

BOROUGH OF EAST NEWARK COUNTY OF HUDSON, STATE OF NEW JERSEY
MINUTES OF THE REORGANIZATION MEETING OF THE
MAYOR AND BOROUGH COUNCIL

DATE: JANUARY 3, 2024

TIME: 7:00 PM

ORDER OF BUSINESS

CALL MEETING TO ORDER

The Reorganization 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 January 3, 2024 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 Reis
Councilman Sheehan
Councilwoman Zincavage
Mayor Grilo

Absent: None

Also in attendance: Dr. Cosmo A. Cirillo, Borough Clerk
Mr. Fred Confessore, Borough Administrator
Mr. Michael Cifelli, Borough Attorney
Mr. Hiram Gonzalez, Acting CFO

OATH OF OFFICE

- Dr. Cirillo administered Oath of Office as Mayor to Dina M. Grilo
- Dr. Cirillo administered Oath of Office as Councilman to Kenneth M. Sheehan
- Dr. Cirillo administered Oath of Office as Councilwoman to Jeanne M. Zincavage

CONSENT AGENDA - RESOLUTIONS

The consent agenda consisted of Resolutions 1-24, 2-24, 3-24, 4-24, 5-24, 6-24, 7-24, 8-24, 9-24, 10-24 and 11-24.

At the recommendation of Dr. Cirillo, Resolutions 12-24, 13-24 and 14-24 were placed for separate vote.

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

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

- A. Resolution 1-24 – Designating the Official Newspapers of the Borough of East Newark for the 2024 Year

Resolution # 1-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPERS OF THE
BOROUGH OF EAST NEWARK FOR THE 2024 YEAR

WHEREAS, there exists the need to provide for the designation of the Official Newspapers of the Borough of East Newark.

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 following Newspapers, each of which circulates in the Borough of East Newark, be and are hereby designated as Official Newspapers for the Borough of East Newark for the period of January 1, 2024 to December 31, 2024:

**THE OBSERVER
THE STAR LEDGER
THE JERSEY JOURNAL**

- B. Resolution 2-24 – Designating the Official Depositories and Signatories of the Borough of East Newark for the 2024 Year

Resolution # 2-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION DESIGNATING THE OFFICIAL DEPOSITORIES AND SIGNATORIES
OF THE BOROUGH OF EAST NEWARK FOR THE 2024 YEAR

WHEREAS, there exists the need to provide for the designation of the Official Bank Depositories and Signatories of the Borough of East Newark.

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 following banks be and are hereby designated as official depositories of the Borough of East Newark for the period of January 1, 2024 to December 31, 2024 and are hereby authorized to complete any forms required by any of the designated institutions for the authorization of receipts and disbursements on the accounts so established therein:

**NEW JERSEY CASH MANAGEMENT FUND
GARDEN STATE COMMUNITY BANK
VALLEY NATIONAL BANK
PNC BANK
INVESTORS BANK, A DIVISION OF CITIZENS BANK, N.A.
KEARNY BANK**

BE IT FURTHER RESOLVED that of the above designated depositories of funds for the Borough of East Newark shall be and are hereby authorized to honor and pay checks signed by any of the following four signatories for the year 2024:

**DINA M. GRILO, MAYOR
FREDERICK CONFESSORE, BOROUGH ADMINISTRATOR
HIRAM GONZALEZ, ACTING CFO**

C. Resolution 3-24 – Adopting the Official Cash Management Plan for the Borough of East Newark for the 2024 Year

Resolution # 3-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION ADOPTING THE OFFICIAL CASH MANAGEMENT PLAN FOR THE
BOROUGH OF EAST NEWARK FOR THE 2024 YEAR

WHEREAS, P.L. 1983, Chapter 3, Local Fiscal Affairs Law; N.J.S. 40A:5-14, has been amended to require that each municipality designate a Cash Management Plan for the deposit of each local unit's monies;

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 following Cash Management Plan of the Borough of East Newark be and hereby is adopted:

A: DESIGNATION OF OFFICIAL DEPOSITORIES:

The following financial institutions are designated official depositories:

Garden State Community Bank
New Jersey Cash Management Fund
PNC Bank
Valley National Bank
Investors Bank, A Division of Citizens Bank, N.A.
Kearny Bank

Designated official depositories are required to submit to the Chief Financial Officer of the Borough of East Newark a copy of the State of New Jersey, Department of Banking, Government Unit Deposit Protection Act Notification of eligibility, which must be filed semiannually in the Department of Banking as of June 30th and December 31st of each year. Said Notices must be available for annual audit.

