

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – June 28, 2022**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order at the Trinity Academy Gymnasium at 7:16 PM.

**PRESENT:** Mayor Kelley, Councilwoman DePalma-Iozzi, Councilwoman Buechner, Council President Gates, and Councilman Alonso.

**ALSO PRESENT:** Deputy Clerk Kim Conlon, Deputy Clerk, Brittany Heun Borough Administrator Tom Banker, Borough Attorney Mary Kate Serratelli, and Police Chief James Bongiorno, Police Captain DeAngelo.

**ABSENT:** Councilman Lace and Councilman Cole

**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**

May 17, 2022

**A motion to approve the minutes was made by Councilman Alonso and seconded by Council President Gates. Upon a roll call vote, all members present voted in the affirmative. Minutes approved 6/14/2022.**

Mayor Kelley read a statement in response to comments West Caldwell's Mayor Tempesta made regarding the Borough of Caldwell's Borough Administrator.

**PRESENTATION**

1. Proclamation for JCHS Baseball Team
  - a. Councilwoman Buechner read a proclamation and presented it to Coach Smith of the James Caldwell High School Baseball Team
  - b. Coach Smith accepted the proclamation and thanked the players, parents, Borough of Caldwell and the Township of West Caldwell. He also recognized the seniors in attendance
2. Parking Plan Presentation
  - a. Captain Mathew DeAngelo presented the near-term goals and some of the long-term goals of the plan.

**REPORT OF COUNTY LIAISON**

*Patricia Keenan*

Patricia Keenan Reported

- Thanked the mayor for participating in the Mayor Meetings
- 6moths to 5 years vaccinations were approved
- Vaccines available at the sears site
- Vaccination and testing available at Kmart
  - Closed Saturday for the July 4th Holiday
- Mobile vaccination available
  - Also available at County concerts and events
- County has Summer Concerts planned and other events
- Turtle Back Zoo hosting events as well
- Fireworks stating at 7pm this evening and Friday and Brookdale Park

**REPORT OF BOROUGH ADMINISTRATOR**

*Thomas Banker*

1. 24 Smull Avenue Adaptive Reuse for Health Department.
  - a. *Currently occupying 24 Smull Avenue*
  - b. *Health Department and Food Pantry have moved in and are operating on the premises*
  - c. *Temporary signage has been put in place. Permanent signage will be for the whole municipal complex.*
2. Temporary Trailer Installation.
  - a. *Currently at the mercy at the public utilities.*
  - b. *Have provided Verizon with all requested information*
  - c. *Public Service is standing in wait, but cannot move until Verizon removes the wire and pole at the site.*
3. 14 Park Ave Rehabilitation.
  - a. *Interior Demo is complete*
  - b. *This week we were working on the removal of asbestos that was found under the flooring.*
  - c. *Construction contract has been awarded*
  - d. *As of next Wednesday, there will be a resolution before the County to award Caldwell a grant for \$300,000 which will help offset the construction cost*

4. Community Center Reconstruction.
  - a. *Design in continuing for the Community Center rehab*
  - b. *At the meeting of July 19th, we will be presenting documents that would allow for the affirmative demolition*
  - c. *Shooting to start construction around Labor Day*
  
5. Municipal Building Construction.
  - a. *Revised Concept plans were circulated to the Governing Body*
  - b. *Does not encroach on the Green or the culvert*
  - c. *Plans are being reviewed by the departments so they can give their final comments before it is presented to the Governing Body*
  
6. Water Distribution; Storm Sewer Collection and Road Projects.
  - a. *The Hillside Avenue project contractor planted trees in the wrong places. They have been notified that they need to remove the trees and plant them where they are required to be planted*
  
7. Stormwater Management Study.
  - a. *We have approved the selection of the company that will be doing all of the tv monitoring of the stormwater pipers*
  - b. *On target for the submission for the final report around Labor Day*
  - c. *In conversations with the Sisters of Saint Dominic and Caldwell University regarding those property acquisition*
    - i. *Mayor Kelley said:*
    - ii. *Mayor Alessi has reached out to mayors of West Essex regarding stormwater mitigation in the area.*
    - iii. *Hopes to present information to the County with support from the surrounding towns.*
- d. *Mr. Banker is happy to join in on any meeting regarding these issues*
  - i. *Council President Gates said that he and Councilman Lace had reached out to surrounding town as a part of the Shared Services Agreement. Happy to see this moving forward*
  
