



BOROUGH OF EAST NEWARK
 COUNTY OF HUDSON
 STATE OF NEW JERSEY

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

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

AGENDA

ORDINANCE (FIRST READING/INTRODUCTION)	
01-2017	An Ordinance Of The Borough Of East Newark, County Of Hudson, State Of New Jersey Banning The Sale Of Dogs And Cats From Pet Shops
02-2017	An Ordinance To Amend Chapter 33 (Zoning) Of The Revised General Ordinances Of The Borough Of East Newark So As To Amend Bulk Requirements
ORDINANCE (SECOND READING/PUBLIC HEARING)	
RESOLUTIONS	
37-17	Appointment Of Class III Member To The East Newark Planning Board
38-17	Tax Identification Statement
39-17	Honoring The 2017 St. Patrick's Day Parade Grand Marshal, Alan Doffont
40-17	Honoring The 2017 St. Patrick's Day Parade Deputy Grand Marshal, Kevin McGonigal
41-17	Honoring The 2017 St. Patrick's Day Parade Deputy Grand Marshal, Donna McClure
42-17	Authorizing The Borough Chief Finance Officer To Apply For A Community Development Block Grant For Senior Services
43-17	Authorizing The Borough Clerk To Advertise For Bids For The Collection Of Solid Waste Services
44-17	Authorizing The Borough Clerk To Advertise For Bids For The Furnishing Of Meals For The East Newark Senior Citizens Lunch Program
45-17	Approval of Minutes
46-17	Approval of the Payment of Bills
DEPARTMENTAL REPORTS	
	Clerk's Office
	Finance Department
	Welfare and Human Resources Department
	Water Department
	Police Department
	Municipal Court
	Fire Department
CORRESPONDENCE	

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

Ordinance Number 02-2017

FIRST READING/INTRODUCTION

BOROUGH OF EAST NEWARK
HUDSON COUNTY, NEW JERSEY

AN ORDINANCE TO AMEND CHAPTER 33 (ZONING) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF EAST NEWARK SO AS TO AMEND BULK REQUIREMENTS

BE IT ORDAINED by the Mayor and Council of the Borough of East Newark, County of Hudson, State of New Jersey, as follows:

SECTION 1. Chapter 33, "Zoning" shall be amended to amend the bulk requirements for building height in the R-2 zone district as follows:

33-15 BULK REQUIREMENTS.

Table with 2 columns: Zoning, Building Height. Row 1: R-2 Single and Two Family Dwelling, 2 1/2 stories, 35 feet.

[New provisions indicated by underline; deleted provisions by strikeout.]

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any part, sections, provisions, or the total of any of the above-mentioned publications are held to be invalid or unenforceable in any court, the findings or judgments of which court are applicable in the State of New Jersey, the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Borough of East Newark.

SECTION 4. This Ordinance shall become effective adoption and publication according to law.

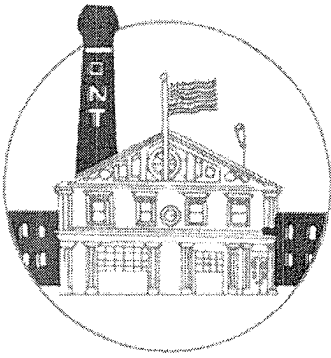
ROLL CALL table with columns: Aye, Nay, Abstain, Absent, Intro, Second. Rows for Lucas, Salas, Sheehan, Sr., Silva, Tighe, Zincavage.

I HEREBY CERTIFY THAT THE ABOVE ORDINANCE WAS INTRODUCED ON THE FIRST READING AND APPROVED ON THE FIRST READING 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 MARCH 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY CERTIFY THAT THE ABOVE ORDINANCE WAS INTRODUCED AND APPROVED ON THE FIRST READING ON THIS 8TH DAY OF MARCH, 2017.

JOSEPH R. SMITH, MAYOR



BOROUGH OF EAST NEWARK
 COUNTY OF HUDSON
 STATE OF NEW JERSEY

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	Police Department
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	Fire Department
	CORRESPONDENCE

ANY OTHER BUSINESS PRESENTED BY THE MAYOR AND BOROUGH COUNCIL

FORMAL ACTION MAY OR MAY NOT BE TAKEN

Ordinance Number 01-2017

FIRST READING/INTRODUCTION

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

AN ORDINANCE OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF
NEW JERSEY BANNING THE SALE OF DOGS AND CATS FROM PET SHOPS

WHEREAS, a significant number of puppies and kittens sold at pet shops come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for ("puppy mills" and "kitten mills," respectively). According to The Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise; and

WHEREAS, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavioral issues, which may not present themselves until some time after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

WHEREAS, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

WHEREAS, restricting the retail sale of puppies and kittens to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills, and is likely to increase demand for animals from animal shelters and rescue organizations; and

WHEREAS, according to the New Jersey Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

WHEREAS, this Ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the hobby breeder concerning those conditions; and

WHEREAS, the Mayor and Borough Council of the Borough of East Newark, County of Hudson, State of New Jersey believes it is in the best interests of the Borough of East Newark to adopt reasonable regulations to reduce costs to the Borough of East Newark and its residents, protect the citizens of the Borough who may purchase cats or dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the Borough.

Section 1. Definitions

Animal care facility means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

Animal rescue organization means any not-for-profit organization, which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

Cat means a member of the species of domestic cat, *Felis catus*.

Dog means a member of the species of domestic dog, *Canis familiaris*.

Offer for sale means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

Pet shop means a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

Section 2. Restrictions on the Sale of Animals

(1) A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:

- (a) An animal care facility; or
- (b) An animal rescue organization.

(2) A pet shop shall not offer for sale a dog or cat that is younger than eight weeks old.

Section 3. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 4. Effective Date.

This ordinance shall become effective 90 days after passage.

