

**BOROUGH OF CALDWELL
COUNCIL CONFERENCE/BUSINESS MEETING
Regular Meeting- December 3, 2024**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order at the gymnasium of St. Aloysius Church, 219 Bloomfield Avenue, Caldwell, NJ at 7:01pm.

PRESENT: Councilman Alonso, Councilman Jurgensen, Council President Brown, Councilman Daniolowicz, Councilwoman Rodeffer, Councilwoman Buechner, and Mayor Jones.

ABSENT:

ALSO PRESENT: Brittany Heun, Borough Clerk, Borough Administrator, Alex Palumbo and Craig Bossing, Borough Attorney.

STATEMENT OF COMPLIANCE:

Adequate notice of this Council Business/Conference Organizational Meeting was given on January 11, 2024. Notice was posted in Borough Hall, 24 Smull Avenue, 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 to the Flag

Moment of Silence:

- Moment of silence for all those on the front line, protecting those we love.

APPROVAL OF MINUTES

November 12, 2024

A motion to approve the November 12, 2024 Council meeting minutes, was made by Councilwoman Buechner and seconded by Councilman Alonso. Upon a voice vote, all members voted in the affirmative. The November 12, 2024 meeting minutes were approved 12/3/2024.

PRESENTATION

1. Promotion of Acting Captain Andrinopoulos
 - a. Mayor Jones administered the Oath of Office to Captain Andrinopoulos

REPORT OF COUNTY LIAISON

Patricia Keenan

- Events
 - Holiday Lights at Turtle Back Zoo through December 31st 5-9pm. Closed on December 24 & 25
 - Nonperishable food and new toys and coats being accepted
 - Holiday house tour, December 7th & 8th includes 13 historic sites
 - Holiday food drive is Thursday, December 19th at 9am at cherry blossom welcome center
- Health
 - Vaccines and health screenings offered through mobile health clinic
 - Thursday, December 12th from 3:30-6:30 pediatric clinic COVID at O'Toole center
- Mayor Jones thanked Patricia for having the mobile clinic at the Caldwell Street Fair
 - Patricia said that she will be scheduling it now, for the 2025 Street Fair

PUBLIC COMMENTS

Members of the public are invited to comment at this time on items listed on the agenda.

No Public Comments

INTRODUCTION OF ORDINANCES

ORDINANCES FOR SECOND READING

ORDINANCE NO. 1471-24

AN ORDINANCE AMENDING CHAPTER 230-29 OF THE
CODE OF THE BOROUGH OF CALDWELL, ENTITLED
"PARKING PROHIBITED CERTAIN HOURS"

A motion to open the public hearing on Ordinance 1471-24 was made by Council President Brown and seconded by Councilman Alonso. Upon a voice vote, all members voted in the affirmative. There being no comments from the public, the public hearing was closed with a motion from Council President Brown which was seconded by Councilwoman Buechner. Upon a voice vote, all members voted in the affirmative.

A motion to adopt Ordinance 1471-24 was made by Councilman Daniolowicz, and seconded by Councilman Alonso. Upon a roll call vote, all members voted in the affirmative. Ordinance 1471-24 was adopted on 12/3/2024.

ORDINANCE NO. 1472-24

AN ORDINANCE AMENDING ORDINANCE 1457-24 OF THE BOROUGH OF CALDWELL IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, AMENDING CHAPTER 175 OF THE BOROUGH CODE REGARDING REQUIREMENT FOR INSPECTION OF LEAD-BASED PAINT IN CERTAIN RESIDENTIAL DWELLINGS

A motion to open the public hearing on Ordinance 1472-24 was made by Councilman Daniolowicz and seconded by Council President Brown. Upon a voice vote, all members voted in the affirmative. There being no comments from the public, the public hearing was closed with a motion from Council President Brown which was seconded by Councilwoman Buechner. Upon a voice vote, all members voted in the affirmative.

A motion to adopt Ordinance 1472-24 was made by Council President Brown, and seconded by Councilwoman Buechner. Upon a roll call vote, all members voted in the affirmative. Ordinance 1472-24 was adopted on 12/3/2024.

ORDINANCE NO. 1473-24

AN ORDINANCE OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR AN ADDITION TO THE FIREHOUSE AND APPROPRIATING \$325,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$325,000 IN BONDS OR NOTES OF THE BOROUGH OF CALDWELL TO FINANCE THE SAME

A motion to open the public hearing on Ordinance 1473-24 was made by Councilman Alonso and seconded by Councilwoman Buechner. Upon a voice vote, all members voted in the affirmative. There being no comments from the public, the public hearing was closed with a motion from Council President Brown which was seconded by Councilwoman Buechner. Upon a voice vote, all members voted in the affirmative.

A motion to adopt Ordinance 1473-24 was made by Councilman Alonso, and seconded by Councilwoman Buechner. Upon a roll call vote, all members voted in the affirmative. Ordinance 1473-24 was adopted on 12/3/2024.

ORDINANCE NO. 1474-24

AN ORDINANCE AMENDING CHAPTER A270 -1 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SCHEDULE OF FEES CHARGED BY THE BOROUGH

A motion to open the public hearing on Ordinance 1474-24 was made by Council President Brown and seconded by Councilman Alonso. Upon a voice vote, all members voted in the affirmative. There being no comments from the public, the public hearing was closed with a motion from Councilman Daniolowicz which was seconded by Council President Brown. Upon a voice vote, all members voted in the affirmative.

A motion to adopt Ordinance 1474-24 was made by Councilwoman Buechner, and seconded by Councilman Daniolowicz. Upon a roll call vote, all members voted in the affirmative. Ordinance 1474-24 was adopted on 12/3/2024.

RESOLUTIONS - 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.

12-290	RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO NORTHEAST ROOF MAINTENANCE, INC. 649 CATHERINE STREET, PERTH AMBOY, NEW JERSEY FOR ROOF REPLACEMENT OF THE CALDWELL FIREHOUSE
12-291	RESOLUTION AUTHORIZING APPOINTMENTS OF THE CALDWELL HISTORIC PRESERVATION COMMISSION
12-292	RESOLUTION TO CANCEL OUTSTANDING CHECKS
12-293	RESOLUTION TO AMEND RESOLUTION 1-19 AND INCREASE THE MAXIMUM AMOUNT TO BE PAID TO T & M ASSOCIATES, AS BOROUGH PLANNER, BY AN ADDITIONAL AMOUNT NOT TO EXCEED \$15,000.00

12-294	RESOLUTION TO AMEND RESOLUTION 1-45 AND INCREASE THE MAXIMUM AMOUNT TO BE PAID TO SEMERARO & FAHRNEY, LLC FOR LABOR ATTORNEY SERVICES BY AN ADDITIONAL AMOUNT NOT TO EXCEED \$25,000.00
12-295	RESOLUTION TO RESCIND RESOLUTION 12-317, RESOLUTION APPOINTING CAPTAIN MATTHEW DEANGELO AS TEMPORARY OFFICER IN CHARGE OF THE CALDWELL POLICE DEPARTMENT EFFECTIVE JANUARY 1, 2024
12-296	RESOLUTION AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE -Parent Faculty Association of Mt. St. Dominic Academy- Off-Premise - 50/50 Cash Raffle
12-297	A RESOLUTION TO AMEND RESOLUTION 11-269 AUTHORIZING AN AWARD OF CONTRACT FOR PROFESSIONAL ENGINEERING AND SURVEYING SERVICES FOR THE DESIGN OF ELLA ROAD - ESSEX ROAD - PARK LANE, TO PETRY ENGINEERING 155 PASSAIC AVENUE, FAIRFIELD, NJ 07004 THE AMOUNT OF \$29,200, TO INCLUDE SEYMORE STREET
12-298	AUTHORIZING AN AWARD OF CONTRACT FOR NJDOT PROJECT MA-2023 FOR THE RECONSTRUCTION OF OAK GROVE ROAD, WHITE BIRCH TERRACE, AND PARK AVENUE TO 4-CLEAN UP, INC., 4501 DELL AVE, NORTH BERGEN TOWNSHIP, NJ 07047 IN THE AMOUNT OF \$513,220.35
12-299	RESOLUTION AUTHORIZING BUDGET TRANSFERS
12-300	AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD OF 11/09/2024 THROUGH 12/02/2024 IN THE AMOUNT OF \$1,291,384.74
12-301	RESOLUTION AUTHORIZING THE BAGGING OF CALDWELL PARKING METERS FOR THE HOLIDAY SEASON FROM DECEMBER 1, 2024 TO JANUARY 1, 2025
12-302	RESOLUTION APPROVING THE APPOINTMENT OF CHRISTOPHER CORREALE AS A JUNIOR FIREFIGHTER OF THE CALDWELL VOLUNTEER FIRE DEPARTMENT
12-303	RESOLUTION APPROVING THE APPOINTMENT OF CHRISTOPHER LISTA AS A JUNIOR FIREFIGHTER OF THE CALDWELL VOLUNTEER FIRE DEPARTMENT
12-304	AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO T & M ASSOCIATES FOR HOUSING ELEMENT AND FAIR SHARE PLAN RELATED SERVICES FOR THE BOROUGH OF CALDWELL FOR AN AMOUNT OF \$11,450.00

