

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 17, 2022**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order on Zoom at 7:15 PM.

**PRESENT:** Mayor Kelley, Councilman Cole, Councilman Lace, 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, and Borough Attorney Mary Kate Serratelli

**ABSENT:**

**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 3, 2022

**A motion to approve the minutes was made by Councilman Alonso and seconded by Councilwoman Buechner. Upon a roll call vote, all members present voted in the affirmative. Minutes approved 5/17/2022.**

**PRESENTATION**

1. 1. Cannabis Services- Beth Panicucci, Emily Seelman

**REPORT OF COUNTY LIASON**

**Patricia Keenan**

No Report

The Mayor asked for a motion to move the Report of the Borough Administrator to before the Open Public Comments section of the meeting. The motion was made by Council President Gates and seconded by Councilman Alonso. All members voted in the affirmative.

**REPORT OF BOROUGH ADMINISTRATOR**

**Thomas Banker**

Mr. Banker gave an update on the projects listed below.

1. 24 Small Avenue Adaptive Reuse for Health Department.
  - a. *Ready for occupancy. Waiting for ramp, which should be in by end of next week.*
2. Temporary Trailer Installation.
  - a. *1<sup>st</sup> four trailers, which are for the library, are in place.*
  - b. *Parking lot has been modified*
  - c. *All trailers will be onsite by next week.*
  - d. *Water and sewer are in place.*
3. 14 Park Ave Rehabilitation.
  - a. *Contract has been awarded, and work will begin this week or next week.*
4. Community Center Reconstruction.
  - a. *Draft for the demolition will be done at the meeting on Thursday.*
  - b. *Will go out to bid next week, and should be able to award the contract on June 14<sup>th</sup>.*
5. Municipal Building Construction.
  - a. *Provided proposal to First Presbyterian Church*
  - b. *Doing a title search on the Green*
  - c. *Currently consulting with the DEP*
6. Water Distribution; Storm Sewer Collection and Road Projects.
  - a. *Harrison, Crane, and Hillside, will be paved*
7. Stormwater Management Study.
  - a. *Made offer to Sister of Saint Dominic for land*
  - b. *Some case studies being done.*
  - c. *An update by John Dening of Mott MacDonald for next meeting.*
8. Wastewater Treatment Plant Projects.
  - a. *Currently in litigation on this*
9. Property Acquisitions.

- a. *Made an offer for 28 Smull Ave*
  - b. *About to make an offer on 6 Hanford Place*
  - c. *Waiting on appraisal for 22 Smull Ave.*
10. **Public Parking Plan.**
- a. *Cpt. DeAngelo presented a proposal to Mr. Banker. Will be on for discussion at the next meeting or possibly hold a special meeting to discuss.*
11. **Bloomfield Avenue Realignment Project.**
- a. *Next presentation is to the West Essex Ministerial Association.*
12. **In-Person Meeting**
- a. *Looked at a number of sites to hold meetings*
  - b. *Will not be able to use Harrison School or Caldwell Flowerland.*
  - c. *Looking at space at Caldwell University next.*
  - d. *Councilwoman Buechner suggested we look into Saint Aloysius.*

#### OPEN PUBLIC COMMENTS ON RESOLUTIONS OR ANY TOPIC

**June Cowell, 29 Brookside Avenue, A petition as delivered yesterday with 450+ signatures to consider an alternate plan for municipal complex. It is too costly for the residents, delays with legal issues, and it does not keep with the historical base of Caldwell.**

Councilman Lace voiced his support for an alternate plan, and stated that he had made a motion, but it did not pass. Councilman Gates mentioned that the petition did not present an alternate plan. The current plan has evolved over a long period of time.

Councilwoman Buechner said that one of the issues is the cost. She has been sitting in the meetings for a while, and they don't even have soft numbers for the project yet.

Councilman Alonso noted that the petition is from both Democrats and Republicans. They owe it to the residents to have a plan b, in the current location of Borough Hall. We borrowed money that we are paying interest on.

Councilwoman DePalma-Iozzi asked where community center parking will be? The committee has looked at different options

Mr. Banker said that if the library stays in its current location, it can never use the lower level again. It would need to have an addition level added. The current Borough Hall sight is possible now with the trailers, but where would Public Works go. We are expecting that area to be a public parking area, so where would that parking go if the building currently is. If we rebuild a structure where the old parking deck was, that structure would again be affected by the culvert. Each option has their consequences and issues, and all possibilities have been explored during the facilities meetings. We can always re-pursue options if necessary.

Mayor Kelley said that all options have been weighted previously.

Councilman Cole asked about the possibility of needing to extend the timeframe on the trailers. Mr. Banker said we may need to purchase them if we go beyond 3 years.

**Meryl King, 17 Birkendene Road, asked why we are acquiring land from Caldwell University and the Sisters of Saint Dominic.**

Mr. Banker said the purpose is to clean up the wooded area that is littered with debris, and to convert it to a stormwater detention area. We can also open it up as open space for a walking trail.

