

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

DATE: SEPTEMBER 17, 2025

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 Administrative Assistant Ashley Valdez.

PLEDGE OF ALLEGIANCE

MEETING NOTICE STATEMENT - As presiding officer of this Regular Meeting of the Mayor and Council of the Borough of East Newark, held on September 17, 2025 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.

ROLL CALL

Present: Councilman De Oliveira
Councilwoman Diaz
Councilwoman Evaristo
Councilman Graham
Councilman Reis
Councilwoman Zincavage
Mayor Grilo

Absent: None

Also in attendance: Ms. Ashley Valdez, Administrative Assistant
Mr. Michael Cifelli, Esq., Borough Attorney
Sgt. Junior Fiori, Officer in Charge
Sgt. Billy Erezuma

CAUCUS DISCUSSION

- A. Covid Update – *Mayor Grilo*
- B. Grants Update – *Mayor Grilo*
- C. Upcoming Events Update – *Mayor Grilo*
- D. Lead Pipe Replacement Update – *Mayor Grilo*
- E. Traffic Signal Update – *Mayor Grilo*
- F. Sgt. Erezuma presented the graduates who participated in this year’s Junior Police Academy
 - a. Mayor Grilo presented each participate with a certificate of recognition from the Borough
- G. Police Department Update – *Sgt. Fiori*

CONSENT AGENDA - RESOLUTIONS

The consent agenda consisted of Resolutions 118-25, 119-25, 120-25, 121-25, 122-25, 123-25, 124-25, 125-25, 126-25, 127-25 and 128-25.

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

Ayes: De Oliveira; Diaz; Evaristo; Graham; Reis; Zincavage
Nays: None
Abstain: Note* - Diaz and Graham abstained from Resolution #118-25
Absent: None

- A. Resolution 118-25 – Approving the minutes of the August 13, 2025, Regular Meeting of the Mayor and Council of the Borough of East Newark

Resolution # 118-25
9-17-2025

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

RESOLUTION APPROVING THE MINUTES OF THE AUGUST 13, 2025, 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 August 13, 2025, Regular Meeting be and are hereby approved.

B. Resolution 119-25 – Approving the payment of bills and issuance of checks for the period through September 17, 2025, in the amount of \$790,870.82

Resolution # 119-25
9-17-2025

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 SEPTEMBER 17, 2025,
IN THE TOTAL AMOUNT OF \$790,870.82

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 2024 and/or 2025 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 120-25 – Accepting the Resignation of Albert Bringa as Public Safety Director for the Borough of East Newark

Resolution # 120-25
9-17-2025

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

RESOLUTION ACCEPTING THE RESIGNATION OF ALBERT BRINGA AS
PUBLIC SAFETY DIRECTOR FOR THE BOROUGH OF EAST NEWARK

WHEREAS, Albert Bringa was hired by the Borough of East Newark as Public Safety Director on November 1, 2024; and

WHEREAS, Albert Bringa has tendered his resignation from employment in the Borough of East Newark effective July 31, 2025.

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 Albert Bringa 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 Albert Bringa in his future endeavors.

D. Resolution 121-25 – Amending Resolution 82-25 and Authorizing the Purchase of a 2026 Ford F-250 for the East Newark Department of Public Works

Resolution # 121-25
9-17-2025

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

**RESOLUTION AMENDING RESOLUTION 82-25 AND AUTHORIZING THE PURCHASE
OF A 2026 FORD F-250 FOR THE EAST NEWARK DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Borough of East Newark adopted Resolution 82-25 on June 11, 2025 authorizing the purchase of a 2025 Ford F-150 for the Department of Public Works; and

WHEREAS, since authorizing the purchase the Borough has been informed by the dealership that the vehicle is no longer available; and

WHEREAS, the Borough has identified the 2026 Ford F-250 4x4 SD Regular Cab 8' Box 142" WB SRW XL (Model F2B) as the appropriate replacement vehicle to meet its operational needs; and

WHEREAS, this vehicle is available for purchase through the Educational Services Commission of New Jersey (ESCNJ) Cooperative Purchasing Program, under contract number [insert contract number if available], for a total amount not to exceed \$69,030.06; and

WHEREAS, the use of cooperative purchasing programs is authorized under N.J.S.A. 40A:11-11(5) and provides cost savings and efficiency to the Borough; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this purchase in accordance with N.J.A.C. 5:30-5.5(b) from BO 12-25 – DPW & Police Vehicle – C-04-50-413-1002;

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

1. The Borough hereby authorizes the purchase of one (1) 2026 Ford F-250 4x4 SD Regular Cab 8' Box 142" WB SRW XL (F2B) in the amount of \$69,030.06 through the ESCNJ Cooperative Purchasing Program.
2. The Mayor, Borough Administrator and/or their designee is authorized to execute all necessary documents to complete said purchase.

E. Resolution 122-25 – Adopting the 2025 Hudson County Hazard Mitigation Plan

Resolution # 122-25
9-17-2025

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

RESOLUTION ADOPTING THE 2025 HUDSON COUNTY HAZARD MITIGATION
PLAN

WHEREAS the Borough of East Newark recognizes the threat that natural hazards pose to people and property within the Town of Guttenberg; and

WHEREAS the County of Hudson has prepared a multi-hazard mitigation plan, hereby known as the 2025 Hudson County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the 2025 Hudson County Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Borough of East Newark from the impacts of future hazards and disasters; and

WHEREAS adoption by the Mayor and Council demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2025 Hudson County Hazard Mitigation Plan.

NOW THEREFORE, BE IT RESOLVED by the Borough of East Newark, New Jersey, that:

- Section 1. The Mayor and Council of the Borough of East Newark, County of Hudson, State of New Jersey adopts the 2025 Hudson County Hazard Mitigation Plan. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

F. Resolution 123-25 – Authorizing Payment of Pay Certificate Number 1 to JC Contracting Inc. for Central Avenue & North Second Street Traffic Signal Project

Resolution # 123-25
9-17-2025

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

RESOLUTION AUTHORIZING PAYMENT OF PAY CERTIFICATE NUMBER 1 TO JC CONTRACTING INC. FOR CENTRAL AVENUE AND NORTH SECOND STREET TRAFFIC SIGNAL PROJECT

WHEREAS, the Mayor and Council of the Borough of East Newark awarded a contract to JC Contracting located at 681 Mill Street, Rahway, NJ for the Central Avenue and North Second Street Traffic Signal Project; and

WHEREAS, JC Contracting now submits Pay Certificate Number 1 in the amount of \$245,686.98; and

WHEREAS, the Town Engineers have reviewed the invoice and work completed and recommend payment of Pay Certificate No. 1 in the amount of \$245,686.98 and certify that the work is within the scope of the original contract.

NOW THEREFORE, BE RESOLVED, that Mayor and Council of the Borough of East Newark, County of Hudson, State of New Jersey, authorize Pay Certificate Number 1 to JC Contracting located at 681 Mill Street, Rahway, NJ for the Central Avenue and North Second Street Traffic Signal Project in the amount of \$245,686.98; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from the BO 8-24 - Traffic Sigl Upgr-Central & 2nd - C04-50-410-1003.

G. Resolution 124-25 – Authorizing Change Order Number 1 Approved by the Municipal Engineer of the Borough of East Newark to AJM Contractors for Central Avenue, N Second Street and N Third Street Roadway Improvements Project

Resolution # 124-25
9-17-2025

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

RESOLUTION AUTHORIZING CHANGE ORDER NUMBER 1 TO AJM CONTRACTORS FOR CENTRAL AVENUE, N SECOND STREET AND N THIRD STREET ROADWAY IMPROVEMENTS PROJECT

WHEREAS, by Resolution, the Mayor and Council of the Borough of East Newark (“Borough”) awarded a contract to AJM Contractors, with offices at 300 Kuller Road, Clifton, New Jersey 07011, to perform Central Avenue, N Second Street and N Third Street roadway improvements; and

WHEREAS, the contract amount to perform the Central Avenue, N Second Street and N Third Street roadway improvements project was awarded at three hundred sixty-eight thousand one hundred and sixty-five cents (\$368,100.65); and

WHEREAS, during the project, it had been discovered that there was a need for additional work that was unforeseen at the time of the awarding of the contract and which is less than 20% of the entire contract awarded; and

WHEREAS, AJM Contractors now submits Change Order Number 1 in the amount of seventeen thousand, thirty-one dollars and fifty cents (\$17,031.50); and

WHEREAS, the final award amount to AJM Contractors is three hundred eighty-five thousand, one hundred thirty-two dollars and fifteen cents (\$385,132.15); and

NOW THEREFORE, BE IT RESOLVED, that Mayor and Council of the Borough of East Newark, County of Hudson, and State of New Jersey, hereby authorize Change Order Number 1 in the amount of seventeen thousand, thirty-one dollars and fifty cents (\$17,031.50) to AJM Contractors for the total contract amount of three hundred eighty-five thousand, one hundred thirty-two dollars and fifteen cents (\$385,132.15); and

BE IT FURTHER RESOLVED, that notice of this Change Order shall be published and maintained in the Office of the Borough Clerk.

H. Resolution 125-25 – Amending Resolution 123-24 Authorizing Appointment of Victor DeFilippo as Building Inspector to Include Title of Building Sub-code Official

Resolution # 125-25
9-17-2025

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

**RESOLUTION AMENDING RESOLUTION 123-24 AUTHORIZING APPOINTMENT OF
VICTOR DEFILIPPO AS BUILDING INSPECTOR TO INCLUDE TITLE OF BUILDING
SUB-CODE OFFICIAL**

WHEREAS, on December 11, 2024, the Mayor and Council of the Borough of East Newark adopted a resolution appointing Victor DeFilippo as Building Inspector for the East Newark Building Department; and

WHEREAS, it has been determined that the appointment should have included the additional title of Building Sub-Code Official as required by the responsibilities and duties of the position; and

WHEREAS, Mr. DeFilippo possesses the necessary certifications and qualifications for both titles as prescribed by the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Newark, County of Hudson, State of New Jersey, that the original resolution appointing Victor DeFilippo as Building Inspector is hereby amended to reflect his appointment as Building Inspector and Building Sub-Code Official, retroactive to December 3, 2024, at a salary commensurate with the Borough's duly adopted Salary Ordinance; and

BE IT FURTHER RESOLVED, that all other terms and provisions of the original resolution shall remain in full force and effect; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from the Construction Officials – S&W 5-01-22-195-1011.

- I. Resolution 126-25 – Authorizing the Borough of East Newark to Utilize GovDeals to Auction One Unused Municipal Vehicle

Resolution # 126-25
9-17-2025

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

RESOLUTION AUTHORIZING THE BOROUGH OF EAST NEWARK TO UTILIZE
GOVDEALS TO AUCTION ONE UNUSED MUNICIPAL VEHICLES

WHEREAS, the Borough of East Newark is the owner of certain vehicles that are no longer in use and have been deemed surplus to the needs of the Borough; and

WHEREAS, it is in the best interest of the Borough to dispose of such surplus property in a manner that maximizes value and ensures transparency; and

WHEREAS, GovDeals, Inc., an online government surplus auction website, provides a secure and cost-effective method for public agencies to sell surplus items to a broader market; and

WHEREAS, the Borough of East Newark has determined that using GovDeals to auction the surplus vehicles is in accordance with the provisions of N.J.S.A. 40A:11-36, which governs the sale of public property no longer needed for public use;

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

1. The Borough hereby declares the following vehicles as surplus and no longer needed for public use:

	Make	Model	Year	Vin Number
a.	Chevy	Express	2013	1GNZGZBG5D1130543

2. The Borough hereby authorizes the use of GovDeals, Inc. to conduct an online public auction for the sale of the above-listed vehicles.
3. The Borough Administrator or his designee is hereby authorized to take all necessary steps to implement this resolution, including the execution of any documents required to facilitate the auction process.
4. All revenue generated from the sale of these surplus vehicles shall be deposited into the Borough's general fund or another account as permitted by law.

- J. Resolution 127-25 – Authorizing Change Order Number 1 Approved by the Municipal Engineer of the Borough of East Newark to Shauger Property Services for Various Streets Improvements 2021 Project

Resolution # 127-25
9-17-2025

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

**RESOLUTION AUTHORIZING CHANGE ORDER NUMBER 1 APPROVED BY THE
MUNICIPAL ENGINEER TO SHAUGER PROPERTY SERVICES FOR VARIOUS
STREETS IMPROVEMENTS PROJECT**

WHEREAS, by Resolution, the Mayor and Council of the Borough of East Newark (“Borough”) awarded a contract to Shauger Property Services, with offices at 429 Dodd Street, East Orange, NJ to perform various streets improvements; and

WHEREAS, the contract amount to perform the various streets improvement project was awarded at four hundred seventy-four thousand nine hundred ten and nineteen cents (\$474,910.19); and

WHEREAS, during the project, it had been discovered that there was a need to reduce the amount of the contract awarded; and

WHEREAS, Shauger Property Services now submits Change Order Number 1 in the reduced amount of two hundred forty-three thousand, four hundred ninety dollars and sixty cents (\$243,490.60); and

WHEREAS, the final award amount to Shauger Property Services is two hundred thirty-one thousand, four hundred nineteen dollars and fifty-nine cents (\$231,419.59); and

NOW THEREFORE, BE IT RESOLVED, that Mayor and Council of the Borough of East Newark, County of Hudson, and State of New Jersey, hereby authorize Change Order Number 1 in the reduced amount of two hundred forty-three thousand, four hundred ninety dollars and sixty cents (\$243,490.60) to Shauger Property Services for the total contract amount of two hundred thirty-one thousand, four hundred nineteen dollars and fifty-nine cents (\$231,419.59); and

BE IT FURTHER RESOLVED, that notice of this Change Order shall be published and maintained in the Office of the Borough Clerk.

K. Resolution 128-25 – Authorizing Change Order Number 2 and Pay Certificate Number 1 Approved by the Municipal Engineer of the Borough of East Newark to Shauger Property Services for Lead Service Line Replacement, Phase II (ARP Funding) and Approve Pay Cert #1 Final and Maintenance Bond

Resolution # 128-25
9-17-2025

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

RESOLUTION AUTHORIZING CHANGE ORDER NUMBER 2 FINAL APPROVED BY THE MUNICIPAL ENGINEER OF THE BOROUGH OF EAST NEWARK TO SHAUGER PROPERTY SERVICES FOR LEAD SERVICE LINE REPLACEMENT, PHASE II (ARP FUNDING) AND APPROVE PAY CERT. #1 FINAL AND MAINTENANCE BOND

WHEREAS, by Resolution, the Mayor and Council of the Borough of East Newark awarded a contract to Shauger Property Services, 429 Dodd Street, East Orange, NJ for the LEAD SERVICE LINE REPLACEMENT, PHASE II (ARP FUNDING); and

WHEREAS, the contract amount for the LEAD SERVICE LINE REPLACEMENT, PHASE II (ARP FUNDING) was awarded in the amount of One Hundred Fifty-Nine Thousand Eight Hundred Ninety-Five Dollars (\$159,895.50) and Fifty Cents; and

WHEREAS, by previous Change Order 1, the total adjusted contract amount was adjusted to \$191,854.60; and

WHEREAS, Shauger has requested a Change Order No. 2, attached as Exhibit A hereto, (“Change Order No. 2”) in the amount of \$47,870.16, the approval of which would increase the total contract amount to \$239,724.76 in excess of 20% of the original contract price; and

WHEREAS, New Jersey Administrative Code (“N.J.A.C.”) 5:30-11.9 establishes a specific procedure to be followed when a change order for a construction project exceeds 20% of the original contract price; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.9, the Borough has received a certification from Shauger, the contractor on the Project, setting forth the facts necessitating the change order (“Contractor’s Certification”), detailing the factual circumstances justifying approval of Change Order No. 2; and

WHEREAS, Remington & Vernick Engineers, the Borough’s Engineer on the project, concurs with the Contractor’s Certification, (“Engineer’s Recommendation”) explaining that the Borough’s Engineer believes it is in the best interests of the Borough to issue the change order to complete the project for the reasons expressed and detailed therein; and

WHEREAS, the Borough’s Engineer has reviewed these items and recommends that the approval of Change Order No 2 be considered by the Mayor and Council; and

WHEREAS, as explained by Shauger in its Contractor’s Certification and the Borough’s Engineer’s Recommendation, as required by N.J.A.C. 5:30-11.9, there have been unforeseeable conditions affecting this Project that require additional such work and expense, as set forth in therein, as it is not reasonably possible to execute a new contract for the additional work, that is needed as a result of unforeseen circumstances and differing site conditions combined with a situation which renders execution of a new contract an unreasonable interference with the efficient completion of the work; and

