

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES- April 20, 2021**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order on Zoom at 7:02 PM.

PRESENT: Mayor Kelley, Council President Schmidt, Councilman Rodgers, Councilman Cole, Councilwoman DePalma-Iozzi, and Councilman Gates.

ABSENT: Councilman Lace

ALSO PRESENT: Deputy Clerk Kim Conlon, Borough Administrator Tom Banker, and Borough Attorney Vincent Nuzzi

STATEMENT OF COMPLIANCE

Adequate notice of this Council Business/Conference Meeting was given on January 22, 2021. Notice was posted on the bulletin board of the first floor of Borough Hall, One Provost Square, Caldwell, New Jersey. Official newspapers of the Borough were notified of this meeting by mail. Notice was posted and all persons requesting notice were sent the same.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

April 1, 2021

Moved by Council President Schmidt and seconded by Councilman Cole. Upon a roll call vote, all present voted in the affirmative, with Councilman Rodgers abstaining from the vote. Minutes approved 4/20/2021

April 3, 2021

Moved by Councilwoman DePalma-Iozzi and seconded by Council President Schmidt. Upon a roll call vote, all present voted in the affirmative, with Councilman Cole abstaining from the vote. Minutes approved 4/20/2021.

April 6, 2021

Moved by Council President Schmidt and seconded by Councilman Rodgers. Upon a roll call vote, all present voted in the affirmative. Minutes approved 4/20/2021

PRESENTATIONS

1. Arbor day
 - a. Traditionally the last Friday in April
 - b. 23 states still celebrate Arbor Day
 - c. Superseded by Earth Day
 - d. Mr. Banker's father, Harry Banker, wrote the legislation for Arbor Day

2. Farewell to Brian
 - a. Brian Maclay, our Fire Inspector / Deputy Emergency Management Coordinator/ Code Enforcement Officer is leaving the Borough
 - b. Mark Guliano and Councilman Rodgers said a few words about Brian and his work over the last 4 years, with the Borough of Caldwell
 - c. Brian is training to become a Jersey City Fire Fighter

COVID-19/OEM COMMUNITY UPDATE

Mark Guiliano

- 5 cases as of today; 599 cases total
- Numbers are flattening statewide as well
- .92% transmission rate
- People are not getting as sick anymore, and sick people are waiting too long to seek treatment

Council President Schmidt asked if the vaccines are open to people 18 and older?

Patricia Keenan said that they are administering the Moderna vaccine for people 18 and older now at the County.

Mark Guiliano said that there is a push to get Spanish Speaking residents vaccinated as well.

Mayor Kelley welcomes Maria Burak back to work after her leave.

REPORT OF COUNTY LIASON

Patricia Keenan

Patricia Keenan Reported

- Testing is still taking place on Tuesdays in Newark and Saturdays in Cedar Grove

- Vaccine appointments are readily available on the Essex Covid website
 - 2,963 people have gotten their first dose through Essex County
 - 2,316 people have gotten their second dose through Essex County
 - 5,279 people have received the Moderna Vaccine through the County
 - 190 J&J Vaccines have been administered
- Food Distribution on April 22 in Newark
- County Recycling events
 - May 1st – Hazardous Waste recycling in Cedar Grove from 8:30am -4pm
 - May 15th – Electronic Recycling in Cedar Grove from 9am-3pm
 - County offices will be fully open on May 3rd

OPEN PUBLIC COMMENTS ON RESOLUTIONS OR ANY TOPIC

John Castano, 92 Hatfield Street. Back of their property extends to Orchard Square. The brook lacks maintenance and increased development causes not infrequent flooding. Their neighbors' driveways need replacing, and their property is suffering erosion, loss of plants, fence bent away from the base; moved a railroad tie. Cement base of fence is compromised from the water. Plows often push snow against their back fence and when the snow melts, it adds to the erosion. Requests a meeting with Mr. Banker to discuss this situation and possible solutions.

Mr. Banker said that Mr. Castano's comments accurately reflect the situation. Mario and Glenn have both been out to visit the site. Caldwell has a number of streams which all have impact on the neighboring properties. Suggested having a separate meeting to discuss how to address and to decipher what the Borough is responsible for and what private owners are responsible for. Mayor Kelley said that we need to determine who is responsible for what. DEP should also be included in those conversations.

Mr. Banker agreed and also said that the County Public Works and engineering department should be included as well.

Susan Rubright, Attorney is Roseland, Represents West Caldwell Care Center and requested a more detailed meeting. They have sewer connection issues, for which Bowman Consulting provided Mr. Banker with information. Asked Caldwell to redirect pumps for health issues, due to the problematic pump system. In January 2021 they asked for a meeting with the Mayor and Council and addressed Mr. Banker. Have tried to follow up with Mr. Banker to respectfully request a meeting. The sewer backs up in the basement of the Care Center, where there is a Dialysis Center. Connection runs from 2 Bridges to the Care Center and has for 20-40 years now. 2 Bridges not cutting off connection, so they are first looking to redirect or have a discussion

Mayor Kelley said that they will try to schedule something.

ORDINANCES FOR SECOND READING AND ADOPTION

ORD #1407-21 BOROUGH OF CALDWELL STORM WATER ORDINANCE

Moved by Council President Schmidt and seconded by Councilman Rodgers. On a roll call vote, all present voted in the affirmative. Ordinance adopted on 04/20/2021.

ORD #1408-21 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF SPORT UTILITY VEHICLES FOR THE POLICE DEPARTMENT IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Council President Schmidt asked how many vehicles this bond provides for, and if we are selling any vehicles? Mr. Banker said the bond allows for the purchase of 3 vehicles along with all of the specialty equipment.

Moved by Councilman Rodgers and seconded by Councilman Gates. Upon a roll call vote, all present voted in the affirmative. Ordinance adopted on 04/20/2021

ORD #1409-21 BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF.

Mr. Banker spoke to the Ordinance

Moved by Councilman Gates and seconded by Councilman Rodgers. Upon a roll call vote, all present voted in the affirmative. Ordinance adopted 04/20/2021.

CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.

4-114 AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD 04/06/2021 THROUGH 04/19/2021

- 4-115 RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of April 20, 2021
- 4-116 RESOLUTION OF THE COUNCIL OF THE BOROUGH OF CALDWELL REQUESTING THE COURT TO REVIEW AND APPROVE THE BOROUGH'S SPENDING PLAN
- 4-117 RESOLUTION AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #19-00010 Block 41.01, Lot 48, 42 HIGHVIEW ROAD CALDWELL, NJ 07006
- 4-118 AUTHORIZING THE ISSUANCE OF A PERMIT FOR PEDDLER LICENSE OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – Aroy-D The Thai Elephant
- 4-119 RESOLUTION AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #20-00003 Block 36.01, Lot4.01, 44 DOMESSINA LANE, UNIT D1 CALDWELL, NJ 07006
- 4-120 RESOLUTION AUTHORIZING THE APPOINTMENT OF Zakelina Batemits AS A CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT AN HOURLY RATE OF \$16.50 PER HOUR

Councilman Gates asked about Resolution 4-116 and where it sites that people may need to be relocated by developing. Mr. Banker said that any person that needs to be relocated by redevelopment will have the cost paid by the person causing the redevelopment, which in this case would be the developer. There are maximums over-riding obligation.

A motion to pass the consent agenda was made by Councilman Cole and seconded by Council President Schmidt. Upon a roll call vote, all present voted in the affirmative. Consent agenda passed 4/20/2021.

NEW BUSINESS

Councilman Gates

- New Water Bills – there are 2 sections that say where to may a check out to. One says “Caldwell Water Department” and the other says “Borough of Caldwell”

Councilwoman DePalma-Iozzi

- Asked about the Water Bank, and said she is trying to get us on priority list. Possible funding for water improvements.

Mr. Banker said that Environment Infrastructure Banks/Trust is about 35 years old, and channels federal money given to New Jersey, to municipalities. It takes a long time to make decisions as they pick 2-3 projects a year and everything is ranked. Must qualify. The money is nor free money, it's a low interest rate loan, which was attractive when interest rates were high. Now that rates are low, it is not really worth the trouble with long delays, and larger projects tend to get picked more often. Sewer Treatment Plan Project would be a large enough project.

