

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – July 28, 2020**

Page 1 of 5

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order via Zoom video Conferencing at 7:15 PM.

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

ALSO PRESENT: Deputy Clerk, Kim Conlon, Deputy Clerk Brittany Heun, Borough Administrator, Thomas Banker & Borough Attorney, Vincent Nuzzi, OEM Officer Mark Guiliano, Chief of Police James Bongiorno,

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

June 16, 2020

Moved by Councilman Gates, and seconded by Councilwoman DePalma-Iozzi. No Discussion. On roll call, all voted in the affirmative. Minutes approved 07/28/2020.

PRESENTATIONS

1. Dr. Blattner – Former President of Caldwell University / Proclamation
2. Dr. Chris Obropta – Rutgers University / Rain Garden Project

COVID-19 UPDATE

- OEM Officer Mark Guiliano
 - 119 Cases
 - 2 testing events
 - Numbers are trending down, have had a few swings
 - Our numbers are also reflecting what we see in the County as well
 - Funding
 - FEMA
 - How we get reimbursed after any disaster
 - Local and County Emergency declared
 - Turn in Data assessment
 - Once the President signs of on NJ being a disaster area, we can go after getting funds and reimbursements
 - Taking care of our first responders (Police, fire and EMS)
 - Projecting to have spent \$50,000 for COVID related expenses
 - 30 day turn around once we submit, make the first submission at the end of this week
 - CARES
 - Administered by the county/contract with private company
 - Straight Time- Employees who are dedicated to working in COVID related positions
 - 220,000 Allotment for Caldwell - Will cover salaries for 3 Borough Employees and many other expenses

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

Christine Gurriere, Welshman Court – Sent a letter to the Mayor on July 7th regarding Black Lives Matter Banner. Why was a political banner put on the town green? Was the banner properly permitted?

Mayor Kelley Responded: *I did not/do not view that the banner was a political statement. Statement of inclusion, we wanted to be sure that black lives DO matter. Yes the banner was permitted correctly*

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – July 28, 2020**

Page 2 of 5

Ms. Gurriere responded that she believes that there is a strong political statement behind the banner. She supports inclusivity, but the organizations that is represented by the banner is not a good organization

Shawn Rudden, Frances Place - Have not been notified of the time frame of the project and would like their voices to be heard before the decision is made. Almost every tree has been marked and are slated for removal. Why are all of the trees marked for removal?

Mr. Banker responded: that the contractor for the work has been directed not to proceed with any tree removal until the Borough has conducted its review and have addressed it with the homeowners. The situation on those two streets is as follow, the Borough has received funding from the state to do the work. They must adhere to the ADA standards after the work, and that means the sidewalks have to be ADA compliant. The current sidewalks are not currently ADA compliant. In order to achieve this, trees must be removed or the sidewalks must be rerouted which would go on private property. Letter will probably go out on Thursday. Some trees must be removed and cannot be saved. The rest will depend on how the homeowners and the Borough decide. Will be going around to talk with the property owners.

Judy Carlough, 15 Frances Place - Has 3 Sycamore trees in front of her house. 2 are marked with an x and 1 has a white dot. What does this mean for the trees?

Mr. Banker Responded: The tree with the white dot is dead and will be coming down no matter what is decided in regards to the road project.

ORDINANCE FOR A FINAL READING

Ordinance 1390-20 AN ORDINANCE AUTHORIZING THE ACQUISITION OF THE REAL PROPERTY DESIGNATED AS BLOCK 22, LOT 10 ON THE TAX MAPS OF THE BOROUGH OF CALDWELL, NEW JERSEY, ALSO KNOWN AS 24 SMULL AVENUE FOR AN AMOUNT NOT TO EXCEED SEVEN HUNDRED THOUSAND DOLLARS (\$700,000)

A motion to open the public hearing was made by Councilman Lace and seconded by Councilman Gates. An unanimous voice vote opened the public hearing.

