

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES- June 1, 2021**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order on Zoom at 7:16 PM.

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

May 18, 2021

Moved by Councilman Lace and seconded by Councilman Cole. Upon a roll call vote, all voted in the affirmative. Minutes approved 6/1/2021

PRESENTATIONS

1. Presentation in Honor of Rabbi Silverstein's Retirement
 - Mayor Kelley read Resolution 6-145
 - Rabbi Silverstein expressed his gratitude for the recognition and for the people of the Caldwell Community, not just the CAI community
 - Members of the Borough Council and the community congratulated Rabbi Silverstein on all of his accomplishments and thanked him for his service to both Synagogue and larger Community

COVID-19/OEM COMMUNITY UPDATE

Mark Guiliano

- Numbers have dropped out completely
- Vaccination rates are high
- Continue to take precautions
- Most of the mask Guidelines have been dropped at this time

Mayor Kelley asked Mark to speak to the Mobile Vaccine sites. Mark said it appears to be an initiative to bring vaccines into the community for folks who can't make it out to a site to get vaccinated. Council President Schmidt said when she spoke to Maria Burak, Maria said that she is hoping to have the site available after the 5pm Spanish Mass at Saint Al's in order to reach the Spanish Speaking Community

REPORT OF COUNTY LIASON

Patricia Keenan

Patricia Keenan Reported

- Numbers in Essex County are down
- Kmart and Essex County College are hosting vaccinations and Testing. Testing on Tuesdays and Saturdays
- Caldwell's Vaccination rates are high as well
- County Fishing Derby 2021 will begin on June 8th. Sat. June 12th it will be at Grover Cleveland Park
- County Live Free Concerts will return in August. Grover Cleveland Park will host on August 31st

OPEN PUBLIC COMMENTS ON RESOLUTIONS OR ANY TOPIC

Ann Marchioni, Co-Chair of Environmental Committee. Thanked DPW, First Presbyterian Church Staff, Rutgers, and Environmental Committee volunteers for all of their help and support establishing the rain garden at First Presbyterian Church at Caldwell. Next Thursday, June 10th we are hosting the Richard Louv webinar. Thanked all of their sponsors for making this possible.

Councilwoman DePalma-Iozzi thanked Ann and the rest of the committee for all of their work.

Barbara Buechner, 7 Park Lane, does not believe that the Borough should not be buying property in town and selling to developers. If we do continue to do this, will those sales be presented at a Public Meeting, and will any plans from developers also be presented at a Public Meeting.

Mayor Kelley said that yes, there will be a public meeting for any and all of those scenarios. Mr. Banker said that there will be presentation at the June 22nd meeting for a couple of projects for the town. Mr. Banker also reviewed what the Ordinance was for.

INTRODUCTION OF ORDINANCES

A motion to introduce Ordinance 1407-21 was made by Councilwoman DePalma-Iozzi and seconded by Councilman Gates. Upon a roll call vote, all voted in the affirmative. Ordinance introduced 6/1/2021.

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.

- 6-139 AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD FROM 5/18/2021 THROUGH 5/28/2021
- 6-140 RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of JUNE 1, 2021
- 6-141 RESOLUTION AUTHORIZING THE TAX COLLECTOR TO PREPARE AND ISSUE ESTIMATED TAX BILLS FOR 3RD QUARTER 2021 TAXES
- 6-142 RESOLUTION DESIGNATING JUNE AS "LGBTQ PRIDE MONTH" IN THE BOROUGH OF CALDWELL
- 6-143 RESOLUTION AUTHORIZING LIEN REDEMPTION CERTIFICATE #18-00003 FOR BLOCK 22, LOT 17, 329 BLOOMFIELD AVENUE, CALDWELL, NJ 07006
- 6-144 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH JDA FOR THE PERFORMANCE OF TRAFFIC ENGINEERING CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED \$5,000.
- 6-145 RESOLUTION TO RECOGNIZE RABBI SILVERSTEIN'S CONTRIBUTIONS TO CALDWELL
- 6-146 RESOLUTION ADOPTING THE HONORARY STREET DESIGNATION PROGRAM
- 6-147 RESOLUTION AUTHORIZING A CONTRACT WITH THE LAND CONSERVANCY FOR ASSISTANCE IN APPLICATIONS FOR OPEN SPACE GRANT FUNDS

Councilman Gates and Mayor Kelley asked if business can have streets named after them and if Parking Lots can be named honorarily.

Councilman Lace asked for details of the flag mentioned in Resolution of 6-142.

A motion was made to amend Resolution 6-146 to include parking lots as eligible to be honorarily named, was made by Councilman Lace and seconded by Councilman Cole. Upon a roll call vote, all voted in the affirmative. Motion passed 6/1/2021

A motion to pass the consent agenda was made by Councilman Lace and seconded by Councilwoman DePalma-Iozzi. Upon a roll call vote, all voted in the affirmative. Resolutions 6-139 – 6-147 passed 6/1/2021.