- PSE&G made a mess of the roads with terrible patching.

Mr. Banker said that before paving they contacted PSE&G to see if they have any planned work in that location. They are not cooperating; they respond to our inquiries bit are imperfect. Mayor Kelley said that our rep, Karen is responsible and communicative in Caldwell.

Council President Schmidt

- Inquiring about the Crossing Guard at Lane and Bloomfield Ave.
- Reached out to the Police Department and found out that their original time was 7:45am but now they report at 8am. The first school bell goes off at 8:05am.
 - Mayor Kelley asked Det. D'Angelo to bring this up to the Chief.

COUNCIL COMMITTEE REPORTS

Borough Council Members

1. Councilman Cole

- Food Pantry
 - i. The Food Pantry has moved temporarily to Caldwell Community Center
 - ii. Food bag pick up will be on Wednesdays from 11-1pm at the front door of the Center
 - iii. Drop off donation in the box at Borough Hall
 - iv. Large donations – call Maria at 973-403-4623 to arrange a drop off time
- Senior Services
 - i. Transportation to vaccination site for residents 60 years and older
 - ii. Tuesdays and Thursday mornings, for Moderna shot only.
 - iii. Have the capacity to bring 10 seniors each trip
 - iv. Call Maria to set up. No cost
- Free Radon Kits are still available at Borough Hall

Mr. Banker thank Mario and his crew for all their work moving the Food pantry to the Community Center. Parking Deck Demolition started on Monday – Duration is 3 weeks

- Council President Schmidt asked about Library signage and Parking
- Mr. banker said that he needs to discuss with Robin. They have approval from Saint Aloysius and Bob Silver to use the Forest Ave entrance and parking lot, for Library patrons.

2. Councilwoman DePalma-Iozzi

- Environmental Commission
 - i. Shredding event this Saturday from 10am-1pm, sponsored by the JCHS Scholarship Committee
 - ii. April 29th 7pm dr. Obrupta from Rutgers will be giving a presentation on Rain Gardens.
 - iii. Registration link is up on the website.

REPORT OF MAYOR

John Kelley

Mayor Kelley asked the residents to be patient with all the change going on in Caldwell

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

Tom Banker Reported:

- Parking Deck Demolition has begun
- Contract for Rooftop work on the Community Center has been awarded, and will start in May
- The Community Center's A/C work will be awarded and begin soon, before the end of July
- Community Center Dehumidification System is out to Bid
- Commissioned facilities committee
- 14 Park Ave will be gutted in mat with improvements being done during the Summer
- Design process for the New Borough Hall and New PD Headquarters
- Bond Ordinances will be on for first reading at the next Council meeting
- Hoping to introduce the 2021 municipal budget at the May 18th meeting
- 26 Smull ave will demo in the next 2 weeks
- 24 Smull - will take possession of in the end of April
- Present a design for expanded parking lot in either May or June

Councilman gates said that he has been approached by a constituent on Smull Ave that would like to be involved in the design process. Mr. Banker said that he has received emails as well. Glenn Beckmeyer's firm will provide a draft of design to be resented to the Mayor and Council. The big concern is for the entrance and exit for cars. The Mayor and Council will have the opportunity to view design before the presentation, and can choose to hold a public meeting for input and discussion.

Councilman Cole said that we should take into account the issues heard tonight regarding water, and build in water retention in the parking deck. Mr. Banker said that the lot does abut a stream so we are sensitive to affecting that waterway and stormwater issues.

Councilwoman Depalma-Iozzi suggested considering pervious pavement. Mr. Banker said they will consider it.

REPORT OF BOROUGH ATTORNEY

Vincent Nuzzi

Mr. Nuzzi said that the closing for 24 Smull Ave is set for April 30th.

ADJOURNMENT

A motion to adjourn was made by Councilman Rodgers and seconded by Councilwoman DePalma-Iozzi. Upon a voice vote, all present voted in the affirmative. There being no business being voted on in the public. the meeting was adjourned at 8:42pm.

Prepared by: *Brittany Heun*
Brittany Heun, Deputy Borough Clerk

4/28/2021
DATE