on January 4, 2017 for the purposes of establishing a final agenda for the Re-Organization Meeting.

Roll Call:

Council President Charles F. Tighe-Present
Councilmember Hans Peter Lucas-Absent With Reason
Councilmember Yamara Salas-Present
Councilmember Kenneth M. Sheehan, Sr.-Present
Councilmember Jose A. Silva-Absent With Reason
Councilmember Jeanne Zincavage-Present

DECLARATION OF QUORUM: There being four (4) Members of the Borough Council PRESENT and Mayor Joseph R. Smith PRESENT, a QUORUM was declared. Also present were Borough Counsel Neil D. Marotta, Esq, Borough Administrative Assistant/QPA/Treasurer/CFO Brigitte I. Goncalves and Borough Clerk Robert B. Knapp

APPROVAL OF AGENDA FOR RE-ORGANIZATION MEETING OF JANUARY 4, 2017

Motion by Councilmember Sheehan, Sr.

Seconded by Councilmember Tighe

Roll Call: Lucas-Absent, Salas-Present, Sheehan, Sr.-Present, Silva-Absent, Tighe-Present, Zincavage-Present

Aye: 4 Nay: 0 Abstain: 0 Absent: 2

MOTION CARRIED

Councilmember Charles F. Tighe was administered the Oath of Office by Borough Clerk Robert B. Knapp

CONSENT AGENDA:

RESOLUTION: APPOINTMENT OF 2017 COMMITTEES
RESOLUTION: APPOINTMENT OF CHAPLAIN
RESOLUTION: APPOINTMENT OF BOROUGH AUDITOR
RESOLUTION: APPOINTMENT OF BOROUGH ATTORNEY
RESOLUTION: APPOINTMENT OF CONSTRUCTION CODE OFFICIAL
RESOLUTION: APPOINTMENT OF FIRE OFFICIAL/INSPECTOR
RESOLUTION: APPOINTMENT OF WELFARE DIRECTOR
RESOLUTION: APPOINTMENT OF TREASURER
RESOLUTION: APPOINTMENT OF SECRETARY TO THE PLANNING BOARD
RESOLUTION: APPOINTMENT OF MUNICIPAL PLANNER
RESOLUTION: APPOINTMENT OF SPECIAL COUNSEL-PLANNING/ZONING
RESOLUTION: BANK DEPOSITORIES
RESOLUTION: OFFICIAL NEWSPAPERS
RESOLUTION: APPOINTMENT OF P.A.C.O
RESOLUTION: APPOINTMENT OF REDEVELOPMENT ATTORNEY
RESOLUTION: APPOINTMENT OF BOND COUNSEL
RESOLUTION: APPOINTMENT OF PHYSICIAN
RESOLUTION: APPOINTMENT OF SPECIAL COUNSEL-TAX APPEALS
RESOLUTION: APPOINTMENT OF CHIEF FINANCIAL OFFICER
RESOLUTION: SOUTH BERGEN FIRE CHIEF'S ASSOCIATION
RESOLUTION: CASH MANAGEMENT PLAN
RESOLUTION: APPOINTMENT OF SPECIAL COUNSEL-LABOR MATTERS
RESOLUTION: APPOINTMENT OF REGISTRAR AND DEPUTY REGISTRAR
RESOLUTION: APPOINTMENT OF MUNICIPAL PROSECUTOR
INTRODUCED BY COUNCILMEMBER TIGHE
SECONDED BY COUNCILMEMBER ZINCAVAGE
Roll Call: Lucas-Absent, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye
Aye: 4 Nay: 0 Abstain: 0 Absent: 2
CONSENT AGENDA RESOLUTION PASSED

No further business to be presented before the Mayor and Borough Council

MOTION TO CLOSE/ADJOURN MEETING by Councilmember Tighe
Seconded by Councilmember Salas
Roll Call: Lucas-Absent, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye
MOTION CARRIED

Meeting Closed at 5:40 P.M.

Respectfully submitted, Robert B. Knapp, RMC, Borough Clerk

BOROUGH OF EAST NEWARK
COUNTY OF HUDSON STATE OF NEW JERSEY

REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF EAST NEWARK WITHIN THE COUNTY OF HUDSON, STATE OF NEW JERSEY HELD ON WEDNESDAY, JANUARY 4, 2017 IN COUNCIL CHAMBERS OF THE EAST NEWARK MUNICIPAL BUILDING, 34 SHERMAN AVENUE, EAST NEWARK, NEW JERSEY 07029

Minutes of the Regular Meeting of the Mayor and Borough Council of the Borough of East Newark

The Honorable Joseph R. Smith, Presiding. The Meeting was called to order at 5:45 P.M.

PUBLIC NOTICE: Adequate Notice of the Regular Meeting was transmitted to the Jersey Journal, Star Ledger, Observer and posted on the official Borough website and the bulletin board of the Municipal Building in accordance with applicable laws under the Open Public Meetings Act (Sunshine Law). Further, the notice of this Regular Meeting was published in the Jersey Journal forty eight hours prior to the meeting change from January 11, 2017.

Roll Call:

Council President Charles F. Tighe-Present
Councilmember Hans Peter Lucas-Absent With Reason
Councilmember Yamara Salas-Present
Councilmember Kenneth M. Sheehan, Sr.-Present
Councilmember Jose A. Silva-Absent With Reason
Councilmember Jeanne Zincavage-Present

DECLARATION OF QUORUM: There being four (4) Members of the Borough Council PRESENT, and Mayor Joseph R. Smith, PRESENT a QUORUM was declared. Also present were Borough Counsel Neil D. Marotta, Esq., Borough Administrative Assistant/QPA/CFO/ Treasurer Brigitte I. Goncalves and Borough Clerk Robert B. Knapp.

APPROVAL OF AGENDA FOR REGULAR MEETING OF JANUARY 4, 2017

Motion by Councilmember Tighe

Seconded by Councilmember Zincavage

Roll Call: Lucas-Absent, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye

Aye: 4 Nay: 0 Abstain: 0 Absent: 2

MOTION CARRIED

CONSENT AGENDA:

RESOLUTION: AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A 40A:11-12a

RESOLUTION: APPROVAL OF MINUTES FOR REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL OF DECEMBER 14, 2016 AND SPECIAL MEETING OF DECEMBER 29, 2016

Introduced by Councilmember Tighe

Seconded by Councilmember Sheehan, Sr.

Roll Call: Lucas-Absent, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye

Aye: 4 Nay: 0 Abstain: 0 Absent: 2

RESOLUTION PASSED

RESOLUTION: APPROVAL OF PAYMENT OF BILLS

Introduced by Councilmember Zincavage

Seconded by Councilmember Tighe

Roll Call: Lucas-Absent, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye

Aye: 4 Nay: 0 Abstain: 0 Absent: 2

RESOLUTION PASSED

No Further Business to be Presented Before the Mayor and Borough Council.

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

MOTION TO CLOSE/ADJOURN MEETING

Motion by Councilmember Tighe

Seconded by Councilmember Zincavage

Roll Call: Lucas-Absent, Salas-Aye, Sheehan, Sr.-Aye, Silva-Absent, Tighe-Aye, Zincavage-Aye

Aye: 4 Nay: 0 Abstain: 0 Absent: 2

MOTION CARRIED

Meeting Adjourned/Closed at 5:48 P.M.

Respectfully submitted,

Robert B. Knapp, RMC
Borough Clerk

East Newark Department Reports:

Clerk's Office

Finance Department

Welfare and Human Services Department

Water Department

Police Department

Fire Department

RESOLUTION NUMBER: 27-17

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

RESOLUTION: APPROVAL OF THE PAYMENT OF BILLS

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

BE IT RESOLVED, by the Mayor and Council of the Borough of East Newark in the County of Hudson, State of New Jersey that the below listed Purchase Orders, properly completed and approved by the proper Department Chairpersons and by the Financial Chairperson, and as submitted by the Chief Financial Officer of the Borough of East Newark or her designated representative, and as in full compliance with all purchasing Policies and Procedures of the Borough of East Newark, and as listed below in the total amount of \$244,565.05 be and is hereby approved for payment and checks are authorized to be drawn on the Borough Treasury for the payment thereof:

ROLL CALL	Aye	Nay	Abstain	Absent
Lucas				
Salas				
Sheehan, Sr.				
Silva				
Tighe				
Zincavage				

I HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK AT A PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK HELD ON FEBRUARY 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY APPROVE THE ABOVE RESOLUTION ON THIS THE 8TH DAY OF FEBRUARY, 2017.

JOSEPH R. SMITH, MAYOR

BOROUGH OF EAST NEWARK
Bill list
REGULAR MEETING FEBRUARY 8, 2017

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
AAA EMERGENCY	1,215.52		FIRE DEPT. OE
ACE COM	890.50	10395	POLICE DEPT. O/E
ADP, INC	289.51	486284402,487466951	FINANCIAL ADMIN. O/E
ALEX'S DELI	1,692.00	1137846 (JAN 2017)	HC DISABILITY RESOURCE (OOA)
ALEX'S DELI	2,772.00	1137846 (JAN 2017)	HUDSON COUNTY PEER GROUPING
ANTHONY MONTEIRO	40.00	MED. REIMBURSEMENTS	INSURANCE - EMPLOYEE GROUP HEA
ANTHONY MONTEIRO	53.71	MED. REIMBURSEMENTS	INSURANCE - EMPLOYEE GROUP HEA
ATLANTIC SALT INC.	1,999.50	INV063104	SNOW REMOVAL OE
BERGEN/PASSAIC	60.00	2017 ASSOCIATION FEES	ADMIN. & EXEC. O/E -
BOROUGH OF PARAMUS	4,500.00	857	MOTOR VEHICLE POOL OE
BRIMAR	250.00	622226	POLICE DEPT. O/E
BUG-ELIMINATORS	85.00	66785, 66786	PUBLIC BLDG & GRNDS OE
BUG-ELIMINATORS	65.00	66785, 66786	SENIOR CITIZENS OE
Total fund01			13,912.74
C.M.E. ASSOCIATES	30.75	0200857	DPW GARAGE IMPROVEMENTS
Total fund04			30.75
CIVIL SOLUTIONS	4,552.50	59439	ASSESS TAXES OE APPEALS
CIVIL SOLUTIONS	1,705.00	60060	ASSESS TAXES OE APPEALS
COMCAST	102.61	8499 05 356 0005431	FIRE DEPT. OE
COMCAST	20.72	8499 05 356 0013062	SENIOR CITIZENS OE
COSKEY TELEVISION	941.00	S15766	POLICE DEPT. O/E
COUNTY OF HUDSON	178,492.62	1ST QUARTER, 2017	COUNTY TAXES
DELL MARKETING	1,598.56		POLICE DEPT. O/E
EAST NEWARK BOARD	119,932.50	FEBRUARY 2017	SCHOOL TAXES
EAST NEWARK	3,460.91	PAY PERIOD ENDING	ADMIN BORO CLERK S&W
EAST NEWARK	22,560.69	PAY PERIOD ENDING	POLICE DEPT- S&W
EAST NEWARK	3,027.52	PAY PERIOD ENDING	POLICE CROSSING GUARD S&W
EAST NEWARK	1,443.20	PAY PERIOD ENDING	ROAD REPAIR & MAINT. S&W
EAST NEWARK	1,360.00	PAY PERIOD ENDING	PUBLIC BLDG & GRNDS S&W
EAST NEWARK	742.31	PAY PERIOD ENDING	SENIOR CITIZENS S&W
EAST NEWARK	1,284.87	PAY PERIOD ENDING	SOCIAL SECURITY SYSTEM
EAST NEWARK	2,032.76	PAY PERIOD ENDING	MUNIC COURT S&W
EAST NEWARK	3,460.91	PAY PERIOD ENDING	ADMIN BORO CLERK S&W
EAST NEWARK	22,560.69	PAY PERIOD ENDING	POLICE DEPT- S&W
EAST NEWARK	3,027.52	PAY PERIOD ENDING	POLICE CROSSING GUARD S&W
EAST NEWARK	1,443.20	PAY PERIOD ENDING	ROAD REPAIR & MAINT. S&W
EAST NEWARK	1,360.00	PAY PERIOD ENDING	PUBLIC BLDG & GRNDS S&W
EAST NEWARK	742.31	PAY PERIOD ENDING	SENIOR CITIZENS S&W
EAST NEWARK	1,284.87	PAY PERIOD ENDING	SOCIAL SECURITY SYSTEM
EAST NEWARK	2,032.76	PAY PERIOD ENDING	MUNIC COURT S&W