Let the record show that there was a typo on the title: The numerical should show \$700,000 (Title of Ordinance corrected on 7/29)

Mr. Banker noted that they are on schedule to close on 26 Smull on Thursday. Passage of this would allow us to purchase 24 Smull. The goal would be to expand surface parking of the Smull parking lot

Ann Marchioni had a question about a specimen tree

A motion to close the public hearing and adopt ordinance 1390-20, was made by Councilman Lace and seconded by Council President Schmidt. Discussion ensued. Upon a roll call vote, all voted in the affirmative. The ordinance has been adopted on July 28, 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.

7-157 AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD 6/13/2020 through 7/24/2020

7-158 APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2021 CALDWELL ROAD IMPROVEMENTS PROJECT (VARIOUS STREETS)

7-159 RESOLUTION AUTHORIZING SALARY ADJUSTMENTS FOR THE DEPUTY CLERKS FOR THE YEAR 2020

7-160 RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED for the meeting of July 28, 2020

7-161 RESOLUTION APPROVING THE APPOINTMENT OF Dan Carroll AS A FIREFIGHTER WITH THE CALDWELL VOLUNTEERS FIRE DEPARTMENT

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – July 28, 2020**

Page 3 of 5

7-162 RESOLUTION APPROVING THE APPOINTMENT OF Michael Daino AS A FIREFIGHTER WITH THE CALDWELL VOLUNTEERS FIRE DEPARTMENT

7-163 **PULLED**

7-164 **PULLED FROM CONSENT AGENDA. WILL BE DISCUSSED DURING EXECUTIVE SESSION**
Motion to remove resolution 7-164 from the consent agenda and consider is separately after executive session was made by Councilman Lace and seconded by Councilwoman DePalma-Iozzi. Upon a roll call vote, the motion passed unanimously.

7-165 RESOLUTION AUTHORIZING THE SETTLEMENT AGREEMENT BETWEEN THE BOROUGH OF CALDWELL AND ROBERT ADAMS

7-166 RESOLUTION APPOINTING Chris Battaglia AS THE TAX COLLECTOR FOR THE BOROUGH OF CALDWELL FOR A ONE (1) YEAR TERM

A motion was to adopt resolutions 7-157 – 7-162 and resolutions 7-165 and 7-166 as part of the consent agenda was made by Councilman Lace and seconded by Council President Schmidt. Discussion ensued. Upon a roll call vote, all voted to pass the consent agenda with Councilman Lace abstaining from resolution 7-165.

Mr. Banker suggested that the Mayor and Council make a motion to go into executive session early

On a motion made by Councilman Lace, seconded by Councilman Gates unanimously affirmed, the Council moved into Executive Session at 8:50P.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 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 of Potential litigation.

The Executive Session was adjourned and upon a motion by Councilman Lace, seconded by Council President Schmidt the Council Business Conference Meeting was opened to the public and the press at 10:11PM.

COUNCIL COMMITTEE REPORTS	<i>Borough Council Members</i>
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Council President Schmidt

- ***Mikie's call July 14, 2020***
 - *COVID numbers are running steady, but looking for hotspots. Millburn & Westfield are recent hotspots from young people having parties. Please share in your communities. There also seem to be longer times to get test results working in DC on a number of bills that have made the news, please check out her website to see the details regarding these bills. She continues to support small businesses and to find solutions for unemployment backlogs. Her office is there for you should you have any questions regarding Federal programs.*
- ***Library***
 - *While curbside pick-up continues and is encouraged, the library is now open for limited hours for computer use and in-person browsing of our shelves. In person browsing appointments have been filling up quickly. Photocopying, printing, and scanning will be available. Please check their website for the details and procedures regarding entering and exiting the building. Out of safety concerns for staff and patrons, anyone entering the building (except children under 2) must wear masks. If you are unable to wear one, please call the library and the staff will find a way to assist you remotely. Because of capacity limitations it's best to call first for an appointment, especially for computer use. Their number is 973-226-2837*
 - *As always, please check the library website and calendar for information regarding events such as their summer reading programs which are open for youth and adults.*

