

BOROUGH OF EAST NEWARK COUNTY OF HUDSON, STATE OF NEW JERSEY
MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND BOROUGH COUNCIL
DATE: JULY 31, 2024
TIME: 6:30 PM

ORDER OF BUSINESS

CALL MEETING TO ORDER

The Special Meeting of the Mayor and Council of the Borough of East Newark was called to order at approximately 6:30 P.M., by Borough Clerk Dr. Cosmo A. Cirillo.

MEETING NOTICE STATEMENT - As presiding officer of this Special Meeting of the Mayor and Council of the Borough of East Newark, held on July 31, 2024 at 6:30 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. 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: Councilman Graham
Councilwoman Evaristo
Councilman Reis
Councilwoman Zincavage
Mayor Grilo

Absent: Councilwoman Diaz
Councilman Sheehan

Also in attendance: Dr. Cosmo A. Cirillo, Borough Clerk
Mr. Fred Confessore, Borough Administrator
Mr. Michael Cifelli, Borough Attorney – via teleconference
Mr. Hiram Gonzalez, CFO
Mr. Steve Wielkocz, Auditor

- Mr. Wielkotz addressed the Mayor and Council about the proposed introduction of the 2024 Municipal Budget and gave an overview of the budget along with the corresponding budget ordinance and resolutions.
- Mr. Gonzalez thanked Mr. Wielkotz for his expertise and guidance in moving the budget process forward.

ORDINANCES

A. Ordinance 2-2024 – INTRODUCTION - Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14)
A motion was made by Councilwoman Evaristo, second by Councilwoman Zincavage, that this Ordinance be introduced on first reading. The motion was adopted by the following votes.

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

ORDINANCE NUMBER 02-2024

FIRST READING/
 INTRODUCTION: July 31, 2024

SECOND READING/
 PUBLIC HEARING/
 ADOPTION: September 11, 2024

ORDINANCE

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

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
 APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK
 (N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.50% unless authorized by ordinance to increase it to 3 .5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of East Newark in the County of Hudson finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1.00% increase in the budget for said year, amounting to \$34,205.16 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of East Newark, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of East Newark shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$119,718.06 and that the CY 2024 municipal budget for the Borough of East Newark be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTIONS

A motion was made by Councilwoman Zincavage, second by Councilman Graham, to adopt Resolution 65-24. The motion was adopted by the following votes.

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

- A. Resolution 65-24 – Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

Resolution # 65-24
7-31-2024

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

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment
Decisions Under Title VII of the Civil Rights Act of 1964”**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; *and*

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Governing Body of the Borough of East Newark, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

A motion was made by Councilwoman Evaristo, second by Councilman Graham, to adopt Resolution 66-24. The motion was adopted by the following votes.

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

B. Resolution 66-24 – Authorizing Application to the Local Finance Board Pursuant to N.J.S.A. 40A:4-45.3(ee)

Resolution # 66-24
7-31-2024

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

**RESOLUTION AUTHORIZING APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. 40A:4-45.3(EE)**

WHEREAS, the Mayor and Council of the Borough of East Newark in the County of Hudson desires to make application to the Local Finance Board for its approval of a proposed Cash Surplus waiver pursuant to N.J.S.A. 40A:4-45.3(ee) and,

WHEREAS, the Mayor and Council believes that:

- (a) it is in the public interest to accomplish such purpose; and,
- (b) the Cash Surplus Waiver is for the health, wealth, convenience or betterment of the inhabitants of the Borough of East Newark; and,
- (c) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough of East Newark and will not create an undue financial burden to be placed upon the Borough of East Newark;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Newark as follows:

- Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, along with other representatives of the Borough of East Newark are hereby authorized to prepare such application and to represent the Borough of East Newark in matters pertaining thereto.
- Section 2. The Borough Clerk of the Borough of East Newark is hereby directed to file a copy of the proposed Cash Surplus waiver with the Local Finance Board as part of such application.

PUBLIC PORTION

No one wished to be heard.

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

The Regular Meeting was adjourned at 6:40 P.M.

Respectfully Submitted,

Dr. Cosmo A. Cirillo, RMC
Borough Clerk

Dated: August 14, 2024
Accepted and approved by Council: