

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – December 17, 2019**

Page 1 of 4

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:16PM.

PRESENT: Mayor Kelley, Council President Rodgers, Councilman O'Donnell, Capozzoli Cole, Lace & Schmidt

ALSO PRESENT: Deputy Clerk, Lisa O'Neill, Borough Administrator, Thomas Banker & Borough Attorney, Vincent Nuzzi

Adequate notice of this Council Business/Conference meeting was given on January 1, 2019. Notice was posted on the bulletin board on the first floor of the 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 same.

PLEDGE OF ALLIGENCE

APPROVAL OF MINUTES

November 19, 2019

Moved by Council President Rodgers, seconded by Councilman Lace. No Discussion. On roll call, Council President Rodgers, Councilman Cole, Lace & Schmidt voted in the affirmative. Councilman O'Donnell & Capozzoli abstained. Minutes approved 12/17/19.

November 27, 2019

Moved by Councilman Capozzoli, seconded by Councilman Lace. No Discussion. On roll call, Council President Rodgers, Councilman Capozzoli, Cole, Lace & Schmidt voted in the affirmative. Councilman O'Donnell abstained. Minutes approved 12/17/19.

PRESENTATION

1. Environmental Commission / Sustainability Awards
2. Proclamation for Idamae Renne
3. Gifts to Councilman O'Donnell & Councilman Capozzoli

Mayor and Council spoke about Councilman O'Donnell and Councilman Capozzoli

OPEN PUBLIC COMMENTS ON RESOLUTIONS OR ANY TOPIC

Members of the public are invited to comment at this time on ANY issues, whether or not on the agenda

Alan Metzger, 91 Roseland Avenue asked about the water situation coming from Caldwell University across Roseland Avenue.

Leonard Cohen, 10 Magnolia Lane spoke about the parking garage at Smull Avenue.

Louis Galup, 24 Smull Avenue, spoke about the development at 30 Smull Avenue.

Hilda Moore, 23 Personette Street, thanked the Mayor for coming out to see her and he treated her with respect. She will miss Idamae Renne everyone in her neighborhood loved her.

Elaine Lodato, Ravine Avenue, asked about Westover Avenue and when the road will be repaired.

Ann Marchioni, thanked the Council for adding the single bag resolution.

Paul Caramagna, 11 Smull Avenue, does not want the parking garage on Smull being built. It will cause too much traffic and will change the nature of the downtown.

Rhonda DeStefano, Smull Avenue, spoke about the resolution for the parking garage being pushed through.

Jennifer Natt, 7 White Birch Terrace, spoke about more developments that will cause traffic and construction and will cause overcrowding and environmental problems.

Maryanne Campion, 53 Arlington Avenue, spoke about the parking garage on Smull Avenue.

Rich Hauser, 33 Arlington Avenue, spoke about a better solution is not to put the parking garage on Smull but at the Community Center. There is a need for Transparency and Communication.

INTRODUCTION OF ORDINANCE

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – December 17, 2019**

Page 2 of 4

ORDINANCE #1381-19 AN ORDINANCE TO AMEND CHAPTER 110 OF THE CODE OF THE BOROUGH OF CALDWELL, THE CHAPTER TITLED "FLOOD MANAGEMENT PROTECTION"

PUBLIC HEARING AND ADOPTION OF ORDINANCE

ORDINANCE #1375-19: AN ORDINANCE TO AMEND CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, THE CHAPTER TITLED "VEHICLES AND TRAFFIC" ARTICLE VII SCHEDULES TO ADD TO SECTION 230-56 SCHEDULE II TITLED "SPEED LIMITS"

Moved by Council President Rodgers, seconded by Councilwoman Lace. No Discussion. On roll call, all voted in the affirmative. Ordinance Adopted 12/17/19.

ORDINANCE #1376-19: AN ORDINANCE TO AMEND CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, THE CHAPTER TITLED "VEHICLES AND TRAFFIC" ARTICLE VII SCHEDULES TO ADD TO SECTION 230-66 SCHEDULE XII TITLED "TRUCKS OVER CERTAIN WEIGHTS EXCLUDED"

Moved by Council President Rodgers, seconded by Councilman Lace. No Discussion. On roll call, all voted in the affirmative. Ordinance Adopted 12/17/19.