Designated official depositories are required to submit to the Chief Financial Officer a copy of institution's "Annual Report" on an annual basis.

B: DEPOSIT OF FUNDS:

All moneys shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A:5-15.

All funds shall be deposited within forty-eight (48) hours of receipt in accordance to maximize interest earnings.

Operating funds shall be deposited into interest bearing accounts to maximize interest earnings. Capital and Debt service funds shall be deposited into interest bearing accounts.

Trust funds shall be deposited into interest bearing accounts in accordance with State statutes regulating the deposit of developer's escrow deposits.

If and when possible, Chief Financial Officer/Treasurer may elect to make electronic deposits of checks received.

C: DESIGNATION OF ALLOW ABLE INVESTMENT INSTRUMENTS:

The Borough may permit deposits and investments in such depositories as permitted in Section 4 of P.L. 1970, chapter 236 (C.17:9-44) and other instruments pursuant to Section 8 of P.L. 1977, c. 396 (C40A:5-1 5.1) approved by the Director of the Division of Local Government Services as specified below:

Municipal Bonds or Notes

Commercial Bank Deposits and Certificates of Deposit (CD's) State of New Jersey Cash Management Fund

D: DEFINITION OF ACCEPTABLE COLLATERAL AND PROTECTION OF BOROUGH ASSETS:

All designated depositories must conform to all applicable State statutes concerning depositories of Public Funds.

All depositories shall obtain the highest amount possible F.D.I.C. and/or F.S.L.I.C. coverage of all Borough assets (Demand and Certificate Deposits).

Collateral will be required for all deposits and investments of the Borough, except for those in the State Cash Management Fund, collateral must have a market value of not less than 100 percent of all deposits and investments.

E: COMPENSATING BALANCE AGREEMENTS:

Where compensating balances are used to offset bank expenses, an agreement between the bank and the Township shall be executed, specifying the charge for each service.

F: REPORTING PROCEDURES:

1.) The Treasurer shall report all investments in accordance with N.J.S.A. 40A:5-15.2.

2.) At a minimum, the Treasurer shall:

a.) Keep a record of all investments.

b.) Keep a cash position record which reveals, on a daily basis, the status of the Borough's cash in its bank accounts.

c.) Report investments to the Governing Body at regularly scheduled meetings of the Governing Body.

d.) Report monthly to the Governing Body as to the status of cash balances in bank accounts, revenue collection, interest rates and interest earned.

G: DIVERSIFICATION REQUIREMENTS:

The Chief Financial Officer/Treasurer shall closely examine investments to guard against the effects of a financial institution going into default. This may be accomplished through the practice of spreading the investment around in various designated official depositories.

H: MAXIMUM MATURITY POLICY:

Investments shall be limited to a maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of regulation promulgated by either the Federal or State Governments.

I. INVESTMENT PROCEDURES:

Bids for Certificates of Deposit will be solicited from at least three (3) designated depositories only if the amount is \$100,000 or greater.

Telephone bids will be solicited from designated depositories by the Chief Financial Officer/Treasurer or designated staff member.

The depository shall specify the principal amount of investment bid, interest rate and number of days used to calculate the interest to be paid upon maturity.

Interest paid shall be from the date the bid was awarded to the date of maturity. All bidders may request the results of the bid after the bid is formally awarded.

A check or wire transfer of funds will be made available to the winning bidder on the same business day the bid is awarded.

Each quotation shall be documented to record the date and time of quote, the parties in the discussion, the instrument(s), maturities and rates. A bid form of the Borough may be used.

J. RETURN OF INVESTMENT:

Where the return on a proposed investment does not exceed the cost of making said investment by a minimum amount the Chief Financial Officer/Treasurer will not make the investment. The Chief Financial Officer/Treasurer shall have the discretion to award an investment to the bank wherein the funds reside, should that bank's quoted rate be less than other quoted rates received in the event that the differential in interest rates is less than 25 basis points, and providing that the term of the investment is less than fifteen (15) days.

K. CONTROLS:

When possible, the internal controls should provide for a separation of the investment placement functions and the accounting activity. Controls must be designated for telephone orders, wire transfers and securities safekeeping. Only specifically designated personnel shall be allowed to conduct this part of the transactions, and all activity should be subject to immediate written confirmation by the designated depository. The Chief Financial Officer/Treasurer shall review each day's activity.

