

BOROUGH OF EAST NEWARK COUNTY OF HUDSON, STATE OF NEW JERSEY
MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL
DATE: DECEMBER 13, 2023
TIME: 7:00 PM

ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of East Newark was called to order at approximately 7:00 P.M., by Borough Clerk Dr. Cosmo A. Cirillo.

MEETING NOTICE STATEMENT - As presiding officer of this Regular Meeting of the Mayor and Council of the Borough of East Newark, held on December 13, 2023 at 7:00 P.M., I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given to the Borough Council by Resolution. Said notice was transmitted by the Borough Clerk to the Jersey Journal and Star Ledger and publicly posted on the Borough Website, Municipal Bulletin Board and filed with the office of the Borough Clerk.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Councilwoman Diaz
Councilwoman Evaristo
Councilman Graham
Councilman Sheehan
Councilwoman Zincavage
Mayor Grilo

Absent: Councilman Reis

Also in attendance: Dr. Cosmo A. Cirillo, Borough Clerk
Mr. Fred Confessore, Borough Administrator
Mr. Michael Cifelli, Borough Attorney
Mr. Albert Bringa of Roberts and Associates, LLC
Mr. Hiram Gonzalez, Acting CFO
Jennifer Da Silva, Mayor's Office

CONSENT AGENDA - RESOLUTIONS

The consent agenda consisted of Resolutions 100-23, 102-23, 103-23, 104-23, 105-23, 106-23, 107-23, 109-23, 110-23, and 111-23.

At the recommendation of Dr. Cirillo, Resolution 101-23 was placed for separate vote. At the request of Councilman Graham, Resolution 108-23 was placed for separate vote.

A motion was made by Councilman Graham, second by Councilwoman Evaristo, to adopt the consent agenda as established. The motion was adopted by the following votes.

Ayes: Diaz; Evaristo; Graham; Sheehan; Zincavage
Nays: None
Abstain: None
Absent: Reis

- A. Resolution 100-23 – Resolution approving the minutes of the November 8, 2023, Regular Meeting of the Mayor and Council of the Borough of East Newark

Resolution # 100-23
12-13-2023

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

RESOLUTION APPROVING THE MINUTES OF THE NOVEMBER 8, 2023, REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST NEWARK

WHEREAS, copies of the minutes of the following meeting of the Mayor and Council of the Borough of East Newark have been provided to the members of Council and reviewed.

NOW, THEREFORE 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 minutes of the November 8, 2023, Regular Meeting be and are hereby approved.

- B. Resolution 101-23 – Approving the payment of bills and issuance of checks for the period through December 13, 2023, in the amount of \$271,334.15

Resolution # 101-23
12-13-2023

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

RESOLUTION AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 13, 2023, IN THE TOTAL AMOUNT OF \$271,334.15

WHEREAS, certain bills which are contained on the bills list which is annexed hereto and incorporated herein have been submitted to the Borough of East Newark for payment; and

WHEREAS, pursuant to N.J.S.A. 40A:5-16, it has been certified to the governing body that the goods and services for which said bills were submitted have been received by or rendered to the Borough of East Newark; and

WHEREAS, the Chief Financial Officer of the Borough of East Newark has certified to the governing body that there are funds legally appropriated and available in the budget for the payment of said bills and that the said payment will not result in the disbursement of public monies or in the encumbering of same in excess of the 2022 and/or 2023 appropriation for said purpose.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of East Newark, in the County of Hudson, State of New Jersey, that it hereby authorizes the Chief Financial Officer and the designated signatories to sign checks in payment of the bills set forth in the annexed schedule.