ORDINANCE #1377-19: AN ORDINANCE TO AMEND CHAPTER 230-56 OF THE CODE OF THE BOROUGH OF CALDWELL, THE CHAPTER TITLED "SCHEDULE II: SPEED LIMITS" TO ADD A 25 MPH SPEED LIMIT TO CENTRAL AVENUE

Moved by Council President Rodgers, seconded by Councilman Capozzoli. No Discussion. On roll call, all voted in the affirmative. Ordinance Adopted 12/17/19.

ORDINANCE #1378-19: PULLED TO AMEND FOR NEXT COUNCIL MEETING.

Moved by Councilman Lace, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all voted in the affirmative. Ordinance Amended 12/17/19.

Christine Blake, Elm Road asked if a permit would be taken out so that there is not a problem in the future.

Richard Hauser, 33 Arlington Avenue, is in favor of this ordinance.

ORDINANCE #1379-19: AN ORDINANCE TO AMEND CHAPTER 190 OF THE CODE OF THE BOROUGH OF CALDWELL, THE CHAPTER TITLED "SEWERS", ARTICLE II "HOUSE CONNECTIONS" TO AMEND TO SECTION 190-23 TITLED "CONNECTING CESSPOOLS, ETC., WITH SEWER SYSTEM PROHIBITED"

Moved by Councilman Cole, seconded by Councilman Lace. No Discussion. On roll call, all voted in the affirmative. Ordinance Introduced 12/17/19.

ORDINANCE #1380-19: AN ORDINANCE OF THE BOROUGH OF CALDWELL AMENDING CHAPTER 250 OF THE CODE OF THE BOROUGH OF CALDWELL, ENTITLED "CALDWELL BOROUGH ZONING ORDINANCE" BY AMENDING VARIOUS SECTIONS OF SAME PURSUANT TO THE 1999-2025 HOUSING ELEMENT AND FAIR SHARE PLAN

Moved by Council President Rodgers, seconded by Councilman Cole. No Discussion. On roll call, Council President Rodgers, Councilman Cole and Lace voted in the affirmative. Councilwoman voted in the negative. Ordinance Introduced, 12/17/19.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

12-255: AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH DESMAN DESIGN MANAGEMENT FOR PROVIDING DESIGN SERVICES FOR THE PERSONETTE STREET / SMULL AVENUE PARKING GARAGE FOR A FEE NOT TO EXCEED \$324,500.00

Moved by Councilwoman Schmidt, seconded by Council President Rodgers. Discussions Ensued. On roll call, Council President Rodgers, Councilman Cole & Schmidt voted in affirmative. Councilman O'Donnell and Lace abstained. Councilman Capozzoli voted in the negative. Resolution approved 12/17/19.

12-256: AUTHORIZING THE RELEASE OF THE CASH BOND AND ESCROW FOR THE ROAD OPENING AT 412-416 BLOOMFIELD AVENUE, JENN & ANN CALDWELL

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – December 17, 2019**

Page 3 of 4

12-257: AUTHORIZING THE APPOINTMENT OF ISSAC KHANELES AS A FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT

12-258 AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parent Faculty Association of Mount Saint Dominic Academy – On Premise/ 50/50 Raffle – June 1, 2019 – 8:00PM

Moved by Councilwoman Schmidt, seconded by Council President Rodgers. Discussions Ensued. On roll call, all present voted to table resolution. Resolution approved 12/17/19.

12-259: RESOLUTION TO SUPPORT SENATE BILL NO. 2776 & ASSEMBLY BILL NO. 4330 (2018) PROPOSING A PROHIBITION OF SINGLE-USE PLASTICS IN NEW JERSEY

Moved by Councilwoman Schmidt, seconded by Council President Rodgers. Discussions Ensued. On roll call, all Council President Rodgers, Councilman Cole, Lace & Schmidt voted in the affirmative. Councilman O'Donnell & Capozzoli voted in the negative. Resolution approved 12/17/19.

