

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES- July 13, 2021**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order on Zoom at 7:18 PM.

PRESENT: Mayor Kelley, Council President Schmidt Councilman Rodgers, Councilman Cole, Councilman Lace, and Councilwoman DePalma-Iozzi

ABSENT: Councilman Gates

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

STATEMENT OF COMPLIANCE

Adequate notice of this Council Business/Conference Meeting was given on January 22, 2021. 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

June 29, 2021

Moved by Councilman Cole and seconded by Councilwoman DePalma-Iozzi. Upon a roll call vote, all voted in the affirmative, with Councilman Lace abstaining. Minutes approved 7/13/2021

PRESENTATIONS

1. Presentation by Dynamic Engineering and Arterial Consulting of a Concept Plan for the Reconfiguration of the Bloomfield Avenue Corridor in Caldwell
 - Introduced by Tom Banker
 - Dynamic Traffic represented by John McCormack
 - Arterial Consulting represented by Dave Lustberg

OPEN PUBLIC COMMENTS ON RESOLUTIONS OR ANY TOPIC

Barbara Buechner, 7 Park Lane, Architects at the last meeting had properties highlighted by the provost square section. Is the plan still in the concept stage with the architect? Are we still moving forward with the Provost Square section? Is the 9-story plan still taking place?

Tom Banker said that if the Mayor and Council decide to have a larger scale redevelopment, it would require an amendment to the Redevelopment Plan. However, that is not something that the Mayor and Council are interested in doing at this time.

INTRODUCTION OF ORDINANCES

ORDINANCE 1414-21 AN ORDINANCE BY CALDWELL BOROUGH IN ESSEX COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING SECTION 250 OF THE BOROUGH OF CALDWELL'S ZONING CODE.

A motion to introduce Ordinance 1414-21 was made by Councilman Lace and seconded by Council President Schmidt. Discussion ensued. Upon a roll call vote, all voted in the affirmative. Ordinance introduced 7/13/2021.

ORDINANCES FOR SECOND READING

ORDINANCE 1413-21 AN ORDINANCE AMENDING THE BOROUGH CODE, CHAPTER 230, TRAFFIC AND VEHICLES, SECTION 230-33 OF THE BOROUGH CODE ENTITLED, "HANDICAPPED PARKING".

A motion to close the public hearing and adopt Ordinance 1413-21 was made by Councilwoman DePalma-Iozzi and seconded by Council President Schmidt. Discussion ensued. Upon a roll call vote, all voted in the affirmative. Ordinance adopted 7/13/2021.

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.

- 7-165** AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD 06/22/2021 THROUGH 07/09/2021
- 7-166** RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of July 13, 2021
- 7-167** RESOLUTION AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE -Rotary/Kiwanis Caldwell Street Fair, Inc. -On Premise - Amusement Games - October 3, 2021
- 7-168** RESOLUTION AUTHORIZING A REIMBURSEMENT OF \$65.00 TO KEITH LOUIS ROSENBERG, PROPERTY OWNER OF 38A PARK AVENUE, CALDWELL FOR AN OVERPAYMENT ON A NEW TENANT/VACANCY INSPECTION.

7-169 RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT WITH G20 TECHNOLOGIES, LLC FOR THE CALENDAR YEAR 2021

7-170 RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT WITH ATLANTIC COAST POLYMERS, INC FOR THE CALENDAR YEAR 2021

A motion to pass the consent agenda was made by Councilman Rodgers and seconded by Councilman Lace. Upon a roll call vote, all voted in the affirmative. Consent agenda passed 7/13/2021.

NEW BUSINESS

Council President Schmidt

- Discussed with PSE&G the new Borough complex about interest in putting Solar Panels on the roof of the new buildings.
 - Certainly, something to look into in the future, regarding cost benefits.
 - Tom Banker said that in the next stage of design, this will be looked into for these buildings
 - Council President Schmidt asked if we should we send the letter of intent in now, or should we wait?
 - Tom Banker suggests going ahead with that

COUNCIL COMMITTEE REPORTS

Borough Council Members

1. Council President Schmidt

- Library
 - July 17th at Noon the Library is hosting a drum event on the town green.
 - There will be an information table at the event for the Library Foundation. They are looking for new members, so if you would like more information, feel free to stop by their table.

2. Councilwoman DePalma-Iozzi

- Environmental Commission
 - Rain Barrel Webinar- "Recycling Raindrops"
 - July 29, 2021 at 7pm on Zoom
 - Registration information is on the Borough Website

Councilman Cole asked Mr. Banker about the car charging stations that are going to be added to the Parking Plan. Do they require payment and who does that payment go to?

Tom Banker said that the charging station do require credit card registration and therefore the charging isn't free.