WHEREAS, as further explained by Shauger in its Contractor’s Certification and the Borough’s Engineer Engineer’s Recommendation, as required by N.J.A.C. 5:30-11.9, this additional work does not change objective of this project but due to unforeseen conditions and circumstances necessitate a change order that will exceed 20% of the original contract price in order to bring the project to conclusion; and

WHEREAS, the Mayor and Council are satisfied based upon the information contained in the Contractor’s Certification and the Engineer’s Recommendation, that the circumstances of this change order meets all of the parameters of the change orders permitted under N.J.A.C. 5:30-11.9 as unforeseen circumstances, and where it is not possible to execute a new contract for this work since the Contractor is in the middle of the work on the Project for the reasons explained in the Town Engineer’s letter and Contractor’s certification; and

WHEREAS, pursuant to N.J.A.C. 5:3-11.9, the Borough Administrator has reviewed the change order request and recommends that the Mayor and Council consider this Change Order No. 2;

WHEREAS, Shauger has submitted Pay Certificate No. 1 Final in the amount of \$239,724.76 and the Borough Engineer has reviewed same and recommended that it be accepted; and

WHEREAS, Shauger has submitted Maintenance Bond in the amount of \$239,724.76 and the Borough Engineer has reviewed same and recommended that it be accepted;

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. Change Order #2, which in the amount of \$47,870.16, that increases the total Contract price to for this Project to \$239,724.76, is hereby approved; and

2. Change Order #2 meets all of the parameters of permitted change orders as set forth in N.J.A.C. 5:30-11.9 and the Borough has received the certification from the Contractor and the approval of the Borough's Engineer.
3. The Mayor is hereby authorized to execute this Contract Change Order and to execute other documents and take further actions related to the completion of this project.
4. A copy of this resolution the contract and other records related to this project be available for public inspection.
5. The Borough attorney shall prepare an/or approve amendment to the contract pursuant to N.J.A.C 5:30-11.9 to incorporate the change order into the original contract.
6. The Borough shall publish once in the official newspaper a brief notice indicating the amount to be spent, the original contract price, the nature of the original and additional work and why it is necessary to expend these additional funds in accordance with N.J.A.C. 5:30-11.9.
7. The Borough shall report to the Department of Community Affairs; with their annual budget this change order since it exceeded the 20 percent limitation as required by N.J.A.C. 5:30-11.9. A summary of this report shall be included as supplemental material in the annual audit of the contracting unit.
8. Pay Certificate No. 1 Final in the amount of \$239,724.76 is hereby approved and accepted.
9. Shauger has submitted Maintenance Bond in the amount of \$239,724.76 and it is hereby accepted.
10. The Chief Financial Officer certifies that funds are available for the appropriation from the HC ARP – Lead Service Line Replacement Phase 2 – C-04-50-414-1001 (\$217,021.76) and BO 9-24 – Lead Service Line Replacement – C-04-50-411-1001 (\$22,703.00)

NEW BUSINESS

- A. Resolution 129-25 – Directing the Borough Planning Board to Prepare a Redevelopment Plan for the Property Designated as Block 18, Lots 1, 2, 5 and 6 and Block 16, Lot 17 and Located in the Rehabilitation Area

A motion was made by Councilman De Oliveira, second by Councilwoman Zincavage, to adopt Resolution 129-25. The motion was adopted by the following votes.

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

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

RESOLUTION DIRECTING THE BOROUGH PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY DESIGNATED AS BLOCK 18, LOTS 1, 2, 5, AND 6 AND BLOCK 16, LOT 17 AND LOCATED IN THE REHABILITATION AREA

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended and supplemented (the “Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation or areas in need of redevelopment; and

WHEREAS, pursuant to the requirements of the LRHL and by Resolution No. #38-22, the Borough Council determined that the entire Borough qualifies as an “area in need of rehabilitation” under Section 14 of the LRHL (“Rehabilitation Area”); and

WHEREAS, the Rehabilitation Area contains certain parcels known as 800 Passaic Avenue, designated as Block 18, Lots 1, 2, 5, and 6 and 246 Passaic Avenue, designated as Block 16, Lot 17 on the Borough’s tax map (the “Property”); and