12-260: RESOLUTION AUTHORIZING THE BOROUGH OF CALDWELL THROUGH THE ESSEX COUNTY/CALDWELL POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE 1033 PROGRAM TO ENABLE THE CALDWELL POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

12-261: RESOLUTION AUTHORIZING A PURCHASE FOR A 2019 FORD F-350 PICKUP TRUCK 4WD FROM ROUTE 23 AUTO MALL AS APPROPRIATED IN CAPITAL ORDINANCE #1353-18 FOR THE CALDWELL DEPARTMENT OF PUBLIC WORKS UNDER STATE CONTRACT #T-2959 FOR AN AMOUNT OF \$50,000.00

12-262: RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2019

12-263: DISPOSAL OF OBSOLETE BOROUGH OF CALDWELL PUBLIC WORKS VEHICLES

CONSENT

Moved by Councilwoman Schmidt, seconded by Council President Rodgers. Discussions Ensued. On roll call, all voted in the affirmative. Resolutions approved 12/17/19.

COUNCIL COMMITTEE REPORTS

Borough Council Members

Councilwoman Schmidt reported on Human Services the Caldwell Volunteer Fire Department will be escorting Santa around Caldwell on Sunday Dec. 22nd starting at 10am on the Northeast side of town. The firefighters will be handing out candy canes to all the children that come out to see Santa as well as treats for their furry friends.

The Caldwell Fire Department will also be collecting non-perishable foods for the Caldwell Food Pantry, we advise residents to have the food ready when they hear the sirens. Some of the items on the Food Pantry's wish list include: Tuna fish, Peanut Butter & Jelly, Hearty canned soups.

Tom O'Donnell and Pat Capozzoli

You, together, represent 18 years of service and dedication to our community. Probably much more if you count all the other areas in which you've been active in the Borough of Caldwell. I've only been serving here in the Dais with you as colleagues for one year. I see how much work this job is. It has been a pleasure working with you. In these times of political divisiveness, you stand as models of the ability to work in a productive, respectful and bipartisan manner. Tom, I am glad you will be able to fulfill your wish - the most important one of all - to spend quality time with your family. Pat, I'll be happy to help you plan that trip to Italy! I wish you both well-deserved peace and happiness and extend my most sincere thanks for your service.

REPORT OF COUNTY LIAISON

Patricia Keenan

Patricia Keenan spoke about any issues and concerns especially as we begin this wintery season you can always contact her. Best wishes to Councilman O'Donnell and Councilman Capozzoli. Happy Holidays to all.

REPORT OF MAYOR

Mayor Kelley

Mayor Kelley reported that the Caldwell University has scheduled a company to come in and camera the detention system underneath that parking lot and they have postponed it twice. They were supposed to have it done this week and he will be following up with the CFO at the University and he will provide Mr. Metzger.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – December 17, 2019**

Page 4 of 4

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

Thomas Banker reported:

- *We have started on the 2020 Budget and will try and present to the Mayor and Council a draft after the 1st of the year.*
- *Based on the numbers that he has seen we are in good shape and he is hopeful to announce good news.*
- *They have begun negotiations with the Police PBA and DPW Union for their new contracts.*
- *We are continuing with discussions on the shared services.*
- *We are waiting for a structural analysis on the Community Center.*
- *An offer was made to acquire 14 Park Avenue and waiting on GSA to respond.*
- *There has been communication with the Post Office.*

On a motion made by Councilman Lace, seconded by Council President Rodgers unanimously affirmed, the Council moved into Executive Session at 8:52P.M.

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 of a Personnel matter.

The Executive Session was adjourned and upon a motion by Councilman Lace, seconded by Councilwoman Schmidt the Council Business Conference Meeting was opened to the public and the press at 9:17PM.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Lace, seconded by Councilman Cole unanimously affirmed by all members present, the meeting was adjourned at 9:18PM.

Prepared by: _____
Lisa O'Neill, Deputy Borough Clerk

DATE