REPORT OF MAYOR

John Kelley

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

Tom Banker Reported:

- Marion manor
 - Filed a tax appeal and we have proposed a settlement for that matter. Should have more information at the next council meeting
- Next Moth we should be rolling out the concept plan for the Community Center
 - Councilman Cole asked about the status of the Detron Unit.
 - Tom Banker said that we are looking at a 2022 delivery date but have not been able to get a firm date from the company.

REPORT OF BOROUGH ATTORNEY

Vincent Nuzzi

ADJOURNMENT

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 Personnel rice notice Borough Administrator, Attorney/Client Privileges, Potential Litigation, and Sewer Operator.

A motion to enter into executive Session was made by Council President Schmidt and seconded by Councilman Rodgers. Upon a voice vote, all voted in the affirmative. The Borough Council Meeting adjourned the public meeting and went into Executive Session at 9:07pm.

A motion to close the executive session was made by Councilwoman DePalma-Iozzi and seconded by Council President Schmidt. Upon a voice vote, all voted in the affirmative. There being no business being voted on in the public. the meeting was adjourned at 11:15pm.

Prepared by: 
Brittany Heun, Deputy Borough Clerk


DATE



**BOROUGH OF CALDWELL
NEW JERSEY**

ORDINANCE NO. 1415-21

AN ORDINANCE AMENDING THE BOROUGH CODE, CHAPTER 41, POLICE DEPARTMENT, SECTION 41-45 OF THE BOROUGH CODE ENTITLED, "POLICE CHAPLIN".

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

BE IT ORDAINED by the Council of the Borough of Caldwell as follows:

1. That Chapter 41 of the Borough Code entitled "Police Department" is hereby amended by adding section 41-45 entitled "Police Chaplin" and will state as follows:

Chapter 41. Police Department

§ 41-45. Police Chaplain

A. Appointment; qualifications. The Borough Council of the Borough of Caldwell may appoint one or more Chaplains to the Police Department. Any person appointed shall be a clergyman/clergywoman in good standing in the religious body in which he/she was ordained. Said Chaplain shall become a member of the Borough Police Department.

B. Authority

(1) The office of Chaplain is to be of service to the Chief of Police, any sworn or non-sworn member of the police department, their families, and the residents of the Borough of Caldwell.

(2) The Chaplain is a staff assistant to the Chief and may be consulted for any purpose by the Chief or supervisory people. It is understood that all communications with the Chaplain whether of a personal or professional nature by members of the Police Department will be held in confidence.

(3) The Chaplain shall be a sworn officer of the Police Department of the Borough of Caldwell but is foremost a duly ordained minister and an experienced representative of his or her denomination. It shall be the responsibility of the Police Department to provide the Chaplain with necessary insurance, uniforms and equipment.

(4) The Chaplain is considered a staff assistant to the Chief of Police and is authorized to act in his name where the presence of police officers requires the assistance of the Chaplain. When on duty, the Chaplain shall be properly distinguished by his insignia and identification and shall conduct himself in a manner becoming his role and denomination.

C. Duties and responsibilities. The Chaplain is requested to perform the following duties, and such other duties that may be requested by the Chief of Police:

(1) Assist Police Department officials in making notifications to families receiving serious injury or upon death.

(2) When an officer is seriously injured or killed on duty, respond to the hospital on request and work with the hospital staff and hospital chaplain according to common ethical courtesies.

(3) Visit sick or injured police personnel at home or in the hospital.

(4) Attend and participate in funerals of active as well as retired members of the Police Department.

(5) Counsel officers regarding personal problems and stationhouse adjustments.

(6) Coordinate and conduct memorial services.

(7) Participate in in-service training programs.

- (8) Attend departmental graduations, promotions, award ceremonies and other invocations and benedictions.
- (9) Assist in programs and counseling for youthful offenders.
- (10) Assist in improving public relations and community outreach.
- (11) Notify, as soon as possible, an involved person's clergyman in case of a death or serious accident.
- (12) Make proper referrals in unique cases which need specialized attention.

D. Regulations and procedure. The Chaplain should have a working knowledge of the duties of law enforcement officers and shall keep abreast of new procedures and be willing to attend training sessions and programs. In addition, the Chaplain shall comply with the following procedures:

- (1) The Chaplain shall conform to all police procedures and department regulations insofar as applicable.
- (2) The Chaplain shall not publicly comment on any law enforcement officer, department official or department policy or action.
- (3) The Chaplain shall not release any information to the public without the approval of the Chief of Police and the person or officers involved.

DATE OF FIRST READING: **August 17, 2021**

DATE OF ADOPTION:

MOVED:

MOVED:

SECONDED:

SECONDED:

RECORD OF COUNCIL VOTE

_____ presented the following ordinance - Seconded by: _____

COUNCIL MEMBER Yes No Absent Abstain COUNCIL MEMBER Yes No Absent Abstain

Schmidt					Lace				
Rodgers					DePalma-Iozzi				
Cole					Gates				

Brittany Heun, Deputy Clerk

John Kelley, Mayor

This ordinance, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.