L. BONDING:

Staff members of the Borough of East Newark shall be covered by a Public Employees Faithful Performance Bond.

M. COMPLIANCE:

The Cash Management Plan of the Borough of East Newark shall be subject to the annual audit conducted pursuant to N.J.S. 40A:5-4.

The Official charged with custody of the monies of the Borough of East Newark shall deposit them as designated by the Cash Management Plan and shall thereafter be relieved of any liability or loss of such monies due to the insolvency or closing of any depository designated in the Cash Management Plan pursuant to N.J.S. 40A:5-2.

Where a conflict exists between this Cash Management Plan and State statute, the applicable State statute shall apply.

D. Resolution 4-24 – Authorizing Temporary Appropriations for Operating Purposes

Resolution # 4-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION AUTHORIZING TEMPORARY APPROPRIATIONS
FOR OPERATING PURPOSES

WHEREAS, N.J.S.A. 40A:4-19 provides that, where any contracts, commitments, or payments are to be made prior to the adoption of the 2024 budget, temporary appropriations be made for the purpose and amount required in the manner and time therein provided; and

WHEREAS, the total appropriation in the 2023 budget, exclusive of any appropriations made for principal and interest of debt, public assistance, and capital improvement fund, is the sum of \$4,210,584.36 for the Current Fund, \$277,500 for the Water Utility Fund; and

WHEREAS, the temporary budget shall not exceed 26.25% of the total appropriations in the 2023 budget, exclusive of any appropriations made for principal and interest of debt, public assistance, and capital improvement fund, which is the sum of \$1,105,278.39 for the Current Fund, \$72,843.75 for the Water Utility Fund.

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 following temporary appropriations for 2024 operating purposes be made in the amount of \$1,854,733.97 for the Current Fund, \$72,843.75 for the Water Utility Fund.

E. Resolution 5-24 – Approving the 2024 Council Committee Assignments

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION APPROVING THE 2024 COUNCIL COMMITTEE ASSIGNMENTS

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 below listed committee assignments are hereby designated for the year 2024:

<i>COMMITTEE</i>	<i>CHAIRPERSON</i>	<i>CO-CHAIRPERSON</i>
<i>ADMINISTRATION</i>	Zincavage	Evaristo
<i>AFFIRMATIVE ACTION</i>	Reis	N/A
<i>BOARD OF EDUCATION LIAISON</i>	Evaristo	Zincavage
<i>BUILDING & GROUNDS</i>	Graham	Evaristo
<i>COUNTY COMMISSIONERS LIAISON</i>	Zincavage	Sheehan
<i>FINANCE</i>	Zincavage	Sheehan
<i>FIRE</i>	Sheehan	Reis
<i>GREEN TEAM</i>	Reis	Graham
<i>LEGAL</i>	Sheehan	Reis
<i>LICENSE</i>	Sheehan	Diaz
<i>PARKING</i>	Reis	Evaristo
<i>PLANNING BOARD LIAISON</i>	Reis	N/A
<i>POLICE</i>	Graham	Evaristo
<i>RECREATION</i>	Sheehan	Graham
<i>SENIOR CITIZENS</i>	Evaristo	Zincavage
<i>SHADE TREE</i>	Reis	Diaz
<i>SPECIAL EVENTS</i>	Zincavage	Graham
<i>STREET LIGHTING</i>	Reis	Diaz
<i>STREETS & SNOW REMOVAL</i>	Evaristo	Graham
<i>WATER & SEWER</i>	Sheehan	Diaz
<i>WELFARE & PUBLIC ASSISTANCE</i>	Evaristo	Sheehan
<i>PRESIDENT OF THE COUNCIL</i>	Graham	

F. Resolution 6-24 – Authorizing Appointment of a Public Agency Compliance Officer
(P.A.C.O.)

Resolution # 6-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION AUTHORIZING APPOINTMENT OF A
PUBLIC AGENCY COMPLIANCE OFFICER (P.A.C.O.)

WHEREAS, N.J.A.C. 17:27-3.5 requires a municipality to designate an officer or employee to serve as its Public Agency Compliance Officer (P.A.C.O.); and

WHEREAS, it has been determined that the Borough Administrator, Frederick Confessore, shall serve as the Public Agency Compliance Officer for the Borough of East Newark.

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 in pursuant to the provisions of N.J.A.C. 17:27-3.5 the Borough Administrator, Frederick Confessore, is hereby designated as the Public Agency Compliance Officer for the Borough of East Newark for the 2024 Calendar Year; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby directed to forward a copy of this resolution to the State of New Jersey, Department of Treasury, Public Contract Equal Employment Opportunity Compliance Monitoring Program.

