

BOROUGH OF EAST NEWARK COUNTY OF HUDSON, STATE OF NEW JERSEY  
MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL  
DATE: AUGUST 14, 2024  
TIME: 6:30 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 6:30 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 August 14, 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 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  
Ms. Karen Murray, Acting Borough Attorney  
Sgt. Robert Tomasko, Officer in Charge  
Mr. Hiram Gonzalez, CFO

**CAUCUS DISCUSSION**

- A. Presentation from Silvi Materials
  - a. Frank Flatch and James Graf of Silvi Materials made presented to the Mayor and Council about the proposed upgrades to the facility located within the Borough
- B. Police Department Update – *Sgt. Tomasko*
- C. Park Project Update – *Mr. Confessore*
- D. Sewer Extension Update – *Mr. Confessore*
- E. Passaic Avenue Paving Update – *Mr. Confessore*
- F. Open Space Grant Update – *Mr. Confessore*
- G. Board of Education Liaison Meeting Update – *Mr. Confessore*

**RESOLUTION FOR A SEPARATE VOTE**

**A motion was made by Councilman Graham, second by Councilwoman Evaristo, to adopt the Resolution 68-24. The motion was adopted by the following votes.**

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

- A. Resolution 53-24 – Resolution approving the minutes of the July 10, 2024, Regular Meeting of the Mayor and Council of the Borough of East Newark

Resolution # 68-24  
8-14-2024

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

**RESOLUTION APPROVING THE MINUTES OF THE JULY 10, 2024, 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 July 10, 2024, Regular Meeting be and are hereby approved.

**A motion was made by Councilman Graham, second by Councilwoman Zincavage, to adopt the Resolution 69-24. The motion was adopted by the following votes.**

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

B. Resolution 53-24 – Resolution approving the minutes of the July 31, 2024, Special Meeting of the Mayor and Council of the Borough of East Newark

Resolution # 69-24  
8-14-2024

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

RESOLUTION APPROVING THE MINUTES OF THE JULY 31, 2024, 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 July 31, 2024, Regular Meeting be and are hereby approved.

**CONSENT AGENDA - RESOLUTIONS**

The consent agenda consisted of Resolutions 70-24, 71-24, 72-24, 73-24, 74-24, 75-24, and 76-24.

**A motion was made by Councilwoman Evaristo, second by Councilman Graham, 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: Note\* - Councilwoman Diaz abstained on Resolution 70-24.  
Absent: None

- A. Resolution 70-24 – Approving the payment of bills and issuance of checks for the period through August 14, 2024, in the amount of \$647,289.36

Resolution # 70-24  
8-14-2024

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 AUGUST 14, 2024, IN THE TOTAL AMOUNT OF  
\$647,289.36

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 2023 and/or 2024 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 71-24 – Authorizing the Hire of Sarah Repinski as the Municipal Court Administrator for the East Newark Municipal Court

Resolution # 71-24  
8-14-2024

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

RESOLUTION AUTHORIZING THE HIRE OF SARAH REPINSKI AS THE MUNICIPAL  
COURT ADMINISTRATOR FOR THE EAST NEWARK MUNICIPAL COURT

WHEREAS, there is a need to fill the vacancy for the position of Municipal Court Administrator in the Borough of East Newark; and

WHEREAS, Sarah Repinski has obtained her Municipal Court Administrator certification, pursuant to N.J.S.A. 2B:12-11; and

WHEREAS, pursuant to N.J.S.A. 2B:12-10, the Borough seeks to appoint Sarah Repinski, CMCA as the Municipal Court Administrator.

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, do hereby approve the hire and appointment of Sarah Repinski, CMCA as the Municipal Court Administrator of the East Newark Municipal Court retroactive to July 1, 2024 at a salary commensurate with the Borough's Salary Ordinance.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund – Municipal Court – Salary and Wages.

C. Resolution 72-24 – Approving the Refund of Duplicate Payment of Taxes for Block 14, Lot 42

Resolution # 72-24  
8-14-2024

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

RESOLUTION APPROVING THE REFUND OF DUPLICATE PAYMENT OF TAXES FOR  
BLOCK 14 LOT 42

WHEREAS, on May 14, 2024, 29 Mulock Place, Block 14 Lot 42, made a duplicate payment for the 2<sup>nd</sup> quarter of 2024 in the amount of \$2,096.00 thus causing a tax overpayment; and

WHEREAS, Brigitte Goncalves has requested that said overpayment be refunded.