A motion to pull resolution 12-304 from the consent agenda and consider separately, was made by Councilman Jurgensen and seconded by Councilman Daniolowicz. Upon a roll call vote, all members voted in the affirmative.

A motion to approve the amended consent agenda, was made by Councilwoman Buechner, and seconded by Council President Brown. Upon a roll call vote, all members voted in the affirmative. All resolutions listed on the amended consent agenda were approved 12/3/2024.

Councilman Jurgensen made the attached statement regarding Resolution 12-304. Upon discussion, a motion to approve resolution 12-304 was made by Council President Brown and seconded by Councilman Alonso. Upon a roll call vote, all members voted in the affirmative. Resolution 12-304 was approved 12/3/2024.

NEW BUSINESS

COUNCIL COMMITTEE REPORTS

Borough Council Members

1. Councilman Daniolowicz
 - Ha the pleasure of sitting with the Mayor at the Interfaith Thanksgiving service, it was a very nice evening
 - Reindeer run this Saturday, expect street closures.
 - Tree lighting on the green at 5pm this Saturday.
 - Santa arrives around 5:30pm.
 - Cookies and Hot Chocolate provided by the Fire Department after the tree lighting
 - December 30th at 4pm will be the Menorah lighting on the green
 - Jewelry collection for Library fundraiser is finishing up this week.

2. Councilwoman Buechner: Health and Human Services

- GCBP
 - Annual meeting and soft opening December 9th in the new meeting room.
 - Big Public opening in 2025.
 - Public is invited to attend in December. The meeting is from 7-9pm
- Turkey Dive
 - Provided turkeys and baskets for 86 households
- Giving Tree
 - Posted about a week ago and all slots have already been filled
 - Gifts should be dropped off by December 13th. Be sure to indicate family and age the gift is for
- Last Senior Bingo for 2024 on 12/19 at 1pm
- Last blood pressure 12/4 11-1pm
- Councilman Alonso asked where the bingo will be held?
 - Senior Center, 12/19 1-2:30
- Mayor Jones mentioned that the Caldwell West Caldwell senior club Holiday lunch is on 12/10 from 12-3:30.

REPORT OF MAYOR

Mayor Jones

Mayor Jones reported:

- This Saturday is the reindeer run so be aware the traffic will be tied up in the morning. Christmas tree lighting at 5pm on the Green. Santa usually arrives around 5:30pm.
- Spring of 2025 we will have the delivery of our new ladder truck
- Very soon thereafter will be the opening of our new Borough Hall.
- Last year that you will see Santa riding on the old Fire Truck.
- Menorah Lighting on 12/30 as well.

REPORT OF BOROUGH ADMINISTRATOR

Alex Palumbo

- Month of Oct. we received the first full month of fuel costs. We spent just about \$7,000. Other months this year were spending about \$13,000 a month going to the Sunoco Station. So far, we have cut fuel costs in half.
- Councilman Jurgensen asked if we will be able to rescind the fuel tank resolution? Maybe we should let that play out a bit first?
 - Mr. Palumbo said that we should wait at least 6 months before rescinding.
 - Councilwoman Buechner confirmed with Mr. Palumbo that the DMV is still coming in February. She also reminded people to utilize the Library computers to sign up for the timeslots, if you do not have access to a computer or smart phone at home.
 - Mayor Jones said that he has seen other libraries have people come in to help seniors with Tax prep. Is that something our library could look into? Mayor Jones asked Councilman Daniolowicz to discuss with the Library Board.
 - Councilwoman Buechner suggested also discussing with Anakaren to see if the Senior Center could help provide such a service.

REPORT OF BOROUGH ATTORNEY

Craig Bossong

- Two items for closed session, but no action to be taken after.