8. Wastewater Treatment Plant Projects.
  - a. *Letter was sent to the DLGC director this week. Our waste water management issues affect us and all of our customer communities*
  - b. *Court Order in place*
  - c. *Financial and budgeting impact to Caldwell.*
    - i. *When a utility is run as a town, it is supposed to pay its own way. In our case that means collecting money from 5 other towns and the citizens of Caldwell. Our budgets have been balanced until 2021 when West Caldwell and Roseland decided not to pay the bills. We are not allowed to adopt a budget for our Sewer Utility that is not balanced. We contact the DLGS about the fact that we cannot adopt a budget without customers not paying their bills. The state understands the dilemma and has agreed that they will internally meet with the attorney general's office and DEP and see what they can do to help us get through this budgetary dilemma. The state needs to help the Court understand that they can't put the municipal budgets of 6 towns in jeopardy. We have advised the state that we are prepared to introduce the budget, if the state can give us clear direction*
  
9. Property Acquisitions.
  - a. *Expecting a signed contract for 22 Smull Avenue*
  - b. *Made proffer to Caldwell University and the Sisters of Saint Dominic*
    - i. *Looking to hold a meeting with the president of Caldwell University and the Sisters of Saint Dominic to discuss*
  
10. Public Parking Plan.
  - a. *Captain DeAgnelo presented the parking plan earlier*
  - b. *Continuing to work on long-term solutions to parking issues in the Borough*
  - c. *Working on holding a public forum for the residents regarding the parking plans*
  
11. Bloomfield Avenue Realignment Project.
  - a. *Has not advanced at all since the last meeting*
  - b. *Tentative dates for the public forum are being discussed*
  
1. Sewer and Water Bill
  - a. *Sewer bill are currently billed at 70% of metered water consumption. \$7.50 per thousand gallons*
  - b. *Concerns have been raised by that not being an equitable billing system for large water consumers and have water that doesn't enter the sanitary sewer*
  - c. *Fixed Fee:*
    - i. *Our sewer billing has a constraint based on the sewer utility needing to have a balanced budget. Our share is roughly 16-17% of running the caldwell sewer treatment plant. We have to raise our portion of the fee. Our current methodology does allow for us to raise the money needed to pay our portion. In order for us to lower our rate, someone else will have to pay more. Any adjustments would require that some other part of the sewer community to pay more. We can adjust the method of allocation*
    - ii. *Options for Water billing methods:*
      1. *2-person household on average use 100 gallons of water a day, per person. In the course of a quarter, 91 days 18,200 gallons. Charged based on 70% of that going into he sewer. 12,800 would be going into the sewer. Everybody currently has 20,000 gallons of water that you are using and not paying for. This methodology gives you a pass for those gallons.*
      2. *Our tax collector has looked at other towns to see how they base their charges. \$350 per year would be a flare rate for 100,000 gallons or less per quarter. More than 100,000*

would be billed for all water used. The smaller user would end up paying more than the high users.

3. 3rd methodology would be to use the 2 weakest quarters, 3rd and 1st. If you focus on those then you would say that normal consumption would be during those normal quarters. That would alleviate gardens, pool owners, etc. and they would pay less while the lower users would pay more.

Mayor Kelley said the idea is to have Council review and discuss with the public before an ordinance can possibly be introduced at the July 19th meeting

- a. Councilwoman Buechner has heard from people regarding these issues. We have documented an appeal process? Tom- we have never appointed those positions. Councilwoman Buechner we should have this available so people can go through this process to have their issues voiced to the Borough.
- b. Mr. Banker said that estimated bills are used by utilities companies as well. Caldwell uses a remote reading system check meter reading. You get estimated bills if there is an issue, and if you don't respond we assume that there are no issues. This would be an appropriate use for the committee that Councilwoman Buechner spoke to. We cannot read your meters, unless you allow us in.
- c. Councilman Alonso asked if we can get a figure on how many people are being affected by the high reads and over billing. Mr. Banker said he has been discussing this with the Tax/Water Utility Collector. We can take a look back to get a baseline of where people were, and see compare it to current. We can do an analysis and get that information regarding the heavy users. Can help determine any patterns, etc.