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

I HEREBY CERTIFY THAT THE ABOVE ORDINANCE WAS INTRODUCED ON THE FIRST READING AND APPROVED ON THE FIRST READING 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 MARCH 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

I HEREBY CERTIFY THAT THE ABOVE ORDINANCE WAS INTRODUCED AND APPROVED ON THE FIRST READING ON THIS 8TH DAY OF MARCH, 2017.

RESOLUTION NUMBER: 37-17

**BOROUGH OF EAST NEWARK
COUNTY OF HUDSON**

**RESOLUTION: APPOINTMENT OF CLASS III MEMBER TO THE EAST
NEWARK PLANNING BOARD**

Introduced by Councilmember: _____

Seconded by Councilmember: _____

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of East Newark that the following appointments be made to the East Newark Planning Board to fulfill the unexpired term of Kenneth M. Sheehan, Sr.:

Name	Class	Term	Expiration Date
Jose Silva	III	1 Year	December 31, 2017

Be and is hereby-appointed as MEMBER OF THE PLANNING BOARD of the Borough of East Newark effective immediately.

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

I, ROBERT B. KNAPP, MUNICIPAL CLERK OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AT THEIR REGULAR MEETING HELD ON MARCH 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

**BOROUGH OF EAST NEWARK
 COUNTY OF HUDSON, STATE OF NEW JERSEY
 RESOLUTION: TAX IDENTIFICATION STATEMENT**

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of East Newark that Borough of East Newark hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2016 in the amount of \$3,275.58. Documentation supporting this submission is available at East Newark Borough Hall, 34 Sherman Avenue, East Newark, New Jersey 07029 and shall be maintained for no less than five years from this date.

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

I, ROBERT B. KNAPP, MUNICIPAL CLERK OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AT THEIR REGULAR MEETING HELD ON MARCH 8, 2017.

 ROBERT B. KNAPP, BOROUGH CLERK

BOROUGH OF EAST NEWARK

BACK-UP FOR TAX IDENTIFICATION STATEMENT

SOLID WASTE - 2016

DART

B010	Borough of East Newark/F Basso	<u>1,091.86</u>
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1,091.86

REA SURCHARGE

\$3,275.58

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

**RESOLUTION: HONORING THE 2017 ST. PATRICK'S DAY PARADE
GRAND MARSHAL, ALAN DOFFONT**

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

WHEREAS, the Borough of East Newark, County of Hudson, State of New Jersey, recognizes and acknowledges Alan Doffont, Grand Marshal of the St. Patrick's Day Parade; and

WHEREAS, the United Irish Association of West Hudson has selected Alan Doffont to represent them as Grand Marshal of the 2017 St. Patrick's Day Parade.

NOW, THEREFORE; BE IT RESOLVED, that I, Joseph R. Smith, Mayor and the members of the Council of the Borough of East Newark, County of Hudson, State of New Jersey do hereby extend their congratulations and pay tribute to Alan Doffont for his outstanding services to God, his Country and to the residents of this community.

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

I, ROBERT B. KNAPP, MUNICIPAL CLERK OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AT THEIR REGULAR MEETING HELD ON MARCH 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

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

**RESOLUTION: HONORING THE 2017 ST. PATRICK'S DAY PARADE
DEPUTY GRAND MARSHAL, KEVIN MCGONIGAL**

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

WHEREAS, the Borough of East Newark, County of Hudson, State of New Jersey, recognizes and acknowledges Kevin McGonigal, Deputy Grand Marshal of the St. Patrick's Day Parade; and

WHEREAS, the United Irish Association of West Hudson has selected Kevin McGonigal to represent them as Deputy Grand Marshal of the 2017 St. Patrick's Day Parade.

NOW, THEREFORE; BE IT RESOLVED, that I, Joseph R. Smith, Mayor and the members of the Council of the Borough of East Newark, County of Hudson, State of New Jersey do hereby extend their congratulations and pay tribute to Kevin McGonigal for his outstanding services to God, his Country and to the residents of this community.

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

I, ROBERT B. KNAPP, MUNICIPAL CLERK OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AT THEIR REGULAR MEETING HELD ON MARCH 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

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

**RESOLUTION: HONORING THE 2017 ST. PATRICK'S DAY PARADE
DEPUTY GRAND MARSHAL, DONNA MCCLURE**

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

WHEREAS, the Borough of East Newark, County of Hudson, State of New Jersey, recognizes and acknowledges Donna McClure, Deputy Grand Marshal of the St. Patrick's Day Parade; and

WHEREAS, the United Irish Association of West Hudson has selected Donna McClure to represent them as Deputy Grand Marshal of the 2017 St. Patrick's Day Parade.

NOW, THEREFORE; BE IT RESOLVED, that I, Joseph R. Smith, Mayor and the members of the Council of the Borough of East Newark, County of Hudson, State of New Jersey do hereby extend their congratulations and pay tribute to Donna McClure for her outstanding services to God, her Country and to the residents of this community.

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

I, ROBERT B. KNAPP, MUNICIPAL CLERK OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AT THEIR REGULAR MEETING HELD ON MARCH 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

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

**RESOLUTION: AUTHORIZING THE BOROUGH CHIEF FINANCE OFFICER
 TO APPLY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR
 SENIOR SERVICES**

INTRODUCED BY COUNCILMEMBER: _____

SECONDED BY COUNCILMEMBER: _____

WHEREAS, funding is available through the Hudson County Division of Housing and Community Development for the 2017 Community Development Block Grant (CDBG); and

WHEREAS, funds are received annually from the U.S. Department of Housing and Urban Development (HUD) for local projects that primarily benefit low income persons, and

WHEREAS, applying for said funding would assist the Borough of East Newark by carrying out the current senior services available to those senior residents of the Borough of East Newark.

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 authorization is hereby granted to the Borough's Chief Finance Officer to apply on behalf of the Borough of East Newark for the above funding opportunity.

