



# Borough of Caldwell Council Business Meeting

## AGENDA

Phone: (973) 226-6100  
Website: [www.caldwell-nj.com](http://www.caldwell-nj.com)  
February 23, 2021 / 7:15PM

MAYOR  
John Kelley

BOROUGH COUNCIL  
Christine Schmidt - President  
Francis Rodgers  
Henderson Cole  
Jonathan Lace  
Frances DePalma-Iozzi  
Jeffrey Gates

Council Chambers  
1 Provost Square Caldwell, NJ

### CALL TO ORDER

*Honorable John Kelley, Mayor of the Borough of Caldwell Presiding*

Roll Call  
Statement of Compliance w/ Open Public Meetings Act  
Pledge of Allegiance to the Flag

### APPROVAL OF MINUTES

February 9, 2021

### PRESENTATION

### COVID-19/OEM COMMUNITY UPDATE

### REPORT OF COUNTY LIAISON

*Patricia Keenan*

### OPEN PUBLIC MEETING - COMMENTS ON RESOLUTIONS OR ANY TOPIC

*Max Time: 3min per speaker*

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

### INTRODUCTION OF ORDINANCE ON FIRST READING

**ORDINANCE #1405-21** AN ORDINANCE TO AMEND THE BOROUGH ORDINANCE REGARDING NOISE  
**ORDINANCE #1406-21** AN ORDINANCE REGARDING SHOPPING CARTS IN THE BOROUGH OF CALDWELL

### ORDINANCE FOR SECOND READING AND ADOPTION

**ORDINANCE #1398-21** AN ORDINANCE ADDRESSING THE REQUIREMENTS OF THE FAIR SHARE HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE BOROUGH'S AFFORDABLE HOUSING OBLIGATIONS  
**ORDINANCE #1399-21** AN ORDINANCE ADDING SECTION 31 TO CHAPTER 250 (ZONING), BOROUGH OF CALDWELL CODE, WHICH WILL BE ENTITLED "AFFORDABLE HOUSING MANDATORY SET-ASIDE"  
**ORDINANCE #1400-21** AN ORDINANCE ADDING CHAPTER 252 "DEVELOPMENT FEES" OF THE BOROUGH OF CALDWELL TO PROVIDE FOR THE COLLECTION OF DEVELOPMENT FEES IN SUPPORT OF AFFORDABLE HOUSING AS PERMITTED BY THE NEW JERSEY FAIR HOUSING ACT  
**ORDINANCE #1401-21** AN ORDINANCE TO AMEND THE ORDINANCE GOVERNING SIGNS  
**ORDINANCE #1402-21** AN ORDINANCE RESCINDING ORDINANCE 1393-20



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### 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.*

<b>2-60</b>	AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD 1/26/2021 THROUGH 2/22/2021
<b>2-61</b>	RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of February 23, 2021
<b>2-62</b>	RESOLUTION AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #20-00006, Block 44.01, Lot 2.01, 130 WESTVILLE AVENUE CALDWELL, NJ 07006
<b>2-63</b>	RESOLUTION AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE - Caldwell West Essex Kiwanis Foundation, INC- Off Premise - Calendar Raffle - March 1, 2021- 8PM
<b>2-64</b>	RESOLUTION SUPPORTING THE CALDWELL ENVIRONMENTAL COMMISSION AS THE OFFICIAL GREEN TEAM FOR THE SUSTAINABLE JERSEY MUNICIPAL PROGRAM
<b>2-65</b>	RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE TAX OFFICE
<b>2-66</b>	RESOLUTION AWARDING A CONTRACT IN LIEU OF PUBLIC BIDDING TO SCHIFANO CONSTRUCTION CORP., ONE SMALLEY AVENUE, P.O. BOX 288, MIDDLESEX, NEW JERSEY 08846, FOR PLACE, 2020 MORRIS COUNTY CO-OP ROAD PROGRAM
<b>2-67</b>	RESOLUTION APPROVING THE APPOINTMENT OF TAX COLLECTOR
<b>2-68</b>	RESOLUTION TO AWARD CONTRACT TO PRIMEPOINT, LLC FOR PAYROLL MANAGEMENT SYSTEM SERVICES
<b>2-69</b>	RESOLUTION AUTHORIZING 2021 APPROPRIATION RESERVE TRANSFERS
<b>2-70</b>	RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LICENSED SEWER OPERATOR SERVICES FOR THE CALENDAR YEAR 2021
<b>2-71</b>	RESOLUTION APPROVING THE DISPOSAL OF A CALDWELL PUBLIC WORKS VEHICLE
<b>2-72</b>	RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH COZZARELLI CIRMINIELLO ARCHITECTS, LLC IN AAN AMOUNT NOT TO EXCEED \$225.00



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### COUNCIL COMMITTEE REPORTS

*Borough Council Members*

1. Council President Schmidt – Library
2. Councilwoman DePalma-Iozzi – Environmental Commission

### REPORT OF MAYOR

*Mayor Kelley*

### REPORT OF BOROUGH ADMINISTRATOR

*Thomas Banker*

### REPORT OF BOROUGH ATTORNEY

*Vincent Nuzzi*

### EXECUTIVE SESSION

*Closed Session*

*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.*

### ADJOURNMENT

Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda. This agenda was prepared as of 02/19/2021 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 02/19/2021 in compliance with P. L. 1975, c 213

Brittany Heun, Deputy Clerk  
Kim Conlon, Deputy Clerk