

MINUTES OF THE MEETING OF THE COUNCIL OF THE BOROUGH OF ESSEX  
FELLS, ESSEX COUNTY, NEW JERSEY

Held at the Essex Fells Municipal Building in said Borough on May 3, 2022 at 7:00 p.m.

Present

Mayor Edward A. Davis  
Councilman Michael Cecere  
Councilman BJ D'Avella\*  
Councilwoman Maggie O'Connor  
Councilman William Sullivan

Absent

Councilman Greg Hindy  
Councilman John King

Via phone

Also Present

Borough Attorney James Parisi

Mayor Davis called the meeting to order. He stated that in compliance with the Open Public Meetings Law (Chapter 231, Public Laws of 1975) notice of this meeting was transmitted to The Progress and The Star Ledger and was filed with the Borough Clerk and is posted on the Bulletin Board of the Borough Hall.

Mayor Davis led the Council in the Pledge of Allegiance and gave the Invocation.

*Mayor Davis announced introduction on first reading of Ordinance 2022-1059*

Councilman Sullivan moved, Councilman Cecere seconded a motion to introduce on first reading and publish according to law an ordinance entitled 2022-1059, AN ORDINANCE AMENDING CHAPTER 155 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ESSEX FELLS REGULATING GENERATORS, hearing to be held on May 17, 2022 at 7:00 p.m.

**BE IT ORDAINED** by the Borough Council of the Borough of Essex Fells, County of Essex, State of New Jersey as follows:

**Section 1.** Chapter 155 of the Revised General Ordinances of the Borough of Essex Fells entitled "Generators," is hereby by the following amendment to subsection A of Section 155-3 "Conditions for permanent placement" which shall read as follows:

- Only one permanent generator with an output of not more than 22kw is allowed.

**Section 2.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other

sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 3.** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

**And was carried on call of the roll:**

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Michael Cecere	None	Greg Hindy
BJ D'Avella*		John King
Maggie O'Connor	<u>Abstain</u>	
William Sullivan	None	

\*via phone

*Mayor Davis announced introduction on first reading of Ordinance 2022-1060*

**Councilman Cecere moved, Councilman Sullivan seconded a motion to introduce on first reading and publish according to law an ordinance entitled 2022-1060, AN ORDINANCE AMENDING CHAPTER 155 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ESSEX FELS REGULATING GENERATORS, hearing to be held on May 17, 2022 at 7:00 p.m.**

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Essex Fells, in the County of Essex and State of New Jersey, as follows:

**Section 1.** Chapter 286, Section 286-34, of the Revised General Ordinances of the Borough of Essex Fells entitled "Per-gallon rate" shall be amended by the following amendment to subsection B which shall read in its entirety as follows:

*B. The rate for contractual wholesale customers shall be \$2.776 or each thousand gallons of water purchased. This rate shall be effective beginning in the second quarter of 2021.*

**Section 2.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 3.** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

And was carried on call of the roll:

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Michael Cecere	None	Greg Hindy
BJ D'Avella*		John King
Maggie O'Connor	<u>Abstain</u>	
William Sullivan	None	

\*via phone

*Mayor Davis announced introduction on first reading of Ordinance 2022-1061*

**Councilwoman O'Connor moved, Councilman Sullivan seconded a motion to introduce on first reading and publish according to law an ordinance entitled 2022-1061, CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14), hearing to be held on May 17, 2022 at 7:00 p.m.**

**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 up to 2.5% 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 Essex Fells in the County of Essex finds it advisable and necessary to increase its CY 2022 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 3.5% increase in the budget for said year, amounting to \$43,693.07 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 Essex Fells, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Essex Fells shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$152,925.76, and that the CY 2022 municipal budget for the Borough of Essex Fells 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 on the FAST System within 5 days after such adoption.

And was carried on call of the roll:

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Michael Cecere	None	Greg Hindy
BJ D'Avella*		John King
Maggie O'Connor	<u>Abstain</u>	
William Sullivan	None	

\*via phone

*Mayor Davis announced a public hearing on second reading of Ordinance 2022-1056*

The Clerk offered proof of publication of the ordinance, indicating that it was published in The Progress issue of April 14<sup>th</sup>, 2022.