**PUBLIC COMMENTS (FIRST SESSION RESTRICTED TO 7 SPEAKERS)**

**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*

**Kirsten Gerard-Philbin, Smull Avenue, Keepers of the Borough of Caldwell's Assets. 2015 Ordinance 1313-15 was passed to create the Historic Preservation Commission. 1349-18 in 2018 ordinance declared that the library is a local landmark. Now the library is being torn down. 1) how is the governing body different from the past. 2) has certified reports been collected from engineers?**

Mayor Kelley said that this governing body is different because we are trying to improve the capital projects of the borough. Inspections and evaluations have been done in the past that have deemed the beyond repair. The Governing body wants to make changes because many of the offices are in disrepair

Mr. Banker said that Library was not deemed eligible for inclusion on the state or federal preservation lists.

**Doug Piazza, 24 Erwin Place, I feel that my time over the last year has been wasted. Read Ordinance regarding the appeal board and the makeup of the committee. I have on multiple times brought concerns to the Tax Collector and appeals. IF you are on the committee, how do you say it doesn't exist. The Sewer bill should not account for the usage of water. It has been changed so often. My sewer bill was \$25 because I haven't turned on my irrigation system When the next quarter presents, I know that number will go up exponentially. The old system of billing was an equal or more equal system than the current system. If you don't have an accurate system then you need to use the fairest billing system. I received correspondence from other residents who received those communications from Mr. Banker and Councilman Lace that state that the new billing was an effort to be more economically proficient**

**Meryl King, 17 Birkendene, Community Center plans on the website are date 3.14.2022. Are these the accurate plans?**

Mr. Banker said that the plans from mark are representative but we will have an updated plan on in the next couple of weeks. generally consistent. Will be undated

**Ms. King: asked that the updated information be put on the website as soon as they are available for the public. The funding formula says that there will be 200,000 anticipate for 2024 and 300,000 in 2025.**

Mr. Banker said that the Community Center's operating budget was 1.5 million a year. The capital cost is likely to be 1/2 a million per year going forward. We are talking a 2 million dollar a year enterprise.

**Ms. King: what is the funding formula.**

Mr. Banker said that the advisory board is working with the council on programming and financing options to make the Center self-sustaining.

**Ms. King: you feel it's appropriate to spend almost \$9 million to expand the building**

Mayor Kelley said we have spent 2 million on the center already.

**Ms. King: did that include the roof and evac**

Mayor Kelley said yes, it does.

**Christine Gurriere, 26 Welshman Court. Those number Meryl stated were in the financial documents. Ordinance 1420-21 that was adopted in May. Amendments to the redevelopment plan that would affect central, Whitfield, Smull, ward, Brookside. The amendment would change those streets from residential to mixed use. The Planning Board did not want those streets to be included, so I wanted to know if those streets are still being considered.**

Mr. Banker said that the redevelopment is on our website, and what is posted is legally enforceable. The Planning Boards role is to recommend.

**Ms. Gurriere said that the Planning Board recommended that those residents be notified that their streets can be developed.**

Mayor Kelley said specific notices were not sent out.

Mr. Banker said the ordinance was published as required before second reading and published after adoption. It was published and remains published on the website and there for provided notice in 3 ways. No, we did not send a separate letter.

Council President Gates stated that he believes the reason for the ordinance was made because Caldwell Bikeland wanted to move their bike shop off of Bloomfield to Park. That was not possible until this ordinance. We are allowed to consider these on an individual basis, which is why we allowed the Bikeland shop. The dispensary is not something I am pushing for. It is something that statistics show people in town supported legalizing when on the ballot with 67% voting to legalize it. To me that means it is worth discussing publicly. It is the Council's obligation to look into and discuss issues and listen to the public. Over the last few months, I have noted many members of the public coming forward making a statement against a dispensary while not a single member has said anything in support of a dispensary. Despite accusations that I and other council members don't listen to the public I can assure you that is not that case, as Councilwoman DePalma-Iozzi and I have discussed and agreed that we will not support a dispensary based on the public input we have received.

Mr. Banker said the current redevelopment plan does not allow dispensaries as a permitted use in the streets that were mentioned.

Councilman Alonso said we had a presentation on the positives, maybe we should have a presentation on the negatives. I am against a dispensary as well

**Nick Corelli, 27 Westville Ave, you are communicating what the class 2 impact of Borough Complex which is roughly 10-11 million. You are saying this will be just over \$200. This only accounts for 11 million of the 40 million you bonded for, so what about the remaining 20 million?**

Mayor Kelley said of the 40 million, 15 was already short-term debts. We took advantage of the interest rates, and rolled it in with the 25, by doing this we saved the residents.