C. Resolution 102-23 – Authorizing the Approval of a Shared Services Agreement between the County of Hudson and the Borough of East Newark for the Maintenance of Borough Owned Traffic Signals and Roadways

Resolution # 102-23
12-13-2023

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

RESOLUTION AUTHORIZING THE APPORVAL OF A SHARED SERVICES AGREEMENT
BETWEEN THE COUNTY OF HUDSON AND THE BOROUGH
OF EAST NEWARK FOR THE MAINTENANCE OF BOROUGH OWNED TRAFFIC
SIGNALS AND ROADWAYS

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq. permits municipalities and other local units to enter into Shared Services Agreements with other governmental units by adoption of a Resolution authorizing such shared services; and

WHEREAS, it is in the best interest of the Borough of East Newark (“Borough”) and the County of Hudson (“County”) to enter into a shared services agreement for the performance by the County for the maintenance of Borough owned traffic signals and roadways within the Borough as such municipalities are local units as defined by N.J.S.A. 40A:65-3; and

WHEREAS, the parties propose entering into the attached Agreement to provide Shared Services between the County and the Borough; and

WHEREAS, the Mayor and Council of the Borough of East Newark recognize that by entering into a shared services agreement with the County of Hudson for such shared services as more particularly described in the Shared Services Agreement is mutually beneficial to both parties; and

WHEREAS, such Agreements are encouraged by the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq. in order to assist local governments in New Jersey to reduce costs and improve service delivery.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of East Newark, in the County of Hudson, State of New Jersey that:

1. The above recitals are incorporated herein as though fully set forth in length.
 2. The Mayor, Borough Administrator, and Borough Clerk are hereby authorized and directed to execute a Shared Services Agreement with the County of Hudson for the performance of various services by the County, within the Borough of East Newark, in accordance with the terms and provisions set forth in the agreement to be executed between the County of Hudson and the Borough of East Newark for such services as may be acceptable to the County and the Borough as evidenced by the Mayor, Borough Administrator, and Borough Clerk's signature thereon, consistent with the terms of this resolution.
 3. A copy of the agreement shall be filed with the Borough Clerk and shall be open for public inspection at Borough Hall upon adoption of this resolution.
 4. The agreement shall take effect upon the lawful adoption of the requisite resolutions by all parties thereto.
 5. A copy of the Agreement shall be sent to the County Clerk of the County of Hudson, the Clerk of the Hudson County Board of County Commissioners and the State of New Jersey Division of Local Government Services in the Department of Community Affairs.
 6. This resolution shall take effect immediately upon adoption according to law.
- D. Resolution 103-23 – Authorizing the Mayor and Borough Clerk to Execute, and Enter Into a Lease Agreement Amendment on Behalf of the Borough of East Newark, County of Hudson, State of New Jersey with Norfolk Southern for the Borough Use of Real Property and Land Owned by Norfolk Southern for Municipal Purposes

Resolution # 103-23
12-13-2023

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

RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE,
AND ENTER INTO A LEASE AGREEMENT AMENDMENT ON BEHALF OF THE
BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY
WITH NORFOLK SOUTHERN FOR THE BOROUGH USE OF REAL PROPERTY AND
LAND OWNED BY NORFOLK SOUTHERN FOR MUNICIPAL PURPOSES

WHEREAS, the Borough of East Newark is presently in need of land for Borough purposes;
and

WHEREAS, the Borough has entered into a lease agreement with Norfolk Southern, for the Borough to rent real property belonging to Norfolk Southern as set forth in the attached copy of an aerial map and set forth on the tax maps for the Borough of East Newark, County of Hudson and State of New Jersey for the Borough's use; *and*

WHEREAS, the Mayor, Borough Administrator, and Borough Attorney recommend that the Borough enter into a Lease Agreement Amendment, citing that entry into same would be in the best interests of the residents of the Borough.

NOW, THEREFORE, 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 Mayor and Borough Clerk be authorized to enter into a Lease Agreement Amendment with Norfolk Southern, for the Borough to rent real property as identified on the attached aerial map and set forth on the tax maps for the Borough of East Newark, County of Hudson and State of New Jersey for the Borough's use for parking purposes; and

BE IT FURTHER RESOLVED that the Borough Attorney is authorized to make any necessary modifications and/or amendments to said Lease in a manner that best benefits the Borough.