PUBLIC COMMENTS

Henderson Cole, 63 Crane Street. Wanted to thank councilman Jurgensen for raising the affordable housing issue. I know that COAH is very poorly understood by the townspeople, from my 6 years in the council. The Progress had a lot of information on this. I heard there was discussion of a newsletter. I think we should use that as an opportunity to non-partisan education on that. A lot of people just think it is "low Income" but there is more to it than that. Need to keep educating the public on what it is and what it means. Constant dialogue on this, working with other towns, resuming abandoned buildings, etc. We need to make sure our residents understand what it is and why we need to do it.

Carla Marras, Ashland Street. Joanne Salerno from Ashland Street. We started a petition on Ashland and Grove. We are having major problems with the College parking, and has not been an issue in the past 10 years we have

lived here. I have gone down to the college after 10:30/11 and the parking lots are empty. There is really no reason why they have to take all of our parking. We have spoken with people on the other streets as well, and have heard all of their difficulties. We are trying to figure out if there is a nice way to talk to the college. I have neighbors who have been blocked in by cars. There are cars parked beyond "no Parking" signs. We have pictures of cars not parked properly. This has caused issues for deliveries as well. We are asking to see if there is some way for you to help us talk to the college about this.

Mayor Jones said that he believes we had a conversation with the University President about this previously.

Ms. Marras said that he had mentioned the street parking was closer to some of the buildings than that lots, which is why students park on the street.

Councilman Daniolowicz said that he and Councilwoman Rodeffer have been trying to set up a meeting with President Senese and will add this to the agenda for their meeting.

Mayor Jones asked if Police were called and if they have responded. Ms. Marras said they did respond and ticketed one vehicle.

Police Director Nichele said that she will have parking enforcement make frequent trips to the area during the day.

EXECUTIVE SESSION

Mayor Jones 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 matter; Real Property & Litigations; 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.


12-305	RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of December 3, 2024
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A motion to close the public portion of the meeting and enter executive session, was made by Council President Brown and seconded by Councilman Alonso. Upon a voice vote, all members voted in the affirmative. Council left the public session, and entered closed session at 8:13pm

ADJOURNMENT

There being no additional business to be conducted, a motion to close the closed session and adjourn the public meeting was made by Councilwoman Rodeffer and seconded by Councilman Alonso. Upon voice vote, all members present voted in the affirmative.

The meeting adjourned at 8:42pm.

Prepared by: 
Brittany Heun, Borough Clerk


DATE

The Impact of the Recent Affordable Housing DCA “Recommendation”

Mayor Jones, fellow Council members and fellow residents I’d like to take a moment to discuss the recent affordable housing recommendations issued by the New Jersey Department of Community Affairs (DCA), specifically the 4th Round of Affordable Housing obligations, and the potential impact these recommendations will have on Caldwell.

Caldwell had a remaining “**Present Need**” obligation of 59* units from the previous three rounds. The 4th Round has now recommended a “**Prospective Need**” of 79 additional units. This brings our total “recommended” obligation over the next 10 years to a **MINIMUM** of 138 79* units.

*(*Borough Attorney Craig Bossong advised during the council meeting that the 59 “present need” units are currently under construction, and just not occupied yet.)*

I fully support resolution 12-304 to contract with our Town Planner T & M Associates to analyze, and possible challenge, the data the DCA used to determine our new 4th round obligation; and I think that contracting for these professional services will help Caldwell meet the January 31st, 2025 deadline and close the door on any possible **Builder’s Remedy** lawsuits .

But I have some additional concerns I think this council should discuss before we vote on this particular resolution.

Now personally, I support affordable housing and believe it’s crucial for the following reasons:

- There’s a well documented **severe housing shortage** in New Jersey, which has been exacerbated by corporate buying. This and demand is driving up the cost of housing making it increasingly **unaffordable**.
- Affordable housing promotes **economic diversity**, which I think enhances the social fabric of our community.
- Reducing commuting by making housing available for those working in Caldwell would help reduce emissions, promotes sustainable living, and improve the quality of life for families.
- Affordable housing options are vital for some Caldwell seniors who wish to **age in place** but are being priced out due to housing shortages and in some cases affordable options.
- And building more housing...like it or not....could enhance our property tax base and help us reduce the pressure to raise property taxes.

