

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – February 18, 2020**

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The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:15PM.

PRESENT: Mayor Kelley, Council President Schmidt, Councilman Rodgers, Cole, Lace, DePalma-Iozzi & Gates

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, 2020. 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

February 4, 2020

Moved by Councilman Lace, seconded by Council President Schmidt. No Discussion. On roll call, all voted in the affirmative. Minutes approved 02/18/2020.

PRESENTATION

1. Joseph Defreitas / 2 Gold Medals at the Special Olympics
2. Ian Pennington / Silver Medal at the Special Olympics

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

Mayor Kelley reported that he did not get back to a resident who had some comments about Personette regarding the milling and paving on Personette. We do have some action on that and we are pursuing as it relates to some of the repairs. It's a temporary short term fix because the road still needs some additional work done as well as there is a bidding process and state money that will be awarded. Within in the next 4 to 6 weeks we should be having some temporary repairs. As far as the parking garage he would like to remind everyone that all though we approved an architectural and engineering consulting authorization for a firm to begin that work they have not begun that work and there has been no money spent on that. We are putting things on hold temporarily and are evaluating some of our options. We are listening to the residents about some ideas brought forth by one of our residents Dave Cowell, Bob Kaplan and Lou Gallup. We are listening to them we are talking about it and evaluating some other ideas. Although the parking garage is still something that we seriously considering he wants the residents to know that we hear you, we are listening and we are pulling up and taking some of those suggestions and recommendations into consideration.

Alan Metsger, 91 Roseland Avenue, asked about the water problem on Roseland Avenue and he thanked the Mayor for getting back to him. Tom Banker discussed the line and how it was completely blocked by debris and dirt. They were able to clear that with a sewer vacuum which is much larger than a sewer jet and the pipe is now clear. There is an agreement with the property owner to add a secondary line which will begin further upstream and there will be a new bulkhead.

Hilda Moore, 23 Personette Street reported that the roots are still not taken care of. She thanked Councilman Gates for adding the resolution for Black History month.

Christine Gurriere, 26 Welshman Court, suggested that the Council have a town meeting on the parking garage.

Bob Colaizzo, 7 Hatfield Street, asked about the flat fee of \$25.00 on the new sewer bills.

Gary Condit, 329 Bloomfield Avenue, spoke about the sewer treatment plant being at capacity and the additional redevelopment that is planned.

Dave Cowell, 29 Brookside Avenue, spoke about the high density units and he wanted to make sure there is a provision that parking is on site.

Councilwoman DePalma-Iozzi asked if the Flinstone Property (459 Bloomfield Avenue) is part of the builders remedy that the Council inherited and Mr. Banker responded that the property was part of the settlement.

INTRODUCTION OF ORDINANCE

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ORDINANCE #1385-20: 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 (459 Bloomfield Avenue)

Moved by Councilman Lace, seconded by Councilwoman DePalma-Iozzi. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced 02/18/2020.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

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.

2-65: AUTHORIZING THE APPOINTMENT OF LOCAL ASSISTANCE BOARD MEMBER

2-66: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – FN Brown Elementary School – On Premise/ 50/50 Raffle – March 7, 2020 – 6:00PM – 11:30PM

2-67: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – FN Brown Elementary School – On Premise/ Tricky Tray Raffle – March 7, 2020 – 6:00PM – 11:30PM

2-68: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Vero Amici for Charity – Off Premise/ 50/50 Raffle – June 13, 2020 – 7:00PM

2-69: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – St. Peters Nursery School – On Premise/ 50/50 Raffle – March 6, 2020 – 7:00PM - 11:30PM

Moved by Council President Schmidt, seconded by Councilman Cole. Discussions Ensued. On roll call, Council President Schmidt, Councilman Rodgers, Cole, DePalma-Iozzi & Gates voted in the affirmative. Councilman Lace abstained. Resolutions approved 02/04/2020.

2-70: RESOLUTION AUTHORIZING A CREDIT ON ACCOUNT #24011808-0 RE: 24-2A LANE AVENUE, CALDWELL, NJ 07006

2-71: RESOLUTION AUTHORIZING THE REDEMPTION OF TAX TITLE LIEN #19-00012

2-72: RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of February 18, 2020

2-73: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD FEBRUARY 1, 2020 THROUGH FEBRUARY 14, 2020 FOR 2020 BILLS \$3,147,821.62

2-74: RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CALDWELL HEREBY ACCEPTS THE GIFT FROM THE CALDWELL POLICE FOUNDATION TO BE USED BY THE CALDWELL POLICE DEPARTMENT FOR ACTIVE SHOOTER TRAINING

2-75: RESOLUTION AUTHORIZING THE REDEMPTION OF TAX TITLE LIEN #19-00007

2-76: RESOLUTION AUTHORIZING THE REDEMPTION OF TAX TITLE LIEN #19-00005

CONSENT

Moved by Councilwoman DePalma-Iozzi, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all voted in the affirmative. Resolutions approved 02/18/2020.