- E. Resolution 104-23 – Authorizing the Mayor and Borough Clerk to Execute, and Enter Into a Parking License Agreement on Behalf of the Borough of East Newark, County of Hudson, State of New Jersey with East Newark Town Center, LLC for the Borough Use of Real Property and Land Owned by East Newark Town Center, LLC

Resolution # 104-23
12-13-2023

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

RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE,
AND ENTER INTO A PARKING LICENSE AGREEMENT ON BEHALF OF THE
BOROUGH OF EAST NEWARK, COUNTY OF HUDSON, STATE OF NEW JERSEY WITH
EAST NEWARK TOWN CENTER, LLC FOR THE BOROUGH USE OF REAL PROPERTY
AND LAND OWNED BY EAST NEWARK TOWN CENTER, LLC

WHEREAS, the Borough of East Newark is presently in need of land for Borough purposes; *and*

WHEREAS, the Borough wishes to enter into a parking license agreement with East Newark Town Center, LLC for the Borough to rent real property belonging to East Newark Town Center, LLC as set forth in the attached agreement for the Borough's use; *and*

WHEREAS, the Mayor, Borough Administrator, and Borough Attorney recommend that the Borough enter into a Parking License Agreement, citing that entry into same would be in the best interests of the residents of the Borough.

NOW, THEREFORE, 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 Mayor and Borough Clerk be authorized to enter into a Parking License Agreement with East Newark Town Center, LLC, for the Borough pursuant to the attached Parking License Agreement for the Borough's use for parking purposes; and

BE IT FURTHER RESOLVED that the Borough Attorney is authorized to make any necessary modifications and/or amendments to said Lease in a manner that best benefits the Borough.

F. Resolution 105-23 – Accepting the resignation of Tatiana Costa as Administrative Assistant

Resolution # 105-23
12-13-2023

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

RESOLUTION ACCEPTING THE RESIGNATION OF TATIANA COSTA AS
ADMINISTRATIVE ASSISTANT

WHEREAS, Tatiana Costa was hired by the Borough of East Newark as an Administrative Assistant by the Mayor and Council of the Borough of East Newark on August 18, 2021.

WHEREAS, Tatiana Costa has tendered her resignation from employment in the Borough of East Newark effective November 8, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Borough of East Newark, in the County of Hudson, State of New Jersey, that the resignation of Tatiana Costa from employment in the Borough of East Newark be, and is hereby accepted; and

BE IT FURTHER RESOLVED that the Mayor and Council on behalf of the Borough of East Newark extend best wishes to Tatiana Costa in her future endeavors.

G. Resolution 106-23 – Approving the hiring of Marcia Couto as a Full-time Administrative Assistant Resolution

Resolution # 106-23
12-13-2023

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

RESOLUTION APPROVING THE HIRING OF MARCIA COUTO AS A FULL-TIME
ADMINISTRATIVE ASSISTANT

WHEREAS, the Borough has a need to hire a full-time administrative assistant; and

WHEREAS, Marcia Couto has applied for the position of full-time administrative assistant and has demonstrated she possesses the qualifications to successfully perform the job functions required; and

WHEREAS, the Mayor and Borough Administrator have recommended the hiring of Marcia Couto as full-time administrative assistant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Borough of East Newark, in the County of Hudson, State of New Jersey, that Marcia Couto is hereby appointed as a full-time administrative assistant, effective November 27, 2023, and compensated in accordance with the Borough's salary ordinance.

H. 107-23 – Approving the Appointment of Jeniffer Da Silva as Deputy Registrar of Vital Statistics

Resolution # 107-23
12-13-2023

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

APPROVING APPOINTMENT OF JENIFFER DA SILVA AS
DEPUTY REGISTRAR OF VITAL STATISTICS

WHEREAS, the Borough of East Newark is required, pursuant to New Jersey Statute 26:8-11, to have a person to serve as Registrar of Vital Statistics; and

WHEREAS, Dr. Cosmo A. Cirillo has been appointed to the position of Registrar of Vital Statistics; and

WHEREAS, it is the recommendation of Dr. Cirillo, that Jeniffer Da Silva, be appointed as the East Newark Deputy Registrar of Vital Statistics.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Newark, County of Hudson, and State of New Jersey, that on the recommendation of the Registrar of Vital Statistics, Jeniffer Da Silva is hereby appointed Deputy Registrar of Vital Statistics for the Borough of East Newark.