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
EAST NEWARK	1,249.96	PAY PERIOD ENDING	ADMIN S&W MAYOR & COUNCIL
EAST NEWARK	3,324.95	PAY PERIOD ENDING	ADMIN BORO CLERK S&W
EAST NEWARK	2,830.67	PAY PERIOD ENDING	FINANCIAL ADMIN. S/W
EAST NEWARK	1,850.75	PAY PERIOD ENDING	COLLECTION OF TAXES S/W
EAST NEWARK	1,120.00	PAY PERIOD ENDING	ASSESSMENT TAXES S&W
EAST NEWARK	1,774.56	PAY PERIOD ENDING	CONSTRUCTION OFFICIALS S/W
EAST NEWARK	22,560.69	PAY PERIOD ENDING	POLICE DEPT- S&W
EAST NEWARK	2,980.15	PAY PERIOD ENDING	POLICE CROSSING GUARD S&W
EAST NEWARK	625.25	PAY PERIOD ENDING	UNIFORM FIRE SAFETY ACT S&W
EAST NEWARK	1,443.20	PAY PERIOD ENDING	ROAD REPAIR & MAINT. S&W
EAST NEWARK	833.33	PAY PERIOD ENDING	SEWER SYSTEM O/E
EAST NEWARK	1,333.33	PAY PERIOD ENDING	SEWER SYSTEM O/E
EAST NEWARK	1,360.00	PAY PERIOD ENDING	PUBLIC BLDG & GRNDS S&W
EAST NEWARK	2,100.92	PAY PERIOD ENDING	ADMIN - PUBLIC ASSISTANCE S&W
EAST NEWARK	938.40	PAY PERIOD ENDING	SENIOR CITIZENS S&W
EAST NEWARK	2,683.55	PAY PERIOD ENDING	SOCIAL SECURITY SYSTEM
EAST NEWARK	3,609.33	PAY PERIOD ENDING	MUNIC COURT S&W
ECONOMY SUPPLY CO.	78.07	954437,955297,955801,9	PUBLIC BLDG & GRNDS OE
EVELYN MARIBEL	100.00	MARRIAGE/CIVIL UNION	Marriage License Fees
F. BASSO JR.	1,566.50	0117-5774, 0117-5775	MANDATORY RECYCLING OE
F. BASSO JR.	5,540.83	0117-5774, 0117-5775	GARBAGE COLLECT CONTRACT OE
FEDERAL EXPRESS	16.16	5-667-86393	MUNICIPAL COURT OE
GRANT SUPPLIES	232.49	BEL-711298	ROAD REPAIR & MAINT. OE
GTBM	1,146.60	11637 (DEC. 2016)	POLICE DEPT. O/E
GUARDIAN	1,696.81	FEBRUARY 2017	INSURANCE - GEN LIABILITY
HARRISON PUBLIC	30.00	4TH QUARTER, 2016	RECREATION OE
HAYS SAFE & LOCK	3.90	29336	PUBLIC BLDG & GRNDS OE
HOME DEPOT CREDIT	684.07	4321745,8090750,864509	PUBLIC BLDG & GRNDS OE
HORIZON BCBSNJ	12,602.25	285613404 (FEB 2017)	INSURANCE - EMPLOYEE GROUP HEA
HORIZON BCBSNJ	2,441.42	FEBRUARY 2017	INSURANCE - EMPLOYEE GROUP HEA
HUDSON COUNTY	8,749.15	14477 (DECEMBER 2016)	GARBAGE COLLECT CONTRACT OE
HUDSON COUNTY	9,420.89	14533, 14582, 14602	GARBAGE COLLECT CONTRACT OE
JERSEY JOURNAL	284.95	1147825 (DEC 2016 &	AMIN & EXEC ADVERTISING OE
JERSEY JOURNAL	585.85	1147825 (DEC 2016 &	AMIN & EXEC ADVERTISING OE
JUNIOR FIORI	30.00	MEDICAL REIMBURSEMENTS	INSURANCE - EMPLOYEE GROUP HEA
JUNIOR FIORI	5.00	MEDICAL REIMBURSEMENTS	INSURANCE - EMPLOYEE GROUP HEA
KAREN GOMEZ	50.00	JANUARY 24, 2017	MUNICIPAL COURT OE

Total fund01

477,054.01

KEARNY WATER DEPT.	10,383.74	00307160000000
KEARNY WATER DEPT.	7,800.14	00307160000000

WATER SERVICES
WATER SERVICES

Total fund05

18,183.88

LAGO SERVICE	203.00	0411, 0415
LAGO SERVICE	50.00	0422, 0421
MASCHIO'S FOOD	130.05	IN0056206 (NOV. 2016)
MASCHIO'S FOOD	117.63	IN0056551
METRO HYDRAULIC	74.10	202601
MICHAEL A. CIFELLI	673.42	JANUARY 2017
MICHAEL O'DONNELL	416.67	JANUARY 2017

MOTOR VEHICLE POOL OE
MOTOR VEHICLE POOL OE
SENIOR CITIZENS OE
SENIOR CITIZENS OE
SNOW REMOVAL OE
MUNIC PROSECUTOR S&W
INSURANCE - EMPLOYEE GROUP HEA

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
MUNIDEX, INC.	360.00	989770	FINANCIAL ADMIN. O/E
N.J. DEPT. OF	45.48	4TH QUARTER 2016	DCA Surcharge
NEIL D. MAROTTA,	2,500.00	JANUARY 2017	LEGAL SERVICES & COSTS O/E
NJ STATE ASSOC OF	275.00	2017	POLICE DEPT. O/E
P.S.E.&G.	505.53	DECEMBER 2016	PUBLIC BLDG & GRNDS OE
P.S.E.&G.	891.53	DECEMBER 2016	PUBLIC BLDG & GRNDS OE
P.S.E.&G.	401.21	DECEMBER 2016	RECREATION OE
P.S.E.&G.	532.07	DECEMBER 2016	RECREATION OE
P.S.E.&G.	1,371.07	DECEMBER 2016	UTILITIES - ELECTRICITY
P.S.E.&G.	4,107.22	DECEMBER 2016	UTILITIES - STREET LIGHTING
PITNEY BOWES INC.	169.98	1003039917	ADMIN. & EXEC. O/E -
QAV TECHNOLOGIES,	2,789.00	ENEW17-1	SEWER SYSTEM O/E
ROGUT MCCARTHY LLC	598.94	OCT-DEC 2016	LEGAL SERVICES & COSTS O/E
SAFRAN MORPHOTRAK	320.00	21214687	POLICE DEPT. O/E
SHERWIN WILLIAMS	70.95	16848/88603-01-19-2017	PUBLIC BLDG & GRNDS OE
SIGNS BY LYNN	650.00	9697	POLICE DEPT. O/E
SMITH, JOSEPH R.	2,820.00	MARRIAGE RECEIPTS	ADMIN O/E MAYOR & COUNCIL
STAPLES CREDIT	215.68	1717384641,1718058781+	ADMIN. & EXEC. O/E -
STAPLES CREDIT	327.01	1717384641,1718058781+	FINANCIAL ADMIN. O/E
STAPLES CREDIT	27.98	1717384641,1718058781+	POLICE DEPT. O/E
STAPLES CREDIT	11.55	1717384641,1718058781+	PUBLIC BLDG & GRNDS OE
SUPERINTENDENT OF	100.00	2017 ANNUAL CONFERENCE	ADMIN. & EXEC. O/E -
THE HARTFORD	828.80	14013895 (CY 2016)	INSURANCE - GEN LIABILITY
TRANZLATIONS, LLC	246.00	TZ00304	MUNICIPAL COURT OE
VERIZON	9.12	DECEMBER 2016	ADMIN. & EXEC. O/E -
VERIZON	2.32	DECEMBER 2016	POLICE DEPT. O/E
VERIZON WIRELESS	92.35	3521647669	POLICE DEPT. O/E
VISION SERVICE	351.60	12219588 (JAN 2017 &	INSURANCE - EMPLOYEE GROUP HEA
WILENTZ, GOLDMAN &	30,479.30	APRIL 2016 - DECEMBER	LEGAL SERVICES & COSTS O/E
WILLIAM H.	41,647.00	4582,4579,4580,4581,46	INSURANCE - GEN LIABILITY
XEROX CORP.	120.69	087408866, 087408865	ADMIN. & EXEC. O/E -
XEROX CORP.	6.86	087408866, 087408865	POLICE DEPT. O/E
ZIPP & TANNENBAUM,	387.50	27392, 27393	LEGAL SERVICES & COSTS O/E

Total fund01

94,926.61

Total Bill List:

604,107.99

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

RESOLUTION: AUTHORIZING FORMAL SETTLEMENT WITH EAST NEWARK TOWNE CENTER, LLC

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

WHEREAS, pursuant to the Local Redevelopment and Housing Law ("Redevelopment Law"), N.J.S.A. 40A:12A-6 (a), the Borough Council of the Borough ("Council" or "Governing Body") adopted a Resolution dated November 30, 2006, determining that the area within the Borough of East Newark ("Borough") comprised of Block 12, Lot 1, and Block 17, Lot 1 and Block 2, Lots 1, and 7 through 9 (Areas I & II), evidenced criteria set forth in N.J.S.A. 40A:12A-5 and was on that basis, a redevelopment area; and

WHEREAS, by Ordinance dated March 14, 2007, the Governing Body adopted the East Newark Redevelopment Plan, a Redevelopment Plan for that redevelopment area and an unrelated area in need of rehabilitation; and

WHEREAS, the Governing Body, acting as the redevelopment entity pursuant to N.J.S.A. 40A:12A-4, retained responsibility for implementation and carrying out redevelopment projects pursuant to the Redevelopment Plan, and proceeded to issue a request for proposal ("RFP") to solicit a redeveloper with whom it would contract, pursuant to N.J.S.A. 40A:12A-8(f), for the construction and undertaking of the rehabilitation of the complex of buildings described in the Redevelopment Plan as the Thread Mill District, and based on that RFP, the Governing Body adopted a Resolution on May 9, 2007 conditionally designating East Newark Towne Center, LLC ("ENTC") as the redeveloper to undertake the rehabilitation of the Thread Mill District ("Project"); and

WHEREAS, ENTC proposed amendments to the Redevelopment Plan, including substantially decreasing the minimum average size of the residences to be constructed in the Project and increasing the number of units, and a tax exemption for the Project, and negotiations did not result in amendment of the Redevelopment Plan or the approval of a tax exemption, and ENTC filed litigation against the Borough as a result of its failure to get approval for its proposals; and

WHEREAS, the Borough and ENTC have conferred regarding terms and conditions on which ENTC would proceed to undertake rehabilitation of the Thread Mill District, ENTC and the Borough would dismiss all claims against each other, ENTC would dismiss the pending tax appeals, and the Borough would take appropriate action to amend the Redevelopment Plan to reduce in a relatively minor way the minimum average size of the residences (the specific terms of the settlement are attached hereto as Exhibit A); and

WHEREAS, Robert Cotter, the Planner who drafted the Redevelopment Plan and served as the Borough's planner for many years, appeared before the Governing Body regarding what are the present limited amendments to the Redevelopment Plan, and made recommendations with respect to same; and

WHEREAS, having carefully considered the input of Mr. Cotter and of Special Counsel Anne Babineau the Governing Body hereby finds that the settlement terms set forth on Exhibit A are reasonable and acceptable; and

WHEREAS, Resolutions were adopted on September 29, 2016, November 9, 2016, and December 29, 2016, collectively approving the referenced settlement terms described on Exhibit A; this new Resolution is being resubmitted to the Council because, subsequent to the adoption of the original Resolutions, the list of property owners who would be entitled to notice of a Planning Board application with respect to the Project (those owning property within 200 feet) was determined to include four of the Council Members; and

WHEREAS, Special Counsel has advised that whether the fact that four Council Members own property within 200 feet creates a basis to prohibit them from voting on this Resolution requires consideration of the facts, including the nature of the issues before the Governing Body, namely whether to approve the settlement of litigation and tax appeals and to indicate its intent to approve the minor amendment to the Redevelopment Plan to reduce the average size of the units, but not increase the number of units;

a) Special Counsel has informed the Council that the Supreme Court has stated that "In order for a public official to be disqualified by a direct personal interest in the zoning application, the interest must be distinct from that shared by members of the general public." Grabowsky v Montclair, 221 NJ 536, 555 (2015). If the interest that the Council Members have in the matter before them is an interest they have in common with the other property owners in the Borough, the interest will not likely be regarded as disqualifying.