RESOLUTION

Council President Schmidt asked Chris Battaglia for an explanation on this resolution. Local Budget Law (NJSA 40A:4-et seq) permits transfers between budget accounts in the final 2 months of the year. On January 1st of the subsequent year, the name of the accounts changes from "Budget" to "Appropriation Reserves" (to make room for the next year's budget). The statutes also permit transfers between Appropriation Reserves in the first 3 months of the year. Ultimately, this resolution is approving transfers from 2019 budget accounts that have available funding to accounts that require additional funding. It's a resolution you can anticipate seeing every year to accommodate changes that occur between the time the budget is adopted and March of the following year

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that have not already been accommodated in the final 2 months of budget year – this is generally due to receiving invoices after the year has already closed.

2-77: RESOLUTION AUTHORIZING 2020 APPROPRIATION RESERVE TRANSFERS

Moved by Council President Schmidt, seconded by Councilman Cole. Discussions Ensued. On roll call, all voted in the affirmative. Resolution approved 02/18/2020.

COUNCIL COMMITTEE REPORTS

Borough Council Members

Councilwoman DePalma-Iozzi reported that through the Environmental Commission Caldwell was awarded a grant for \$20,000 from Sustainable New Jersey and we were one of four towns given that amount of money. This grant is to support local Sustainability projects in our Municipality. Our Environmental Commission is working with Rutgers cooperative extension water resource program to develop two rain gardens and one site has been chosen near the Caldwell Community Center and the other will be identified very soon. She is very proud of the commission and Ann Marchioni for their work in applying for this grant and implementing it. Volunteers are needed for the building and digging of the rain gardens. The Earth Day event which will be with West Caldwell and Verona will be in May and details will follow.

Council President Schmidt reported on the upcoming Events at the library:

Caldwell University: Readings for Black History

Tuesday February 25 (11:30 a.m. - 12:45 p.m.), Wednesday February 26 (1:00 p.m. - 2:15 p.m.),

and Thursday February 27 (4:20 p.m. - 6:50 p.m.)

The Caldwell Public Library and Caldwell University students from Dr. Mary Ann Miller's Introduction to Poetry class invite you to celebrate Black History Month with us. Drop in on all or any of these days to hear students read selected poems by Black writers. Refreshments will be provided. For information please call the library at 973-226-2837.

Caldwell Community Center had the largest first weekend camp registration to date. If you have any interest in camp please contact Shannon or Rosemarie. We have run two lifeguard recertification classes and have a full lifeguard certification class scheduled in March. All information is on the Community Centers Website. Joanne has sold out another wonderful trip to Broadway to see The Music Man with Hugh Jackman and Sutton Foster on October 7, 2020. The program of which the CCC is especially proud and is growing leaps and bounds is Rock Steady for our members suffering from Parkinson's Disease. Coffee House for Middle Schoolers will resume on March 13th, 7:00-9:45.

Downtown

The 501(c)3 of the Caldwell Downtown Alliance was reinstated and I was more than happy to attend my first meeting with the new organization which is going under the name of Project Main Street. They have a great team and you will be hearing a lot more about them. They have been invited to present to Council in order to inform our community about their plans to revitalize and beautify our downtown.

Councilman Rodgers reported on the Historic Preservation and they would like the consultant for the downtown redevelopment reach out to Bob Kaplan. They would also like to seek control of the Town Historian. Congratulations to the James Caldwell High School wrestling team.

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

Thomas Banker reported:

- *He spoke about the sewer billing and it's a learning process and we are working with Edmunds there are some limitations in their system. There will be no late fees on the 1st sewer bill.*
- *A Newsletter was going to be sent out but we stopped the presses until all the issued with the sewer billing is resolved.*
- *Hoping to introduce the Budget at the next meeting.*
- *The requirement for the Annual Financial Statement deadline has been delayed.*
- *There are a number of contractual matters – Dectron unit replacement and almost done with specifications of HVAC in the Community Center.*

REPORT OF BOROUGH ATTORNEY

Vincent Nuzzi

On a motion made by Council President Schmidt, seconded by Councilman Gates unanimously affirmed, the Council moved into Executive Session at 8:17P.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

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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 discussion will be Appraisals and Smull Avenue Purchases.

The Executive Session was adjourned and upon a motion by Councilwoman Schmidt, seconded by Councilwoman DePalma-Iozzi the Council Business Conference Meeting was opened to the public and the press at 9:07PM.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Lace, seconded by Councilwoman DePalma-Iozzi unanimously affirmed by all members present, the meeting was adjourned at 9:07PM.

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

DATE