**Pat Laudon, 21 Linwood Terrace, said that the new house at the corner of Linwood and Hatfield block's the intersection. The fence goes to the end of the side walk, making it hard to see the cars on Hatfield St.**

Mr. Banker said that he will have inspectors take a look at it tomorrow, and will check with the Planning Board regarding the fence.

Councilman Cole suggested that the contractor should pay for traffic control if it is temporary.

**Nick Correale, 27 Westville Avenue, work with communications and means of communicating with the public. The public has ben consumed with the pandemic and are just finding out about the plans for the new Borough Hall. Disapprove of a dispensary going in Caldwell, we are a family town. Loves the idea of a plan b for Borough Hall using existing building. The plan for the New Borough Hall is excessively big. Concerned about the cost of paying back the bond loan.**

Councilman Cole said that Caldwell has many apartments; more tenants than apartments. 30% of the land in Caldwell is also tax exempt.

**Jessica Wilson, 46 Hillside Avenue, holding meetings at Saint Al's is against separation of church and state. There should be no prayers, etc., in the meeting. The movie theater building was owned by her family, and asked if there was any way to get the theater back? Possibly with help from the Municipality as a non-profit.**

Mayor Kelley said he met with the owner of the theater and he said that the economic just don't work. Mr. Banker suggested a partnership with Caldwell University for theater and arts center.

**Beverly Crifasi, Historical Preservation Commission, hoping for history to be more accessible. Preservation NJ designated the Caldwell Library as 1 of 10 historical buildings in danger. Town Ordinance says that the Historical Preservation Commission should have been involved in the meetings and conversations regarding the demolition of these buildings.**

Councilman Gates said applications were made to the NJ Historical Registries, and they were denied. Ms. Crifasi said that they were not presented to the national registry, which has higher standards. Went back to the NJ Registry this year, and they are interested.

Mr. Banker asked who authorized the Historic Preservation Commission to reach back out to the NJ State Registrar? Councilman Alonso said that they were acting in his behalf as Council Liaison.

Councilman Gates agreed and asked if the building is worth saving or not.

Councilwoman DePalma-lozzi that the inside of the building is awkward. What they build today will be the history of tomorrow.

Councilman Alonso said that maybe they can do modifications to the building.

Councilman Cole said that extensive conversations have been had with the Library Staff for over a year.

**Jack Gordon, Represent Calandra’s Italian Village, said it is a misnomer that the Mayor and Council have to authorize the head of Historical Preservation Commission/landmark preservation to look into the fate of a historical town landmark.**

Councilwoman DePalma-lozzi said that the Historical Preservation Commission must listen to the Library Board of Trustees as well.

**Doug Piazza, 24 Erwin Place, thanked Jack Gordon for his comments. Urges the Council not to adopt any Cannabis dispensary. The dispensary in Rochelle Park had lines up to 75 people waiting to purchase, and we don’t have the parking to accommodate it. Stated that resolution 5-146 regarding the leaf blowers is ridiculous, and enforcement would be impossible. Asked to reconsider change to sewer bill as promised. For the in-person meetings, Channel 35 broadcasting; Comcast contract still responsible for 2 additional hookups.**

Councilman Gates suggested that Mr. Piazza email Councilman Alonso.

**Annette Sellars, 14 Ward Place, works at the Caldwell Library and wants to clarify one point. Bev said that “the Borough has been making plans for a couple of years to tear down the library” which is not true. It has only been since September after Hurricane Ida damage. We are appreciative to be part of the discussion process.**

**Mary Campion, 53 Arlington Avenue, said it is difficult to follow the Council events, as there is so much going on, it’s hard to keep track. How much has been spent already on the Bloomfield Ave proposal? This was already done in Millburn, and they are walking it back now. Businesses will be upset over parking issues. The library is over 100 years old and has not been flooding all these years. Msgr. Bob was only asked about having trailers in the lot, not about meetings.**

Councilman Cole said that there is so much going on now, because there were a lot of things that went unaddressed.

Councilwoman DePalma-lozzi said that they are trying to tackle so many inter-related things.

Councilwoman Buechner said that the Bloomfield Ave study she believes is about \$75,000 after meetings with small group.

**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.*

**Mayor Kelley asked for a motion to add resolution 5-147, which commends the Borough of Caldwell employees for 2019-2022, to the agenda. Council President Gates made the motion and Councilwoman Buechner seconded it. All members voted in the affirmative, and resolution 5-147 was added to the consent agenda.**

|       |   |         |
|-------|---|---------|
| 5-139 | RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED<br>Meeting of May 17, 2022  | For the |
| 5-140 | AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD 05/03/2022 THROUGH 05/16/2022 IN THE AMOUNT OF \$ 4,132,755.08                                     |         |
| 5-141 | RESOLUTION AUTHORIZING PROCLAMATIONS FOR LIZ CAMPANELLO AND GLORIA TESHKOYAN FOR THE 50 YEARS OF SERVICE TO THE CALDWELL WOMEN’S CLUB   |         |
| 5-142 | RESOLUTION FOR THE NEW JERSEY DEPARTMENT OF HEATH AND HUMAN SERVICES DIVISION ON MENTAL HEALTH AND ADDICTION SERVICES YOUTH LEADERSHIP GRANT                                  |         |
| 5-143 | A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CALDWELL AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE |         |

|       |   |
|-------|---|
| 5-144 | A RESOLUTION TO UPDATE CROSSING GUARD SALARIES  |
| 5-145 | RESOLUTION TO APPROVE THE BOROUGH OF CALDWELL'S LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CONTRIBUTION OF \$13,800 FOR THE YEAR 2021. |
| 5-146 | A RESOLUTION LIMITING USE OF GAS-POWERED LEAF BLOWERS IN THE BOROUGH OF CALDWELL  |
| 5-147 | COMMENDING THE EMPLOYEES OF THE BOROUGH OF CALDWELL FURING THE YEARS 2019-2022.   |