G. Resolution 7-24 – Authorizing Appointment of Borough Professionals for the 2024
Calendar Year

Resolution # 07-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION AUTHORIZING APPOINTMENT OF
BOROUGH PROFESSIONALS FOR THE 2024 CALENDAR YEAR

WHEREAS the Borough of East Newark ("Borough") conducted a Request for Qualifications ("RFQ") for various professional services to be provided for the Borough during the 2024 calendar year as a fair and open process; and

WHEREAS the following professional service vendors all submitted qualification statements to the Borough for consideration; and

WHEREAS the Mayor after reviewing the qualification statements and based on other factors; including, but not limited to: skill, expertise, experience and knowledge of the subject area has selected the following professional services vendors to serve as Borough professionals for the 2024 calendar year.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council for the Borough of East Newark that the following vendors are appointed and authorized to represent the Borough of East Newark during the 2024 Calendar Year:

Professional Service	Appointed Vendor
Municipal Attorney Not to exceed: \$30,000	Hardin, Kundla, McKeon & Poletta (Michael A. Cifelli, Esq., et al.) Springfield, New Jersey
Municipal Auditor Not to exceed: \$55,000	Wielkocz & Company (Steve Wielkocz, et al.) Pompton Lakes, New Jersey
Bond Counsel Not to exceed: \$1,500	Rogut McCarthy LLC (Steven L. Rogut, Esq. et al.) Cranford, New Jersey
Municipal Engineer Not to exceed: \$65,000	Remington Vernick Engineers (Paul Cray, Donald J. Norbut, Charles Laird, et al.) Secaucus, New Jersey
Municipal Planner Not to exceed: \$2,500	Heyer, Gruel & Associates (Susan S. Gruel, et al.) Red Bank, New Jersey
Planning/Zoning Board Engineer Not to exceed: \$3,500	Remington Vernick Engineers (Paul Cray, Donald J. Norbut, Charles Laird, et al.) Secaucus, New Jersey

Planning/Zoning Board Planner
Not to exceed: \$2,500

Heyer, Gruel & Associates
(Susan S. Gruel, et al.)
Red Bank, New Jersey

Special Legal Counsel – Planning/Zoning Board
Not to exceed: \$2,500

Law Offices of Gary J. Cucchiara, LLC
(Gary J. Cucchiara, Esq., et al.)
Lyndhurst, New Jersey

Special Legal Counsel – Redevelopment Matters
Not to exceed: \$2,500

Wilentz, Goldman & Spitzer, PA
(Anne S. Babineau, Esq., et al.)
Woodbridge, New Jersey

BE IT FURTHER RESOLVED that said appointed shall be effective from January 1, 2024 through December 31, 2024, or until their successors are appointed and qualified (whichever is later in time); and

BE IT FURTHER RESOLVED that the fees for the services to be provided shall be approved by the Mayor after consultation with the Borough Administrator and the Borough Attorney; and

BE IT FURTHER RESOLVED that the appointed professional services vendors may have to execute a contract in a form approved by the Borough Attorney.

H. Resolution 8-24 – Confirming the Appointment of Juan Barroso, Jr., as the Fire Official / Inspector for the Borough of East Newark for the 2024 Calendar Year

Resolution # 8-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION CONFIRMING THE APPOINTMENT OF JUAN BARROSO, JR.,
AS THE FIRE OFFICIAL / INSPECTOR FOR THE
BOROUGH OF EAST NEWARK FOR THE 2024 CALENDAR YEAR

WHEREAS, there exists a need to provide for certain fire inspection services for the Borough of East Newark; and

WHEREAS, the Mayor and Borough Administrator have recommended Juan Barroso, Jr., be appointed to the position of Fire Official / Inspector for a one (1) year period from January 1, 2024 through December 31, 2024, or until his successor is appointed and certified.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Newark, County of Hudson, State of New Jersey that Juan Barroso, Jr., is hereby designated and appointed as Fire Official / Inspector to serve a one (1) year term due to expire December 31, 2024, or until his successor is appointed and certified; and

BE IT FURTHER RESOLVED, that the compensation will be set by the Mayor as the Appointing Authority pursuant to the Borough's Salary Ordinance for said position.