However, **IF** the data underlying the DCA’s recommendations can’t be challenged, Caldwell could face significant development pressures, including the **potential to build up to 690** NEW** housing units **MAXIMUM**, **IF** we assume developers are permitted to make 20% of the total number of units they build “affordable”.

*(** Based on Borough Attorney Craig Bossong ’s comment about the 59 “Present Need” units currently under construction, the **MAXIMUM potential** number of units Caldwell **might** need to build changes to 395.)*

At a recent NJ League of Municipalities (NJLM) conference, I had the opportunity to attend several sessions on affordable housing, and I came away with some insights that I believe might benefit us:

- DCA has stated that they're "**open to dialogue**" we might consider meeting with them
- DCA is encouraging municipalities to rehabilitate existing properties and make them "affordable"
- DCA has suggested that municipalities consider repurposing vacant buildings and turning them into affordable housing rather than just building brand new buildings with 80% of the units NOT affordable.

And, I believe **minimizing** the number of NEW units built must be considered because of the potential impact this 4th round could make on our domestic water, sanitary sewer, stormwater, Sewage Treatment Plant and our schools.

Likewise our neighbors in West Caldwell**, Essex Fells, Roseland, Fairfield and North Caldwell have also received NEW "**Prospective Need**" recommendations and that collective total is 1,113 additional units MINIMUM. And since we are all connected to the same Domestic Water source, portions of our domestic water system, the same sanitary sewer system, our Sewage Treatment Plant, portions of the same stormwater system and portions of our school systems, I believe we also need to consider the impact this 4th round will have on our infrastructure.

*(**Mayor Jones advised during the council meeting that West Caldwell does **NOT** receive its domestic water from Essex Fells.)*

Of particular concern is the potential impact this round will have on Caldwell's sewage treatment plant. It serves ALL the towns I just mentioned and ALL of them, including Caldwell, have been experiencing issues with "**inflow and infiltration**" during severe storms. The good news is we're all currently working on identifying and correcting these **INI** issues, but all work may not be completed for another 6.5 years..... and an effort to "re-rate" the plant, and possibly increase the plant's capacity without major construction can't be completed until **INI** is under control.

And, if the DCA's recommendations for all the towns using the plant are fully implemented, we could see (in a worse case scenario with 5,960 NEW units) a 30% increase in the demand on the sewage treatment plant. This increase could potentially require a costly upgrade to the plant, including adding a 3d module, which was estimated to cost upwards of \$27 million in 2020.

So, I think, this shared capacity issue should be considered when Caldwell responds to DCA on or before January 31st.

And this same issue might hold true for Essex Fells.....because we ALL*** get our domestic drinking water from their wells. MAYBE they'll have capacity issues as well, or maybe the pipes transporting the water will become undersized.

*(***Mayor Jones advised during the council meeting that West Caldwell does **NOT** receive its domestic water from Essex Fells.)*

The same holds true for our 100 year old sanitary sewer pipes. They too could require replacement depending on how many new units are built and where they're located.

We need to consider our schools in Caldwell and West Caldwell too. If both towns just build the minimum number of new units the CWCBOE would potentially have 410**** 351 new homes, many with children.

And if we zone and developers build new buildings with 80% of the units NOT affordable our schools might have to deal with 2,040**** 1,755 NEW units, many with children.

*(**** Based on Borough Attorney Craig Bossong 's comment about the 59 "Present Need" units currently under construction, the number of units the CWCBOE might need to deal with changes to 351 units minimum & 1,755 MAXIMUM.)*

I think we need to include a discussion about stormwater. It's become clear to me that the immediate need Caldwell has, which might be approved by NJDEP, is new retention and or detention facilities to hold and release excessive stormwater over a 72 hour period. This new infrastructure could cost millions of dollars, we're going to have to find the space to install it, and we're going to need state and or federal grants to do the construction. It is also my belief that NJDEP and DCA MAY not have fully coordinated there requirements and when they do the changes will be enacted with new laws to make us comply. Therefore I think we need to appeal for latitude to modify our DCA obligation as these new laws are passed down to be implemented.

And finally, I also believe it's crucial that we engage with our neighboring municipalities to understand their affordable housing plans. This collaboration will allow us to anticipate shared impacts on infrastructure and stormwater management so large developments with large amounts of impervious surfaces don't overwhelm Caldwell's facilities.

Thank you.