

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – May 2, 2023**

The Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order on Zoom at 7:23pm 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 Smull 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 Webber Family.

APPROVAL OF MINUTES

April 18, 2023

A motion to approve the April 18, 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 5/2/2023.

PRESENTATION

REPORT OF COUNTY LIASON

Patricia Keenan

Patricia Keenan reported:

- Events
 - 5/18 fishing derby at GCP
 - Iris Gardens in Montclair. 5/20 11am -3pm
 - Hazardous Waste 5/6 8:30-4pm
 - 5/20 electronics Recycling 9am -3pm
 - Tennis and pickle ball court has started.

- COVID
 - 5/5 infant vaccine clinic 5moth -6 years old 2pm-6pm via appointment held in Cedar Grove

OPEN PUBLIC COMMENTS ON ITEMS ON THE AGENDA

Peter Nancoz, 45 Birkendene Road. Ordinance for FD members to be exempt from Parking Meters. Ask that the First Aid Squad be given the same accommodation

INTRODUCTION OF ORDINANCES

ORDINANCE 1441-23 AN ORDINANCE TO ADD PARAGRAPH B TO SECTION 230-41 ENTITLED "OPERATION OF PARKING METERS; COMPLIANCE WITH TIME LIMITS" TO EXEMPT QUALIFIED ACTIVE VOLUNTEER MEMBERS OF THE BOROUGH OF CALDWELL FIRE DEPARTMENT FROM SUCH FEES

Councilman Brown made a motion to amend the Ordinance to include members of the First Aid Squad, Councilman Lace seconded the motion. Discussion on qualification terms was had. Upon a roll call vote, the motion to amend was unanimously approved.

A motion to introduce the Ordinance, as amended, was made by Councilman Brown and seconded by Councilman Daniolowicz. Upon a roll call vote, all members voted in the affirmative. Ordinance 1441-23 was introduced 5/2/2023.

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.

5-137	RESOLUTION AUTHORIZING THE PURCHASE AN E-ONE HP100 PLATFORM LADDER TRUCK FROM ABSOLUTE FIRE PROTECTION CO., INC. 2800 HAMILTON BOULEVARD, SOUTH PLAINFIELD, NJ 07080 FOR THE CALDWELL VOLUNTEER FIRE DEPARTMENT FOR AN AMOUNT OF \$1,603,080.00 THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM
5-138	RESOLUTION TO AWARD CONTRACT TO FRONT-PAGE PROMOTIONS INC. FOR AN AMOUNT NOT TO EXCEED \$17,500.00

5-139	RESOLUTION TO TEMPORARILY DELAY THE DEMOLITION OF THE CALDWELL BOROUGH HALL AND LIBRARY BUILDINGS FOR AN ADDITIONAL 35 DAYS EFFECTIVE ON MAY 6, 2023 AND VALID THROUGH JUNE 9, 2023
5-140	RESOLUTION TO ADJUST THE SEWER BILLING FOR BLOCK 38, LOT 6.01 FOR 22 WESTOVER AVENUE
5-141	RESOLUTION TO AMEND RESOLUTION 4-121 FOR THE PURCHASE OF TRASH AND RECYCLING RECEPTACLES AND BENCHES FOR THE COMMERCIAL DISTRICT OF BLOOMFIELD AVENUE IN THE BOROUGH OF CALDWELL, FROM BARCO PRODUCTS, 24 N. Washington Avenue, Batavia, IL 60510 THROUGH THE NJ STARTS CO-OP CONTRACT #V00019632, TO ACCOUNT FOR AN ADDITIONAL \$85.00 TO BRING THE NOT TO EXCEED AMOUNT TO \$49,554.93
5-142	RESOLUTION APPROVING CHANGE ORDERS NO. 6 FOR THE 14 PARK AVE BOROUGH OF CALDWELL'S HEALTH AND HUMAN SERVICE BUILDING, MODIFYING THE SCOPE OF THE PROJECT
5-143	AUTHORIZING PAYMENT OF THE BILLS AND ISSUANCE OF CHECKS FOR THE PERIOD 04/15/2023 THROUGH 05/01/2023
5-144	RESOLUTION APPROVING THE APPOINTMENT OF MICHAEL PETRUZZI AS A JUNIOR FIREFIGHTER FOR THE CALDWELL VOLUNTEER FIRE DEPARTMENT
5-145	RESOLUTION TO AWARD CONTRACT TO TOPOLOGY FOR AN AMOUNT NOT TO EXCEED \$18,350.00
5-146	RESOLUTION TO ACCEPT THE RESIGNATION OF JUSTIN MISANO AS POLICE OFFICER EFFECTIVE APRIL 28, 2023
5-147	RESOLUTION AUTHORIZING THE PURCHASE OF FLOWER PLANTERS FOR THE COMMERCIAL DISTRICT OF BLOOMFIELD AVENUE IN THE BOROUGH OF CALDWELL FROM GENERAL RECREATION, INC , PO BOX 440, NEWTON SQUARE, PA 19073 THROUGH THE NEW JERSEY STARTS CO-OP CONTRACT #16 FLEET 00130, FOR AN AMOUNT OF \$17,177.00
5-148	AUTHORIZING APPOINTMENT OF MARK GUILIANO AS MUNICIPAL ZONING OFFICER FOR THE YEAR 2023

Resolution 5-139 has been pulled from the consent agenda, to be considered separately.