- I. Resolution 9-24 – Authorizing the Appointments of the Emergency Management Coordinator and Deputy Emergency Management Coordinators

Resolution # 9-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION AUTHORIZING THE APPOINTMENTS OF THE
EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY EMERGENCY
MANAGEMENT COORDINATORS

WHEREAS, the Borough of East Newark desires to appoint an Emergency Management Coordinator and two Deputy Emergency Management Coordinators.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Borough of East Newark, County of Hudson, State of New Jersey, that Dina M. Grilo is hereby appointed Emergency Management Coordinator, for a period of three (3) years from January 1, 2024 through December 31, 2026 or until she is either reappointed, or her successor is appointed and qualified (whichever is later in time); and

BE IT FURTHER RESOLVED, that Robert Tomasko and Louis J. Carratura are hereby appointed Deputy Emergency Management Coordinators, for a period of three (3) years from January 1, 2024 through December 31, 2026 or until they are either reappointed, or a successor is appointed and qualified (whichever is later in time).

J. Resolution 10-24 – Approving the Hiring of Karol Franco as a Part-time Violations Clerk within the East Newark Municipal Court

Resolution # 10-24
1-03-2024

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

RESOLUTION APPROVING THE HIRING OF KAROL FRANCO AS A PART-TIME VIOLATIONS CLERK WITHIN THE EAST NEWARK MUNICIPAL COURT

WHEREAS, the Borough has a need to hire a part-time violations clerk within the East Newark Municipal Court Department; and

WHEREAS, Karol Franco has applied for the position of part-time violations clerk 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 Karol Franco as part-time violations clerk.

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 Karol Franco is hereby appointed as a part-time violations clerk, retroactive to October 9, 2023, and compensated in accordance with the Borough’s salary ordinance.

K. Resolution 11-24 – Authorizing Shared Services Agreement with the Town of Harrison for Street Sweeping Services and for the Sharing of a Temporary Private Fiber Optic Communications Connection with the Bergen County Public Safety Operations Center

Resolution # 11-24
1-03-2024

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

RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENTS WITH THE TOWN OF HARRISON FOR STREET SWEEPING SERVICES AND FOR THE SHARING OF A TEMPORARY PRIVATE FIBER OPTIC COMMUNICATIONS CONNECTION WITH THE BERGEN COUNTY PUBLIC SAFETY OPERATIONS CENTER

WHEREAS: The Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. (the “Act”), promotes the broad use of shared services as a technique to reduce local expenses funded by property taxpayers; and

WHEREAS: Pursuant to the Act, the Town of Harrison (the “Town”) has entered into a shared services agreement with the County of Bergen (“County”) for 9-1-1 communications and public

safety dispatch services (the “Services”) through the County’s Department of Public Safety, Division of Communications, which operates a state-of-the-art Public Safety Operations Center (“PSOC”); the County will start providing the Services to the Town on or about January 15, 2024; and

WHEREAS: In order for the County to provide the Services, the Town must establish a private fiber optic connection from Harrison to the PSOC (the “Connection”), which is being set-up and maintained for a maximum of three (3) years ending on 12/31/2026, after which it will be dismantled; and

WHEREAS: The Borough of East Newark (the “Borough”) has entered into its own shared services agreement with the County for 9-1-1 communications and public safety dispatch services, which also requires a fiber optic connection to the PSOC; and

WHEREAS: The Borough has requested to “share” the Connection for its three (3) year lifespan, which entails the Town purchasing and installing certain equipment for the Borough costing approximately \$10,500 (the “Equipment”), as well as the Borough sharing the monthly cost of the Connection, the Borough’s share of which equals \$500 per month (\$6,000 per year); and

WHEREAS: The Equipment cost of \$10,500 will be paid up-front by the Borough, and the \$6,000 annual (\$500/month) Connection cost for the Borough will be billed once annually in January and paid in full by February 15th of 2024, 2025 and 2026; and

WHEREAS: The Town and Borough also wish to enter into a shared services agreement for street sweeping services, with the Borough paying the Town \$20,000 annually for said services, billed in January and payable in full in February starting in 2024, with all future years starting in 2025 having an annual escalator of 2.75%.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

1. The Mayor and/or Borough Administrator, on behalf of the Town, are hereby authorized to execute a shared services agreement with the Town of Harrison containing the terms set forth above, in a final form to be approved by the Borough Attorney, and any other related documents necessary to effectuate the intent and purpose of this Resolution; and
2. Pursuant to N.J.S.A. 40A:65-4, upon execution, a copy of the aforementioned shared services agreement and related resolutions shall be filed with the Division of Local Government Services of the State of New Jersey.

RESOLUTIONS FOR SEPARATE VOTE

A. Resolution 12-24 – Authorizing the Borough of East Newark’s Membership and Participation in the South Bergen Fire Chief’s Association

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

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

Resolution # 12-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION AUTHORIZING THE BOROUGH OF EAST NEWARK’S MEMBERSHIP AND PARTICIPATION IN THE SOUTH BERGEN FIRE CHIEFS’ ASSOCIATION

WHEREAS, South Bergen Fire Chiefs’ Association comprised of nineteen (19) towns, has provided manpower and equipment for both stand-by and emergencies for over forty (40) years; and

WHEREAS, the need has arisen to have such an agreement in writing.

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 following towns: CARLSTADT, EAST NEWARK, EAST RUTHERFORD, ELMWOOD PARK, GARFIELD, HASBROUCK HEIGHTS, LITTLE FERRY, LODI, LYNDHURST, MAYWOOD, MOONACHIE, NORTH ARLINGTON, NUTLEY, ROCHELLE PARK, RUTHERFORD, SADDLE BROOK, SECAUCUS, WALLINGTON AND WOOD-RIDGE, which comprise the South Bergen Fire Chiefs’ Association, now formally agree in writing to supply equipment and manpower to each other in case of fire, emergency, and/or standby whenever outside assistance is needed; and

BE IT FURTHER RESOLVED that the fire chiefs shall include a copy of their current alarm card with the submittal of this agreement/resolution; and

BE IT FURTHER RESOLVED that there shall be no cost incurred between any towns; and

BE IT FURTHER RESOLVED that this agreement is subject to annual review and approval of the Mayor and Council of the Borough of East Newark.

- B. Resolution 13-24 – Approving the minutes of the December 13, 2023, Regular Meeting of the Mayor and Council of the Borough of East Newark

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

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

Resolution # 13-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION APPROVING THE MINUTES OF THE DECEMBER 13, 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 December 13, 2023, Regular Meeting be and are hereby approved.

- C. Resolution 14-24 – Approving the minutes of the December 28, 2023, Special Meeting of the Mayor and Council of the Borough of East Newark

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

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

Resolution # 14-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION APPROVING THE MINUTES OF THE DECEMBER 28, 2023, SPECIAL 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 December 28, 2023, Special Meeting be and are hereby approved.

ORDINANCES

- A. Ordinance 7-23 – **HEARING AND FINAL ADOPTION** - 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”

ORDINANCE NUMBER 07-2023

FIRST READING/
INTRODUCTION: December 13, 2023

SECOND READING/
PUBLIC HEARING/
ADOPTION: January 3, 2024

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.

A motion was made by Councilman Reis, second by Councilwoman Evaristo, to open the public hearing. The motion was adopted by the following votes.

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

Public Hearing on Ordinance 07-2023: No one wished to be heard.

A motion was made by Councilman Reis, second by Councilwoman Evaristo, to close the public hearing and adopt Ordinance 07-2023 on second reading. The motion was adopted by the following votes.

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

NEW BUSINESS

- A. Resolution 15-24 – Resolution Appointing A Fund Commissioner for the Suburban Metro Joint Insurance Fund for 2024

Resolution # 15-24
1-03-2024

ANNUAL REORGANIZATION MEETING
BOROUGH OF EAST NEWARK
COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION APPOINTING A FUND COMMISSIONER FOR THE
SUBURBAN METRO JOINT INSURANCE FUND FOR 2024

WHEREAS, the Borough of East Newark is a member of the Suburban Metro (Suburban Essex) Joint Insurance Fund; and

WHEREAS, the bylaws of said Fund require that each member Municipality appoint a FUND COMMISSIONER to represent and serve the Municipality as its' representative to said Fund; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of East Newark, in the County of Hudson, State of New Jersey does hereby appoint Fred Confessore, Borough Administrator, as its FUND COMMISSIONER for the Suburban Metro Joint Insurance Fund for the Fund Year 2024.

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; Reis; Sheehan; Zincavage

Nays: None
Abstain: None
Absent: None

MONTHLY REPORTS

None to Report

PUBLIC PORTION

No one wished to be heard.

ADJOURNMENT

A motion was made by Councilman Graham, second by Councilwoman Diaz, 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 7:15 P.M.

Respectfully Submitted,

Dr. Cosmo A. Cirillo, RMC
Borough Clerk

Dated: February 14, 2024
Accepted and approved by Council: Resolution #20-2024