Mr. Banker said the 15 million was already in your tax bills for 4 or 5 years, and paid for road work etc.

**Corelli: To council president gates point that no one has come forward about not having a dispensary. I never would have moved to a town with a dispensary.**

Council President Gates said there is nothing on our radar regarding dispensaries. It would remain as something that is not happening. When the state gave us options last year, we said no. Where we are right now, is the only possible way for it to move forward would be to have it on the agenda to pass it.

**Corelli, voting it down would take a lot of pressure and having the residents speak about it at every meeting.**

Councilwoman Buechner said that No in in place at this time

Council President Gates asked Attorney to Weigh in

Ms. Saratelli said that the Borough voted it down which is the law in the town now. The only way to approve it would be to have something on the agenda to approve. If nothing is introduced it will not be legalized. There is no action to be taken to "shoot it down"

Councilman Alonso said there was a vote to explore it which I think is where the confusion is coming from.

Council President Gates said correct, that motion was to explore but not approve.

Councilwoman DePalma-Iozzi said she is at home due to COVID diagnosis. When we have a presentation, the public saw it at the same time we saw it. What that means is that our job is look into and then bring it back up again if we choose too. Just because it is a presentation doesn't mean it is done.

**Steven Tober, 9 Caton Terrace, pretty soon it will be the 4th anniversary of the flooding at the Calandra area. This monstrosity on Lane Avenue, another building on Central and Bloomfield Avenue. We do many extensive plans that don't have much transparency. The single lane of Bloomfield Ave is absolutely preposterous. Quality of life needs to be looked at. When might the Community Center reopen?**

Mr. Banker said I would have to assume the support of the Governing Body; they have not yet committed to the construction. They will have the opportunity to make a decision on how to proceed. My assumption is that it will take about 9-12 months to complete the work.

**Mr. Tober said it would be great to get that information out there. It is something that we have to consider moving forward.**

Council President Gates said none of us want this town to be over built. In 2015 there were changes to how affordable housing obligations were to be dealt with. The council at the time had the opportunity to protect themselves and the town against builder's remedy suits. The projects on Lane and Central Ave and other, are because of that failure. We were sued and lost lawsuits because of previous administrations. They are court mandated projects. We are taking actions to take protect the town moving forward.

**Mr. Tober stated please do not fail with the community center this time. We do not want an inferior building**

**James Marinuci, 32 Ravine Ave, for two years you hid behind COVID-19 and have remote meetings. I have been in other Borough Halls and all they need to do is renovations. Instead, we are tearing everything down to rebuild. Are we on the verge of bankruptcy?**

Mayor Kelley said no we are not on the verge of bankruptcy

Mr. Banker said that the Municipal financial report is on the website. Caldwell is nowhere near pan Krupp yet. We have had a balanced budget for the last 3 years and will have one this year. The tax center is average with the rest of the State. We have a AA credit rating. These issues do not have much to do with the financial conditions. We are sound financially



***Marinucci, heard a lot about water, sewage, but why are we talking about it now. Wasn't this thought about ahead of time. 3% capacity left, but you are approving things we can't sustain. Pumping poisoned water into our system.***

Councilwoman DePalma-Iozzi - 38,00 people in Montclair and 8,000 in Caldwell. All the buildings in Caldwell going up right now are builder's remedy issues. The taxes of family members in Caldwell and West Caldwell are not very different.

**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.*

6-157	RESOLUTION APPROVING THE APPOINTMENT OF LUCAS LATTIMER AS A JUNIOR FIREFIGHTER FOR THE CALDWELL VOLUNTEER FIRE DEPARTMENT
6-158	RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of June 28, 2022
6-159	AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS
6-160	RESOLUTION AUTHORIZING THE ISSUANCE OF RENEWAL LIQUOR LICENSES FOR THE PERIOD July 1, 2022 THROUGH June 30, 2023. APPLICATIONS AND APPLICANTS HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS
6-161	RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR THE BOROUGH OF CALDWELL TO JOIN THE NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM EFFECTIVE AUGUST 1, 2022.
6-162	RESOLUTION APPOINTING JAKE POHLMAN TO THE POSITION OF PUBLIC WORKS FOREMAN FOR THE BOROUGH OF CALDWELL
6-163	RESOLUTION AUTHORIZING A REIMBURSEMENT OF \$664.98 TO THOMAS C. KELLY FOR DAMAGES TO HIS AUTOMOBILE CAUSED BY ACTIVITIES AT THE KIWANIS OVAL
6-164	RESOLUTION AUTHORIZING THE APPOINTMENT OF HISTORIC PRESERVATION COMMITTEE MEMBERS

