

**BOROUGH OF CALDWELL  
SPECIAL COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES- December 29, 2020**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order on Zoom at 7:15PM.

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

**ALSO PRESENT:** Deputy Clerk Brittany Heun, Deputy Clerk Kim Conlon, Borough Administrator Tom Banker, Borough Attorney Vincent Nuzzi, Director of Health and Human Services, Maria Burak, and OEM Director Mark Guiliano.

**STATEMENT OF COMPLIANCE**

Adequate notice of this Council Business/Conference Meeting was given on January 1, 2020. 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**

December 15, 2020

Moved by Councilman Lace and seconded by Councilman Cole. Upon a roll call vote, all voted in the affirmative. Minutes approved on 12/29/2020.

**PRESENTATION**

West Essex EMS - President David Black

- Presentation on West Essex First Aid Squad
- Call numbers are on the rise
- Volunteers are back from college
- Volunteers are still being trained constantly

Mark Giuliano commended Dave and his Squad for all of their work this year

**COVID-19 Update**

Mark Giuliano

- 107 current cases in Caldwell
- Thanked all those who are involved and on the front line of this Virus here in Caldwell
- Thanked the mayor and council for their support

Maria Burak

- Thanked the COVID-19 Team
- 52 Active Cases in Caldwell
- Celebrate the holidays responsibly
- Vaccine program started on Saturday
  - Sign up for vaccine program at Essex COVID.org
- Thanked all those who contributed with the holiday donations at the Food Pantry
- Virtual Giving Tree went extremely well. Every family was cared for and received a gift from the community.

Council President Schmidt spoke about the Senior Advisory Board. Maria shared the Ghosting event that they did at Halloween and delivered Poinsettias before a few weeks ago.

Councilman Lace commended those for their efforts. Asked Maria if she knew when more people would be able to get the vaccines

Mayor Kelley shared his thanks and appreciation for the Essex County Leadership and Local Leadership

**OPEN PUBLIC COMMENTS ON RESOLUTIONS OR ANY TOPIC**

N/A

## 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.*

- 12-251** RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED, For the Meeting of December 29, 2020
- 12-252** RESOLUTION AUTHORIZING SETTLEMENT AGREEMENT OF CONTRACT NEGOTIATIONS WITH WEST ESSEX PBA LOCAL 81
- 12-253** WITHDRAWN
- 12-254** WITHDRAWN

*A motion to withdraw 12-253 from the Consent Agenda was made by Councilwoman DePalma-Iozzi and seconded by Councilman Cole. Upon a voice vote, all voted in favor.*

Mr. Banker spoke to the Resolutions 12-252 & 12-254

12-252: After about 3 months of negotiations the contract has finally been settled. 4-year contract from the beginning of 2020 to the end of 2023.

Councilman Lace said that he was missing Resolutions for 252 & 254

Mr. Banker said that the Term Sheet was sent out. That is the summary of the Contract and will be enough to act on tonight.

Councilman Gates asked if the pay will be retroactive since the resolution will be coming out in 2021

12-254: Phil is supposed to be writing the Resolution for the Sewer Utility Contract Comes from the Sewer Board Meeting. Formal approval of the Contract for the Borough of Caldwell. Intended to be a symbolic act.

Mayor Kelley spoke to the contract and the purpose of having it on the meeting.

*A motion was made to withdraw 12-254 from the Consent Agenda by Council President Schmidt, and seconded by Council Woman DePalma-Iozzi. Upon a voice vote, all voted in favor.*

***A motion to pass the Consent Agenda was made by Councilman Cole and seconded by Councilman Rodgers. Upon a Roll Call vote, all voted in the affirmative, with Councilman Lace abstaining from Resolution 12-252. Resolution in the consent agenda passed on 12/29/2020***

## NEW BUSINESS

Council President Schmidt brought up the concerns of a residents on Prospect Street who have been constantly smelling gas but PSE&G have not been answering. Can the Town step in there? Tom said he will work on getting in contact with PSE&G and Mario.

Mayor Kelley brought up some concerns that came up after the Sewer Board Meeting. The Council compensation for 2020 was \$4,217 their Salary regarding the water utility Council \$2,000 Sewer Utility Salary \$2,000.

Discussions on how to operate the Sewer Board as it is the Council, were had.

Mr. Banker said the Borough has Utilities that allow for the Municipality to have entities that operate within the Borough but are accounted for separately. The Governing Body of the Borough is the Governing Body of all parts of the Borough including the utilities.

Mayor Kelley said that going forward they will be scheduling Sewer Board Meetings as "Special Council Meeting" with invitations going out to the surrounding towns.

The ad Hoc Salary Committee has decided that they will be moving all of the separate Council Salary breakdowns to 1 for Municipal Salary. Councilman Lace, as Chairman of the committee briefly spoke to their goals.

**COUNCIL COMMITTEE REPORTS***Borough Council Members*

N/A

**REPORT OF COUNTY LIASON***Patricia Keenan*

N/A

**REPORT OF MAYOR***John Kelley*

Mayor Kelley wished the Council and the Borough Employees a Happy New Year and has thanked everyone for their hard work this year.

**REPORT OF BOROUGH ADMINISTRATOR***Thomas Banker*

N/A

**REPORT OF BOROUGH ATTORNEY***Vincent Nuzzi*

N/A

Before the adjournment of the meeting, Councilman Lace asked that the Reorganizational Meeting information be announced. Mr. Banker announced that it will be on January 5, 2021 at 7:15pm. Mayor Kelley confirmed that it will be a virtual meeting.

On a motion made by Councilman Lace, seconded by Council President Schmidt. Upon a voice vote it was unanimously affirmed. The Council moved into Executive Session at 8:16P.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.

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

*1/15/2021*  
DATE