In this case the Project to be developed based on the Redevelopment Plan is so large, and the Borough is so small, that all members of the general public in the Borough can be viewed as interested in the Redevelopment Plan; indeed all property owners in the Borough own property that is located no more than 4 blocks or 1000 feet from the Project site governed by the Redevelopment Plan.

b) Council has also been made aware by Special Counsel that such questions have been viewed differently depending on whether the matter before a governmental body is acting in a judicial manner or legislatively. A governing body is acting in a judicial manner when it imposes burdens or confers privileges in specific cases, according to its findings, determining whether the facts exist which make a general rule applicable to the specific case, or according to the discretionary judgment of such body as to the propriety of imposing the burden or granting the privilege in a specified case.. A legislative act involves the approval of a rule of general application such as adoption of an ordinance to

fix the qualifications of applicants for a license or prescribing a general rule of conduct. The Courts have stated that legislative matters will not be invalidated because a government official votes on the issue unless the decision is tainted with fraud, or palpable not in the service of the public interest, or otherwise a clear perversion of power, of which there is no suggestion in the present matter before the Governing Body, Aldom v. Borough of Roseland, 42 N.J.Super. 495, 508 (App.Div.1956); here the matters before the Council are setting the standards for development, not, by way of example, determining whether a land use applicant has complied with the standards, and thus the matter appears legislative, and under those circumstances there does not appear to be a basis to prohibit the governmental officials from voting; and

WHEREAS, however, language in a recent Supreme Court case could be viewed as finding that anyone who owns property within 200 feet is deemed to have a disqualifying interest in a land use application. Grabowsky v. Montclair, supra at 559-560; (that case arose out of a situation where a church was uniquely situated adjacent to a proposed development and it was alleged that the church was likely to be materially benefitted from the facility to be built, and those facts were material to the Court's decision to prohibit governmental officials who were viewed as leaders of the church from participating); and therefore Special Counsel has advised that, in order to err on the side of caution, the Resolution should be resubmitted to the Governing Body and the Rule of Necessity be invoked; and

WHEREAS, the Rule of Necessity provides that: 1) when the matter at hand affects the items that have significant importance to the financial and developmental aspects of the municipality, and 2) without the involvement by the parties who are have an "interest," the municipality will not be able to sustain a quorum to act upon the matter, and 3) where there is no other avenue to address this matter, all Council Members can vote upon the matter; and

WHEREAS, 1) the present matter is one of great significance to the Borough, 2) without the Council Members who own property within 200 feet have an interest, there will be no quorum, and 3) only the Governing Body can act to approve the settlement which provides for amendment of the Redevelopment Plan, and therefore it is appropriate to invoke the Rule of Necessity to allow all Council Members to vote on this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of East Newark, that

1) Counsel has prepared a formal settlement agreement with ENTC to memorialize the terms substantially consistent with Exhibit A and that settlement agreement is attached hereto as Exhibit B; and

2) the Mayor is hereby directed to execute the settlement agreement (Exhibit B) substantially in the form annexed, which agreement will incorporate as part of that agreement Exhibit A, as well as any other relevant document in furtherance of that agreement, including the Interim Cost Agreement on file with the Borough Clerk and incorporated by reference herein; and

3) Counsel is also hereby authorized to prepare and file the relevant documents to dismiss ENTC et al. v. Borough of East Newark, Superior Court of New Jersey, Law Division, Hudson County, Docket No. , ENTC et al. v. Borough of East Newark, Tax Court of New Jersey, Docket No. 005820-2008, ENTC et al. v. Borough of East Newark, Tax Court of New Jersey, Docket No. 000503-2009, ENTC et al. v. Borough of East Newark, Tax Court of New Jersey, Docket No. 008463-2010, ENTC et al. v. Borough of East Newark, Tax Court of New Jersey, Docket No.: 000727-2011, ENTC et al. v. Borough of East Newark, Tax Court of New Jersey, Docket No. 001830-2012, ENTC et al. v. Borough of East Newark, Tax Court of New Jersey, Docket No. 002734-2013, ENTC et al. v. Borough of East Newark, Tax Court of New Jersey, Docket No. 007839-2014, ENTC et al. v. Borough of East Newark, Tax Court of New Jersey, Docket No. 002421-2015, ENTC et al. v. Borough of East Newark, Tax Court of New Jersey, Docket No. 003324-2016, ENTC et al. v. Borough of East Newark, Superior Court of New Jersey, Appellate Division, Docket No.: A-0004281-2011, ENTC et al. v. Borough of East Newark, Superior Court of New Jersey, Appellate Division, Docket No. A-004273-15, ENTC et al. v. Borough of East Newark, Superior Court of New Jersey, Appellate Division, Docket No. A-004279-15, ENTC et al. v. Borough of East Newark, Superior Court of New Jersey, Appellate Division, Docket No. A-004280-15, ENTC et al. v. Borough of East Newark, Superior Court of New Jersey, Appellate Division, Docket No. A-00481-16, all in accordance with the settlement agreement attached hereto as Exhibit A.

ROLL CALL	Aye	Nay	Abstain	Absent
Lucas				
Salas				
Sheehan, Sr.				
Silva				
Tighe				
Zincavage				

I HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK AT A PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK HELD ON FEBRUARY 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY APPROVE THE ABOVE RESOLUTION ON THIS THE 8TH DAY OF FEBRUARY, 2017.

JOSEPH R. SMITH, MAYOR

INTERIM COST AGREEMENT

This Agreement (hereinafter referred to as the "Interim Cost Agreement") dated as of *January _____, 2017*, is entered into by the **BOROUGH OF EAST NEWARK**, Hudson County, New Jersey ("Borough"), a municipal corporation of the State of New Jersey with offices at 34 Sherman Avenue, East Newark, New Jersey 07029, and **EAST NEWARK TOWNE CENTER LLC**, a New Jersey limited liability company ("ENTC" or "Redeveloper") and **Efstathios Valiotis** ("Principal" or "Guarantor") with offices located at 28-18 31st Street, Astoria, New York 11102.

WITNESSETH

WHEREAS, pursuant to the process set forth in Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law"), the Borough has designated Block 12, Lot 1 ("Thread Mill District") as shown on the tax map of the Borough of East Newark as an area in need of redevelopment ("Redevelopment Area"), and in furtherance of its goals and objectives the Governing Body adopted a ("Redevelopment Plan") entitled the East Newark Redevelopment Plan pursuant to, and as defined in, the Redevelopment Law; and

WHEREAS, pursuant to the Redevelopment Law, the Mayor and Council of the Borough ("Governing Body") are acting in the capacity of a redevelopment entity in order to implement the Redevelopment Plan; and

WHEREAS, ENTC has proposed to enter into an agreement with the Borough for the redevelopment and rehabilitation of the Thread Mill District under the provisions of the Redevelopment Law ("Redevelopment Agreement"), for the construction and other work forming part of the redevelopment and rehabilitation project and on that basis comes within the definition of a redeveloper under the Redevelopment Law ("Redeveloper"), and in connection with that proposal, and in furtherance of a Settlement Agreement between the Borough and ENTC dated *January _____, 2017* ("Settlement Agreement"), has requested that the Borough governing body amend the Redevelopment Plan as set forth in the Settlement Agreement and the Borough has agreed that the Redevelopment Plan shall be amended to provide for certain changes to the Plan described in the Settlement Agreement, subject to the adoption of an Ordinance and consistent with the requirements of the Redevelopment Law; and

WHEREAS, the Redeveloper and its Principal hereby agree to pay the *reasonable* costs and expenses incurred by the Borough as directly relates to the more detailed review and analysis of the Redeveloper's Proposals and subsequent submissions, the analysis of the impact of the project on municipal services, and the drafting and negotiation of the redevelopment agreement and related documents and agreements; the Borough's retention of various relevant professional consultants including general municipal and redevelopment counsel, fiscal analyst and planners which costs and expenses are more specifically defined elsewhere in this Interim Cost Agreement; and

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual promises and representations, covenants and agreements herein set forth, the parties hereto, each binding itself, its successors and assigns, do mutually promise, covenant and agree as follows:

1. **The Interim Period.** The phrase (“Interim Period”) shall refer to the time period commencing upon the execution of the Settlement Agreement and shall terminate upon the earlier to occur of either the full execution by the parties hereto of a redevelopment agreement or at such time as the Redeveloper or Borough determine that a redevelopment agreement cannot be executed for any reason.

2. **Payment of Interim Costs.** The Guarantor shall be responsible to pay to the Borough the Interim Costs (as this phrase is defined below) incurred by the Borough during the Interim Period. The Guarantors shall pay such costs and expenses incurred by the Borough during the Interim Period even if a redevelopment agreement is not, or cannot be, executed for any reason.

3. **“Interim Costs” Defined; Budget.** The phrase (“Interim Costs”) shall include, but not be limited to, all *reasonable* costs and expenses incurred by the Borough during the Interim Period relating to services provided, directly or indirectly, by its general municipal attorney, redevelopment counsel, planners and any other professional retained by the Borough in connection with the amendment, and implementing, of the Redevelopment Plan and the negotiation and execution of the redevelopment agreement with the Redeveloper relative to this Project. Interim Costs shall specifically include those *reasonable* fees and costs payable for the services of general municipal and special counsel to the Borough, the Borough’s planners and the consultants hired by the Borough to analyze the impact of the project on the Borough, along with disbursements incurred by such professionals. Interim Costs shall also include *reasonable* costs of services rendered to the Borough for review of applications, submissions, agreements, requests for amendment of the redevelopment plan (“Redeveloper’s Proposals”) and/or analysis of issues related to the redevelopment project for the Borough.

At the present time, the estimate of the costs to be incurred by the Borough in connection with the preparation of the proposed amendment to the Redevelopment Plan and Redevelopment Agreement is anticipated to be between Eighteen Thousand (\$18,000.00) Dollars and Twenty-Five Thousand (\$25,000.00) Dollars. That estimate is based on work presently anticipated to be required by special and municipal counsel, planners, engineers with respect to: preparation of the proposed amendment to the Redevelopment Plan, and an Ordinance for adoption of same, arranging for background and advice to be provided to Planning Board (including one meeting between the parties, and two meetings with Governing Body) regarding that amendment to the Redevelopment Plan as it relates to the Settlement Agreement; a draft of the Redevelopment Plan being prepared by Borough Counsel based on the prior draft of the agreement, to the extent relevant, and a Resolution for adoption of same, arranging for background and advice to be provided to the Governing Body including one meeting between the parties, and two meetings with Governing Body, regarding that Redevelopment Agreement as it relates to the Settlement Agreement. Expenses will be incurred in addition to these anticipated professional fees which cannot be estimated at this time. The estimated range of fees provided above is subject to revision if the work required is greater than anticipated in which case the Borough will advise ENTC of the reasons therefore.