NEW BUSINESS

Council President Schmidt

- Complaint from a resident regarding noise ordinance amendments. There was work done on a home on Monday morning and brought up concerns regarding confusion between the Holidays, days, and hours
 - Councilman Rodgers said that there were also complaints about construction noise on Saturday night after 8pm.
- Councilwoman DePalma-Iozzi asked about Motorcyclist noise levels and what can be done about that.
 - Mr. Banker said motor vehicle noise is prohibited by state so if the noise violates that then it is something we can police
- Councilman Lace asked about the permit for Tent at the Cloverleaf expires on June 30th. Does the Borough intend to extend that or not?
 - Mr. Banker said that this is something that does need to be addressed as we transition out of COVID and the restrictions that have been in place for 13+ months.
 - Mayor Kelley said that he would like to see our business continue to be supported as they recover as well.
 - Councilman Cole asked for an inventory of the concessions that were made, and go through them that way instead of individually.
 - Mr. Banker said that he can provide the information that Councilman Cole is asking for.
 - Councilman Gates mentioned the fact that the Cloverleaf Purchased the tent so storage my be a problem they are forced to take it down in short notice. The tent is also being utilized by other businesses in the area. The tent will also be of use for the Street Fair in Early October.
- Councilman Lace
 - Rec Department Fireworks are set to be taking place this year. More information will be available as details are worked out.
 - Councilman Cole suggested the Borough Council making a statement about home fireworks around the 4th of July Holiday, as there are often problems with that before and after July 4th

1. Councilwoman DePalma-Iozzi
 - Environmental Commission
 - Applying for recertification from Sustainable Jersey
 - Maintaining the Pollinator Garden
 - Thanked the town for their support with the Rain Gardens
 - Webinar next Thursday hosted by the Environmental Commission. Given by Richard Louv.
2. Council President Schmidt
 - Community Center Advisory Board
 - Free yoga event to celebrate International Yoga Day on June 20th from 9am -11am.
 - First session is for families, 2nd is for adults.
 - Held on the Oval
 - Taught by certified instructors volunteering from Iris mind and body.
 - Researching different community centers and how they run programs
 - Working on establishing an independent website
 - Library Board
 - Reader ramble lead by Fran
 - Library will continue to require patrons to wear masks while inside the library. When all kids can be vaccinated, they will revisit
 - Will continue outdoor activities
 - Thanked Kiwanis for their support of their horticulture event
3. Councilman Cole
 - Health Department
 - The City Green mobile farmers market will return this year
 - Starting June 3rd outside of Borough Hall.

REPORT OF MAYOR*John Kelley*

Mayor Kelley made a statement regarding Mayor Tempesta's comments about the Caldwell Wastewater Treatment Plant.

- Understands Mayor Tempesta's complaint about late payments from the Borough of Caldwell. He does apologize because the payments for dispatch service were approved at the May 18th Council meeting and did arrive to West Caldwell late.
- The 2021 Sewer invoices do not reflect credits or additional charges and will be addressed at a later time.
- Caldwell will work with West Caldwell regarding the netting. Our Borough Engineer and Shared Services Liaison, Councilman Lace will follow up with West Caldwell regarding their review of the plans.
- Openly discussed the ability to use the funds requested for the Harrison Turf Field, for Open Space funds. The Borough Council did not feel it was an appropriate use of funds during a Pandemic. This was all discussed in an open meeting
- Shared Police Force initial negotiations stated there would be No Demotions of rank for all parties involved. When West Caldwell Police Chief retired, the idea of a civilian director was brought on should would allow for a promotion of the West Caldwell Captain and would call for a Demotion of Caldwell's Police Chief. At no time were any officers being demoted.
- I do not consider any of your Council Members puppets. They are good neighbors, and Council Members, and I respect all of them. Our Borough Council is the same.

REPORT OF BOROUGH ADMINISTRATOR*Thomas Banker*

Tom Banker Reported:

- Land Conservancy resolution will allow us to qualify for Green Acres funding
- June 22nd Meeting will be a heavy meeting
 - Presentation on concept plans for 14 Park Avenue, Borough Hall
 - Hope to be introducing the 2021 budget
- Proposal from the Rotary club to bring on the Seaton Hall Stillman school to help look at
- Need to discuss how Caldwell will react to the lifting of the state COVID Regulations.
- Police Personnel discussion to be considered in Executive Session.

Councilman Gates asked about the remaking part of the deck and why the one beam is still up. Mr. Banker said that the part that extends was holding Verizon wires, and we have been negotiating with Verizon to have a pole erected so that they beam can come down.

Councilman Lace asked if the Finance Committee had met to discuss the budget. Mr. Banker said that once he has the draft he will present it to the Finance committee. Councilman Lace asked about the Chess Tables on the green. Mr. Banker said that he will ask Mario to look into it.

Mayor Kelley asked when the Sewer Agreement will be ready. Mr. Banker said that it is in the works and will be presented to the committee to review when ready

Councilman Cole asked about the drop off behind the Cannon. Mr. Banker said that is addressed in the proposals being presented at the June 22nd meeting

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 Councilman Lace and seconded by Council President Schmidt. Upon a voice vote, all voted in the affirmative. The Borough Council Meeting adjourned the public meeting and went into Executive Session at 8:51.

A motion was made by Councilman Lace seconded by Councilman Gates. Upon a voice vote, all voted in the affirmative. There being no business being voted on in the public. the meeting was adjourned at 9:56.

Prepared by: 
Brittany Heun, Deputy Borough Clerk

6/22/2021
DATE