WHEREAS, the Redevelopment Law, N.J.S.A. 40A:12A-7, provides for redevelopment of areas in need of redevelopment or areas in need of rehabilitation to be undertaken in accordance with a redevelopment plan; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(f), the Borough Council directs the Planning Board of the Borough of East Newark (the “Planning Board”) to prepare a redevelopment plan for the Property, and transmit the proposed redevelopment plan to the Borough Council for its review and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF EAST NEWARK COUNCIL AS FOLLOWS:

1. **Generally.** The foregoing recitals are incorporated herein as if fully set forth at length.
2. **Preparation of a Redevelopment Plan.** The Planning Board is hereby directed to prepare a redevelopment plan for the property known as 800 Passaic Avenue, designated as Block 18, Lots 1, 2, 5, and 6 and 246 Passaic Avenue, designated as Block 16, Lot 17 on the Borough’s tax map, which property is located in the Rehabilitation Area.
3. **Severability.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

4. **Availability of the Resolution.** A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.
5. **Effective Date.** This Resolution shall take effect immediately.

B. Resolution 130-25 – Directing the Borough Planning Board to Prepare a Redevelopment Plan for the Property Designated as Block 18, Lots 1, 2, 5 and 6 and Block 16, Lot 17 and Located in the Rehabilitation Area

A motion was made by Councilman Graham, second by Councilwoman Zincavage, to adopt Resolution 130-25. The motion was adopted by the following votes.

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

Resolution # 130-25
9-17-2025

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

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF
UNDERSTANDING AND ESCROW AGREEMENT WITH SILVI MATERIALS FOR
CERTAIN PARCELS IN THE REHABILITATION AREA

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended and supplemented (the “Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation or redevelopment; and

WHEREAS, pursuant to the requirements of the LRHL and by Resolution No. #38-22, the Borough Council determined that the entire Borough qualifies as an “area in need of rehabilitation” under Section 14 of the LRHL (“Rehabilitation Area”); and

WHEREAS, Silvi Materials is the owner of certain parcels located within the Rehabilitation Area known as 800 Passaic Avenue, designated as Block 18, Lots 1, 2, 5, and 6 on the Borough’s tax map (the “Main Parcel”), and 246 Passaic Avenue, designated as Block 16, Lot 17 on the Borough’s tax map (the “Secondary Parcel”) (“collectively, the “Property”), wishes to redevelop the Property, and seeks Borough consideration for designation as redeveloper as property owner of the Property; and

WHEREAS the Redevelopment Law, N.J.S.A. 40A:12A-8(f) authorizes the Borough to arrange or contract with a redeveloper for the planning, construction or undertaking of any project or redevelopment work in an area designated as an area in need of rehabilitation.

WHEREAS, in order to effectuate the redevelopment of the Property, the Borough has determined to enter into a Memorandum of Understanding and Escrow Agreement (“Agreement”) with Silvi Materials, substantially in the form attached hereto as Exhibit A, which Agreement specifies the respective rights and responsibilities of the parties for the Property and to further refine the details for negotiating a redevelopment agreement for the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF EAST NEWARK COUNCIL AS FOLLOWS:

1. **Generally.** The foregoing recitals are incorporated herein as if fully set forth at length.
2. **Execution of the Memorandum of Understanding and Escrow Agreement.** The Mayor is hereby authorized to finalize the negotiation and execute the Memorandum of Understanding and the Escrow Agreement in substantially the form and with minor revisions of the Agreement attached hereto as Exhibit A.
3. **Severability.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. **Availability of the Resolution.** A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.
5. **Effective Date.** This Resolution shall take effect immediately.

MONTHLY REPORTS

Administrative Assistant Ashley Valdez 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 – August 2025
- B. Fire Department – August 2025
- C. Municipal Court – August 2025
- D. Police Department – August 2025
- E. Senior Department – August 2025

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: De Oliveira; Diaz; Evaristo; Graham; Reis; Zincavage
Nays: None
Abstain: None
Absent: None

The Regular Meeting was adjourned at 7:19 P.M.

Respectfully Submitted,

Ashley Valdez
Administrative Assistant

Dated: October 8, 2025

Accepted and approved by Council: Resolution 131-25