**A motion to approve all resolutions under the consent agenda was made by Councilman Alonso and seconded by Councilwoman Buechner. No discussion. Upon a roll call vote, all members present voted in the affirmative. The Consent Agenda was approved 6/28/2022.**

**RESOLUTIONS**

6-165	A RESOLUTION TO UPDATE CROSSING GUARD SALARIES
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**A motion to approve resolution 6-165 was made by Council President Gates and seconded by Councilman Alonso. Discussion ensued. Upon a roll call vote, all members present voted in the affirmative. Resolution 6-165 approved on 6/28/2022.**

**NEW BUSINESS**

**COUNCIL COMMITTEE REPORTS**

*Borough Council Members*

1. Councilwoman DePalma-Iozzi: Grover Cleveland Birthplace/newsletter
  - a. Grover Cleveland Birth Place:
    - i. Return of 4th of July ice cream social.
    - ii. Ice cream from Guerrero, food from clover leaf, lemonade, tours, and a cookies contest amongst the festivities
    - iii. 1-4pm
  - b. Newsletter:
    - i. Went out today
  
2. Councilwoman Buechner: Board of Health
  - a. Board of Health
    - i. Now in 24 Small as well as the Food Pantry
    - ii. Maria said to stop by and visit

**REPORT OF THE MAYOR**

*John Kelley*

No report

## PUBLIC COMMENTS (SECOND SESSION)

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*

**June Cowell, 29 Brookside Avenue, municipal building redesign, is it correct in my understanding that the complex will be end up closer to the Community Center.**

Mayor Kelley said it is.

**Ms. Cowell asked if this will involve County approval to move the stop light?**

Mayor Kelley said not yet

**Ms. Cowell asked if Calandra allowed the light to be moved;**

Mayor Kelley said Calandra has verbally agreed to move the traffic to his property, as long as the light is approved. Councilwoman Buechner said if that were to happen and a light to move, then I do not want the forest light to be removed. This would allow for left turns out of forest, and would allow for a crosswalk at Forest

**Hilda More, Personette Street, I was talking to Chief Bongiorno and you interrupted our conversation**

Mayor Kelley, I do not recall that

**Ms. Moore said 2 years ago, you came out to my property I asked the former council member to not come on my property. When is that tree stump going to be removed and when will my sidewalk will be repaired?**

Mayor Kelley said that we will take a look at it.

**Moore: you said that 2 years ago and never got back to me. The night of the 17th they were out there working at 7:30pm. They were making a lot of noise**

Mayor Kelley said I believe Mario was looking into that and spoke to the construction about the hours

Mr. Banker said Mario did speak with them about working within the restrictions of the Ordinance. They were told that they were allowed to work within proper hours.

**Ms. Moore asked if the judge give permission for the sewer hook-ups for the sewer connection for the trailers?**

Mr. Banker said that the Municipality is exempt because it is for public purpose. If the sewer hook-up was for a private use, it would not be allowed.

**Ms. Moore said last year a card went out and said that curb and street work was going to be done. It seems that my street has been forgotten.**

Mr. Banker said at the last council meeting the council to action to authorize the work to be done on Personette Street.

**Mss. Moore said Kirkwood Place was done, Forest was done, patch work was done on Personette. Why is it talking so long to get Personette done?**

Mr. Banker said an Ordinance was introduced to fund the project to pave Personette Street. If the Local Finance Board approves our application, it would then be up for adoption at the July 19th meeting. As soon as the funding is available, we will go out to bid.

Council President Gates asked if that would be around September

Mr. Banker said yes early fall.

**Paula Sules, 20 Grover Lane, determination to demolish the borough hall and library were made without engineering report.**

Mayor Kelley said an outside party was involved in with the Borough Engineer, Administrator and DPW Director.

