

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 15, 2022**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order on Zoom at 7:17 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

February 1, 2022 – Special Meeting

A motion to approve the minutes was made by Councilwoman Buechner and seconded by Councilman Alonso. Upon a roll call vote, all members voted in the affirmative. Minutes approved 2/15/2022.

February 1, 2022 – Regular Meeting

A motion to approve the minutes was made by Councilman Lace and seconded by Councilman Cole. Upon a roll call vote, all members voted in the affirmative. Minutes approved 2/15/2022.

REPORT OF COUNTY LIASON

Patricia Keenan

Patricia Keenan Reported

- County offers vaccine and testing at the Essex County parking garage, K-Mart, and Sears, Tuesday – Friday 2pm-7pm and Saturdays 8am -2pm.
 - Vaccines available for all people ages 5 and older
 - Walk-in welcome, but appointments preferred
 - www.essexcovid.org or call the call center at 973-877-8456
- Spirit of Essex Brochure has a listing of all events in the County from now to the Summer, including events at:
 - Montclair Art Museum
 - South Orange Performing Arts Center

OPEN PUBLIC COMMENTS ON RESOLUTIONS OR ANY TOPIC

Valerie DePiro, Fells Manor Condo Association, they have been waiting a couple of months for an engineering report. Is there an update on this report?

Mr. Banker said that the Engineer submitted report on the conditions and estimates. Mayor would like to appoint a committee to meet with Fells Manor.

Ms. DePiro asked if there is any discussion with Essex Fells.

Mr. Banker stated that they are waiting for internal discussions before reaching out to Essex Fells.

Mayor Kelley said that the report has been received.

Stephen Modica, 153 Westville Ave. said that the garbage and recycling are being collected together.

Mr. Banker said that he will talk to Mario about that.

Garrett Jones, 25B, Suite 2 Myrtle Avenue, Chairperson of the Rotary/Kiwanis Caldwell Street Fair. Rescinds request for discounted rate for the PUPPA Application, and stated that they will pay the full rate.

Council President Gates stated what the fees are based on and how they were decided. There has been a lack of communication between Kiwanis and the Borough, but hopes to serve as an avenue for communication as a member of both organizations. Councilwoman Buechner has agreed to serve as a liaison between the Rotary/Kiwanis and the Borough.

Peggy Ann Reinhardt, 36 Ravine Avenue. She is currently fighting for her home on 42 Elm Road. Asked when the Mott MacDonald report will be ready.

Council President Gates said that the flooding reports need some more time to be put together.

Mr. Banker said that the report that was completed and submitted was for the sanitary sewer.

Councilman Lace said the report is under Municipal Documents.

Mark Guiliano, Office of Emergency Management Coordinator, he has a meeting with FEMA tomorrow regarding storm damage from IDA.

ORDINANCE FOR SECOND READING

ORDINANCE #1425-22 AN ORDINANCE AUTHORIZING THE LEASE OF PORTIONS OF 39 ROUTE 46 AND 43 ROUTE 46 IN PINE BROOK, NJ

Moved by Councilman Lace and seconded by Councilwoman Buechner. Discussion ensued. On a roll call vote, all voted in the affirmative. Ordinance was adopted on 2/24/2022

A motion to waive the 20-day waiting period so the ordinance is effective upon publication date, was made by Councilman Alonso and seconded by Councilman Cole. Discussion ensued. Upon a roll call vote, all members voted in the affirmative.

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.

- 2-50 RESOLUTION AUTHORIZING TERMINATION OF SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF WEST CALDWELL
- 2-51 RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of February 15, 2022
- 2-52 AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS
- 2-53 RESOLUTION TO REDUCE THE FEE FOR A PRIVATE USE OF PUBLIC PROPERTY LICENSE FOR THE ROTARY/KIWANIS CALDWELL STREET FAIR
- 2-54 AUTHORIZING THE BOROUGH ADMINISTRATOR TO SUBMIT THE ANNUAL RECYCLING TONNAGE REPORT TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PERIOD JANUARY 1, 2021 THROUGH DECEMBER 31, 2021
- 2-55 RESOLUTION AUTHORIZING A PROCLAMATION FOR MARK A. CORINO, AS THE WINNINGEST BASKETBALL COACH IN NEW JERSEY
- 2-56 RESOLUTION TO AWARD A CONTRACT FOR THE PROVISION OF OFFICE TRAILERS AS NECESSARY TO FACILITATE THE IMPLEMENTATION OF THE NEW BOROUGH HALL, LIBRARY, AND COMMUNITY CENTER PROJECTS

A motion was made by Council President Gates to pull resolution 2-53 from the agenda. Upon a voice vote, all members voted in the affirmative. Resolution 2-53 removed from the agenda 2/15/2022.