A motion to remove resolution 5-144 from the agenda was made by Council President Gates and seconded by Councilman Lace. Upon a voice vote, all members voted in the affirmative. Resolution 5-44 was pulled from the agenda 5/17/2022.

Council President Gates made a motion to remove resolution 5-140 from the consent agenda, which was seconded by Councilman Alonso. Upon a voice vote, all members voted in the affirmative. Resolution 5-140 was removed from the consent agenda 5/17/2022.

Councilman Cole made a motion to pull resolution 5-146 from the agenda, which was seconded by Councilman Lace. Upon a voice vote, all members voted in the affirmative. Resolution pulled from the agenda 05/17/2022.

A motion to approve the consent agenda as amended, was made by Councilwoman Buchner, and seconded by Councilman Alonso. Upon a roll call vote, all members voted in the affirmative. The Consent agenda passed 05/17/2022.

A motion to withhold \$25,000 from Cifeli and Sons until Glenn can be consulted, was made by Council President Gates, and seconded by Councilwoman Buechner. Upon a roll call vote, all members voted in the affirmative. Motion passed 05/17/2022.

A motion to approve resolution 5-140 as amended was made by Councilwoman DePalma-Iozzi and seconded by Councilwoman Buechner. Upon a roll call vote, all members voted in the affirmative. Resolution 5-140 was approved as amended on 5/17/2022.

#### NEW BUSINESS

1. Councilwoman Buechner – Trees with regard to construction
  - a. Lots of chatter on this topic
  - b. Stated that before the tree removals are done, letters are sent out to the homeowners for them to choose.

#### COUNCIL COMMITTEE REPORTS

*Borough Council Members*

1. Councilwoman Buechner- Board of Health/ Senior Services/ Caldwell Community Center
  - a. Continuing with vaccines at Sears and Kmart locations, Thursday – Friday 2p,-7pm & Saturdays 8am – 2pm.
  - b. There will be seating by the Methodist Church for seniors to watch the parade. Contact maria Burak to reserve a seat.

#### REPORT OF THE MAYOR

*John Kelley*

- Paving of Hillside, Crane, and Harrison on Thursday and Friday from 7am.

#### REPORT OF BOROUGH ATTORNEY

*Mary Kate Serratelli*

No report

Councilman Alonso asked why the paving of streets near schools can't be done after the school year.

Mr. Banker said that they try to respect the schools schedule when scheduling paving projects. The cost would be dramatically higher if projects were only done outside the school schedules. We try to minimize impact as much as we can.

Mayor Kelley said that the paving will not be near Lincoln School until after 9am.

#### 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 votes in the affirmative. The Council left the public meeting and entered executive session at 10:04pm.

A motion to close the executive portion and return to public session was made by Councilman Lace and seconded by Councilwoman Buechner. Upon a voice vote, all voted in the affirmative. The Public meeting resumed at 10:36pm

**RESOLUTIONS**

**Resolution 5-148:** AUTHORIZING THE EMPLOYMENT OF Robert L. Nicoletti, AS A PROBATIONARY POLICE OFFICER IN THE CALDWELL POLICE DEPARTMENT EFFECTIVE June 01, 2022 WITH AN ANNUAL BASE SALARY OF \$39,797.00 IN ACCORDANCE WITH THE CURRENT PBA CONTRACT

A motion to approve resolution 5-148 was made by Councilwoman Buechner and seconded by Councilman Lace. Upon a roll call vote, all members voted in the affirmative. Resolution approved 5/17/2022.

**Resolution 5-149:** AUTHORIZING THE EMPLOYMENT OF Daniel P. Rafferty, AS A PROBATIONARY POLICE OFFICER IN THE CALDWELL POLICE DEPARTMENT EFFECTIVE June 01, 2022 WITH AN ANNUAL BASE SALARY OF \$39,797.00 IN ACCORDANCE WITH THE CURRENT PBA CONTRACT

A motion to approve resolution 5-149 was made by Councilwoman Buechner and seconded by Councilman Lace. Upon a roll call vote, all members voted in the affirmative. Resolution 5-149 approved 5/17/2022.

**ADJOURNMENT**

There being no additional business to be conducted, a motion to adjourn the meeting was made by Councilman Alonso and seconded by Councilwoman Buechner. Upon a voice vote, all members voted in the affirmative. Meeting adjourned at 10:42pm.

Prepared by: Brittany Heun  
Brittany Heun, Deputy Borough Clerk

6/13/2022  
DATE