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

I, ROBERT B. KNAPP, MUNICIPAL CLERK OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AT THEIR REGULAR MEETING HELD ON MARCH 8, 2017.

 ROBERT B. KNAPP, BOROUGH CLERK

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

**RESOLUTION: AUTHORIZING THE BOROUGH CLERK TO ADVERTISE
FOR BIDS FOR THE COLLECTION OF SOLID WASTE SERVICES**

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 Borough Clerk is hereby authorized to advertise for bids for the collection and transporting of solid waste materials pursuant to N.J.S.A. 19:44A-20.4, et. seq., which bids are to be received at the date and time set forth in the bid specifications and as required by State Law, in the Council Chambers, Borough Hall, 34 Sherman Avenue, East Newark, New Jersey.

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

I, ROBERT B. KNAPP, MUNICIPAL CLERK OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AT THEIR REGULAR MEETING HELD ON MARCH 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

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

**RESOLUTION: AUTHORIZING THE BOROUGH CLERK TO ADVERTISE
FOR BIDS FOR THE FURNISHING OF MEALS FOR THE EAST NEWARK
SENIOR CITIZENS LUNCH PROGRAM**

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 Borough Clerk is hereby authorized to advertise for bids for the furnishing of senior citizens meals for the East Newark Senior Citizens Lunch Program pursuant to N.J.S.A. 19:44A-20.4, et. seq., which bids are to be received at the date and time set forth in the bid specifications and as required by State Law, in the Council Chambers, Borough Hall, 34 Sherman Avenue, East Newark, New Jersey.

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

I, ROBERT B. KNAPP, MUNICIPAL CLERK OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AT THEIR REGULAR MEETING HELD ON MARCH 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

**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 Regular Meeting of February 8, 2017 be and are hereby approved.

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

I, ROBERT B. KNAPP, MUNICIPAL CLERK OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AT THEIR REGULAR MEETING HELD ON MARCH 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

BOROUGH OF EAST NEWARK
COUNTY OF HUDSON STATE OF NEW JERSEY

THE REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF EAST NEWARK WITHIN THE COUNTY OF HUDSON, STATE OF NEW JERSEY WAS HELD ON WEDNESDAY, FEBRUARY 8, 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, Mayor, Presiding did call the meeting to order at 5:30 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)

Notice is further given that the Mayor and Borough Council did meet in caucus on February 8, 2017 for the purpose of establishing a final agenda for this Regular Meeting.

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

Roll Call:

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

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

Borough Clerk Robert B. Knapp did administer the Oath of Office of Councilmember to Councilmember Jose A. Silva

MOTION TO ENTER INTO EXECUTIVE SESSION:ENTC LITIGATION
Motion by Councilmember Tighe
Seconded by Councilmember Salas

Roll Call: Lucas-Aye, Salas, Aye, Sheehan, Sr.-Aye, Silva-Aye, Tighe-Aye, Zincavage-Aye
Aye: 6 Nay: 0 Abstain: 0 Absent; 0
MOTION CARRIED

Executive Session commenced at 5:34 P.M.

MOTION TO MOVE OUT OF EXECUTIVE SESSION AND INTO BUSINESS PORTION OF MEETING

Motion by Councilmember Tighe

Seconded by Councilmember Lucas

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Aye, Tighe-Aye, Zincavage-Aye
Aye: 6 Nay: 0 Abstain: 0 Absent: 0

MOTION CARRIED

Out of Executive Session at 5:50 P.M.

MOTION TO APPROVE AGENDA FOR REGULAR MEETING OF FEBRUARY 8, 2017

Motion by Councilmember Tighe

Seconded by Councilmember Silva

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Aye, Tighe-Aye, Zincavage-Aye
Aye: 6 Nay: 0 Abstain: 0 Absent; 0

MOTION CARRIED

CONSENT AGENDA:

RESOLUTION: APPROVAL OF DEDICATION BY RIDER-FIRE PREVENTION

RESOLUTION: AUTHORIZATION TO TRANSFER OF FUNDS FROM WATER ACCOUNT

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

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

RESOLUTION: APPROVAL OF MINUTES OF THE REORGANIZATION MEETING OF JANUARY 4, 2017 AND THE REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL OF JANUARY 4, 2017

RESOLUTION: APPOINTMENT OF SPECIAL COUNSEL-LABOR MATTERS-MEMORIALIZATION

Introduced by Councilmember Silva

Seconded by Councilmember Tighe

Roll Call: Lucas-Aye, Abstain on Minutes of January 4, 2017-Reorg Meeting and Regular Meeting

Salas-Aye

Sheehan, Sr. Aye, Abstain on Appointment of Special Counsel-Labor Matters

Silva-Aye, Abstain on Minutes of January 4, 2017-Reorg Meeting and Regular Meeting

Tighe-Aye

Zincavage-Aye

Aye: 6 Nay: 0 Abstain: As cited above Absent: 0

CONSENT AGENDA PASSED

RESOLUTION: AUTHORIZING FORMAL SETTLEMENT WITH THE EAST NEWARK TOWN CENTER, LLC

Introduced by Councilmember Tighe

Seconded by Councilmember Lucas

Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Aye, Tighe-Aye, Zincavage-Aye

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

RESOLUTION PASSED

RESOLUTION: PAYMENT OF BILLS

Introduced by Councilmember Zincavage

Seconded by Councilmember Tighe

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

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

RESOLUTION PASSED

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

Motion to Close Business Portion of Meeting and Open Meeting to Public

Motion by Councilmember Zincavage

Seconded by Councilmember Silva

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

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

MOTION CARRIED

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

MOTION TO CLOSE MEETING

Motion by Councilmember Silva

Seconded by Councilmember Tighe

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

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

MOTION CARRIED

Meeting Closed at 6:12 P.M.