There will be a separate escrow for the Planning Board’s review of the site plan application, which escrow will cover *the reasonable* costs of experts engaged for the Planning Board’s review (such as the cost of a professional parking expert to review and provide

testimony for the Board regarding any proposed reduction in the parking requirement if proposed by the Redeveloper) and those costs are not included in this estimate or controlled by this Agreement.

4. **Escrow Fund.** Within three (3) *business* days of the full execution of this Interim Cost Agreement, the Redeveloper shall deposit Twenty-Five Thousand (\$25,000.00) Dollars with the Borough (hereinafter referred to as the "Escrow Fund") and said Escrow Fund shall be maintained by the Borough in a separate, interest bearing escrow account and shall be drawn down upon by the Borough to pay the Interim Costs. Interest earned shall accrue to the Redeveloper.

As set forth in Section XI of the Redevelopment Plan, the Redeveloper shall be required to pay all applicable *reasonable* escrow fees and other required charges for municipal professionals in a manner similar, but not identical, to the applicable provisions of the Borough's Land Development Ordinance and New Jersey Law as in the case of Planning Board approval. Specifically, the chief financial officer of the Borough shall make all of the payments out of the escrow fund to professionals for Interim Costs and shall prepare and send to the Redeveloper a statement which shall include an accounting of funds listing all deposits, interest earnings, disbursements and the cumulative balance of the escrow account on a monthly basis if monthly charges exceed *Five Thousand (\$5,000.00)* Dollars or quarterly basis if charges are less than that amount. The Redeveloper shall be required to notify the governing body with copies to the chief financial officer when or if the Redeveloper disputes the charges paid from the Escrow Fund, within ten (10) *calendar* days of receipt of such statement. All professional charges shall be reasonable and necessary, however, the technical billing requirements of the Municipal Land Use Law, such as hourly billing and rendering bills on a monthly basis, shall not be required. *reasonably complies with the billing statement procedures set forth above and at Paragraph 6 below.*

The substantive costs for which the Redeveloper shall be responsible shall not be limited by the provisions of the Municipal Law Use Law and may include work *reasonably* performed by professionals serving the Borough governing body, including the Borough's Municipal Attorney, to analyze Redeveloper's Proposals, and/or analysis of issues related to the redevelopment project for the Borough, including any studies, plans, reports or analyses prepared by or for the Borough as part of the implementation of the Redevelopment Plan. There is a chance that costs may include airfare for planner given his recent retirement and the objective of taking advantage of the experience of the Borough's present planner with the project and the parties agree that if that becomes necessary it will be a reasonable expense; *with the further understanding that the Redeveloper will be notified by the Borough in writing regarding such anticipated airfare costs a reasonable period of time prior to the incurring of same.*

5. **Replenishment of the Escrow Fund.** If the Escrow Fund drops below Five Thousand (\$5,000.00) Dollars, the Borough shall notify the Redeveloper in writing and the Redeveloper shall replenish the Escrow Fund to the funding level of Twenty-Five (\$25,000.00) Dollars, within ten (10) business days of the request made in writing by the Borough. Such notice of request shall simultaneously be made upon Redeveloper and Principal at the address set forth in the preamble to this Agreement.

6. **Reporting of Interim Costs Paid.** As provided above, the Redeveloper will be provided with a statement of Interim Costs paid from the Escrow Fund. The Borough shall further provide the Redeveloper with invoices from time to time during the course of the Interim Period and shall provide the Redeveloper with a final invoice within ten (10) business days of either the date a redevelopment agreement is fully executed by the parties or the date the Redeveloper determines that such a redevelopment agreement cannot be executed. The final invoice shall indicate all Interim Costs incurred by the Borough which have been paid from the Escrow Fund during the Interim Period. Any failure on part of the Borough to affirmatively provide the Redeveloper with statement(s) of the Interim Costs and/or invoices for same as set forth above shall not prevent the Borough from drawing down upon the Escrow Funds in order to pay for the subject Interim Costs.

7. **Refund of Balances Remaining to Redeveloper.** Any balance remaining in the Escrow Fund at the termination of the Interim Period will be refunded together with accrued interest to the Redeveloper or will be disbursed in accordance with the Redeveloper's instructions.

8. **Applicable Law.** This Interim Cost Agreement shall be governed by and construed in accordance with the local substantive and procedural laws of the State of New Jersey without giving effect to any conflict of law provisions. The parties agree that any action instituted regarding this Interim Cost Agreement shall be filed in the Superior Court of New Jersey, Hudson County. The parties hereto irrevocably consent to the service of any and all process in any such action or proceeding by the mailing of copies of such process to it at its address specified in this Escrow Agreement. The parties hereto agree that subject to the parties' rights of appeal, a final judgment in any such action or proceeding shall be conclusive and may be enforced in other jurisdictions by suit on the judgment or in any other manner provided by law.

9. **Binding Effect; Amendment.** This Interim Cost Agreement shall be binding upon and inure to the benefit of and be enforceable by the parties hereto and their respective successors and assigns. This Interim Cost Agreement may be amended, modified, superseded, waived or cancelled only by a written instrument executed by all the parties hereto.

10. **Counterparts.** This Escrow Agreement may be executed in one or more counterparts, including facsimile counterparts, each of which, when taken together, shall be deemed one and the same instrument.

11. **Notices.** Any notices, demands and communications between the Borough and the Redeveloper shall be deemed given if dispatched to the address set forth below by registered or certified mail, postage prepaid, return receipt requested, or by a commercial overnight delivery service with packaging tracking capability and for which proof of deliver is available. In this case such notice is deemed effective upon delivery. Such written notices, demands and communications may be sent in the same manner to such other addresses as any party may from time to time designate by written notice.

Copies of all notices, demands and communications shall be sent as follows: If to Borough: Borough Of East Newark, 34 Sherman Avenue, East Newark, New Jersey 07029,

Attn.: Mayor Joseph Smith, with a copy to Wilentz, Goldman & Spitzer P.A., 90 Woodbridge Center Drive, Woodbridge, New Jersey 07095, Attn.: Anne Babineau, Esquire. If to Redeveloper and/or Principal, East Newark Towne Center LLC, and Efstathios Valiotis, 28-18 31st Street, Astoria, New York 11102, with a copy to Paul Jemas, Esquire, Jemas P.C., 38 Roseland Avenue, Roseland, New Jersey 07068.

12. **Other Reimbursements.** Nothing contained in this Agreement shall prohibit the Borough or the Redeveloper from seeking funds to reimburse the Redeveloper for payment of any services paid for under this Agreement. Such sources of funding may include, but are not limited to grants or public financings.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed, all as of the date first above written.

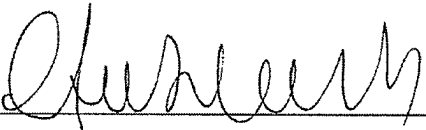
Redeveloper:

EAST NEWARK TOWNE CENTER, LLC

Witness:



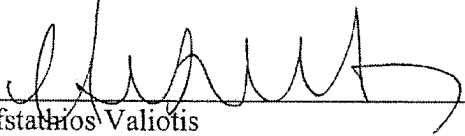
By:



Principal/Guarantor:

Witness:





Efstathios Valiotis

Borough:

BOROUGH OF EAST NEWARK

Attest:

Robert Knapp, Acting Clerk

Joseph R. Smith, Mayor

EXHIBIT A

East Newark Towne Center Settlement Proposal

This document is offered as a counter proposal to settle the following matters which have been the subject of negotiations and/or litigation between East Newark Towne Center, LLC (“ENTC”) and the Borough of East Newark, New Jersey (“East Newark” or the “Borough”).

I. The matters at issue are the following:

1. Terms and conditions of the East Newark Redevelopment Plan (“Redevelopment Plan” or “Plan”) governing the redevelopment of the former Clark Thread Mill property (the “Property”).
2. Consideration of ENTC’s application for preliminary and final site plan approval for its plan for redevelopment of the Property.
3. Settlement of the various property tax appeals filed by ENTC regarding the assessed valuation of the Property.
4. ENTC’s request to receive a long term tax abatement.
5. Final settlement of all claims asserted by all parties in the litigation pending before Superior Court and in the Tax Court, and the dismissal of those litigations with prejudice.
6. Reconsideration of fines and penalties imposed on ENTC related to alleged violations of various ordinances and regulations of the Borough regarding conditions on the Property.

II. The Borough offers the following terms in settlement of all of the above matters. Terms are listed in the order of the matters listed above.

1. The Redevelopment Plan shall be amended so as to provide for the following to be acceptable, subject to the adoption of an Ordinance and consistent with the requirements of the Local Redevelopment and Housing Law, and subject to approval of site plan as required under the Municipal Land Use Law:

a. The maximum number of residential units shall be limited to 616, as provided in the current Plan, except for the situation described in item II(e) below.

b. The minimum average gross area of each residential unit shall be at least 1,200 square feet, with such amount to be determined by calculating the total gross area devoted to residential use by 616. The total gross area devoted to residential use shall be calculated as provided for in the Redevelopment Plan, namely the square footage shall include “all public areas such as hallways and stairwells, mechanicals and utility rooms, recreation and meeting room, etc.”, which is the arithmetic sum of the following:

i. The gross area within all residential units.

ii. The gross area of all hallways, stairways, elevators, utility shafts, mechanical rooms, lobbies, amenity spaces of all types, including, without limitation, gyms, sports facilities, meeting rooms, party and assembly rooms, computer facilities, gardens, decks, laundry or other service facilities and mail rooms, plus all management and maintenance offices and facilities related to the operation of the residential component of the project to be redeveloped by ENTC (“Project”). The calculation would not include any outdoor areas such as gardens, decks and roof tops unless they are enclosed areas. The Borough would also allocate a portion of management and maintenance offices and facilities to residential based on a ratio as in (iii) below.

iii. The allocable share, based on the ratio of the gross area of residential use to the gross area of all non-residential use, of any area of the Project that may be made available for use by the general public of the Borough.

c. The parking requirements of the Plan shall remain as originally stated in the Redevelopment Plan, namely that “the Planning Board may allow a reduction in the required parking upon a showing that shared parking facilities [or if other methods are found acceptable by the Planning Board, such as valet parking, stackers and/or a parking study to be conducted after the first part of the project is completed and resident parking patterns have been developed] will meet the maximum demand of the project’s planned uses.” In considering the parking requirements, the parties agree that the Planning Board should take into consideration the use of shuttle service to the Harrison PATH station required by the Redevelopment Plan.

d. The permitted unit types within the Plan shall include studio, 1 bedroom and 2 bedroom units, with the mix to be as set forth in the Redevelopment Plan, namely at least 2/3 of the units shall be 1 bedroom and no more than 1/3 of the units may be 2 bedroom units (studios shall be counted in the 2/3).

e. At the present time, the position of the parties in affordable housing cases pending before the Superior Court, including the position of Fair Share Housing, is that East Newark does not have an obligation to construct more than 2 affordable units. The position being advanced in such litigations on behalf of Fair Share Housing, a pro-affordable housing organization, is that ENTC’s obligation shall include 2 units from the Prior Round (1987-1999), and -0- for the Third Round (1999-2025).