*The public hearing was held and* **BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$460,000 FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY SYSTEM FOR AND BY THE BOROUGH OF ESSEX FELLS, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$460,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.**

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ESSEX FELLS, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Borough of Essex Fells, New Jersey (the “Borough”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$460,000. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”) as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

SECTION 2:

In order to finance the cost of the Improvements, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$460,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$460,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Useful Life</u>
Various improvements to the water utility system, including but not limited to acquisition of back hoe and utility truck and major improvements to vehicles, and various improvements and acquisitions, including but not limited to improvements to buildings and grounds, improvements and renovation of equipment, hydrant replacement, replacement of lead service lines, acquisition of SCADA security equipment and pump station radios, and upgrades to SCADA and telemetry and acquisition of computers and billing	\$460,000	\$460,000	12.39 Years

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
software, including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.			
<b>TOTAL ALL PURPOSES</b>	<b>\$460,000</b>	<b>\$460,000</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$460,000.

(c) The estimated cost of the Improvements is \$460,000 which amount represents the initial appropriation made by the Borough.

**SECTION 4:**

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

**SECTION 5:**

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

**SECTION 6:**

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 12.39 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$460,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A 40A:2-44(c).

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$460,000.

SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

And was carried on call of the roll:

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Michael Cecere	None	Greg Hindy
BJ D'Avella*		John King
Maggie O'Connor	<u>Abstain</u>	
William Sullivan	None	

\*via phone

**The Clerk offered proof of publication of the ordinance, indicating that it was published in The Progress issue of April 14<sup>th</sup>, 2022.**

*The public hearing was held and* BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$9,000,000 FOR VARIOUS IMPROVEMENTS TO THE WATER TREATMENT SYSTEM FOR AND BY THE BOROUGH OF ESSEX FELLS, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$9,000,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ESSEX FELLS, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 12:

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Borough of Essex Fells, New Jersey (the “Borough”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$9,000,000. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”) as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

SECTION 13:

In order to finance the cost of the Improvements, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$9,000,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$9,000,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 14:

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Useful Life</u>
Various improvements to the water treatment system for the water utility system, including but not limited to, design and installation of per- and poly fluorinated alkyl substances (“PFAS”) treatment systems, for compliance with State of New Jersey drinking water standards, including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.	\$9,000,000	\$9,000,000	40 Years
<b>TOTAL ALL PURPOSES</b>	<b>\$9,000,000</b>	<b>\$9,000,000</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$9,000,000.

(c) The estimated cost of the Improvements is \$9,000,000 which amount represents the initial appropriation made by the Borough.

#### SECTION 15:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

#### SECTION 16:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

#### SECTION 17:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$9,000,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$2,700,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

#### SECTION 18:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and

all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 19:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 20:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$9,000,000.

SECTION 21:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

And was carried on call of the roll:

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Michael Cecere	None	Greg Hindy
BJ D'Avella*		John King
Maggie O'Connor	<u>Abstain</u>	
William Sullivan	None	

\*via phone

*Councilman Sullivan moved, Councilwoman O'Connor seconded, approval of the following resolutions on consent:*

2022-67

**WHEREAS, the local school district tax for the year July 1, 2021 to June 30, 2022 was raised in the 2021 tax levy in the sum of \$5,384,351.00; and**

**WHEREAS, the statutes permit the deferral of the cash liability of such school tax up to 50% of the school tax levy to \$2,692,175.50;**

***NOW, THEREFORE, BE IT RESOLVED*** by the Governing Body of the Borough of Essex Fells that the cash liability for the local school district tax be deferred in the sum of \$399,615.50.

***BE IT FURTHER RESOLVED*** that a certified copy of this resolution be uploaded to the FAST System for the Director of the Division of Local Government Services and one copy with the Chief Financial Officer of the Borough of Essex Fells.