Respectfully submitted,

Robert B. Knapp, RMC

Borough Clerk

Reports From Borough Departments:

Clerk's Office

Finance Department
Welfare and Human Services Department
Water Department
Police Department
Municipal Court

RESOLUTION NUMBER: 46-17

**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 \$456,586.51 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, ROBERT B. KNAPP, MUNICIPAL CLERK OF THE BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND BOROUGH COUNCIL AT THEIR REGULAR MEETING HELD ON MARCH 8, 2017.

ROBERT B. KNAPP, BOROUGH CLERK

BOROUGH OF EAST NEWARK**Bill list****REGULAR MEETING: MARCH 8, 2017**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
ADP, INC	659.48	488103132, 488795772,	FINANCIAL ADMIN. O/E
ALEX'S DELI	1,572.00	1164239 (FEB 2017)	HC DISABILITY RESOURCE (OOA)
ALEX'S DELI	2,526.00	1164239 (FEB 2017)	HUDSON COUNTY PEER GROUPING
ANTHONY MONTEIRO	30.00	MEDICAL REIMBURSEMENT	INSURANCE - EMPLOYEE GROUP HEA
BRIGITE GONCALVES	35.00	MED. REIMBURSEMENT	INSURANCE - EMPLOYEE GROUP HEA
BRIGITE GONCALVES	49.07	OUT OF POCKET - FEB	PLANNING BOARD OE
BRIGITE GONCALVES	65.00	MEDICAL REIMBURSEMENT	INSURANCE - EMPLOYEE GROUP HEA
BUG-ELIMINATORS	85.00	67017, 67014	PUBLIC BLDG & GRNDS OE
BUG-ELIMINATORS	65.00	67017, 67014	SENIOR CITIZENS OE
Total fund01			5,086.55
C.M.E. ASSOCIATES	7,855.25	0202639	DPW GARAGE IMPROVEMENTS
Total fund04			7,855.25
CENTRAL LEWMAR	517.50	5002338747	ADMIN. & EXEC. O/E -
CHIEFS OF POLICE	500.00	2017	POLICE DEPT. O/E
COMCAST	205.22	8499 05 356 0013062,	FIRE DEPT. OE
COMCAST	71.08	8499 05 356 0013062,	SENIOR CITIZENS OE
EAST NEWARK BOARD	119,932.50	MARCH 2017	SCHOOL TAXES
EAST NEWARK	29,778.43	2017 PERS & PFRS	PERS - PUB EMPLY RETIREMENT SY
EAST NEWARK	121,589.51	2017 PERS & PFRS	PFRS - POLICE & FIRE RETIRE SY
EAST NEWARK	2,503.20	PAYPERIOD ENDING	ADMIN BORO CLERK S&W
EAST NEWARK	30.00	PAYPERIOD ENDING	CONSTRUCTION OFFICIALS S/W
EAST NEWARK	22,611.21	PAYPERIOD ENDING	POLICE DEPT- S&W
EAST NEWARK	3,385.43	PAYPERIOD ENDING	POLICE CROSSING GUARD S&W
EAST NEWARK	1,443.20	PAYPERIOD ENDING	ROAD REPAIR & MAINT. S&W
EAST NEWARK	1,360.00	PAYPERIOD ENDING	PUBLIC BLDG & GRNDS S&W
EAST NEWARK	944.52	PAYPERIOD ENDING	SENIOR CITIZENS S&W
EAST NEWARK	1,407.28	PAYPERIOD ENDING	SOCIAL SECURITY SYSTEM
EAST NEWARK	2,085.65	PAYPERIOD ENDING	MUNIC COURT S&W
EAST NEWARK	1,249.96	PAY PERIOD ENDING	ADMIN S&W MAYOR & COUNCIL
EAST NEWARK	2,599.15	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	1,714.56	PAY PERIOD ENDING	CONSTRUCTION OFFICIALS S/W
EAST NEWARK	22,585.95	PAY PERIOD ENDING	POLICE DEPT- S&W
EAST NEWARK	2,699.50	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

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
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	889.44	PAY PERIOD ENDING	SENIOR CITIZENS S&W
EAST NEWARK	2,389.28	PAY PERIOD ENDING	SOCIAL SECURITY SYSTEM
EAST NEWARK	3,662.22	PAY PERIOD ENDING	MUNIC COURT S&W
ECONOMY SUPPLY CO.	182.36	959899,962219,963301,9	PUBLIC BLDG & GRNDS OE
F. BASSO JR.	1,566.50	0217-5821, 0217-5822	MANDATORY RECYCLING OE
F. BASSO JR.	5,540.83	0217-5821, 0217-5822	GARBAGE COLLECT CONTRACT OE
FRANCIS T.	165.00	B. BERNARDO	FIRE DEPT. OE
FRANCIS T.	165.00	ROBERT STONE	FIRE DEPT. OE
G.F.O.A. OF NEW	95.00	200001560	FINANCIAL ADMIN. O/E
GARFIELD FENCE	160.45	5984	PUBLIC BLDG & GRNDS OE
GUARDIAN	1,696.81	319546 MARCH 2017	INSURANCE - EMPLOYEE GROUP HEA
HOME DEPOT CREDIT	395.84	313299, 7230076,	PUBLIC BLDG & GRNDS OE
HORIZON BCBSNJ	9,296.82	285916916 (MARCH 2017)	INSURANCE - EMPLOYEE GROUP HEA
HORIZON BCBSNJ	2,339.51	MARCH 2017	INSURANCE - EMPLOYEE GROUP HEA
HUDSON COUNTY	7,826.90	14631 (FEB 2017)	GARBAGE COLLECT CONTRACT OE
JERSEY JOURNAL	118.76	1147825 (01/20/2017 &	AMIN & EXEC ADVERTISING OE
JUNIOR FIORI	198.19	MEDICAL REIMBURSEMENTS	INSURANCE - EMPLOYEE GROUP HEA