**Ms. Sules said if this was done without an engineering report, why isn't our town hall being rebuilt when other masonry buildings are able to sustain fires and other damages. I know we failed inspections, but they have to make recommendation to improve the facility.**

Council President Gates said the inspections were done for the Police Department and both the Police Department and the Court cannot use current facilities

**Ms. Sules said the decision to tear down the buildings is simply being done because of opinions.**

Councilwoman DePalma-Iozzi said that the Police department is so small and not an adequate facility. The building is very small can makes it difficult for daily operations. Caldwell owns Provost Square and the Smull Ave parking lot.

**Ms. Sules said my concern is that it is reckless to tear down a building without a profession engineering report.**

**Tim Lally, 24 Brookside Ave, Councilman Gates seems to have changed his stance on the dispensary in Caldwell, and commends him for changing his attitude after the concerns of the people. I think the biggest mistake that Mr. Banker made was to have architect plans drawn up on plan that we don't own. Before we jump to these plans, they need to be thought through more. The landmark on Roseland is sitting vacant now, correct? Why?**

Mayor Kelley said yes because of the sewer litigation. It is from the builder's remedy suite. The approval for that came before the sewer litigation

**Mr. Lally asked Every time something is built, does it have to be affordable housing?**

Mr. Banker said 20 % of every residential building has to be affordable until we fulfill our quota put in place by the state. Of all the affordable housing buildings were build, we would still need roughly 50 additional affordable housing units.

**Mr. Lally said I heard a rumor that Jack from Food town was approached by the Mayor and Administrator and suggested he turn it to a residential building**

Mayor Kelley said no, I did not have a conversation with Jack about developing his building for residential use.

**Mr. Lally asked if the goal is to slow traffic down, but if there is no parking on the Ave then everyone is going to stop at our shops. I have not heard anyone speaking positively about the plan.**

Council President Gates said Professional companies were hired to perform these studies. We had gotten complaints about traffic, so we were looking for suggestions for improving traffic flow. We have heard complaints about the aesthetics of Bloomfield and the only part of that entire presentation that I think there is potential is the beautification of Bloomfield Ave. That would affect parking, so we have to look further into that. The changing of Brookside and Hanford and losing that parking never even crossed my mind before the presentation. I was just as floored by that recommendation as the public. Losing that parking is not something that the public would handle.

**Mr. Lally asked if education events are still a part of the contract**

Mayor Kellet said we are working on scheduling those

**Carla Marras, Ashland Street, happy to hear the Council speak against the possible dispensary. These crossing guards were paid for time off of school holidays, and summer pay. Now you want to cut their hours, and then come back in September. I've heard that there was a stop work order on the trailers?**

Mr. Banker said that The Hudson soil conservation district has asked the borough to do additional erosion measures on the state. They were concerned about dirt being tracked off site. It's being addressed.

**Ms. Marras: quite a few lawsuits in this town. How is this effecting the tax payers?**

Mayor Kelley said we don't have any open litigation regarding the Police Department

Mr. Banker said there were 4 officers that faced dispensary action over the last 5 years or so. All were settled publicly by the council. Paid by insurance companies or deductibles paid by the dame.

Mayor Kelley said we have reduced our labor costs over the last couple of years. The state of NJ declared our headcount for officers in the Borough of Caldwell. We currently have 20 officers in the Borough.

**Meryl King, 17 Birkendene, the renderings for the borough hall, are there going to be real renderings. The renderings from 6/13.**

Mr. Banker said there were drawing distributed to the Council earlier today. When they approve they will be posted online.

**Ms. King: asked when Cifelli will be done on Birkendene, and Leaycraft?**

Mr. Banker said I have to get in touch with the Engineer and get back to you.

**Peter Nancoz, 45 Birkendene, Bills list has an item listed for Borough Hall for Hana's Mechanical. Is that for Borough Hall?**

Mr. Banker said that's actually for the Community Center and not Borough Hall. It is for the new dehumidification equipment

**Mr. Nancoz asked if that is being tracked separately**

Mr. Banker said yes

**Mr. Nancoz asked if a multi story garage planned for the current Borough Hall site.**

Mayor Kelley said it is a consideration but we don't have concrete plans.

Mr. Banker said the opportunity arrives because of topology; the Calandra property is about 1 floor above the borough hall site. So, it would allow for a raised lot that can be accessed from Calandra's lot. Will need more information based on usage of the field, Community Center, etc.

