

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – April 5, 2022**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order on Zoom at 7:20 PM.

PRESENT: Mayor Kelley, Councilman Cole, Councilman Lace, Councilwoman DePalma-Iozzi, Councilwoman Buechner, Council President Gates, and Councilman Alonso.

ALSO PRESENT: Deputy Clerk Kim Conlon, Borough Administrator Tom Banker, and Borough Attorney Brian Block

ABSENT:

STATEMENT OF COMPLIANCE

Adequate notice of this Council Business/Conference Meeting was given on January 20, 2022. 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

March 15, 2022

A motion to approve the minutes was made by Councilwoman DePalma-Iozzi and seconded by Councilwoman Buechner. Upon a roll call vote, all members voted in the affirmative. Minutes approved 4/5/2022.

PRESENTATION

1. Women's Community Impact Award Presentation
 - a. Each recipient and those that nominated them were given the opportunity to speak
2. Project Mainstreet Presentation
 - a. Christine Schmidt presented to the Council
 - b. Restaurant week is April 24th through April 30th
3. Bloomfield Avenue Redesign Presentation
 - a. Dynamic Traffic Engineering's John McCormack and Arterial Streets' – James Ribaudó

REPORT OF COUNTY LIASON

Patricia Keenan

Patricia Keenan Reported:

- County Testing and Vaccination site is still available
- Cherry Blossom Festival
- Earth Day at the Environmental Center on April 23rd
- Hazardous Waste Recycling is on May 7th

OPEN PUBLIC COMMENTS ON RESOLUTIONS OR ANY TOPIC

Jack Gordon, Attorney for Calandra's. Commended the presentation for Bloomfield Avenue. The Calandra family has some concerns regarding moving the light off of Provost Square, and about accessibility to Calandra's during construction on Provost Square.

Carla Marras, 7 Ashland Street. Presentation for Bloomfield Ave looked pretty. What about EMS and Fire Department? Will it be harder for them to navigate the streets with this new design?

Sharon Farrell, 50 Arlington Avenue. Showed interest in providing feedback on resign presentation. Caldwell has many historical gems that should be preserved like the Grover and the Wilson, which we beautifully preserved.

June Cowell, 29 Brookside Avenue, 42 million bonds for the town with no real cost for the new Borough Hall. Construction will alter the view of downtown and for the green. Caldwell has a deep sense of history, and all this work should be put in a referendum.

Council President Gates said that the infrastructure needs fixing, which is long overdue. We have no choice when buildings like the Library and Borough Hall are deteriorating.

Councilman Lace agreed with Council President Gates, the Council Chambers are dilapidated. He also agreed that we need more than a yes or a no. There should be a threshold where cost will mandate public input on decisions like this. Referendum should be considered.

Councilman Alonso agreed with the referendum idea. 2-4 million was the figure presented for the repair of Borough Hall, years ago. Wants more concrete numbers and to know how this will affect the tax payers.

Council President Gates said that the Council is voted in to make these kinds of decisions. He also showed pictures of the current state of Borough Hall and the structural wear and tear on the building.

Councilwoman DePalma-Iozzi said that there should be a discussion of costs with the public. The group is researching all options.

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.

- 4-86 RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of April 5, 2022
- 4-87 AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD 03/15/2022 THROUGH 04/04/2022 IN THE AMOUNT OF \$8,436,598.57
- 4-88 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 – The Towne Scoop
- 4-89 AUTHORIZING THE ISSUING OF CANVASSER AND/OR SOLICITOR PERMIT. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE APPROPRIATE MUNICIPAL DEPARTMENTS- Stephen DeFilippis, 33 Montague Place, Montclair, NJ 07042, SOLICITING ON BEHALF OF Trinity Solar, 2211 Allenwood Road, Wall, NJ.
- 4-90 AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – Amer Choudhry, 95 Bloomfield Avenue, Caldwell
- 4-91 RESOLUTION AUTHORIZING THE APPOINTMENT OF Lisa Ammiano AS A CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT AN HOURLY RATE OF \$17.00 PER HOUR
- 4-92 AUTHORIZING THE SUBMISSION OF AN ESSEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS FOR THE YEAR 2021 REPROGRAMMING FUNDS
- 4-93 RESOLUTION APPROVING SETTLEMENT BETWEEN THE BOROUGH OF CALDWELL AND DE LAGE LANDEN FINANCIAL SERVICES, INC. TO RESOLVE COPIER DISPUTE
- 4-94 RESOLUTION AUTHORIZING A CONTRACT WITH LIBRARY INTERIORS, Brick, New Jersey, FOR THE SPECIALTY RELOCATION OF CALDWELL PUBLIC LIBRARY MATERIALS AND EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$31,000
- 4-95 RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR 5 DEDRICK 2019 LLC, 5 Dedrick Place, West Caldwell, NJ
- 4-96 RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR S & S CALDWELL VILLAGE LLC, Lane Avenue, Caldwell, NJ
- 4-97 RESOLUTION AWARDED A PROFESSIONAL SERVICE AGREEMENT TO BECKMEYER ENGINEERING PC FOR SERVICES IN CONNECTION WITH THE OPERATION OF THE BOROUGH OF CALDWELL WATER SYSTEM IN AN AMOUNT NOT TO EXCEED \$3,000 PER MONTH, \$36,000 PER ANNUM, PLUS THE COST OF ADDITIONAL SERVICES NOT TO EXCEED \$36,000 PER ANNUM FROM APRIL 1, 2022 TO MARCH 31, 2023

A motion to remove resolution 4-95 and 4-96 from the consent agenda, was made by Mayor Kelley and seconded by Councilman Alonso. Discussion ensued. Upon a voice vote, all members voted in the affirmative. Resolutions were removed from the consent agenda on 4/5/2022.

A motion to remove resolution 4-97 from the consent agenda was made by Councilman Lace and seconded by Councilman Alonso. Discussion ensued. Upon a voice vote, all member voted in the affirmative. Resolution 4-97 was removed from the consent agenda on 4/5/2022.

A motion to approve the consent agenda was made by Councilman Alonso, and seconded by Councilwoman Buechner. Discussion ensued. Upon a roll call vote, all members voted in the affirmative, with Councilman Alonso voted no, and Councilman Lace voting no on Resolution 4-93. Consent Agenda was approved 4/5/2022.

RESOLUTIONS

A motion was made to approve Resolutions 4-95 & 4-96, was made by Councilwoman Buechner and seconded by Councilman Alonso. Discussion ensued. Upon a roll call vote, all members voted in the affirmative, with Council President Gates and Councilman Lace abstaining from Resolution 4-96. Resolutions 4-95 & 4-96 were passed on 5/4/22.

A motion to approve resolution 4-97 was made by Councilman Lace and seconded by Councilman Alonso. Discussion ensued. Upon a roll call vote, all members voted in the affirmative. Resolution 4-97 was approved on 5/4/22.

OLD BUSINESS

Mr. Banker gave an update on the projects listed below.

1. 24 Smull Avenue Adaptive Reuse for Health Department.
2. Temporary Trailer Installation.
3. 14 Park Ave Rehabilitation.
4. Community Center Reconstruction.

5. Municipal Building Construction.
6. Water Distribution; Storm Sewer Collection and Road Projects.
7. Stormwater Management Study.
8. Wastewater Treatment Plant Projects.
9. Property Acquisitions.
10. Public Parking Plan.
11. Bloomfield Avenue Realignment Project.

NEW BUSINESS

Councilman Lace

- Listened to complaints from residents at the March 15th meeting, about not getting responses from the Borough. Working on setting a timeframe for response times for letter and phone calls/emails.

Councilman Lace made a motion to meet in-person again, and to come up with 1 or 2 locations to hold in-person meetings. Councilman Alonso seconded the motion and discussion ensued. Upon a voice vote, all members voted in the affirmative. *Councilman Lace amended the motion stating that the Board of Education Liaison request meeting space in the schools for Tuesday night meetings.*

COUNCIL COMMITTEE REPORTS

1. Councilman Gates:

- a. Met with Chief Bongiorno and Councilwoman Buechner to discuss and work through details.
- b. Caldwell Bagels water bill – only 1 meter, still working on the issue
- c. Project Mainstreet would like to hold another Porchfest after the success of last years event. Would September 10th be agreeable to the Mayor and Council?

REPORT OF THE MAYOR

John Kelley

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

REPORT OF BOROUGH ATTORNEY

Brian Block

Brian Block reported:

- Carelli litigation – waiting on opinion, will update when it comes in.

EXECUTIVE SESSION

Mayor Kelley read the following statement: BE IT HEREBY RESOLVED in accordance with the provisions of N.J.S.A. 10:12 and 13, the public shall be excluded from the Executive Session of the Governing Body which is being held for the discussion of the following subject matters: 1. Pending or anticipated litigation or contract negotiation; 2. Personnel matters; 3. This Executive Session shall continue for an indefinite period of time and upon termination of the Executive Session, the Governing Body may choose to resume the public portion of the meeting. The discussion, which shall be conducted in closed session, shall be disclosed upon termination of litigation or contractual matter, upon resolution of the personnel matter with consent of said person or persons and as provided by N.J.S.A. 4-12 but in no case later than two (2) years from this date. These minutes shall be available as soon as the matter is resolved or not later than two years hence. The Executive Session will be discussion Contracts Potential Litigation

A motion to go into executive session was made by Councilwoman Buechner, and seconded by Councilwoman DePalma-lozzi. Upon a voice vote, all voted in favor. Council left the public meeting and entered executive session at 10:40pm.

Open public meeting resumed at 11:40pm.

4-99 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH CLEARY GIACOBBE ALFIERI JACOBS LLC IN AN AMOUNT NOT TO EXCEED \$50,000

A motion to approve resolution 4-99 was made by Councilwoman Buechner and seconded by Councilman Cole. Upon a roll call vote, all members voted in the affirmative, with Councilman Lace voting no. Resolution approved 5/4/2022.

4-100 RESOLUTION AUTHORIZING A CONTRACT WITH GENERAC POWER SYSTEMS, INC. IN AN AMOUNT NOT TO EXCEED \$60,000

A motion to approve resolution 4-100 was made by Councilwoman Buechner and seconded by Councilman Cole. Discussion ensued. Upon a roll call vote, all members voted in the affirmative. Resolution approved 5/4/2022.

4-101 RESOLUTION APPOINTING THERESA CAMILLERI TO THE TITLE OF SPECIAL ASSISTANT TO THE BOROUGH ADMINISTRATOR

A motion to approve resolution 4-101 was made by Council President Gates and seconded by Councilwoman DePalma-lozzi. Discussion ensued. Upon a roll call vote, all members voted in the affirmative with Councilman Lace abstaining from the vote. Resolution approved 4/5/2022.

ADJOURNMENT

There being no additional business to be conducted, a motion to adjourn was made by Councilwoman Buechner and seconded by Council President Gates. Upon a voice vote, all members voted in the affirmative. Meeting adjourned at 11:47pm.

Prepared by: Brittany Heun
Brittany Heun, Deputy Borough Clerk

4/19/2022
DATE