ENTC and the Borough will work together, if necessary, to confirm that no additional units will be required as part of the ENTC Project. Such working together will include submitting letters, briefs and otherwise participating in any relevant litigation in which East Newark becomes a party where it is alleged that the ENTC Project should include affordable units. The Borough believes that it is reasonable to take the position that the ENTC Project should not be obligated to contain any affordable units, given that the Borough contains a large stock of housing that is defacto affordable. If despite such working together, it is determined that some of the units in the ENTC Project must be made affordable, ENTC may utilize the additional area within the Project that is not required for the 616 market rate units (approximately 95,000 sq. ft.), to provide the required number of additional units at rents that are affordable, if such are required by the Superior Court or State regulations.

f. Notwithstanding any other provisions of the Redevelopment Plan, so long as ENTC satisfies the minimum gross area requirement for residential use, ENTC shall have the right, but not the obligation, to either use the remaining area of the Project for non-residential purposes, or to demolish such areas as it chooses not to re-use as permitted under the Redevelopment Plan, provided that if ENTC determines not to use the remaining area of the Project for uses permitted under the Redevelopment Plan, it shall demolish the buildings that are not rehabilitated to make room for additional open space for use by the residential tenants or other uses permitted under the Redevelopment Plan. This provision is not intended to modify the obligation under the Redevelopment Plan to provide certain non-residential development (See Design Requirements and requirements for the Thread Mill District).

2. To the extent that ENTC’s site plan application conforms to the terms of the Redevelopment Plan as it would be amended to conform to this settlement proposal, the Borough shall grant approval, subject to the conditions imposed by the Planning Board upon its review of the site plan application pursuant to its statutory obligations under the Municipal Land Use Law and any other relevant statute. The parties will enter into a redevelopment agreement to provide for further detail regarding compliance with the Redevelopment Plan (ex. details regarding shuttle), the terms of which will be in accordance with this settlement agreement.

The parties agree that the form of redevelopment agreement that will be used as a starting point for the redevelopment agreement will be the draft of 12/16/09, into which we will insert the language from the Settlement Agreement, and remove the following sections: 2.20, 2.23, 2.24, and the references to condominium in Section 9.06. (The language in Section 2.23 (i) of the redevelopment agreement regarding providing a jitney will be retained as part of the form of agreement from which the parties will work). In this Settlement Agreement, the parties are not agreeing at the present time to the number of square feet of commercial space, parking and other development details which will be determined after submission and review of the concept plan which is to be attached to the eventual redevelopment agreement.

3. The parties agree to dismiss with prejudice the pending tax appeals for 2012-2016 and the related Superior Court Appellate Division appeal of the recent Tax Court decision regarding years 2008-2011. ENTC will not file a tax appeal for the 2017 tax year or any subsequent year if the assessed value remains the same as it is today.
4. ENTC agrees to withdraw any request for the granting of a long term tax abatement.
5. All claims and counterclaims by ENTC, Mr. Valiotis, the Borough, and any other named party in the Superior Court action will be dismissed with prejudice and without an award of costs or legal fees in favor of any party. A Stipulation of Dismissal, and a warrant to satisfy the judgment entered, will be filed upon execution of a settlement agreement.
6. The parties recognize that the Borough has already reconsidered and rebated most of the amounts imposed on ENTC as the first round of fines and penalties related to violations of various ordinances and regulations of the Borough regarding conditions on the Property. No further rebates are considered appropriate at this time.
7. The parties agree that, as of the date of execution of this settlement, there are no fines or penalties due to the Borough from the Property.

From: TABANKER@aol.com [mailto:TABANKER@aol.com]
Sent: Tuesday, October 18, 2016 10:06 AM
To: Babineau, Anne
Subject: ENTC Settlement

Anne,

After discussion with the client and review of the current Redevelopment Plan, I have been asked to send you the attached, which is a short discussion of the issue of permitted uses. I think if we can reach agreement on this issue, that we will be able to get the parties to be in full agreement and to settle.

Happy to discuss if you think it would be helpful.

Tom

Attachment to email:

Permitted Use Issue

In the Borough's counterproposal for settlement with ENTC, the Borough has offered to permit ENTC to use space not required to meet the residential and commercial requirements that are set forth in the counterproposal for "uses permitted under the Redevelopment Plan". Those uses are essentially as follows:

1. The 616 residential units included in the Plan;
2. Office uses in adaptively re-used buildings;
3. Other commercial uses in adaptively re-used buildings;
4. Ground floor retail, restaurants, banks and other service uses, plus ground floor uses associated with permitted uses on upper floors (e.g. lobbies and service areas); and
5. Day care facilities for children (listed as accessory to principal uses).

ENTC has several uses that it believes may be economically feasible within the project in the unused space, which ENTC believes are permitted by the current Plan. They are as follows:

Uses consistent with current Plan:

- Additional retail, restaurant and service uses above the minimum of such uses required by the Plan
- Professional offices, including without limitation offices for legal, medical, accounting, engineering, architecture and planning
- Senior Day Care Facility
- Self Storage
- Hotel

ENTC would request that the Borough indicate whether it agrees with ENTC position on the acceptability of the listed uses under the current Plan.

From: Babineau, Anne [mailto:ababineau@wilentz.com]

Sent: Thursday, November 10, 2016 12:08 PM

To: Jemas Paul G (pjemasesq@aol.com)

Cc: mgclawyers@aol.com; Mayor Joseph Smith (jsmith_eastnewark@verizon.net); Banker, Tom (TABANKER@aol.com); Robert Cotter (bobcotter@outlook.com)

Subject: Uses addressed by Borough Council

[One clarification was added to this email. See italics below]

Paul

Confirming our conversation this am, at last night's meeting of the Council, we discussed and resolved ENTC's request that the Council consider specific uses that could be includable in the project in the "unused space" space that is not needed for the 616 units.

Generally the Council was agreeable to three out of the five specific uses being included. The Council had concerns about, and does not want to permit, Hotel and Senior Day Care because there was a concern about whether such a use would work with mixed use residential project.

As to **professional offices**, they were agreeable to the kinds of offices listed. However, they wanted to make it clear that although the listed professional offices, where the professional would meet with clients or patients, would be fine, they did not want the language to be read to permit other medical uses such as a dialysis center. The Council also wanted to be sure that if they specifically agree that professional offices are permitted that the professional office uses

should be “similar to” the ones listed (legal, medical, accounting, engineering, architectural and planning); the words “without limitation” were regarded as unduly broad [*Clarification: “without limitation” is not part of the settlement*]. Lastly as to such offices, as well as other “commercial uses” (like the Self-Storage use), when the Plan is amended to permit smaller units, Bob recommended that the Redevelopment Plan be amended to add language to deal with these uses. In that way the Planning Board will be able to insure that the commercial use work with the residential uses.

Additional language added to the Settlement Terms by Oral Resolution on December 29, 2016

“The parties agree that the form of redevelopment agreement that will be used as a starting point for the redevelopment agreement will be the draft of 12/16/09, into which we will insert the language from the Settlement Agreement, and remove the following sections: 2.20, 2.23, 2.24, and the references to condominium in Section 9.06 (the language in Section 2.23 (i) of the redevelopment agreement regarding providing a jitney will be retained as part of the form of agreement from which the parties will work). In this Settlement Agreement, the parties are not agreeing at the present time to the number of square feet of commercial space, parking and other development details which will be determined after submission and review of the concept plan which is to be attached to the eventual redevelopment agreement.”

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

**RESOLUTION: APPOINTMENT OF SPECIAL COUNSEL-LABOR MATTERS -
 MEMORIALIZATION**

Introduced by Councilmember _____

Seconded by Councilmember _____

WHEREAS, the Borough of East Newark, in accordance with the provisions of N.J.S.A. 19:44-20.4 et seq. has established a "fair and open" process for the selection of certain professional services, and

WHEREAS, the Borough has posted a public notice requesting the submission of qualifications in accordance with the provisions of the statute; and

WHEREAS, the Borough of East Newark has received qualifications for the position of Special Counsel to handle labor matters in accordance with the fair and open process so established; and

WHEREAS, after a review of all qualifications received, the qualification of Mark Tabakin, Esquire of Weiner Law Group, is found to be most advantages to the Borough; and

WHEREAS, the Local Public Contracts Law NJSA 40A:13-1 et seq., requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bidding must be publicly advertised,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Newark, that Mark Tabakin, Esquire of Weiner Law Group is hereby appointed to the position of Special Counsel to provide represent the Borough regarding zoning and planning matters in accordance with the fair and open process, for the year January 1, 2017 through December 31, 2017,

BE IT FURTHER RESOLVED that the Mayor and Acting Borough Clerk are authorized to execute a contract and any and all necessary documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution;

BE IT FURTHER RESOLVED that a copy of this resolution shall be publicly advertised pursuant to NJSA 40A:13-4 et seq.

BE IT FURTHER RESOLVED this resolution shall take effect upon certification by the Chief Financial Officer of the Borough of East Newark that sufficient funds are available to execute same.

ROLL CALL	Aye	Nay	Abstain	Absent
Lucas				
Salas				
Sheehan, Sr.				
Silva				
Tighe				
Zincavage				

I HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK VIA TELEPHONE POLL ON JANUARY 23, 2017 AND MEMORIALIZED AT A PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK HELD ON FEBRUARY 8, 2017.

 ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY APPROVE THE ABOVE RESOLUTION ON THIS THE 8TH DAY OF FEBRUARY, 2017.

 JOSEPH R. SMITH, MAYOR



34 Sherman Avenue
East Newark, New Jersey 07029
Phone: (973) 481-2902 ext. 221
Fax: (973) 481-0627
www.boroughofeastnewark.com

Borough of East Newark

Joseph R. Smith
Mayor

Robert B. Knapp
Borough Clerk

Brigite I. Goncalves
Administrative Assistant

Memo

To: Honorable Mayor Joseph R. Smith
From: Brigite I. Goncalves, Administrative Assistant
CC: East Newark Borough Council
Date: February 6, 2017
Re: East Newark Borough Clerk's Office Monthly Report – January 2017

In the month of January 2016 please note that the Office of the Borough Clerk collected a total of \$63,512.23 in cash for various items. Attached please find a list of the fees collected. All monies have been deposited to the East Newark General Account.

I continue to research projects that would help East Newark become a designated Sustainable Municipality. Now that we have established a Green Team, I will be able to research additional projects that may incorporate the school and the residents.

All reporting has been filed by the required due date in connection with the Generator Installation Project at the Borough Hall. We are in the process of requesting the approval from FEMA to expand the project to cover the entire municipal building.

OSHA Form 300A has been filed for calendar year 2016.

All County Grants for Senior Programs have been reviewed and are ready to present for our upcoming audit with the County Peer Leadership Office.

All up to date information has been transmitted to the Hudson County Office on Aging through the online portal (SAMS).

Board of Health call(s) received by this office were transmitted to the Kearny Board of Health.

All mailings of vital statistics records have been made as required by the New Jersey State Department of Health and Senior Services.

The Affirmative Action binder has been reviewed and requests for Certificates of Employee Information Report Cards have been made to vendors who have exceeded payments in the amount of \$17,500.00 as per the State of New Jersey, Department of Treasury regulations.

Open Public Records Act (OPRA) requests received by this office have been provided with a timely response.

Kindly further note that resolutions and ordinances passed at the Reorganization Meeting of January 4, 2017 and the Regular Meeting of January 4, 2017 have been advertised as required and transmitted to the respective parties and have been added to the resolutions and ordinance binders for the current calendar year.

The Minute Book has been updated through December 2016.

Our website has been updated to include all recent minutes, meeting agendas, calendars, contacts and public notices. Our website is updated on a monthly basis and as needed.

Attached you will find an updated vacation list of all full time employees with the Borough up to January 31, 2016.