BE IT FURTHER RESOLVED, that said appointment shall be for a period of three years commencing December 13, 2023 through December 12, 2026 and shall be subject to the approval of New Jersey State Registrar; and

BE IT FURTHER RESOLVED, the Deputy Registrar shall receive a stipend as determined by the Borough Administrator; and

J. Resolution 109-23 – Authorizing the Approval of a Shared Services Agreement Between the Borough of Paramus and the Borough of East Newark for Maintenance and Repair of Vehicles

Resolution # 109-23
12-13-2023

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

RESOLUTION AUTHORIZING THE APPROVAL OF A SHARED SERVICES AGREEMENT
BETWEEN THE BOROUGH OF PARAMUS AND THE BOROUGH
OF EAST NEWARK FOR MAINTENANCE AND REPAIR OF VEHICLES

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq. permits municipalities and other local units to enter into Shared Services Agreements with other governmental units by adoption of a Resolution authorizing such shared services; and

WHEREAS, it is in the best interest of the Borough of East Newark (“Borough”) and the Borough of Paramus (“Paramus”) to enter into a shared services agreement for the performance by Paramus of Maintenance and Repair of Vehicles within the Borough as such municipalities are local units as defined by N.J.S.A. 40A:65-3; and

WHEREAS, the parties propose entering into the attached Agreement to provide Shared Services between the Borough and Paramus; and

WHEREAS, the Mayor and Council of the Borough of East Newark recognize that by entering into a shared services agreement with the Borough of Paramus for such shared services as more particularly described in the Shared Services Agreement is mutually beneficial to both parties; and

WHEREAS, such Agreements are encouraged by the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq. in order to assist local governments in New Jersey to reduce costs and improve service delivery; and

WHEREAS, pursuant to N.J.S.A. 40:41A-27g, Hudson County, in which the Borough resides, must adopt a resolution authorizing the Borough to enter into this Agreement.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of East Newark, in the County of Hudson, State of New Jersey that:

1. The above recitals are incorporated herein as though fully set forth in length.
2. The Mayor, Borough Administrator, and Borough Clerk are hereby authorized and directed to execute a Shared Services Agreement with the Borough of Paramus for the performance of Maintenance and Repair of Vehicles by Paramus, within the Borough of East Newark, in accordance with the terms and provisions set forth in the agreement to be

executed between the Borough of East Newark and the Borough of Paramus for such services as may be acceptable to the Borough as evidenced by the Mayor, Borough Administrator, and Borough Clerk's signature thereon, consistent with the terms of this resolution.

3. A copy of the agreement shall be filed with the Borough Clerk and shall be open for public inspection at Borough Hall upon adoption of this resolution.
4. The agreement shall take effect upon the lawful adoption of the requisite resolutions by all parties thereto.
5. A copy of the Agreement shall be sent to the County Clerk of the County of Hudson, the Clerk of the Hudson County Board of County Commissioners and the State of New Jersey Division of Local Government Services in the Department of Community Affairs.
6. This resolution shall take effect immediately upon adoption according to law.

K. Resolution 110-23 – Establishing the Election of Members of the East Newark Board of Education as the First Tuesday After the First Monday in November

Resolution # 110-23
12-13-2023

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

ESTABLISHING THE ELECTION OF MEMBERS OF THE EAST NEWARK BOARD OF
EDUCATION AS THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER

WHEREAS, P.L. 2011, c. 202 authorizes changing the election date of school board members from the third Tuesday in April to the first Tuesday after the first Monday in November (the General Election); and

WHEREAS, such action requires the adoption of a resolution by a school district or the municipality or municipalities constituting such district, as set forth in P.L. 2011, c. 202; and

WHEREAS, P.L. 2011, c. 202 requires that the change to a November election remain in effect for four years; and