2022-68

***WHEREAS***, the regional high school district tax for the year July 1, 2021 to June 30, 2022 was raised in the 2021 tax levy in the sum of \$3,135,412.00; and

***WHEREAS***, the statutes permit the deferral of the cash liability of such school tax up to 50% of the school tax levy to \$1,567,706.00;

***NOW, THEREFORE, BE IT RESOLVED*** by the Governing Body of the Borough of Essex Fells that the cash liability for the regional high school district tax be deferred in the sum of \$1,406,803.57.

***BE IT FURTHER RESOLVED*** that a certified copy of this resolution be uploaded on the FAST System for the Director of the Division of Local Government Services and one copy with the Chief Financial Officer of the Borough of Essex Fells.

2022-70

Authorization for Payment of Bills

***BE IT RESOLVED*** by the Council of the Borough of Essex Fells that;

***WHEREAS***, the bill list as attached has been presented by the Chief Finance Officer for payment.

***NOW THEREFORE BE IT RESOLVED*** by the Council of the Borough of Essex Fells that the bill list as presented is approved.

<b><u>Fund</u></b>	<b><u>Fund No.</u></b>	<b><u>Amount</u></b>
Current	01	\$235,079.27
Borough Capital	03	\$0
Water	05	\$32,324.97
Grant	04	\$0
Water Capital	06	\$0
Animal Control	10	\$0
Trust	11	\$2,319.65
Payroll	13	\$186,752.93

And was carried on call of the roll:

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Michael Cecere	None	Greg Hindy
BJ D’Avella*		John King
Maggie O’Connor	<u>Abstain</u>	
William Sullivan	None	

\*via phone

**2022-69**

**Municipal Budget of the Borough of Essex Fells, County of Essex for the Fiscal Year**

*BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2022:*

*BE IT FURTHER RESOLVED that said Budget be published in The Progress in the issue of May 11, 2022.*

*The Governing Body of the Borough of Essex Fells does hereby approve the following as the Budget for the year 2022:*

*Summary of Current Fund Section of Approved Budget Year 2022*

**General Appropriations For:**

- |  |                       |
|--|-----------------------|
| <b>1. Appropriations within “CAPS”</b>   |                       |
| <b>(a) Municipal Purposes</b>  | <b>\$4,587,770.50</b> |
| <b>2. Appropriations excluded from “CAPS”</b>  |                       |
| <b>(a) Operations</b>  | <b>\$627,013.79</b>   |
| <b>(b) Capital Improvements</b>  | <b>\$20,000.00</b>    |
| <b>(c) Municipal Debt Service</b>  | <b>\$409,500.00</b>   |
| <b>(d) Total Deferred Charges</b>  | <b>\$220,000.00</b>   |
| <b>Total General Appropriations excluded from “CAPS”</b>   | <b>\$1,276,513.79</b> |
| <b>3. Reserve for Uncollected Taxes-Based on Estimated Percent of Tax Collections</b>  | <b>\$430,000.00</b>   |
| <b>4. Total General Appropriations</b>   |                       |
| <b>\$6,294,284.29</b>  |                       |
| <b>5. Less: Anticipated Revenues Other Than Current Property Tax (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)</b> | <b>\$2,099,561.76</b> |
| <b>6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)</b>  |                       |
| <b>(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes</b>  |                       |
| <b>\$4,194,722.53</b>  |                       |
| <b>(b) Addition to Local District School Tax</b>   |                       |

*Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Essex Fells, County of Essex, on May 3, 2022.*

*A Hearing on the Budget and Tax Resolution will be held at the Borough of Essex Fells, on June 7, 2022 at 7:00 o’clock (P.M.) at which time and place objections to said Budget and Tax Resolution for the year 2022, may be presented by taxpayers or other interested persons.*

And was carried on call of the roll:

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Michael Cecere	None	Greg Hindy
BJ D’Avella*		John King
Maggie O’Connor	<u>Abstain</u>	
William Sullivan	None	

\*via phone

**On motion made by Councilman Sullivan, seconded by Councilwoman  
O'Connor and approved unanimously by the Council, the meeting adjourned at  
7:50 p.m.**

**Respectfully submitted,**

**James Parisi in the Absence of Francine T. Paserchia**