MONTHLY SUMMARY REPORT
BOROUGH OF EAST NEWARK

02/06/17 01:52:09 PM

From: 01/01/17 Through: 01/31/17

From: 01- - - - Through: 99- - - -

Roll up: General Ledger

Account	Tot	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
01-1010 CASH:	100.00	100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-1920 ANTICIPATED REVENUES:	60611.19	60611.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-2010 BUDGET:	2750.04	2750.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14-1606 ANTICIPATED REVENUES:	51.00	51.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grand Totals:	63,512.23	63,512.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00



Borough of East Newark

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Joseph R. Smith
Mayor

Brigite I. Goncalves
Treasurer/Chief Finance Officer

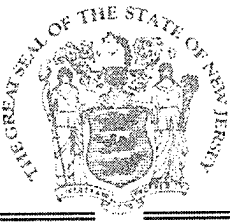
Memo

To: Honorable Mayor Joseph R. Smith
From: Brigitte I. Goncalves, Treasurer
CC: East Newark Borough Council
Date: February 6, 2017
Re: East Newark Borough Department of Treasury Monthly Report – January 2017

Following please find a list of items addressed for the month of January 2017 for the East Newark Finance Department.

- All State of New Jersey Pension Reports have been submitted by the monthly and quarterly deadline.
- All individuals/corporations with fees deposited in the Borough's Developers Escrow Account have been notified in writing of the balance of their account(s). Any account with a balance of \$1000 or less is notified on a quarterly basis and any account in excess of \$1000 is notified on a monthly basis.
- The CDBG reporting have been maintained by the monthly and quarterly basis.
- The Annual Debt Statement has been filed on behalf of the Borough.
- The Borough is currently processing the Annual Financial Statement.
- The Annual Uniform Construction Code Report was filed.
- The Annual Uniform Fire Safety Act Report has been filed.
- 1099's were issued for calendar year 2016.
- The Peer Grouping Application and the Office on Aging Grant Application for the Senior Citizens Project has been applied for on behalf of the Borough.
- I continue to work on the Capital Fixed Asset list for the Borough.
- Past due invoices were re-issued to any vendor with an open invoice.

- The East Newark Borough General Account has been updated through December 2016.
- The East Newark Payroll Account has been updated through December 2016.
- The PNC East Newark Water Account used through the East Orange Water Commission Account has been reconciled through December 2016.
- The East Newark Water Department Account and Animal Trust Accounts have been updated through December 2016.
- The East Newark Animal Control Account has been updated through December 2016.



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Borough of East Newark

To: Honorable Joseph R. Smith, Mayor
Honorable Members of the East Newark Borough Council

From: Robert B. Knapp, Director, East Newark Municipal Welfare Dept.

Re: Monthly Report-East Newark Municipal Welfare Department
For January, 2017

Date: February 1, 2017

Honorable Mayor and Members of the Borough Council:

Please find the following work activity report for the East Newark Municipal Welfare Department for January, 2017:

Assisted four (4) Borough residents for food stamp assistance

Assisted one (1) Borough resident for General Assistance

Assisted one (1) Borough resident for Low Income Home Energy Assistance Program

Attended Hudson County Comprehensive Assistance Systems (CEAS) in regards to homelessness issues in the County

Brigite Goncalves attended the first quarter Provider Meeting of the Hudson County Office on Aging

Borough participated in the 2017 Point In Time Homeless County on January 25, 2017—no homeless persons reported in the Borough on that night

Submitted all required documentation with assistance from Brigitte Goncalves, CFO/Treasurer for Hudson County Office On Aging and Hudson County Division of Housing and Community Development

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. B. Knapp".

Robert B. Knapp, Director
East Newark Municipal Welfare Department

East Newark Water Department

Date: January-17

Fiscal Year/Fiscal Period:

2017/1 to 2017/1

Pay Type:

All

Receipt Category:

All

Pay Type	Receipt Category	Customer No	Receipt No	Receipt Date	Batch ID	Post Date	Amount
CHK	Check	999996400	8244443	1/6/2017	010617_fjen840	1/6/2017	\$486.00
		999996785	8244444	1/6/2017	010617_fjen840	1/6/2017	\$162.00
		999999018	8244445	1/6/2017	010617_fjen840	1/6/2017	\$210.60
		999997929	8244446	1/6/2017	010617_fjen840	1/6/2017	\$189.00
		99999832	8244448	1/6/2017	010617_fjen840	1/6/2017	\$372.60
		999998864	8244449	1/6/2017	010617_fjen840	1/6/2017	\$145.80
		999997126	8244472	1/6/2017	010617_fjen840	1/6/2017	\$237.60
		999997082	8244473	1/6/2017	010617_fjen840	1/6/2017	\$615.60
		999997060	8244474	1/6/2017	010617_fjen840	1/6/2017	\$702.00
		999997005	8244475	1/6/2017	010617_fjen840	1/6/2017	\$432.00
		999996532	8244476	1/6/2017	010617_fjen840	1/6/2017	\$1,807.91
		999998468	8244477	1/6/2017	010617_fjen840	1/6/2017	\$97.20
		999997093	8244466	1/6/2017	010617_fjen840	1/6/2017	\$631.80
		999997027	8244467	1/6/2017	010617_fjen840	1/6/2017	\$550.80
		999999062	8244468	1/6/2017	010617_fjen840	1/6/2017	\$739.80
		999998094	8244469	1/6/2017	010617_fjen840	1/6/2017	\$615.60
		999997247	8244470	1/6/2017	010617_fjen840	1/6/2017	\$102.60
		999997181	8244471	1/6/2017	010617_fjen840	1/6/2017	\$415.80
		999998600	8244457	1/6/2017	010617_fjen840	1/6/2017	\$270.00
		999996752	8244459	1/6/2017	010617_fjen840	1/6/2017	\$178.20
		999999689	8244460	1/6/2017	010617_fjen840	1/6/2017	\$54.00
		999996851	8244462	1/6/2017	010617_fjen840	1/6/2017	\$280.80
		999999623	8244463	1/6/2017	010617_fjen840	1/6/2017	\$124.20
		999999590	8244465	1/6/2017	010617_fjen840	1/6/2017	\$113.40
		999998215	8244450	1/6/2017	010617_fjen840	1/6/2017	\$205.20
		999999359	8244451	1/6/2017	010617_fjen840	1/6/2017	\$113.40
		999998369	8244452	1/6/2017	010617_fjen840	1/6/2017	\$194.40
		999998952	8244454	1/6/2017	010617_fjen840	1/6/2017	\$178.20
		999998523	8244455	1/6/2017	010617_fjen840	1/6/2017	\$160.90
		999998622	8244456	1/6/2017	010617_fjen840	1/6/2017	\$64.80
		999996961	8244478	1/6/2017	010617_fjen840	1/6/2017	\$864.00
		999996114	8244479	1/6/2017	010617_fjen840	1/6/2017	\$588.60
		999996631	8244480	1/6/2017	010617_fjen840	1/6/2017	\$162.00
		999996224	8244481	1/6/2017	010617_fjen840	1/6/2017	\$69.68
		99999898	8244482	1/6/2017	010617_fjen840	1/6/2017	\$192.00
		999997709	8248555	1/12/2017	011217_fjen317	1/12/2017	\$356.00
		999998226	8248575	1/12/2017	011217_fjen317	1/12/2017	\$226.80
		999997643	8248576	1/12/2017	011217_fjen317	1/12/2017	\$248.40
		999996774	8248577	1/12/2017	011217_fjen317	1/12/2017	\$151.20
		999997764	8248568	1/12/2017	011217_fjen317	1/12/2017	\$184.30
		999997445	8248570	1/12/2017	011217_fjen317	1/12/2017	\$253.80
		999998886	8248571	1/12/2017	011217_fjen317	1/12/2017	\$209.91
		99999876	8248572	1/12/2017	011217_fjen317	1/12/2017	\$673.92
		999999183	8248573	1/12/2017	011217_fjen317	1/12/2017	\$70.00
		999998457	8248574	1/12/2017	011217_fjen317	1/12/2017	\$54.00
		999998589	8248562	1/12/2017	011217_fjen317	1/12/2017	\$732.94
		999999029	8248563	1/12/2017	011217_fjen317	1/12/2017	\$189.59
		999996180	8248564	1/12/2017	011217_fjen317	1/12/2017	\$243.84
		999997665	8248565	1/12/2017	011217_fjen317	1/12/2017	\$75.60
		999998061	8248566	1/12/2017	011217_fjen317	1/12/2017	\$383.40
		999998105	8248567	1/12/2017	011217_fjen317	1/12/2017	\$346.58
		999998974	8248556	1/12/2017	011217_fjen317	1/12/2017	\$124.20
		999998391	8248557	1/12/2017	011217_fjen317	1/12/2017	\$631.80
		999998050	8248558	1/12/2017	011217_fjen317	1/12/2017	\$108.00
		999997577	8248559	1/12/2017	011217_fjen317	1/12/2017	\$156.60
		999998380	8248560	1/12/2017	011217_fjen317	1/12/2017	\$118.80