WHEREAS, P.L. 2011, c. 202 eliminates the annual voter referendum on the proposed general fund tax levy (i.e., the base budget which is at or below the statutory tax levy cap) in school districts where board of education members are elected at the General Election; and

WHEREAS, P.L. 2011, c. 202 requires that an additional general fund tax levy proposal (i.e., for an expenditure in excess of the tax levy cap) be presented to voters as a separate question at the General Election; and

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

1. That, pursuant to P.L. 2011, c. 202, the Mayor and Council of the Borough of East Newark changes the annual election date for school board members from the third Tuesday in April to the November General Election, beginning in 2024.
2. That, pursuant to P.L. 2011, c. 202, the annual organization meeting of the East Newark Board of Education will take place in the first week of January following the November General Election and that the board of education’s next organization meeting will take place in the first week of January 2025.
3. That, pursuant to P.L. 2011, c. 202, members of the East Newark Board of Education whose terms would have expired by May 2024 will continue to serve in office until the January 2025 organization meeting.
4. That this resolution be transmitted to the Hudson County Clerk; the Hudson County Board of Elections and/or Superintendent of Elections; the municipal clerk(s) and school board secretary or secretaries; the Department of State, Division of Elections; the Department of Education’s Executive County Superintendent; and the Department of Community Affairs, Division of Local Government Services.
5. That a copy of this resolution also be provided to the New Jersey School Boards Association and New Jersey State League of Municipalities.

L. Resolution 111-23 – Designating 2024 Meeting Dates for the Mayor and Council of the Borough of East Newark

Resolution # 111-23
12-13-2023

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

DESIGNATING 2024 MEETING DATES FOR THE MAYOR AND COUNCIL
OF THE BOROUGH OF EAST NEWARK

WHEREAS, pursuant to chapter 231 Laws of 1975, known as the Open Public Meeting Act, all meetings of all public bodies wherein formal action, decisions or discussion relation to the public businesses may take place are required to be publicly announced and scheduled with adequate posting and advance notice of the time, date and location of each such meeting.

WHEREAS, the following meetings of the Mayor and Borough Council of the Borough of East Newark, County of Hudson, State of New Jersey will be held in the Council Chambers of East Newark Borough Hall, 34 Sherman Avenue, East Newark, New Jersey at which any and all public business may be formally discussed, decided or acted upon.

NOW, THEREFORE, BE IT RESOLVED that the 2024 Annual Meeting Schedule of the Mayor and Council of the Borough of East Newark, in the County of Hudson, State of New Jersey is as follows:

DAY	DATE	TIME	TYPE OF MEETING	LOCATION
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Wednesday	01/03/24	7:00 p.m.	Annual Reorganization Meeting	Council Chambers
Wednesday	02/14/24	6:30 p.m.	Regular Meeting	Council Chambers
Wednesday	03/13/24	6:30 p.m.	Regular Meeting	Council Chambers
Wednesday	04/10/24	6:30 p.m.	Regular Meeting	Council Chambers
Wednesday	05/08/24	6:30 p.m.	Regular Meeting	Council Chambers
Wednesday	06/12/24	6:30 p.m.	Regular Meeting	Council Chambers
Wednesday	07/10/24	6:30 p.m.	Regular Meeting	Council Chambers
Wednesday	08/14/24	6:30 p.m.	Regular Meeting	Council Chambers
Wednesday	09/11/24	6:30 p.m.	Regular Meeting	Council Chambers
Wednesday	10/09/24	6:30 p.m.	Regular Meeting	Council Chambers
Wednesday	11/13/24	6:30 p.m.	Regular Meeting	Council Chambers
Wednesday	12/11/24	6:30 p.m.	Regular Meeting	Council Chambers

BE IT FURTHER RESOLVED that in addition to the above, such other meetings as the public business may require shall be scheduled and held pursuant to and with such notice as is required by said Statute.

BE IT FURTHER RESOLVED that the appropriate Borough officials are hereby authorized and directed to:

1. Post and maintain a copy of the Borough Council’s Meeting Schedule on the Municipal Bulletin Board
2. File a copy with the Office of the Borough Clerk
3. Transmit copies to the Jersey Journal and Star Ledger which are the local newspapers circulating in East Newark, New Jersey and post on the Municipal website.
4. Take all necessary action hereafter to comply with said Statute to ensure adequate public notice of all such meetings in accordance with law.