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 hereby authorize the Chief Financial Officer to issue a refund check in the amount of \$2,096.00 to Brigitte Goncalves, 29 Mulock Place, East Newark, NJ 07029.

D. Resolution 73-24 – Authorizing Renewal of Membership in the Suburban Metro Joint Insurance Fund

Resolution # 73-24  
8-14-2024

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

RESOLUTION AUTHORIZING RENEWAL OF MEMBERSHIP IN THE  
SUBURBAN METRO JOINT INSURANCE FUND

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

WHEREAS, said renewed membership terminates as of December 31, 2024 unless earlier renewed by agreement between the Governing Body and the Fund; and

WHEREAS, the Mayor and Borough Council of the Borough of East Newark desire to renew said membership for a three (3) year period, beginning January 1, 2025 and ending January 1, 2028.

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 as follows:

1. The Borough of East Newark agrees to renew its membership in the Suburban Metro Joint Insurance Fund and to be subject to the Bylaws, Rules and Resolutions, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor, Borough Administrator, and Borough Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Suburban Metro Joint Insurance Fund evidencing the Borough's intention to renew its membership.

E. Resolution 74-24 – Authorizing Approval and Renewal of Food, Milk and Various Licenses within the Borough of East Newark for the 2024 – 2025 Licensing Term

Resolution # 74-24  
8-14-2024

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

RESOLUTION AUTHORIZING APPROVAL AND RENEWAL OF FOOD,  
MILK AND VARIOUS LICENSES WITHIN THE BOROUGH OF EAST  
NEWARK FOR THE 2024 – 2025 LICENSING TERM

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of East Newark within the County of Hudson, State of New Jersey that the requirements of the renewal applications for Food, Milk and various licenses issued to vendors conducting business in the Borough of East Newark, in the County of Hudson and State of New Jersey have been fulfilled and said licenses are hereby approved for renewal for the term set to expire on June 30, 2025:

<b>License #</b>	<b>Name</b>	<b>Nature of License</b>
10-2024	East Newark Nutrition	Food & Milk

- F. Plan Resolution 75-24 – Authorizing the Settling of a Billing Issue with the East Orange Water Commission Regarding St. Anthony’s Church

Resolution # 75-24  
8-14-2024

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

RESOLUTION AUTHORIZING THE SETTLING OF A BILLING ISSUE WITH THE EAST  
ORANGE WATER COMMISSION REGARDING ST. ANTHONY’S CHURCH

WHEREAS, in October 2023, a payment error was discovered in regard to the water billing of St. Anthony’s Church located at 409 N 2<sup>nd</sup> Street, East Newark, NJ 07029; and

WHEREAS, the Borough Administrator has been working with the East Newark Water Commission to rectify the situation; and

WHEREAS, at the recommendation of the Borough Administrator, the Borough accepted a payment in the amount of \$6,900.00 to settle the issue and bring the account current.

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 hereby approve and ratify the actions and recommendations taken by the Borough Administrator with regard to water billing of St. Anthony’s Church and direct the East Orange Water Commission to apply the above payment removing all interest and penalties on the account.

G. Resolution 76-24 – Authorizing Receipt of Bids for Collection and Disposal of Solid Waste and Recyclable Materials

Resolution # 76-24  
8-14-2024

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

RESOLUTION AUTHORIZING RECEIPT OF BIDS FOR  
COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS

WHEREAS, the Borough of East Newark (“Borough”) has determined to seek bids for the collection and disposal of solid waste and recyclable materials services, the estimated cost of which will exceed the Borough’s bid threshold.

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 hereby authorize the Borough Clerk to advertise for receipt of bids for the collection and disposal of solid waste and recyclable materials services.

**ORDINANCES**

- A. Ordinance 1-2024 – **HEARING AND FINAL ADOPTION** - Ordinance of the Borough of East Newark Amending Chapter 2 Titled “ADMINISTRATION” Specifically by Amending § 2-19.4.d – “Chief of Police” to Eliminate the Position of Chief of Police and to Create a Section Titled “Director of Public Safety”  
**A motion was made by Councilman Graham, second by Councilwoman Evaristo, that this Ordinance be TABLED. The motion was adopted by the following votes.**

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

ORDINANCE NUMBER 01-2024

FIRST READING/  
INTRODUCTION: July 10, 2024

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 2 TITLED "ADMINISTRATION" SPECIFICALLY BY AMENDING § 2-19.4D – "CHIEF OF POLICE" TO ELIMINATE THE POSITION OF CHIEF OF POLICE AND TO CREATE A SECTION TITLED "DIRECTOR OF PUBLIC SAFETY"

##### § 2-19.4.d DIRECTOR OF PUBLIC SAFETY.

###### 1. Elimination of the Position of Chief of Police.

Ordinance § 2-19.4.d establishing the position of the Chief of Police is hereby deleted and replaced with the following.