East Newark Water Department

Date: January-17

EPAY_CHK

99999227	8248561	1/12/2017	011217_fjen317	1/12/2017	\$54.00
99999170	8253497	1/19/2017	011917_fjen203	1/19/2017	\$176.20
999996686	8253491	1/19/2017	011917_fjen203	1/19/2017	\$300.00
999998347	8253492	1/19/2017	011917_fjen203	1/19/2017	\$194.68
999999293	8253493	1/19/2017	011917_fjen203	1/19/2017	\$241.00
999996862	8253494	1/19/2017	011917_fjen203	1/19/2017	\$259.20
999997742	8253495	1/19/2017	011917_fjen203	1/19/2017	\$97.72
999998787	8253496	1/19/2017	011917_fjen203	1/19/2017	\$420.00
999999414	8253483	1/19/2017	011917_fjen203	1/19/2017	\$383.40
999997522	8253484	1/19/2017	011917_fjen203	1/19/2017	\$166.30
999998479	8253485	1/19/2017	011917_fjen203	1/19/2017	\$259.20
999999436	8253488	1/19/2017	011917_fjen203	1/19/2017	\$156.72
999996532	8253489	1/19/2017	011917_fjen203	1/19/2017	\$1,807.91
999996279	8253490	1/19/2017	011917_fjen203	1/19/2017	\$172.15
999998831	8253480	1/19/2017	011917_fjen203	1/19/2017	\$893.00
999996741	8253481	1/19/2017	011917_fjen203	1/19/2017	\$182.50
999998534	8253482	1/19/2017	011917_fjen203	1/19/2017	\$463.29
999997940	8258146	1/26/2017	012617_fjen1052	1/26/2017	\$696.60
999997621	8258147	1/26/2017	012617_fjen1052	1/26/2017	\$270.00
999999073	8258148	1/26/2017	012617_fjen1052	1/26/2017	\$270.42
999999469	8258149	1/26/2017	012617_fjen1052	1/26/2017	\$297.11
999998160	8258150	1/26/2017	012617_fjen1052	1/26/2017	\$280.80
999996554	8258151	1/26/2017	012617_fjen1052	1/26/2017	\$393.60
999998732	8258152	1/26/2017	012617_fjen1052	1/26/2017	\$260.00
999999117	8258153	1/26/2017	012617_fjen1052	1/26/2017	\$346.66
999999084	8258155	1/26/2017	012617_fjen1052	1/26/2017	\$320.25
999999777	8258157	1/26/2017	012617_fjen1052	1/26/2017	\$134.10
999997412	8260823	1/30/2017	013017_fjen556	1/30/2017	\$157.00
999998479	8260824	1/30/2017	013017_fjen556	1/30/2017	\$6.72
999999502	8260825	1/30/2017	013017_fjen556	1/30/2017	\$330.00
999998787	8260826	1/30/2017	013017_fjen556	1/30/2017	\$5.00
999999447	8260827	1/30/2017	013017_fjen556	1/30/2017	\$190.28
999998578	8241141	1/3/2017	CD-20170103-10	1/3/2017	\$64.49
999998754	8241201	1/3/2017	CD-20170103-11	1/3/2017	\$200.42
999998446	8241574	1/3/2017	CD-20170103-15	1/3/2017	\$150.03
999996202	8241577	1/3/2017	CD-20170103-16	1/3/2017	\$340.20
999996906	8241578	1/3/2017	CD-20170103-16	1/3/2017	\$253.80
999996675	8241579	1/3/2017	CD-20170103-16	1/3/2017	\$135.00
999996323	8241580	1/3/2017	CD-20170103-16	1/3/2017	\$1,182.60
999998435	8241581	1/3/2017	CD-20170103-16	1/3/2017	\$178.58
999996147	8241582	1/3/2017	CD-20170103-16	1/3/2017	\$91.80
999996576	8241590	1/3/2017	CD-20170103-17	1/3/2017	\$166.30
999998413	8242450	1/4/2017	CD-20170104-10	1/4/2017	\$200.00
999998875	8242459	1/4/2017	CD-20170104-11	1/4/2017	\$102.60
999998292	8242554	1/4/2017	CD-20170104-13	1/4/2017	\$75.60
999999128	8242580	1/4/2017	CD-20170104-14	1/4/2017	\$226.80
999998545	8242591	1/4/2017	CD-20170104-15	1/4/2017	\$225.70
999999634	8243743	1/5/2017	CD-20170105-15	1/5/2017	\$91.80
999996807	8244062	1/5/2017	CD-20170105-18	1/5/2017	\$2,087.53
999997016	8244907	1/6/2017	CD-20170106-14	1/6/2017	\$100.00
999998378	8245627	1/9/2017	CD-20170108-7	1/9/2017	\$324.00
999998699	8245975	1/9/2017	CD-20170108-7	1/9/2017	\$64.80
999997731	8246900	1/10/2017	CD-20170110-16	1/10/2017	\$221.40
999998710	8246901	1/10/2017	CD-20170110-16	1/10/2017	\$417.71
999997302	8246904	1/10/2017	CD-20170110-17	1/10/2017	\$237.60
999999271	8246908	1/10/2017	CD-20170110-17	1/10/2017	\$156.60
999999480	8247009	1/10/2017	CD-20170110-18	1/10/2017	\$259.20
999999348	8247336	1/11/2017	CD-20170111-9	1/11/2017	\$226.80
999996334	8248410	1/12/2017	CD-20170112-12	1/12/2017	\$140.40
999999513	8248413	1/12/2017	CD-20170112-12	1/12/2017	\$183.60
999999854	8248586	1/12/2017	CD-20170112-17	1/12/2017	\$297.00
999999007	8248950	1/12/2017	CD-20170112-18	1/12/2017	\$210.60

East Newark Water Department

Date: January-17

999999315	8248951	1/12/2017	CD-20170112-18	1/12/2017	\$625.71
999999953	8249545	1/13/2017	CD-20170113-16	1/13/2017	\$270.00
999999821	8250445	1/17/2017	CD-20170117-9	1/17/2017	\$247.49
999996928	8253575	1/19/2017	CD-20170119-17	1/19/2017	\$118.80
999996950	8253576	1/19/2017	CD-20170119-17	1/19/2017	\$205.20
999996136	8253579	1/19/2017	CD-20170119-17	1/19/2017	\$458.89
999998237	8254330	1/20/2017	CD-20170120-15	1/20/2017	\$364.35
999997533	8255423	1/23/2017	CD-20170123-15	1/23/2017	\$517.31
999998721	8255425	1/23/2017	CD-20170123-15	1/23/2017	\$715.00
999998501	8255427	1/23/2017	CD-20170123-15	1/23/2017	\$100.00
999999040	8255430	1/23/2017	CD-20170123-15	1/23/2017	\$623.19
999996466	8255436	1/23/2017	CD-20170123-15	1/23/2017	\$76.29
999996466	8256325	1/24/2017	CD-20170124-15	1/24/2017	\$189.63
999998501	8256331	1/24/2017	CD-20170124-16	1/24/2017	\$200.00
999999194	8256350	1/24/2017	CD-20170124-17	1/24/2017	\$270.00
999996697	8256351	1/24/2017	CD-20170124-17	1/24/2017	\$302.40
999998930	8256352	1/24/2017	CD-20170124-17	1/24/2017	\$151.78
999998424	8258709	1/26/2017	CD-20170126-17	1/26/2017	\$517.39
999996972	8258918	1/26/2017	CD-20170126-18	1/26/2017	\$276.80
999000005	8261939	1/31/2017	CD-20170131-18	1/31/2017	\$231.10

\$43,128.27

CSH

EPAY_CSH

999997775	8241589	1/3/2017	CD-20170103-17	1/3/2017	\$221.62
999997830	8241864	1/3/2017	CD-20170103-18	1/3/2017	\$226.80
999999678	8242416	1/4/2017	CD-20170104-9	1/4/2017	\$145.00
999996543	8242560	1/4/2017	CD-20170104-13	1/4/2017	\$297.00
999998853	8243820	1/5/2017	CD-20170105-17	1/5/2017	\$455.66
999999381	8243821	1/5/2017	CD-20170105-17	1/5/2017	\$559.63
999996620	8243969	1/5/2017	CD-20170105-18	1/5/2017	\$118.42
999999887	8244063	1/5/2017	CD-20170105-18	1/5/2017	\$334.74
999997995	8245010	1/6/2017	CD-20170106-15	1/6/2017	\$81.00
999997192	8245860	1/9/2017	CD-20170108-7	1/9/2017	\$301.68
999997192	8245976	1/9/2017	CD-20170108-7	1/9/2017	\$0.02
999998765	8246907	1/10/2017	CD-20170110-17	1/10/2017	\$466.42
999997357	8246909	1/10/2017	CD-20170110-17	1/10/2017	\$331.00
999996873	8247011	1/10/2017	CD-20170110-18	1/10/2017	\$313.20
999998743	8247012	1/10/2017	CD-20170110-18	1/10/2017	\$150.00
999996312	8247629	1/11/2017	CD-20170111-12	1/11/2017	\$194.40
999998083	8248442	1/12/2017	CD-20170112-12	1/12/2017	\$356.40
999996719	8252034	1/18/2017	CD-20170118-10	1/18/2017	\$350.00
999997049	8252035	1/18/2017	CD-20170118-10	1/18/2017	\$150.00
999999172	8252101	1/18/2017	CD-20170118-11	1/18/2017	\$77.50
999996928	8253577	1/19/2017	CD-20170119-17	1/19/2017	\$5.80
999996950	8253578	1/19/2017	CD-20170119-17	1/19/2017	\$6.36
999997500	8253580	1/19/2017	CD-20170119-17	1/19/2017	\$200.00
999998611	8253582	1/19/2017	CD-20170119-17	1/19/2017	\$80.00
999999216	8254329	1/20/2017	CD-20170120-15	1/20/2017	\$205.00
999997478	8255161	1/23/2017	CD-20170123-13	1/23/2017	\$483.69
999998644	8256280	1/24/2017	CD-20170124-14	1/24/2017	\$1,310.00
999996983	8256322	1/24/2017	CD-20170124-15	1/24/2017	\$160.00
999996983	8256323	1/24/2017	CD-20170124-15	1/24/2017	\$40.00
999996983	8256326	1/24/2017	CD-20170124-15	1/24/2017	\$200.00
999996554	8257376	1/25/2017	CD-20170125-15	1/25/2017	\$400.00
999999722	8258953	1/26/2017	CD-20170126-18	1/26/2017	\$150.00
999998798	8259152	1/27/2017	CD-20170127-10	1/27/2017	\$112.00

\$8,483.34

\$51,611.61



BOROUGH OF EAST NEWARK
DEPARTMENT OF POLICE

34 Sherman Avenue
East Newark, New Jersey 07029
Phone: (973) 481-2900
Fax: (973) 481-0627

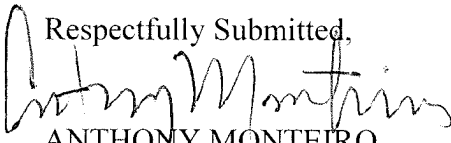
Anthony Monteiro
CHIEF OF POLICE

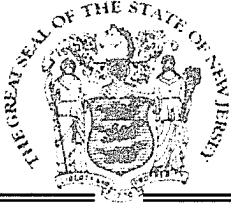
February 1, 2017

Honorable Mayor and Council
Borough of East Newark

Dear Council Members,
I herewith submit the following report for the month of January 2017.

Hospital Runs, Ambulance	6
Hospital Runs, Patrol Car	0
Escorts	1
Motor Vehicle Summons Issued	159
Motor Vehicle Accidents	6
Adult Arrest	2
Juvenile Arrest	0
Stolen Motor Vehicles	0
Recovered Stolen Vehicles	0
Burglaries	1
Larcenies	2
Robberies	0
Homicides	0
Assaults	0
Burglar Alarms	7
Borough Ordinance's	0
Fee's Ordinance's	\$748.18

Respectfully Submitted,

ANTHONY MONTEIRO
Chief of Police



BOROUGH OF EAST NEWARK
DEPARTMENT OF POLICE

34 Sherman Avenue
East Newark, New Jersey 07029
Phone: (973) 481-2900
Fax: (973) 481-0627

Anthony Monteiro
CHIEF OF POLICE

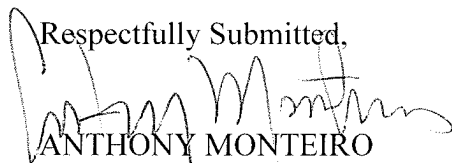
January 6, 2017

Honorable Mayor and Council
Borough of East Newark

Dear Council Members,
I herewith submit the following report for the month of December 2016.

Hospital Runs, Ambulance	2
Hospital Runs, Patrol Car	0
Escorts	2
Motor Vehicle Summons Issued	322
Motor Vehicle Accidents	6
Adult Arrest	1
Juvenile Arrest	0
Stolen Motor Vehicles	0
Recovered Stolen Vehicles	0
Burglaries	0
Larcenies	2
Robberies	0
Homicides	0
Assaults	0
Burglar Alarms	1
Borough Ordinance's	1
Fee's Ordinance's	\$15.15

Respectfully Submitted,


ANTHONY MONTEIRO
Chief of Police

Memo

Date: 0/10/2017

To: Mayor Joseph R. Smith

Cc: Council Members, Borough Treasurer

From: Municipal Court

RE: Monthly Disbursements

Attached please find receipts for the month of December 2016

Title 39 Split:

Check #: 2667

Amount: \$16,969.68

POAA Funds:

Check #: 2668

Amount: \$102.00

Interest on General Account:

Check #: 2670

Amount: \$4.90

Interest on Bail Account:

Check #: 5303

Amount: \$0.28

Memo

Date: 02/06/2017

To: Mayor Joseph R. Smith

Cc: Council Members, Borough Treasurer

From: Municipal Court

RE: Monthly Disbursements

Attached please find receipts for the month of January 2017

Title 39 Split:

Check #: 2674

Amount: \$10,206.13

POAA Funds:

Check #: 2675

Amount: \$94.00

Interest on General Account:

Check #: 2676

Amount: \$3.92

Interest on Bail Account:

Check #: 5311

Amount: \$0.21

CONFIDENTIAL ATTORNEY/CLIENT PRIVILEGED INFORMATION

THE ENCLOSED DOCUMENT IS CONFIDENTIAL INFORMATION REGARDING CONTRACT NEGOTIATIONS AND IS NOT TO BE DISCLOSED TO ANY INDIVIDUAL OR DISCUSSED OUTSIDE THE BOROUGH CLOSED SESSION UNTIL THE NEED FOR SUCH CONFIDENTIALITY IS NO LONGER IS REQUIRED, AS DETERMINED BY A VOTE OF THE COUNCIL IN CONJUNCTION WITH THE BOROUGH ATTORNEY

**CONFIDENTIAL
ECONOMIC & NON-ECONOMIC PROPOSALS**

of

EAST NEWARK PBA LOCAL NO. 22

presented to

BOROUGH OF EAST NEWARK

November 10, 2016

THE CUSHANE LAW FIRM, LLC
Thomas A. Cushane, Esquire
David P. Hiester, Esquire
1028 East Landis Avenue
Vineland, New Jersey 08360
(856) 794-2050
t.cushane@cushanelawfirm.com
Attorneys for PBA Local No. 22

* * * * *

1. **Contract Article: COVER PAGE**

Proposed Change: Remove all references to Mets, Schiro & McGovern, LLP.