RESOLUTIONS FOR SEPARATE VOTE

A. Resolution 101-23 – Approving the payment of bills and issuance of checks for the period through December 13, 2023, in the amount of \$271,334.15

A motion was made by Councilwoman Evaristo, second by Councilwoman Diaz, that this item be adopted. The motion was adopted by the following votes.

Ayes: Diaz; Evaristo; Sheehan; Zincavage
 Nays: None
 Abstain: Graham
 Note* - Councilwoman Zincavage abstained on PO 201036
 Absent: Reis

Resolution # 101-23
 12-13-2023

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

RESOLUTION AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS
FOR THE PERIOD THROUGH DECEMBER 13, 2023, IN THE TOTAL AMOUNT OF
\$271,334.15

WHEREAS, certain bills which are contained on the bills list which is annexed hereto and incorporated herein have been submitted to the Borough of East Newark for payment; and

WHEREAS, pursuant to N.J.S.A. 40A:5-16, it has been certified to the governing body that the goods and services for which said bills were submitted have been received by or rendered to the Borough of East Newark; and

WHEREAS, the Chief Financial Officer of the Borough of East Newark has certified to the governing body that there are funds legally appropriated and available in the budget for the payment of said bills and that the said payment will not result in the disbursement of public monies or in the encumbering of same in excess of the 2022 and/or 2023 appropriation for said purpose.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of East Newark, in the County of Hudson, State of New Jersey, that it hereby authorizes the Chief Financial Officer and the designated signatories to sign checks in payment of the bills set forth in the annexed schedule.

- B. Resolution 108-23 – Approving the payment of bills and issuance of checks for the period through December 13, 2023, in the amount of \$271,334.15
A motion was made by Councilwoman Evaristo, second by Councilwoman Diaz, that this item be adopted. The motion was adopted by the following votes.

Ayes: Diaz; Evaristo; Sheehan; Zincavage
Nays: None
Abstain: Graham
Absent: Reis

Resolution # 108-23
12-13-2023

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

AUTHORIZING THE SUBMISSION OF ARP FIREFIGHTERS GRANT
APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, the Borough of East Newark desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for up to approximately \$75,000 to carry out a project to provide the East Newark Fire Department personnel with updated equipment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Borough of East Newark, in the County of Hudson, State of New Jersey, as follows:

1. that the Mayor and Council of the Borough of East Newark do hereby authorize the application for such a grant
2. that the Mayor and Council of the Borough of East Newark recognize and accept that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of East Newark and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)
 Dina M. Grilo

(type or print name)
 Mayor

(title)

(signature)
 Fred Confessore

(type or print name)
 Business Administrator

(title)

ORDINANCES

- A. Ordinance 7-23 – **INTRODUCTION** - Ordinance of the Borough of East Newark Amending Chapter 5 Titled “ANIMAL CONTROL” Specifically by Adding § 5-7 to Create a Section Titled “FERAL AND FREE-ROAMING CATS”
A motion was made by Councilman Graham, second by Councilwoman Zincavage, that this Ordinance be introduced on first reading. The motion was adopted by the following votes.

Ayes: Diaz; Evaristo; Graham; Sheehan; Zincavage
 Nays: None
 Abstain: None
 Absent: Reis

ORDINANCE NUMBER 07-2023

FIRST READING/
 INTRODUCTION: December 13, 2023

SECOND READING/
 PUBLIC HEARING/
 ADOPTION:

ORDINANCE

BOROUGH OF EAST NEWARK

COUNTY OF HUDSON, STATE OF NEW JERSEY

**ORDINANCE OF THE BOROUGH OF EAST NEWARK AMENDING CHAPTER 5
TITLED "ANIMAL CONTROL" SPECIFICALLY BY ADDING § 5-7 – TO CREATE A
SECTION TITLED "FERAL AND FREE-ROAMING CATS"**

§ 5-7 Feral and Free-Roaming Cats

§ 5-7.1 Definitions.