###### 2. Position Created.

There is hereby created the administrative position of Director of Public Safety of the Borough of East Newark.

###### 3. Appointment, Term.

The Director of Public Safety shall be appointed by the Mayor and Borough Council. All employees not affiliated with, or members of a labor union shall be deemed "employees at will," employed at the will of the Borough of East Newark, with employment for no definite or established length of time, and subject to termination at any time, for any reason, or for no reason at all, consistent with law and Borough of East Newark's ordinances, regulations and policies.

###### 4. Qualifications.

Any person seeking appointment to the position of Director of Public Safety shall demonstrate to the Mayor and Borough Council that he or she is qualified for the position by virtue of training or experience. By way of example and not limitation, such person may have prior law enforcement experience and/or supervisory and administrative experience in either the public or private sector.

###### 5 Duties.

The duties of the Director of Public Safety shall include, but not be limited to, the following:

- a. Exercising full control over the Police Department seeing, among other things, to the proper enforcement of any rules and/or regulations adopted by the Mayor and Borough Council, which shall be deemed the appropriate authority under law.
- b. Reporting, from time to time, to the Mayor and Borough Council such matters related to the Police Department as may require their attention.

- c. Interviewing candidates for appointment to and/or promotion in the Police Department and making recommendations for such appointment and/or promotion to the Mayor and Borough Council, which shall determine and make all appointments and promotions.
- d. Bringing charges, when appropriate, against any member of the Police Department and, pending a hearing on those charges before an appropriate authority, suspend the charged member, with or without pay, if the Director deems such a suspension necessary to the good order and discipline of the Police Department.
- e. Developing programs of continuing education for the members of the Police Department to insure the highest level of training for the members of the Department.
- f. Establishing and maintaining communications with schools and public and private associations to help such schools and associations understand and cooperate in the public safety effort of the community.
- g. Establishing performance criteria for the members of the Police Department and periodically evaluating the members under the established criteria.
- h. Working with the Chief Financial Officer of the Borough of East Newark to establish the annual operating budget for the Police Department.
- i. Reviewing land use applications, when requested to do so by the Borough Planning/Zoning Board, to ascertain the potential impact of any proposed land use project on the safety of Borough of East Newark residents and/or property.
- j. Performing such other duties as may be reasonably requested by the Mayor and Borough Council.

#### **6. Hours of Work.**

The position of Director of Public Safety shall be deemed either a part-time or full-time position at the time of hiring based upon the recommendation of the Mayor and Police Committee.

#### **7. Salary.**

The annual salary of the Director of Public Safety shall be determined by the Mayor as set forth in the salary ordinance of the Borough of East Newark.

#### **8. Reference.**

Any reference to the term Chief of Police within the Borough's Ordinances shall be a reference to the Director of Public Safety as established herein.

## **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 – June & July 2024
- B. Fire Department – July 2024
- C. Health Department – July 2024
- D. Police Department – July 2024
- E. Senior Center – July 2024

## **PUBLIC PORTION**

Sharon Ross – 429 ½ John Street

Ms. Ross thanked the Mayor and Council for their work and particularly wanted to thank Councilman Sheehan for his dedication to keep the Chief of Police position within the Borough. She stated she understood the need for the Police Director but not for two years. She further stated that the Borough should appoint a Chief from within the Department.

## **EXECUTIVE SESSION**

**A motion was made at 7:15 P.M. by Councilwoman Evaristo, second by Councilman Graham, to go into Executive Session. The motion was adopted by the following votes.**

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

**A motion was made at 8:09 P.M. by Councilman Graham, second by Councilman Reis, to leave Executive Session and resume the public meeting. The motion was adopted by the following votes.**

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

**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; Zinavage  
Nays: None  
Abstain: None  
Absent: Reis; Sheehan

The Regular Meeting was adjourned at 8:11 P.M.

Respectfully Submitted,

Dr. Cosmo A. Cirillo, RMC  
Borough Clerk

Dated: October 9, 2024  
Accepted and approved by Council: