

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – May 16, 2023**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order on Zoom at 7:00pm PM.

PRESENT: Mayor Jones, Councilwoman Buechner, Councilman Lace, Council President Alonso, Councilman Brown, Councilman Daniolowicz, and Councilman Cole

ALSO PRESENT: Deputy Clerk Brittany Heun, Deputy Clerk Kim Conlon, Borough Administrator, Alex Palumbo, Borough Attorney, Craig Bossong.

ABSENT:

STATEMENT OF COMPLIANCE

Adequate notice of this Council Business/Conference Meeting was given on January 11, 2023. Notice was posted on the bulletin board of the first floor of Borough Hall, 24 Small Avenue, 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

PRAYER/ Moment of Silence

A moment of silence was observed for the family on Sylvan Way, who lost their home to a fire on Mother's Day, and the members of the FD and PD who responded.

APPROVAL OF MINUTES

May 2, 2023

A motion to approve the May 2, 2023 minutes was made by Councilwoman Buechner, and seconded by Council President Alonso. Upon a roll call vote, all members voted in the affirmative. Minutes approved 5/16/2023.

PRESENTATION

1. Network of Enlighten Women; a William Paterson University Chapter Present Appreciation Award to the Caldwell Police Department
 - a. Ariana Alonso, founder and president of the Chapter, presented the award
 - b. Cpt. DeAngelo accepted the award on behalf of the Police Department and thanked the Organization of the award
2. Gun Violence Awareness Proclamation
 - a. Mayor Jones read the proclamation and presented it to Linda Garfinkel of Moms Demand Action
 - b. Ms. Garfinkel thanked the Mayor for the proclamation and offered further statistics on Gun Violence in America
 - c. June 2, 2023 is Gun Violence Awareness Day

REPORT OF COUNTY LIASON

Patricia Keenan

Patricia Keenan reported:

OPEN PUBLIC COMMENTS ON ITEMS ON THE AGENDA

June Cowell, 29 Brookside Ave. 5-161 paving question? What is being paved?

Mr. Palumbo said that they are going to be milling and paving the deteriorating section of the Brookside. Cleveland and Bowers intersections and curb work.

Ms. Cowell asked if anyone looked at the Culvert?

Mr. Palumbo said Yes, Glenn is looking into it.

INTRODUCTION OF ORDINANCES

ORDINANCES FOR SECOND READING

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.

5-150	RESOLUTION AUTHORIZING A REFUND OF A BOND PAYMENT TO SHADEE YASSIN, PROPERTY OWNER OF 15 FOREST AVENUE, FOR A ROAD OPENING PERMIT
5-151	RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE FOR THE POSITION OF PART-TIME ELECTRICAL SUBCODE OFFICIAL FOR THE BOROUGH OF CALDWELL CONSTRUCTION DEPARTMENT.
5-152	RESOLUTION AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE –St. Peter's Nursery School– On-Premise Merchandise Raffle