Total fund01

389,400.21

KEARNY WATER DEPT. 7,491.59 00307160000000

WATER SERVICES

Total fund05

7,491.59

KENNETH M. 630.00 MED. REIMBURSEMENTS
LAGO SERVICE 366.50 15017-290374,
LAGO SERVICE 30.00 0448
MASCHIO'S FOOD 76.56 IN0057049 JAN 2017
MASCHIO'S FOOD 62.04 IN0057049 JAN 2017
MICHAEL A. CIFELLI 673.42 FEBRUARY 2017
MICHAEL O'DONNELL 416.67 FEBRUARY 2017
MOTOROLA 2,466.00
NEIL D. MAROTTA, 2,500.00 FEBRUARY 2017
NORA C. ADAMS 270.00 JAN & FEB 2017

INSURANCE - EMPLOYEE GROUP HEA
MOTOR VEHICLE POOL OE
MOTOR VEHICLE POOL OE
SENIOR CITIZENS OE
HC DISABILITY RESOURCE (OOA)
MUNIC PROSECUTOR S&W
INSURANCE - EMPLOYEE GROUP HEA
FIRE DEPT. OE
LEGAL SERVICES & COSTS O/E
MUNICIPAL COURT OE

Total fund01

7,491.19

ONE CALL CONCEPTS 2.50 6125069, 7015069

WATER SERVICES

Total fund05

2.50

P.S.E.&G. 912.11 JANUARY 2017
P.S.E.&G. 947.56 JANUARY 2017
P.S.E.&G. 412.88 JANUARY 2017
P.S.E.&G. 664.30 JANUARY 2017
P.S.E.&G. 1,479.30 JANUARY 2017
P.S.E.&G. 4,042.81 JANUARY 2017

PUBLIC BLDG & GRNDS OE
PUBLIC BLDG & GRNDS OE
SENIOR CITIZENS OE
RECREATION OE
UTILITIES - ELECTRICITY
UTILITIES - STREET LIGHTING

Total fund01

8,458.96

PASSAIC VALLEY 127.00 12942 - DECEMBER 2016
PASSAIC VALLEY 127.00 12969

WATER SERVICES
WATER SERVICES

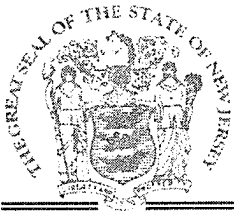
<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Total fund05			254.00
PENGUIN	1,242.00	43069	FIRE DEPT. OE
PINNACLE WIRELESS	21.36	14429	POLICE DEPT. O/E
RR DONNELLEY	147.00		ADMIN. & EXEC. O/E -
SETCON INDUSTRIES,	717.60	34177	SNOW REMOVAL OE
SMITH, JOSEPH R.	2,540.00	MARRIAGE/CIVIL UNION	ADMIN O/E MAYOR & COUNCIL
STAPLES CREDIT	59.98	1743886961-1756411341	ADMIN. & EXEC. O/E -
STAPLES CREDIT	-17.00	1743886961-1756411341	FINANCIAL ADMIN. O/E
STAPLES CREDIT	367.95	1743886961-1756411341	POLICE DEPT. O/E
STAPLES CREDIT	302.02	1704557891-1704335281	ADMIN. & EXEC. O/E -
STAPLES CREDIT	307.89	1704557891-1704335281	ADMIN. & EXEC. O/E -
STAPLES CREDIT	450.23	1704557891-1704335281	FINANCIAL ADMIN. O/E
STAPLES CREDIT	39.97	1704557891-1704335281	ASSESSMENT TAXES O/E
STAPLES CREDIT	629.19	1704557891-1704335281	POLICE DEPT. O/E
TENNANT SALES &	420.00	914405484	CLEAN COMMUNITIES
TOWN OF HARRISON	5,000.00	Q-1-2017	INTRLCL - STREET CLEAN HARRISO
TOWN OF HARRISON	1,625.00	Q-1-2017	INTRLCL - AMBULANCE HARRISON
TOWN OF HARRISON	11,250.00	Q-1-2017	INTERCL-DISPATCH SERVICES
TREASURER STATE OF	3,775.00	164437900	SEWER SYSTEM O/E
UNITED IRISH	100.00	2017 JOURNAL AD	ADMIN. & EXEC. O/E -
VERIZON	529.23	JANUARY 2017	ADMIN. & EXEC. O/E -
VERIZON	403.24	JANUARY 2017	POLICE DEPT. O/E
VERIZON	40.57	JANUARY 2017	PUBLIC BLDG & GRNDS OE
VERIZON	76.13	JANUARY 2017	SENIOR CITIZENS OE
VERIZON	70.71	JANUARY 2017	RECREATION OE
VERIZON WIRELESS	92.35	3535133810 (FEB 2017)	POLICE DEPT. O/E
VISION SERVICE	159.04	OCTOBER 2016 & MARCH	INSURANCE - EMPLOYEE GROUP HEA
VISION SERVICE	175.80	OCTOBER 2016 & MARCH	INSURANCE - EMPLOYEE GROUP HEA
XEROX CORP.	21.00	087779804, 088143777	ADMIN. & EXEC. O/E -

Total fund01

30,546.26

Total Bill List:

456,586.51



Borough of East Newark

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

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: March 6, 2017
Re: East Newark Borough Clerk's Office Monthly Report – February 2017

In the month of February 2017 please note that the Office of the Borough Clerk collected a total of \$46,282.46 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 have requested the additional funds to expand the project. Upon a request for an update for the State Police Office on Emergency Management, we still do not have the approval from FEMA.

On Friday, February 10, 2017 our records were audited for the Senior Program offered through the County of Hudson Peer Grouping incentive.