As used in this article, the following terms shall have the meanings indicated: **FERAL CATS** — Cats living in an unsocialized or wild state.

FREE-ROAMING CATS — Cats which roam outdoors. They may be outdoor cats with an owner, stray cats, or feral cats.

PERSON — Any individual, corporation, partnership, organization or institution commonly recognized by law as a unit.

§ 5-7.2 Prohibited conduct.

No person shall feed or attract any feral or free-roaming cat on any property, whether public or private.

§ 5-7.3. Enforcement.

A. This article shall be enforced by the Code Enforcement Officer of the Borough of East Newark and/or an authorized Animal Control Officer.

B. Any person found to be in violation of this article shall be ordered to cease the feeding immediately.

§ 5-7.4 Violations and penalties.

Any person who violates or fails or refuses to comply with this article shall be liable to a penalty of not less than \$25 per day, nor more than \$100 per day, that the violation exists. Violations shall be prosecuted in the Municipal Court of the Borough.

Section 2.

Severability

If any section or provision of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

Section 3.

Inconsistent Ordinances

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4.

This ordinance shall take effect after its final passage by the Borough Council and approval by the Mayor at the time and manner provided for and required by law.

Section 5.

On passage this ordinance shall be codified.

NEW BUSINESS

- A. Resolution 112-23 – Approving Transfers Between 2023 Calendar Year Budget Appropriations

Resolution # 112-23
12-13-2023

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

APPROVING TRANSFERS BETWEEN
2023 CALENDAR YEAR BUDGET APPROPRIATIONS

WHEREAS, for the fiscal calendar year 2023 there exists a need to appropriate the unexpended balance from certain budgetary appropriations to ensure fiscally responsible action; and

WHEREAS, in accordance with the provisions of N.J.S.A. 40A: 4-58, (with not less than 2/3 of the full membership concurring), the Chief Financial Officer is hereby authorized and directed to make the following transfers from accounts within the inside CAP portion of the budget to accounts inside and outside the CAP portion of the Budget in the amount of One

Hundred Forty-Three Thousand Five Hundred and Zero Cents (\$143,500.00) in the 2023 Budget.

NOW, THEREFORE, BE IT RESOLVED, by not less than two-thirds vote, the Mayor and Council of the Borough of East Newark, County of Hudson, State of New Jersey, do hereby authorize the following transfer appropriations as shown below:

Account Name	From	To
Admin & Exec S&W	\$ 10,000.00	
Business Admin S&W		\$ 10,000.00
Mayor & Council S&W	\$ 5,000.00	
Mayor & Council O/E		\$ 1,000.00
Financial Admin O/E	\$ 5,000.00	
Collection of Taxes S&W	\$ 1,000.00	
Collection of Taxes O/E		\$ 3,500.00
Assessment Taxes O/E		\$ 500.00
Appeals O/E		\$ 2,000.00
Engineering O/E		\$ 30,000.00
Planning Board S&W	\$ 500.00	
Planning Board O/E		\$ 2,500.00
Attorney O/E		\$ 1,000.00
Fire Sub Code Offical S&W	\$ 6,500.00	
Employee Health Waivers		\$ 2,500.00
Police S&W	\$ 20,000.00	
Police Dept O/E	\$ 2,000.00	
Legal O/E		\$ 5,000.00
Emergency Management Svcs	\$ 10,000.00	
Fire Dept O/E	\$ 13,000.00	
Uniform Fire Safety Act S&W		\$ 2,500.00
Uniform Fire Safety Act O/E		\$ 1,500.00
Municipal Prosecutor O/E	\$ 1,500.00	
Road Repair & Maint S&W		\$ 2,500.00
Road Repair & Maint O/E		\$ 25,000.00
Sewer System S&W	\$ 17,500.00	
Sewer System O/E		\$ 10,000.00
Snow Removal O/E		\$ 10,000.00
Shade Tree O/E		\$ 1,000.00
Mandatory Recycling O/E		\$ 10,000.00
Garbage Collect O/E	\$ 23,000.00	
Board of Health S&W		\$ 1,000.00
Parks & Playgrounds S&W		\$ 2,500.00
Parks & Playgrounds O/E	\$ 6,000.00	
Celebration Public Events		\$ 1,500.00
Utilities - Street Lighting	\$ 12,500.00	
Motor Vehicle Pool O/E	\$ 10,000.00	