**Garrett Jones, 25B Myrtle Avenue, I believe that the Volunteer Fire Department and the Rescue Squad both have a problem with the Plan, is that correct?**

Mayor Kelley Yes, I have heard of the Fire Department's Complaint.

**Mr. Jones asked, how much are Mott MacDonald paid yearly?**

Mayor Kelley said that we have an agreement

Mr. Banker said that the cost to run the plant is roughly 5 million a year. Some of that is Mott MacDonald services, but most of it is the cost of materials and utilities.

**Mr. Jones said Roughly about a million dollars a year? How many other sewer utilities to they manage? None. I brought up the sewer litigation last meeting. Should Mott MacDonald not have come to Council before now, with a plan to increase our capacity.**

Council President Gates said I can tell you that the first month that I was elected we met with representatives with Mott MacDonald at the sewer authority. One of the things they showed us was a diagram with their plan for expansion. When looking at the diagram, they explained that the previous council had installed solar panels in the exact spot that they were planning their expansion. That council did not ask Mott MacDonald if they could put the sewer panels there. Now they had to come up with an alternative plan since the panels were put where they had wanted to expand

Mayor Kelley said the plan for building out the expansion was introduced in 2019. Mott MacDonald provided the information to the Council as well as to the administrations of some of our customer municipalities. We are discussing this in Executive tonight. The plan for expansion was not ignored.

**Mr. Jones said look back to 2006 to Mayor Gartland's Administration. Federal Funding. The FEMA money that came into town, did we receive funds for debris removal? Capital mitigation, facility**

Mr. Banker said we have been in negotiations with FEMA since about 3 weeks after IDA. Claims have been submitted for damage to the library, damage to the culvert, and damage to the sewer treatment plant. Expecting money from, but waiting for the final award. We have almost biweekly meetings.

**Guy Olsen, 17 Gladding Road. Read the status report and was impressed with the document. What I wanted to see is whether or not the alternate building plans have looked at and keeping the library the library.**



Mr. Banker said what will be posted on the website in the next few days will include a floor plan and a site plan that will allow for you to see where the building will be located on the space.

**Olsen: Plan D the proposal involved demolishing the library (first time it was considered)**

Mr. Banker said that until the library was flooded the 2nd time there were no plans to demolish the library.

**Olsen: Plan E, first time it was considered that services would have to be relocated. Consideration should be made before you demolish a building. I think that relocating the building to the current site needs to be explored. Do other towns charge their residents for sewage the same we do.**

Mayor Kelley said that some do

Mr. Banker said many municipalities pay for it and build it into the property tax, some charge it based on water usage, others do a flat rate.

**Ann Mastrangelo, 104 Hatfield St., Design of new Borough Hall and library. On a previous meeting the mayor had apologized for not including the Historic Preservation in the process. Are they now included it?**

Mayor Kelley said one member was uninvited but no other member has been attending

Mr. Banker said that they have not had regular attendance at the meetings. 3 considerations for moving forward with the library, 1. total demolition 2. Replica or memorial 3. Preservation of the façade. Each alternative will be separately priced. Historic preservation is still a part of the process.

**Ms. Mastrangelo: there are grants available that can help offset costs for historical buildings. Sad to hear that even an alternate use for that building hasn't been considered.**

**Charles Alberta, 16 Lane Avenue, in order to keep all the new COAH restrictions, the sites on Lane Avenue and central were zoned to have 16 units based on the lots. This administration approved 40 units, approved a condemnation of lots that gave the developer the ability to go to triple density. This administration needs to take some responsibilities for this. 150 extra units on the avenue is your legacy and only has to do with your redevelopment plan.**

#### 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.

A motion to go into executive session was made by Councilwoman Buechner and Councilman Alonso. Upon a voice vote, all member present voted in the affirmative. The Council left the public meeting and entered executive session at 10:20pm.

A motion to close the executive portion and return to public session was made by Councilman Buechner and seconded by Council President Gates. Upon a voice vote, all members present voted in the affirmative. The Public meeting resumed at 10:49pm

#### ADJOURNMENT

There being no additional business to be conducted, a motion to adjourn the meeting was made by Councilwoman Buechner and seconded by Councilman Alonso. Upon a voice vote, all members present voted in the affirmative. Meeting adjourned at 10:50pm.

Prepared by:   
Brittany Heun, Deputy Borough Clerk

7/20/2022  
DATE