

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – January 25, 2022**

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

PRESENT: Mayor Kelley, Councilman Cole, Councilman Lace, Councilwoman DePalma-Iozzi, Councilwoman Buechner, and Councilman Alonso.

ALSO PRESENT: Deputy Clerk Brittany Heun, Deputy Clerk Kim Conlon, Borough Administrator Tom Banker, and Borough Attorney Vincent Nuzzi

ABSENT: Council President Gates

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

January 11, 2022

Councilman Cole made a motion to table the approval of the January 11th minutes, which was seconded by Councilman Alonso. Upon a roll call vote, all members present voted in the affirmative.

PRESENTATION

1. Bond Sale
 - Thomas Banker, Matt Jessup, and Sherry Tracey presented on the results of the Bond Sale

2. Mayor Davis of Essex Fells
 - PFOA Update

3. Foodtown
 - Jack Shakoor spoke about the improvements to the Caldwell Foodtown

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 9am-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
- Events being held at the environmental center and at Turtleback Zoom.
- Cherry Blossom events beginning in April
- County Golf Cards are available

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 Potential Litigation

A motion to close executive and return to the public meeting was made by Councilwoman DePalma-Iozzi and seconded by Councilwoman Buechner. Upon a roll call vote, all members present voted in the affirmative. Open public meeting resumed at 9:00pm.

Statement was made by Borough attorney, Brian Block, regarding a Temporary Restraining Order that the Borough Attorney was served. This TRO does not affect the standing of the newly elected Council Persons. No Borough boards or committee can meet until the Special meeting can be held.

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?

Mayor Kelley said that the Borough Engineer is back in the office and asked if the Borough Administrator could provide an update.

Thomas Banker replied that our Borough Engineer was out for a few different illnesses, but is back in the office today. He did indicate that he is waiting for a subcontractor's report. Mr. Banker will be meeting with the Engineer on Thursday and will discuss this further with him. We should have had the report by now, so we will do all we can to make sure that report is in hand by the next regular meeting.

INTRODUCTION OF ORDINANCE

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 Cole and seconded by Councilwoman DePalma-Iozzi. Discussion ensued. On a roll call vote, all voted in the affirmative. Ordinance was introduced on 01/25/2022

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.

- 1-38 RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of January 25, 2022
- 1-39 AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS
- 1-40 RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LICENSED SEWER OPERATOR SERVICES FOR THE CALENDAR YEAR 2022
- 1-41 RESOLUTION APPROVING THE APPOINTMENT OF NICHOLAS SILVERTHORNE A FIREFIGHTER FOR THE CALDWELL VOLUNTEER FIRE DEPARTMENT
- 1-42 RESOLUTION AUTHORIZING THE PAYMENT OF REFUNDS FOR THE CALDWELL COMMUNITY CENTER TRIP TO SEE The Music Man ON BROADWAY
- 1-43 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH TOPOLOGY NJ, LLC IN AN AMOUNT NOT TO EXCEED \$35,000

A motion to amend the bills list resolution 1-39 to remove any and all payments that have been created for the vendors listed on the January 11th reorganizational meeting agenda, was made by Councilman Alonso and seconded by Councilman Cole. Discussion ensued. Upon a roll call vote, all members voted in the affirmative. Resolution 1-39 amended on 1/25/2022.

A motion to approve the consent agenda was made by Councilman Lace and seconded by Councilwoman DePalma-Iozzi. Discussion ensued. Upon a roll call vote, all members present voted in the affirmative. Consent agenda passed 1/25/2022

NEW BUSINESS

Councilman Cole:

- Comments about the fact that there are no welcome residents to provide new residents information about the town and about resources. The old fashion concept of the brochure for new residents, is not effective. I think it would be great if we can come up with an idea for getting people to the website for questions. If any Council members have any comments or suggestions, I would appreciate it.
- Tom Suggested working with Maria Burak on this.
- Mayor Kelley - Mayor's letter will be sent out to residents in the next couple of months
- Councilwoman Buechner offered her assistance on this and believe this may be a part of the Communications Committee. Has noticed that there are a number of people that do not have access to a computer. Channel 35 would also be a great resource to get things out as well.
- Councilwoman DePalma-Iozzi - maybe we can also put the newsletter sign-up on there that would be great too. The newsletters will be going out once or twice a month.

Councilman Lace:

Asks for the authorization for the Borough to purchase oxygen cylinders for \$27,806.86 for the Fire Department.

1-44 RESOLUTION TO AUTHORIZE THE PURCHASE BASED ON STATE CONTRACT OR ANY APPLICABLE COUNTY COOPERATIVE STANDARD PRICING

A motion was made by Councilman Lace and seconded by Councilwoman Buechner. Discussion ensued. Upon a roll call vote, all members present voted in the affirmative.

COUNCIL COMMITTEE REPORTS

Councilwoman Buechner:

- Board of Health
 - Rabies clinic was this past Saturday and was a success
 - Free COVID Testing at saint Al's Parish Center from 9am ~ 6pm.
 - Please enter on Forest Ave and park in designated spots
 - More information is listed on the Borough website under News & Notices
 - Looking for better communication avenues and Channel 35.

REPORT OF MAYOR

John Kelley

Thanked Mark Guiliano for setting up another free COVID testing site in Caldwell.

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

Thomas Banker reported:

- We are advancing the many redevelopment projects with the Borough
 - In February we will hopefully have a detailed report on this process.
- Very happy with the results of the Bond Sale
- Budget will hopefully be introduced at the first meeting in March.

Mayor Kelley asked about the gravel in the parking lot on Roseland Ave, as many residents have complained about it. Thomas Banker said that the gravel is very valuable for the projects that the Borough is working on. We will be using it for the municipal buildings, so it will be gone by July

REPORT OF BOROUGH ATTORNEY

Brian Block

ADJOURNMENT

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilwoman DePalma-Iozzi seconded by Councilman Cole, and unanimously affirmed by all members present. The meeting was adjourned at 9:42PM.

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

2/1/2022
DATE