A notice has been mailed to all homeowners advising that they are responsible to maintain their property litter and snow/ice free.

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

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 Regular Meeting of February 8, 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 January 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. The attached includes vacation dates used as well as requested by the municipal employees.

MONTHLY SUMMARY REPORT
BOROUGH OF EAST NEWARK

03/06/17 03:54:07 PM

From: 02/01/17 Through: 02/28/17

From: 01-1920- - - Through: 99-9999-99-99 -

Roll up: General Ledger

Account	Tot	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
01-1920 ANTICIPATED REVENUES:	42732.64	0.00	42732.64	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-2010 BUDGET:	3530.82	0.00	3530.82	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14-1606 ANTICIPATED REVENUES:	19.00	0.00	19.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grand Totals:	46,282.46	0.00	46,282.46	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

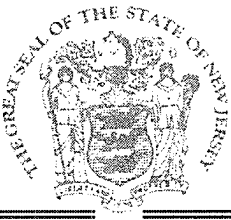
Memo

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

Following please find a list of items addressed for the month of February 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 Peer Grouping funding has been invoiced on a monthly basis.
- The Annual Financial Statement has been filed on behalf of the Borough.
- The Budget draft has been prepared and submitted to the Borough Auditors. The Introduction of the Budget should be forthcoming.
- 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 January 2016.
- The East Newark Payroll Account has been updated through January 2016.

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



Borough of East Newark

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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 February, 2017

Date: March 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 February, 2017:

Assisted two (2) 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

Assisted one (1) Borough family for Temporary Assistance for Needy Families

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,

Robert B. Knapp, Director
East Newark Municipal Welfare Department

East Newark Water Department

Date: February-17

Fiscal Year/Fiscal Period:

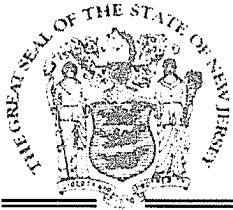
2017/2 to 2017/2

Pay Type:

All

Receipt Category: All

Pay Type	Receipt Category	Customer No	Receipt No	Receipt Date	Batch ID	Post Date	Amount	
CHK	Check	999997313	8263117	2/2/2017	020217_ENSL1	2/2/2017	\$185.00	
		999999546	8263118	2/2/2017	020217_ENSL1	2/2/2017	\$737.72	
		999998248	8263119	2/2/2017	020217_ENSL1	2/2/2017	\$64.80	
		999997676	8263120	2/2/2017	020217_ENSL1	2/2/2017	\$129.60	
		999998996	8269709	2/16/2017	21617_fjen1141/4	2/16/2017	\$613.84	
		999999326	8269710	2/16/2017	21617_fjen1141/4	2/16/2017	\$169.28	
		999997401	8269711	2/16/2017	21617_fjen1141/4	2/16/2017	\$385.52	
		999999920	8269712	2/16/2017	21617_fjen1141/4	2/16/2017	\$195.26	
		999996686	8269714	2/16/2017	21617_fjen1141/4	2/16/2017	\$300.00	
		999998006	8269716	2/16/2017	21617_fjen1141/4	2/16/2017	\$74.12	
		999996279	8269717	2/16/2017	21617_fjen1141/4	2/16/2017	\$11.18	
		999999535	8273011	2/23/2017	22317_fjen1246/10	2/23/2017	\$151.80	
		999997434	8273013	2/23/2017	22317_fjen1246/10	2/23/2017	\$140.90	
		999996917	8273015	2/23/2017	22317_fjen1246/10	2/23/2017	\$273.93	
		999998501	8273019	2/23/2017	22317_fjen1246/10	2/23/2017	\$100.00	
		EPAY_CHK	999999579	8263495	2/2/2017	CD-20170202-15	2/2/2017	\$255.20
			999999601	8263496	2/2/2017	CD-20170202-15	2/2/2017	\$733.44
			999997632	8263498	2/2/2017	CD-20170202-15	2/2/2017	\$321.78
			999997610	8263499	2/2/2017	CD-20170202-15	2/2/2017	\$584.60
			999996356	8263500	2/2/2017	CD-20170202-15	2/2/2017	\$1,913.06
			999998446	8263689	2/2/2017	CD-20170202-17	2/2/2017	\$248.88
			999998325	8264149	2/3/2017	CD-20170203-15	2/3/2017	\$307.80
			999999700	8264151	2/3/2017	CD-20170203-15	2/3/2017	\$108.28
			999997258	8265722	2/7/2017	CD-20170207-14	2/7/2017	\$227.03
			999997016	8266188	2/8/2017	CD-20170208-9	2/8/2017	\$100.00
			999998193	8268315	2/14/2017	CD-20170214-8	2/14/2017	\$146.74
			999000004	8269682	2/16/2017	CD-20170216-11	2/16/2017	\$1,353.82
			999998017	8274628	2/27/2017	CD-20170227-9	2/27/2017	\$178.96
			999998633	8275062	2/27/2017	CD-20170227-14	2/27/2017	\$183.60
			999997500	8275660	2/28/2017	CD-20170228-17	2/28/2017	\$279.55
			999996235	8275664	2/28/2017	CD-20170228-18	2/28/2017	\$524.18
			\$10,999.87					
CSH	EPAY_CSH		999997918	8263623	2/2/2017	CD-20170202-17	2/2/2017	\$216.21
		999997500	8270153	2/16/2017	CD-20170216-17	2/16/2017	\$150.00	
\$366.21								
\$11,366.08								