5-153	RESOLUTION OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX AND THE STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF NEPTUNE DATA COLLECTION HARDWARE & ANNUAL SUBSCRIPTION FOR NEPTUNE 360 SOFTWARE IN THE AMOUNT OF \$20,384.00
5-154	RESOLUTION AWARDED A CONTRACT TO NATIONAL ATER MAIN CLEANING COMPANY, 1806 NEWARK TURNPIKE, KEARNY, NEW JERSEY, FOR CLEANING AND TELEVISIONING STORM AND SANITARY SEWER FOR ESPS ROAD, HILLCREST ROAD AND WESTOVER AVENUE FOR THE 2022 ROADWAY PROJECTS
5-155	RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE BOROUGH OF CALDWELL, WEST CALDWELL, AND ROSELAND TO PROVIDE SENIOR CITIZEN TRANSPORTATION
5-156	RESOLUTION AUTHORIZING APPOINTMENT OF A COMMITTEE MEMBER FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE YEAR 2023
5-157	RESOLUTION AUTHORIZING THE BOROUGH TO HIRE CHIEF HAYDUCKA OF RJH LAW ENFORCEMENT CONSULTANTS TO ACT AS A HEARING OFFICER IN EMPLOYEE DISCIPLINARY MATTERS
5-158	RESOLUTION APPROVING THE APPOINTMENT OF DAVID BERARDI AS A PROBATIONARY MEMBER OF THE CALDWELL VOLUNTEER FIRE DEPARTMENT
5-159	RESOLUTION ACCEPTING AN ANONYMOUS DONATION TO THE CALDWELL FOOD PANTRY, SENIOR CENTER, AND LOCAL ASSISTANCE BOARD IN THE AMOUNT OF \$60,000.00
5-160	AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE BIDS FOR THE CALDWELL WASTEWATER TREATMENT PLANT OPERATION
5-161	RESOLUTION AWARDED A CONTRACT TO CUNEO PAVING INC. FOR THE PARTIAL MILLING AND PAVING OF BROOKSIDE AVENUE, IN THE AMOUNT NOT TO EXCEED \$43,500.00
5-162	AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD 05/02/2023 THROUGH 05/12/2023
5-163	RESOLUTION APPROVING CHANGE ORDER NO. 7 FOR THE 14 PARK AVE BOROUGH OF CALDWELL'S HEALTH AND HUMAN SERVICE BUILDING, MODIFYING THE SCOPE OF THE PROJECT
5-164	RESOLUTION AUTHORIZING SUPPLEMENTAL TEMPORARY APPROPRIATIONS FOR CY2023
5-165	AUTHORIZE TAX COLLECTOR TO PREPARE AND ISSUE ESTIMATED TAX BILLS FOR 3RD QUARTER 2023 TAXES
5-166	RESOLUTION AUTHORIZING A FAIR AND OPEN CONTRACT WITH 6th AVENUE CONSULTING LLC AS A PART-TIME MUNICIPAL ADMINISTRATIVE CONSULTANT
5-167	RESOLUTION AUTHORIZING THE POLICE CHIEF TO ADVERTISE FOR THE POSITION OF POLICE OFFICER IN THE BOROUGH OF CALDWELL

Councilman Lace asked if Mr. Palumbo could explain resolution 5-166. Mr. Palumbo explained that 6th Avenue will be a consultant for the Budget process and other administrative tasks.

A motion to approve the consent agenda was made by Council President Alonso and seconded by Council Brown. Upon a roll call vote, all members voted in the affirmative with Councilman lace abstaining from Resolution 5-152.

NEW BUSINESS

- \$20.00 Charge for non-sufficient funds when using ACH for taxes and water payments
- Mr. Palumbo explained that this is to help the Borough recoup the funds when ACH and checks payments bounce due to insufficient funds.
- Mr. Bossong said this was requested by the Tax Collector, and if there are no objections he will draft an ordinance for the next meeting.

COUNCIL COMMITTEE REPORTS

1. Councilwoman Buechner
 - Senior
 - Memorial Day viewing area outside the Methodist Church
 - GCBPMA
 - May 6th had Homefront heroes' presentation. Organized by Jim Gardner of the GCMBPA
 - Chris Walter: GCMS student gave a presentation on interviews he did with Vets.
 - Dapper Dans performed
2. Councilman Daniolowicz
 - Library

- 5/19 1-2pm horticulture presentation GCMS Life skill class. RSVP at librarian@caldwelllp.com
 - Dog Tails 3:30-4:30 on days. Children practice reading to trained therapy dogs
 - Coffee and a Crime book first Monday of every month
- Caldwell Beautification Day
 - May 21st 1-4pm
 - Caldwell Green area and other areas
 - Asking for volunteers for weeding, mulching, planting, etc.
 - Meet on the Green at 1pm and bring work gloves
 - Water and refreshments provided
 - Sign up link to volunteer
 - Mayor Jones thanked Councilman Daniolowicz for organizing this event
 - Many local landscapers have helped with this process

REPORT OF MAYOR

Mayor Jones

Mayor Jones Reported:

- 5/18 - 5/19 paving on Brookside Ave. Mr. Palumbo said that the Curbing will be done Thursday and Milling and Paving Friday
- JCHS to Grover Cleveland Park for the 5K
- Asked Councilman Brown to speak about the West Caldwell-Caldwell Education Foundation 5K. WC-C Education Foundation 5K Saturday. Start at 8:30am www.cwcef.org for more info
- Sunday, we hope to have the green filed with Volunteers
- Town Hall Meeting update: We ran into some schedule issues with facility availability. Ms. Conlon said that the meeting was moved to Tuesday July 11th, as this facility is not available June 27th
- Spoke about the Anonymous Donation and thanked them for this gift. Mayor Jones spoke to the possibility of estate planning to benefit the organizations and work of the Borough. When estate planning, use amounts no percentages with any public library.

