

BOROUGH OF EAST NEWARK
COUNTY OF HUDSON STATE OF NEW JERSEY

THE REGULAR MEETING OF THE BOROUGH OF EAST NEWARK WITHIN THE COUNTY OF HUDSON STATE OF NEW JERSEY WAS HELD ON WEDNESDAY, JULY 12, 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—July 12, 2017

The Honorable Joseph R. Smith, Mayor, Presiding called the meeting to order at 5:30 P.M.

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

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

Notice is further given that the Mayor and Borough Council met in caucus on July 12, 2017 for the purpose of establishing a final agenda for this Regular Meeting

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-Absent with reason

DECLARATION OF QUORUM: There being five (5) 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, via telephone, and Borough Administrative Assistant/Treasurer/QPA/CFO Brigitte Goncalves

APPROVAL OF AGENDA FOR REGULAR MEETING OF JULY 12, 2017

Motion by Councilmember Silva

Seconded by Councilmember Sheehan, Sr.

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

Aye: 4 Nay: 1 Abstain: 0 Absent: 1
MOTION CARRIED

MOTION TO ENTER INTO EXECUTIVE SESSION RE: LABOR CONTRACT

Motion by Councilmember Sheehan

Seconded by Councilmember Silva

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

Aye: 4 Nay: 1 Abstain: 0 Absent: 1

MOTION CARRIED

Executive Session Entered Into at 5:43 P.M.

MOTION TO CLOSE EXECUTIVE SESSION AND RESUME BUSINESS PORTION OF MEETING

Motion by Councilmember Silva

Seconded by Councilmember Lucas

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

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

MOTION CARRIED

Executive Session concluded at 6:13 P.M.

ORDINANCE: SECOND READING/PUBLIC HEARING: AN ORDINANCE TO AMEND SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF EAST NEWARK

Motion to Open the Public Hearing by Councilmember Tighe

Seconded by Councilmember Lucas

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

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

There being no member of the public present to offer comments before the Mayor and Borough Council motion to close public hearing

Motion to Open the Public Hearing by Councilmember Tighe

Seconded by Councilmember Silva

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

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

Motion to Approve Ordinance on Second Reading/Public Hearing by Councilmember Tighe

Seconded by Councilmember Sheehan, Sr.

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

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

ORDINANCE APPROVED AND ADOPTED ON SECOND READING/PUBLIC HEARING

ORDINANCE: SECOND READING/PUBLIC HEARING: AN ORDINANCE SUPPLEMENTING CHAPTER 21, SECTION 3.1 (WATER DEPARTMENT FEES) OF THE MUNICIPAL CODE OF THE BOROUGH OF EAST NEWARK

Motion to Open the Public Hearing by Councilmember Sheehan, Sr.

Seconded by Councilmember Lucas

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Aye; Tighe-Aye, Zinacavage-Absent
Aye: 5 Nay: 0 Abstain: 0 Absent: 1

There being no member of the public present to offer comments before the Mayor and Borough Council motion to close public hearing

Motion to Open the Public Hearing by Councilmember Tighe

Seconded by Councilmember Silva

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Aye; Tighe-Aye, Zinacavage-Absent
Aye: 5 Nay: 0 Abstain: 0 Absent: 1

Motion to Approve Ordinance on Second Reading/Public Hearing by Councilmember Tighe

Seconded by Councilmember Silva

Roll Call: Lucas-Aye, Salas-Aye, Sheehan, Sr.-Aye, Silva-Aye; Tighe-Aye, Zinacavage-Absent
Aye: 5 Nay: 0 Abstain: 0 Absent: 1

ORDINANCE APPROVED AND ADOPTED ON SECOND READING/PUBLIC HEARING

CONSENT AGENDA:

RESOLUTION: GOVERNING BODY CERTIFICATION OF ANNUAL AUDIT

RESOLUTION: ACCEPTING THE "CORRECTIVE ACTION PLAN" SUBMITTED BY THE CHIEF FINANCIAL OFFICER

RESOLUTION: RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF EAST NEWARK, IN THE COUNTY OF HUDSON, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF EAST NEWARK AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$734,974 BOND ANTICIPATION NOTE AND A \$40,000 SPECIAL EMERGENCY NOTE, BOTH ISSUES DATED JULY 14, 2017 AND PAYABLE JULY 13, 2018 AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED

RESOLUTION: APPROVAL OF FOOD, MILK AND VARIOUS LICENSES FOR 2017-2018

RESOLUTION: FORM OF RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS40A:4-87

RESOLUTION: AUTHORIZING FRANK PESTANA, LICENSED SEWER OPERATOR TO PERFORM SERVICES RELATED TO THE PASSAIC RIVER CLEAN-UP PROJECT MANDATED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

RESOLUTION: AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH VALLEY NATIONAL BANK FOR USE OF THE BANK PARKING LOT FOR RESIDENT PARKING

RESOLUTION: APPROVAL OF MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL OF JUNE 14, 2017

Introduced by Councilmember Sheehan, Sr.

Seconded by Councilmember Lucas

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

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

Councilman Silva Abstain on RESOLUTION: APPROVAL OF MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL OF JUNE 14, 2017

CONSENT AGENDA APPROVED

RESOLUTION: APPROVAL OF THE PAYMENT OF BILLS

Introduced by Councilmember Tighe

Seconded by Councilmember Sheehan, Sr.

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

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

RESOLUTION PASSED

No Further Business to be Brought Before the Mayor and Borough Council

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

Motion By Councilmember Sheehan, Sr.

Seconded by Councilmember Silva

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

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

MOTION CARRIED

NO MEMBER OF THE PUBLIC PRESENT

MOTION TO CLOSE BUSINESS MEETING TO THE PUBLIC FOR COMMENT

Motion By Councilmember Tighe

Seconded by Councilmember Silva

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

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

MOTION CARRIED

MOTION TO ADJOURN/CLOSE MEETING by Councilmember Tighe

Seconded by Councilmember Lucas

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

Aye: 5 Nay: 0 Abstain: 0 Absent: 1

MOTION CARRIED

Meeting Adjourned/Closed at 6:21 P.M.

Respectfully recorded and submitted:

Robert B. Knapp, RMC

Borough Clerk

Reports of East Newark Borough Departments;

Clerk's Office

Municipal Court

Finance Department

Water Department

Police Department

Welfare Department

Fire Department