BOROUGH OF EAST NEWARK
DEPARTMENT OF POLICE

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

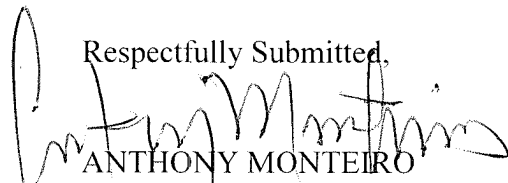
Anthony Monteiro
CHIEF OF POLICE

March 1, 2017

Honorable Mayor and Council
Borough of East Newark

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

Hospital Runs, Ambulance	9
Hospital Runs, Patrol Car	0
Escorts	5
Motor Vehicle Summons Issued	132
Motor Vehicle Accidents	4
Adult Arrest	2
Juvenile Arrest	0
Stolen Motor Vehicles	0
Recovered Stolen Vehicles	0
Burglaries	0
Larcenies	2
Robberies	0
Homicides	0
Assaults	0
Burglar Alarms	2
Borough Ordinance's	0
Fee's Ordinance's	\$60.30

Respectfully Submitted,

ANTHONY MONTEIRO
Chief of Police

Memo

Date: 03/06/2017
To: Mayor Joseph R. Smith
Cc: Council Members, Borough Treasurer
From: Municipal Court
RE: Monthly Disbursements

Attached please find receipts for the month of February 2017

Title 39 Split:

Check #: 2680

Amount: \$8,294.68

POAA Funds:

Check #: 2681

Amount: \$68.00

Interest on General Account:

Check #: 2682

Amount: \$2.02

Interest on Bail Account:

Check #: 5319

Amount: \$0.19



BOROUGH OF EAST NEWARK
FIRE DEPARTMENT

34 Sherman Avenue
East Newark, New Jersey 07029
Phone: (973) 481-2902 ext. 236
Fax: (973) 481-0627
www.boroughofeastnewark.com

Kenneth Graham
Fire Chief

Kenneth M. Sheehan, Sr.
Fire Chairman

MEMORANDUM

To: Honorable Mayor Joseph R. Smith

From: Kenneth Graham, Chief – East Newark Fire Department

CC: East Newark Borough Council

Date: March 3, 2017

Re: East Newark Fire Department Monthly Report – February 2017

The following is a list of activities performed by the East Newark Fire Department for the month of February 2017:

- Fire Calls Total 2
2 Alarms East Newark
- 5 Traffic Lights Serviced
- 2 Drills
- 2 Meetings

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

David Hiester, Esq.
The Cushane Law Firm, LLC
1028 East Landis Avenue
Vineland, New Jersey 08360

Re: Borough of East Newark & PBA Local 22

Dear Mr. Hiester:

This shall confirm that I am Labor Counsel for the Borough of East Newark and represent the Borough in connection with the successor negotiations for the collective negotiations agreement that expired on December 31, 2016. Kindly accept this letter as the Borough's request that you provide several dates so the parties can calendar a bargaining session. I would prefer to calendar at least 2 or 3 dates to meet, if possible.

This letter shall further confirm that we have spoken several times by telephone regarding the pending bargaining and the parties' shared desire to amicably resolve the contract as expeditiously as possible. To that end, I have reviewed your client's proposals with my client and offer the following remarks:

1. The Borough agrees that the salary proposal being discussed is 2% per year, subject to certain conditions that we will more fully explore when we meet. However, a fully "back-loaded" proposal (i.e., 4% in 2017 and 0% in 2018) is rejected as being fiscally imprudent.
2. The Borough agrees that all officers should continue to move through the steps, if we can agree to an appropriate economic package.
3. The Borough rejects creating a rank differential, enhancing longevity, modifying single only health coverage, or eliminating the Schedule A/Schedule B guides as these subjects were the topic of bargaining by the parties in previous years and the existing language was the result of significant compromises by the parties (partly which resulted in several members being afforded life time retiree health benefits). Although we are open to further good faith bargaining, absent some compelling concessions from your client, such topics have no traction.
4. With regard to the proposal to Article 8 "guaranteeing a minimum of two men per shift", it is our position that the proposal is an illegal minimum manning provision and, therefore, is rejected.
5. With regard to the language issues surrounding outside work, we will discuss our concerns when we meet.
6. The Borough will not agree to make minor disciplinary matters subject to binding arbitration.

7. There are other proposals not expressly dealt with here, but will be discussed when we meet. The Borough reserves the right to present counter-proposals or new proposals when we meet.

As we discussed previously, the Borough is extremely concerned that the members of Local 22 are engaging in an illegal job action and have engaged in concerted refusal to work against the Borough. Accordingly, the Borough respectfully requests that Local 22 immediately cease and desist its illegal activity.

It is well settled that public employees in New Jersey, which includes police officers, do not have, the right to strike and/or to withhold their services in the form of a job action. *See Board of Educ. of Union Beach v. N.J.E.A.*, 53 N.J. 29, 44 (1968); *Passaic Tp. Bd. of Educ. v. Passaic Twp. Educ. Ass'n.*, 222 N.J.Super. 298 (App. Div. 1987). As the Court set forth in *In Re Hoboken Teachers Ass'n.*, 147 N.J.Super. 240 (App. Div. 1977):

Whenever public employees resort to the illegal activity of a strike [or work stoppage], necessarily the general public must suffer harm in some way. Immediate relief is required in most instances. That relief may more readily be obtained in a short period of time in the courts which are accustomed to deal with such situations, rather than resort to an administrative agency which would require hearings and determinations before relief might be given. This right of resort to the courts for injunctive relief does not in any manner constitute a usurpation of the substantive issues which may exist between an employee's union and the employer. . . . A court entertaining an application for injunctive relief will never pass on those issues. Those questions will be referred by the parties to the agency, or where appropriate, the court itself. The function of the injunctive order under these circumstances is to preserve the status quo. (Citations omitted).