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – July 28, 2020**

Page 4 of 5

- *If you have been following the Caldwell Library's Facebook page you might have seen the posts about Alex Sloan's Eagle Scout project, A beautiful sign for the Caldwell Public Library Gardens.*
- *Alex will be mounting the sign this Thursday 7/30/2020 at around 2 pm. Due to the pandemic we won't be holding a public ceremony but we do want to do document this as a special event and so will be taking photos during and after the mounting of this beautiful sign.*
- *We at the Caldwell Library are pleased to have a legacy of wonderful scout projects.*
- *Our Caldwell Public Library gardens are special to us and our community. We thank Alex Sloan for choosing this for his Eagle Scout project. We also thank Jane Kinkle for spearheading many of the Caldwell Library Garden projects and maintaining it with love!*
- **Task Force**
 - *The next TF meeting will be this Thursday 7/30 and the topic will be Facilities and Parking.*
- **Signage Committee**
 - *I have sent the final draft of the signage ordinance to The Mayor, Tom Banker & Vince. There may be one additional section that we need to add for final review. I would like to ask Mr. Banker to review and have it on the agenda for a first reading at our next meeting*

Councilman Rodgers

- **Historic Preservation**
 - *Wanting the Council's approval to Start the process of getting the green designated as a historical landmark*

Councilman Cole

- **Local Assistance Board**
 - *Thank you to the residents for all of your support to the food pantry*
 - *55-60 households are being served during this time*
 - *In need of canned vegetables and meat (chicken & tuna)*
 - *Only non-perishable items*
 - *Wednesday from 11am -1pm pick up of bags*
 - *Donations*
 - *Welfare fund is set up to help residents who may need assistance*
 - *Please consider giving a donation to the welfare fund, checks can be made out to the Welfare Fund*

Councilman Lace

- **Grover Cleveland Birthplace Memorial Association**
 - *The Visitor Center has been approved and will be built this year*
 - *The visitor center will have the capacity for over 100 persons*
 - *Increase town revenue*

RESOLUTION

Adoption of Resolution 7-642 RESOLUTION AUTHORIZING THE SETTLEMENT AGREEMENT BETWEEN THE BOROUGH OF CALDWELL AND FAIR SHARE HOUSING CENTER

A motion to adopt resolution 7-164 was made by Councilman Lace and seconded by Councilwoman DePalma-Iozzi. Upon a roll call vote, the resolution was passed unanimously. Resolution passed on 7/28/2020.

REPORT OF MAYOR

John Kelley

REPORT OF COUNTY LIAISON

Patricia Keenan

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

Thomas Banker reported:

- There will be a Special Council Meeting a week from tonight to introduce the 2020 budget
 - Dependent on Trenton to figure out when the budget can be adopted
 - Will try to add any urgent items to the special meeting

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – July 28, 2020**

Page 5 of 5

- Condo agreement and Oval usage agreement will be added

- Task Force Meeting on Thursday
 - Historical Financial data will be presented to the Task Force
 - Parking and Facilities

- Redevelopment Plan
 - Draft of the plan was sent to the Mayor and Council for review
 - No action will be done for the special meeting
 - It will be on the next regular meeting, then go to the planning board
 - Introduction late in August, consider for adoption in Late September

- 5 year Tax Abatement Program
 - Introduced in late August

The Mayor asked if preliminary documents will be provided to the Council.
Mr. Banker said that the Council should have it at the end of this week.

REPORT OF BOROUGH ATTORNEY

Vince Nuzzi

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Lace, seconded by Council President Schmidt and unanimously affirmed by all members present. The meeting was adjourned at 9:43PM.

Prepared by: _____
Brittany Heun, Deputy Borough Clerk

DATE