A motion was made by Councilwoman Buechner, to remove resolution 2-50 from the consent agenda, and was seconded by Councilman Cole. Upon a voice vote, all voted in favor. Motion removed from consent agenda 2/15/2022

A motion to approve the consent agenda was made by Councilwoman Buechner and seconded by Councilwoman DePalma-Iozzi. Discussion ensued. Upon a roll call vote, all members present voted in the affirmative with Councilman Lace abstaining from resolution 2-52. Consent agenda passed 2/15/2022

NEW BUSINESS

Council President Gates:

- West Essex First Aid Squad is asking towns to consider giving a retired vehicle to them, for their supervisors to use.
- Mayor Kelley suggested the Fire Chief could give his vehicle to the Rescue Squad after he gets his new vehicle in.
- Mr. Banker said he will make every effort to ensure that OEM, Fire Dept., and Rescue Squad have sufficient vehicles, by the next meeting.

Councilman Lace:

- Asked if we can request a FEMA grant for new Ladder Truck?
- Mark Guiliano said that we are contracted with Millennium for Grants, but grants for fire trucks are hard to come by. Should know more in March/April.

COUNCIL COMMITTEE REPORTS

Councilwoman Buechner:

- Board of Health
 - Radon Awareness Month
 - Free test kits available through the Board of Health.
 - Call Maria to arrange pick-up.

Councilwoman DePalma-Iozzi:

- Communications
 - Thanked Theresa for her work formatting the newsletter
 - Will work with Conor to have the newsletter posted on the website and on Facebook.

Councilman Lace

- Shared Services
 - Meeting with W. Caldwell regarding the dispatch agreement.
 - Informed them of our intentions to terminate current agreement and seek other options, including with W. Caldwell.
- Jersey Digs website posted an article on 2/8 naming Caldwell as a haven for first time homeowners.

Councilman Cole:

- CCC Advisory Board
 - Board has met and reviewed the architectural plans and voted to propose 1 of the 2 plans.
 - Have reviewed renovation plans, and hope to open on January 1, 2023.
 - Mr. Banker said they expect to have plans to present at the March 15th meeting.

- Councilwoman Buechner said that they will need to push hard to keep that deadline. Need to hire staff and director well before the opening.

REPORT OF MAYOR

John Kelley

- Conor is working on learning the ropes for Channel 35 and will be posting to it in the future.
- Regardless of opening date for the CCC, we will need to start the hiring process in March
- Swim teams will have access to the pool regardless of opening time frame
- Property acquisition offer with Caldwell University, should have an offer to vote on at the March 1st meeting
- Haberman acquisition has the same time frame.

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

Thomas Banker reported:

- Proposed acquisition of land will expand our open space. Connection between County Park and Grover Cleveland Birthplace which will become the "Grover Cleveland Trail"
- Storage has been approved and trailers. At the end of April, we hope to relocate to Smull Ave and trailers.
- Prioritize getting the community center back on track with the Detron installation, followed by other repairs.
- Early April we will possibly have a parking plan
- Budget introduction on March 15th

Councilman Cole asked about the Crossing Guards. They have not been forgotten; Council is working on a solution. Mr. Banker said that they have some recommendations for the Sewer/water bill issues. Looking to present a solution before April 1st.

REPORT OF BOROUGH ATTORNEY

Brian Block

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 Councilman Cole. Upon a voice vote, all voted in favor. Council left the public meeting and entered executive session at 9:05pm.

A motion to close executive and return to the public meeting was made by Councilman Gates and seconded by Councilwoman Buechner. Upon a voice vote, all members present voted in the affirmative. Open public meeting resumed at 9:24pm.

A motion to approve resolution 2-50 was made by Councilwoman DePalma-Iozzi and seconded by Councilman Alonso. Upon a roll call vote, all members voted in the affirmative.

ADJOURNMENT

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilwoman Buechner seconded by Councilman Alonso, and unanimously affirmed by all members present. The meeting was adjourned at 9:29PM.

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

12/25/2022
DATE