2. **Contract Article: ARTICLE 6 (“Base Salary”)**

Proposed Change: Discuss 2% across-the-board raises for each year of the contract (2017 and 2018), paid on January 1, 2017 as follows:

4% paid up front in 2017.
0% paid in 2018.

Discuss combining Schedule “A” and Schedule “B” into a single salary guide.

Continued movement on all steps of that guide for the duration of the agreement.

Discuss increasing the base step after 10 years of employment to \$92,000.

Discuss implementing rank differential (i.e., Sergeant will be paid 10% more than Senior Patrolman, Lieutenant will be paid 10% more than Sergeant, and Captain will be paid 10% more than Lieutenant).

3. **Contract Article: ARTICLE 7 (“Longevity”)**

Proposed Change: Modify the longevity pay schedule as follows:

Beginning of year 5 through year 9 –	1.5%
Beginning of year 10 through year 14 –	3%
Beginning of year 15 and each year after –	5%

4. **Contract Article: ARTICLE 8 (“Overtime and Court Appearances”)**

Proposed Change: Change language in Section 2 to guarantee a minimum of two men per shift at all times.

Discuss creating an escrow account where payment for off-duty detail assignments will be held. The Borough would be responsible for collecting payment from outside companies (i.e., PSE&G, Verizon, etc.).

Discuss implementing a payment policy for off-duty overtime assignments that provides that officers will be compensated in the first paycheck after the date of the off-duty assignment.

Insert provision that permits officers of any rank to work off-duty assignments at the Red Bull Arena in Harrison, New Jersey.

5. Contract Article: ARTICLE 9 ("Vacation")

Proposed Change: Discuss implementing "blackout" policy that would permit the Borough to choose up to three blackout dates that must be identified to the PBA no later than January 31 of each calendar year.

Discuss implementing policy that ensures that vacation leave will not be denied due to lack of manpower, and discuss possibility of offering overtime shifts as an alternative.

6. Contract Article: ARTICLE 12 ("Life, Hospital, Medical and Dental")

Proposed Change: Eliminate prohibition set forth in Section "8" that limits employees hired on or after May 1, 2012 to single coverage only.

7. Contract Article: ARTICLE 20 ("Grievance Procedure")

Proposed Change: Replace all references to "days" with the phrase "business days."

Define a "business day" as "any day that is not a Saturday, Sunday, or legal holiday."

Set the period of time within which a grievance must be filed with the Chief of Police at Step 1 of the grievance procedure to fifteen (15) business days.

Increase the time within which the Chief must respond to a grievance at Step 1 from five (5) days to fifteen (15) business days.

Set the period of time within which a grievance must be filed with the Mayor at Step 2 of the grievance procedure to fifteen (15) business days.

Increase the time within which the Mayor must respond to a grievance at Step 2 from ten (10) days to fifteen (15) business days.

Add a "service" provision, as follows:

"Grievances shall be filed by either party by electronic mail to an agreed-upon address, by hand-delivery, by facsimile to pre-designated fax number, or by certified mail. Where grievances (or responses thereto) are filed by either party by certified mail, the postmark shall be considered the date on which the grievance (or response) is filed, but the date on which the certified return receipt is signed shall be deemed the date on which the time to respond or to take other appropriate action under this section commences."

Require a written response (with a substantive explanation accompanying any denial) at each step of the grievance procedure, with any failure to do so granting the grieving party all remedies sought in the grievance.

Include minor disciplinary matters among the types of disputes decided via binding arbitration.

8. Contract Article: ARTICLE 21 ("Arbitration")

Proposed Change: Increase the period of time within which a grievance must be filed at arbitration from ten (10) days to twenty (20) business days.

9. **Contract Article:** **ARTICLE 22 (“Duration”)**

Proposed Change: The duration of this agreement shall be “from January 1, 2017 through December 31, 2018.”

10. **Contract Article:** *******ADDITIONAL ITEM*******

Proposed Change: Discuss current manpower issue throughout the ranks.

11. All appropriate date changes shall be made where necessary.

12. All portions of the present collective negotiations agreement not specifically referenced herein shall remain unchanged.

13. Any tentative agreement reached between the parties is subject to ratification by the membership of the PBA.

* * * **END OF PROPOSAL** * * *

CONFIDENTIAL

Dear Council Members:

ENCLOSED IS A COPY OF THE 2016 XMAS FUND REPORT FOR YOUR INFORMATION.

I WANT TO THANK EVERYONE FOR THE HELP AND HOPE WE CAN HAVE THE SAME SUCCESS NEXT YEAR.

AS OF 1/31/17

MAYORS SPECIAL ACCOUNT BALANCE \$ 12,913.40

COPY OF STATEMENT ENCLOSED DATED 1/31/17

IF YOU HAVE ANY QUESTIONS PLEASE CALL ME AT
973-342-5126

THANKS

MAYOR

**2016 CHRISTMAS FUND REPORT
EXPENDITURES
AS OF 12/20/16**

NAME	AMOUNT	CHECK	PURPOSE
WALMART GIFT CERTIFICATES	\$ 2,425.00	1242	GIFT CERT. FOR 5-8 Grades SCHOOL CHILDREN, E.N. P.D. & F.D.. CHILDREN GIFT CARDS
WALMART DOLLS	\$ 511.25		
WALMART FIRE TRUCKS	\$ 876.00		
TOTAL CHECK	\$ 3,812.25		
SHOP-RITE Paid from Donations from the Hotel			GIFT CERTIFICATES FOR SENIORS AND FAMILIES
AMAZING SAVINGS INFANT	\$ 322.63	1243	Toys for infants to 4 years
			Toys for pre k to 4 years
			Toys for pre k to 4 years
TOTAL CHECK	\$ 4,134.88		
XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX		XXXXXXXXXXXXXXXXXXXXXXXXXXXX
EAST NEWARK FIRE DEPT.	\$ 250.00	1230	
FATHER JOHN DeSOUSA	\$ 100.00	1232	
ST. JOSEPH'S HOME	\$ 100.00	1231	
8 TH GRADE CLASS	\$ 100.00	1233	
SACRED HEART LEAGUE	\$ 50.00	1234	
PARALYZED VETERANS ASSOC.	\$ 100.00	1235	
VET. CARLOS PINTO	\$ 50.00	1236	PENDING AS OF 12/31/17
LYONS VETERANS HOSPITAL	\$ 50.00	1239	
VOLUNTIER SERVICES	\$ 50.00	1237	
VET. JOSE GONZALEZ	\$ 50.00	1240	PENDING AS OF 12/31/17
VET. SHAW Mc DOWELL	\$ 50.00	1238	
BRAVE WOMEN CANCER	\$		
TOTAL	\$ 950.00		
TOTAL AS OF 2/5/15	\$ 5,084.88		

NAME OF VETERANS GROUP
 CARLOS PINTO 5268 IROQUOIS AVENUE, EWA BEACH, HI 96706
 , NEW JERSEY LYONS VETERANS HOSPITAL, VOLUNTIER SERVICES OFFICE, 151
 KNOLLCREST ROAD, LYONS, N.J. 79395 CHECK ZIP CODE
 VETERANS HAVEN, 202 SPRING GARDEN ROAD, WINSLOW, N.J. 08005

2016 XMAS REPORT

DONATIONS AS OF 12/27/16

NAME OF COMPANY	ADDRESS		2016 DONATIONS	
MORAN TOWING	34 ARLINGTON AVE	11/22/16	\$ 500.00	
PIC-NIC RESTAURANT	GRANT AVENUE	12/20/16	\$ 400.00	
ARC LIQUORS INC.	EAST NEWARK	12/14/16	\$ 100.00	
E & K MEDICAL SUPPY	EAST NEWARK	12/20/16	\$ 150.00	
	TOTAL		\$ 1,150.00	
ROBERT KNAPP	EAST NEWARK	12/25/16	\$ 125.00	
KENNETH LINDENFELSER	KEARNY	12/29/16	\$ 250.00	
*ROGUT McCARTHY	CRANFORD	12/2/16	\$ 150.00	
S. KLEIN & CO.	NEWARK	12/1/16	\$ 1,250.00	
BRIGITE CONGALVES	EAST NEWARK	12/25/16	\$ 100.00	
MUNIDEX	FAIRVIEW	12/25/16	\$ 25.00	
GARY CUCCHIARA	LYNDHURST	12/20/16	\$ 100.00	
ANN BABINEAU		12/26/16	\$ 150.00	
CODED SYSTEMS		11/23/16	\$ 300.00	
DENNIS Mc GUIRE	CASH	11/30/16	\$ 20.00	
DUFFY & LIVINGTON	MANASQUAN	11/21/16	\$ 200.00	
	TOTAL		\$ 2,670.00	
DONATIONS FOR 2016			\$ 3,820.00	
TOTAL 2016	TOTAL COST	2/1/17	\$ 5,084.88	
FOR 2016	DEFICIT	2/1/17	--\$ 1,172.63	
XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX	XXXX		

2016 XMAS REPORT



BOROUGH OF EAST NEWARK
 MAYORS SPECIAL ACTIVITY FUND
 34 SHERMAN AVE
 EAST NEWARK NJ 07029-2718

0

Page: 1
 Chks Paid: 2
 Statement Date: 01/31/17
 Account Number: 40337618

Indicate to the right any changes of address.
 Cut at the dotted line and return this form to:
 Valley National Bank, Customer Service Department,
 1445 Valley Road, Wayne, NJ 07470

Street: _____
 City, State, Zip: _____
 Signature: _____

***** Government Interest Checking 40337618 *****

Non-Check Transactions

Date	Description	Amount
01/13	12/17/15 CW0 ADJ CK #190561	250.00
01/17	Deposit	250.00
01/31	Interest Credited Deposit	2.26

Checks in Order

Date	Number	Amount	Date	Number	Amount
01/09	1236	50.00	01/17	1240	50.00

(*) Check Number Missing or Check Converted to Electronic Transaction and Listed Under Non-Check Transactions

Daily Balance Summary

Date	Balance	Date	Balance	Date	Balance
12/30	12,511.14	01/13	12,711.14	01/31	12,913.40
01/09	12,461.14	01/17	12,911.14		

Interest Rate Summary

Date	Rate	Date	Rate	Date	Rate	Date	Rate
12/31	.200%						

Account Summary

Previous Statement Date: 12/30/16

Beginning Balance	+	Deposits	+	Interest Paid	-	Withdrawals	-	Service Charge	=	Ending Balance
12,511.14		500.00		2.26		100.00		.00		12,913.40

Statement from 12/31/16 Thru 01/31/17

Interest Earned	2.26	Average Stmt Balance	12,717.39
YTD Interest Paid	2.26	*Annual Percentage Yield Earned	0.20%

Report lost or stolen Valley Visa® Debit Card to: 888-379-9903

See other side for important information.