If a Court finds that a work stoppage by public employees has taken place, it is the Court's "obligation" to order restraints to protect the public from immediate harm. *Union Beach*, 53 N.J. at 46; *Passaic*, 229 N.J.Super. at 309. It is equally beyond reproach that job actions, such as work stoppages" are not protected union activity. *See, In the Matter of the Sayerville Bd. of Educ. v. Sayerville Educ. Ass'n.*, 12 NJPER ¶17145 (April 21, 1986). Indeed, the court in *Township of Teaneck v. Local #42, Firemen's Mutual Benevolent Assoc.*, 158 N.J.Super. 131, 135-136 (App. Div. 1977), citing *Union Beach*, expressed the court's abhorrence for such activities, stating:

Disruption of government is so serious a problem call in *Union Beach*, supra, a "subject * * * so vital" (53 N.J. at 46) that its prohibition is more than a prerogative of the Chancery Division; it is an obligation. "(a)ny concerted action which obstructs or disables government runs strongly against sound public policy." *Union Beach*, supra, *ibid.* See also, *In re Block*, 50 N.J. 494. At 499 (1967), where it is pointed out, "When government undertakes itself to meet a need, it necessarily decides the public interest requires the service, and

its employees cannot reverse or frustrate that decision by a concerted refusal to meet that need.”

Here, the conclusion that the members of Local 22 are engaged in an illegal and impermissible work stoppage by engaging in concerted activity to not perform their duties is inescapable. Attached is a simple spreadsheet that clearly demonstrates the work stoppage. For the period August through November 2016, officers averaged 79 tickets per month. In December the average number of tickets issued fell by nearly 40%. In January, the number issued again fell by 60% (January versus December). Over the two-month period, the average tickets went from 79 per officer to 20 per officer. The corresponding reduction in revenue went from a monthly average of \$21,968 (representing the period from 2010 through 2016, which includes the reduction in December of 2016) to \$10,206. If the January revenue figure is annualized, the Borough will realize a revenue reduction of over 50% compare to the historic amounts (over a 6-year span).

It simply cannot be dismissed as “coincidental” that the issuance of tickets dropped so precipitously over the course of two months (December 2016 and January, 2017) given the historic trends noted above. Thus, it can only be concluded that the drastic reduction of nearly every officer in enforcing the local and state laws (through issuing tickets) not only is intended, but serves, as illegal work stoppage. This letter shall serve as notice that your client’s action has automatically created a state of emergency in the Borough. Any attempt by the members of Local 22 to resort to such measures as the withholding of services will not be tolerated by the Borough. Local 22 is advised that as far as the Borough is concerned, the withholding of services or any other concerted job actions will be treated as a strike/illegal job action and dealt with accordingly.

More troubling, however, is the impact that the illegal work stoppage has on the Borough’s ability to pay for a contract settlement. As we previously discussed, Court revenue produced by the payment of tickets is a major source of funding for police salaries and benefits. Should the revenue free-fall continue unabated, the Borough will be forced to make some very difficult decisions relative to how to maintain its public safety operations in its current configuration. Simply put, the work stoppage is strangling the Borough’s ability to pay for its police department. I strongly suggest that Local 22 seriously consider the ramifications (both intended and unintended) of the work stoppage before circumstances spin too far out of control.

I look forward to meeting with you soon. If you wish to discuss any issues, please feel free to contact me.

NAME	Month	Count of Ticket Number
Billy Erezuma	August 2016	118
Junior Fiori	August 2016	110
Yuri M. Defreitas	August 2016	104
PO Saul Gutierrez	August 2016	100
Michael O'Donnell	August 2016	80
Brian Aparicio	August 2016	65
Robert Tomasko	August 2016	33
Billy Erezuma	September 2016	103
Yuri M. Defreitas	September 2016	101
Michael O'Donnell	September 2016	90
Junior Fiori	September 2016	88
PO Saul Gutierrez	September 2016	70
Brian Aparicio	September 2016	70
Robert Tomasko	September 2016	29
Billy Erezuma	October 2016	96
Junior Fiori	October 2016	92
Yuri M. Defreitas	October 2016	92
Michael O'Donnell	October 2016	86
PO Saul Gutierrez	October 2016	63
Brian Aparicio	October 2016	80
Robert Tomasko	October 2016	32
Billy Erezuma	November 2016	97
Michael O'Donnell	November 2016	82
Yuri M. Defreitas	November 2016	81
Junior Fiori	November 2016	71
PO Saul Gutierrez	November 2016	71
Brian Aparicio	November 2016	61
Robert Tomasko	November 2016	19
AVERAGE		79
Michael O'Donnell	December 2016	87
Junior Fiori	December 2016	45
Brian Aparicio	December 2016	41
PO Saul Gutierrez	December 2016	41
Yuri M. Defreitas	December 2016	39
Billy Erezuma	December 2016	37
Junior Fiori	December 2016	71
Robert Tomasko	December 2016	32
Average		49
Michael O'Donnell	January 2017	81
Robert Tomasko	January 2017	16
Billy Erezuma	January 2017	14
Brian Aparicio	January 2017	14
PO Saul Gutierrez	January 2017	7
Junior Fiori	January 2017	6
Yuri M. Defreitas	January 2017	4
Average		20
Year	Total Revenue	
2010	\$242,355	
2011	\$265,587	
2012	\$236,966	
2013	\$308,499	
2014	\$285,715	
2015	\$260,669	
2016	\$245,541	
Average Annual Revenue	\$263,619	
Average Monthly Revenue	\$21,968	
January Revenue	\$10,208	

Memo

Date: 03/06/2017
To: Mayor Joseph R. Smith
Cc: Council Members, Borough Treasurer
From: Municipal Court
RE: Monthly Disbursements

Attached please find receipts for the month of February 2017

Title 39 Split:

Check #: 2680
Amount: \$8,294.68

POAA Funds:

Check #: 2681
Amount: \$68.00

Interest on General Account:

Check #: 2682
Amount: \$2.02

Interest on Bail Account:

Check #: 5319
Amount: \$0.19