REPORT OF THE BOROUGH ADMINISTRATOR

Alex Palumbo

Alex Palumbo reported:

- Beautification: our DPW has started plantings on the Island. Flowering baskets will be getting picked up and hung
- NJDOT application for Road way applications due July 1st
- Councilman Cole asked about opening date for 14 Park Ave. Mr. Palumbo said that they are working on the lease with Post Office for parking
- Mayor Jones said that we will be doing tree and paving work once the lease is finalized.
- Mr. Palumbo furniture for 14 Parkway East is being purchase
- Mayor Jones said that by our next meeting we should have an agreement with the Masonic lodge to move employee parking to the Masonic lodge parking

REPORT OF BOROUGH ATTORNEY

Craig Bossong

Craig Bossong Reported:

- No report for public.
- Will have an executive session to discuss legislation

OPEN PUBLIC COMMENTS ON ANY ITEMS

Ken Jurgenson, Ravine Avenue. Article in the Progress about NJDEP recommending a stormwater utility. I could see how it could make an impact on the budget. Is this being considered for 2023? I think you have 5 years to comply. Mr. Palumbo said he will follow up with Glenn Beckmeyer as he does the Stormwater Management Councilman Brown said flooding in the library at the last meeting. Mark Giuliano, OEM Officer, said that there are only 2 major flood events in the library

Mr. Jurgenson said he took a look at the mapping and plans on the website and took a look at the culvert. It appears to me, I'm not an engineer, that there could be a restriction. My concern is that if some sort of remediation needs to happen, it would be best if that happens before the municipal buildings are built.

Annette Sellars: 21 years working at the library and I've been there for 3 floods. The first one was not nearly as substantial as the 2018 and 2021 floods. I have no records for insurance money from that storm. 3 Floods at least that required renovations

Mark Giuliano: OEM Coordinator. Sewer Plant and other town properties were also affected. We have claims with FEMA and Insurance. Culvert has to move forward before new buildings are built. Phase 1 clean out of the culvert has been done. Another resolution to do repairs was approved by previous council beginning basin causes most of the damage. If the Culvert collapses further, we could lose the whole downtown. The culvert just can't handle the mass amounts of water. We will have to make sure any new municipal building has flood protection. Hoping to get a lot of FEMA money for culvert work as well as mitigation funds. Insurance has come through with some funds for claims. Council President Alonso asked if Mark has reached out to the Army Corp of Engineers.

Mr. Giuliano said he thinks this was done when Ann Dassing was Mayor. They did a report but it never really materialized. Ownership issues is slowing down this process. I do not have the report it was done probably 20 years ago

Mathew Fox, 6 Lockward Road. July 11th town meeting. Could you print out the engineering reports for the public? I think it would be useful to have them at the meeting.

Mayor Jones said Sure, absolutely. If we have any other materials available, we will get it out too.

Mr. Fox said it would be helpful to have them in person

Edith LaChac, Crane Street: asked that the library board involved in the design of the future library.

Susan Gartland, 21 Pleasant Ave in West Caldwell. President of Foundation of Caldwell Library. We are very interested in being involved in the plans for the library moving forward. Want to make sure that this happens, and that the library has a presence. Please include members of the Library Board and Staff in these conversations. It is essential that people with the knowledge of the library are involved. Whatever your intentions are, I ask that the library professionals can participate.

Mayor Jones said that we are just in the preliminary stages. We don't have any plans yet. We are asking for preliminary plans first, then we will present that to the public. We can't have this facility until July 11th so that is why we pushed it back. I would love to use the Community Center but we can't

EXECUTIVE SESSION

5-168	RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED
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A motion to go into executive session was made by Councilwoman Buechner and seconded by Council President Alonso. Upon a roll call, all members have voted in the affirmative. The Council left the public session and entered executive session at 8:09pm.

There will be no action taken after executive session.

Mayor Jones read the Executive Session 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; 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.

ADJOURNMENT

There being no additional business to be conducted a motion to close the executive session and adjourn the public meeting was made by Councilwoman Buechner and seconded by Councilman President Alonso, and unanimously affirmed by all members. The meeting was adjourned at 8:45pm.

Prepared by: Brittany Heun
Brittany Heun, Deputy Borough Clerk

6/20/2023
DATE