Municipal Court S&W		\$ 18,000.00
	\$ 143,500.00	\$ 143,500.00

A motion was made by Councilwoman Evaristo, second by Councilman Graham, that this item be adopted. The motion was adopted by the following votes.

Ayes: Diaz; Evaristo; Graham; Sheehan; Zincavage
 Nays: None
 Abstain: None
 Absent: Reis

B. Resolution 113-23 – Extending Sunday Hours of Operation for Plenary Retail Distribution Licenses and plenary retail consumption licenses on Sunday, December 24 and Sunday, December 31, 2023

Resolution # 113-23
 12-13-2023

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

EXTENDING SUNDAY HOURS OF OPERATION FOR PLENARY RETAIL
 DISTRIBUTION LICENSES AND PLENARY RETAIL CONSUMPTION LICENSES ON
 SUNDAY, DECEMBER 24 AND SUNDAY, DECEMBER 31, 2023

WHEREAS, East Newark Borough Code Section 6-4.2 prohibits the sale, service or delivery of any alcoholic beverages on Sundays prior to 12 noon.; and

WHEREAS, the holder of a Plenary Retail Distribution License and Plenary Retail Consumption License has requested that the hours be extended to allow holders of Plenary Retail Distribution Licenses and Plenary Retail Consumption Licenses to commence hours of operation at 10 a.m. on Sunday, December 24 and Sunday, December 31, 2023; and

WHEREAS, the Mayor and Town Council believes that the limited extension of hours of operation for Plenary Retail Distribution Licenses and Plenary Retail Consumption Licenses will accommodate the needs of the public for those pre-holiday dates; and

NOW, THEREFORE, BE IT RESOLVED by Mayor and Town Council of the Borough of East Newark, County of Hudson, State of New Jersey that the holders of Plenary Retail Distribution Licenses and Plenary Retail Consumption Licenses shall be able to open for business beginning at 10 a.m. on Sunday, December 24 and Sunday, December 31, 2023.

A motion was made by Councilman Graham, second by Councilwoman Zincavage, that this item be adopted. The motion was adopted by the following votes.

Ayes: Diaz; Evaristo; Graham; Sheehan; Zincavage
Nays: None
Abstain: None
Absent: Reis

MONTHLY REPORTS

Borough Clerk Dr. Cosmo A. Cirillo indicated that the following reports were on file with the Office of the Borough Clerk and provided in the Council's Meeting packet.

- A. Construction Department – November 2023
- B. Fire Department – November 2023
- C. Health Department – November 2023
- D. Police Department – November 2023
- E. Senior Center – November 2023

PUBLIC PORTION

Rodrigo Desilva - 218 Grant Ave

Mr. Desilva – Here to speak about a parking issue. Since I came last time, there has been a motorcycle parking spot made however, where the original spots were taken away people are parking there and did damage to my bike.

Mayor Grilo – the area you're referring to belongs to East Newark Town Center and no one should be parking by that driveway. Our goal is to provide additional motorcycle spots. Additionally we will have our Police Director look into this matter and the area you are referring to.

ADJOURNMENT

A motion was made by Councilman Graham, second by Councilwoman Zincavage, that this meeting be adjourned. The motion was adopted by the following votes.

Ayes: Diaz; Evaristo; Graham; Reis; Sheehan; Zincavage
Nays: None
Abstain: None
Absent: None

The Regular Meeting was adjourned at 7:29 P.M.

Respectfully Submitted,

Dr. Cosmo A. Cirillo, RMC
Borough Clerk

Dated: January 3, 2024

Accepted and approved by Council: Resolution #13-24 on January 3, 2024