A motion to approve the amended consent agenda, was made by Council Brown and seconded by Council President Alonso. Upon a roll call vote, all members voted in the affirmative. The Consent agenda was approved 5/2 /2023.

A motion to approve resolution 5-139 was made by Councilman Daniolowicz, and seconded by Council President Alonso. Discussion Ensued. Upon a roll call vote, all members voted in the affirmative, with Councilman Cole voting no. Resolution 5-139 was approved 5/9/2023.

NEW BUSINESS

Councilman Cole asked if a new date for the Town Hall meeting has been set?
 Councilman Brown suggested the week of June 27th, which would be the last Tuesday of the month. The gave the architects 60 days to come back with ideas, so the June 27th date would allow for enough time.
 Mayor Jones agreed with the June 27th date. It is also not too far into Summer, so there will still be people around to attend. We will check to see if this facility is available for the June 27th date at 7pm.
 Councilman Lace reiterated the importance of having at least 3 options presented to the public.
 Councilman Cole asked if the ballpark figures will also be available for that meeting.
 Councilman Brown said that they asked for at least 3 options and figures for each option.

COUNCIL COMMITTEE REPORTS

- Councilwoman Buechner: Grover Cleveland Birth Place Memorial Association
 - Numbers of visitors continue to be positive. April = 162 visitors from both in state and out of state visitors.
 - You can become a member and support the association. They have student, family and individual accounts. This gives access to news and updates. Is tax deductible
 - May 6th at 11am. Homefront hero's day to celebrate the hometown hero's that support our military. This tradition dates back to WWII. Started by a WWII Pilot who wanted to thank those that supported the military during the war.
- Councilman Brown
 - 4/22 was little league opening day. Great event and very well attended. Thanked Caldwell west Essex for having the event
 - EC shredding day raided \$2,080 for the JCHS Scholarship fund. Thanked SC, Cali Carting, and Jake, Bob, and Paul from DPW who were on hand to help. Scholarship is still open for donations for this unearthed. CWCEBOE Website for info
 - Earth day presentation My 4th with Katherine Kerwin. Info on Website and Facebook. 7pm via Zoom.
 - Caldwell Education Fund 5K - May 20th. Starts at JCHS. Info on www.cwcef.org

Mayor Jones said opening day was amazing. Thanked Councilman brown, Daniolowicz, and Alonso for being there. 5 towns were involved in little league, which is essentially being run by volunteers. Nice to see everyone working together. Mayors who were present threw out the first pitch.

- Councilman Daniolowicz
 - Library encourages folks to come visit
 - Programs for all ages
 - Adult programs are filling up.

- Beautification day 5/21 at 1pm. We are working diligently to get this going. Working with Brittany to get a sign-up going. At the green with Mario today and James Haas to give us some advice and ideas for the best things to plant there. Islands are being cleaned out by DPW currently, and they are doing a great job. Alex has already been great helping us get things together for this.

Councilman Lace asked if there are plans for the Memorial Day Parade. Mayor Jones, said yes, the Parade is on for this year! Registration forms are available at Borough Hall.

REPORT OF MAYOR

Mayor Jones

Mayor Jones Reported:

- Memorial Day parade is on! If any organizations would like to participate, we have applications on the website and at Borough Hall. Stepping off at 9:30 on Memorial Day. Usually rain or sign, but that is up to Rec to make that call. 9:15am any marches, council members, members of the of the community there will be a service on the green. This will be presented by the American Legion.
- The Mayor purchased and installed a flag at the municipal complex.
- Senior Center: we are hoping to get everything ready for the grand opening of the center. Alex said the Cut-in card was issued by PSE&G. We are working on the setting up the parking lot, and getting that paved and striped. Interlocal agreement with the Post office is in the works.
- Mayor Jones introduced Alex Palumbo, our new Borough Administrator.
- Sunday night, we had an issue with the traffic light at Bloomfield and Central Ave. Sgt. Pellegrino and Officer Adamo immediately showed up to take care of traffic. A county employee came out and helped, who saw it while driving by. County response time to this issue was phenomenal. Very appreciative of the County and their help
- We are moving right along with plans for the Town going forward. I think we may want to separate the demo of the library from the demo of the Municipal Building.
- We had some pretty intense rain over this weekend. I took a drive to the cedars to take a look at the ponding that occurs in the area of Hanlon Road.

REPORT OF THE BOROUGH ADMINISTRATOR

Alex Palumbo

Alex Palumbo reported:

- Nothing to report

REPORT OF BOROUGH ATTORNEY

Craig Bossong

Craig Bossong Reported:

- No report for public.
- An item of Closed session no action when we come back
- Reminded everyone to do their Financial Disclosures submitted to DCA.

OPEN PUBLIC COMMENTS ON ANY ITEMS

Mathew Fox, 6 Lockward Road. Councilman Cole, I do not understand the reasoning behind many of your statements. This is a different Council and it feels like a community.

Councilman Cole said I'd like to reach out to the Community and ask that every member that attends reads the studies. I own a home that is older than town hall and know that if you take care of old buildings, they can stand. We are doing something different now, which is fine. Mayor and Councils in the past did not take care of public property which is what we would expect.

Fox: Your mayor and Council weren't interested in what the public thought. That mayor and his supporters are gone. We have access, possibilities, and information now.

Nick Correale, 27 Westville Ave. Feels like we are having flashbacks to months ago. There are issues that were discussed before that we don't talk about again, like the acres in front of Caldwell University. At what point did you know the figures for the buildings, and the money behind the mailers when you could have just had a town hall meeting. I deduced that maybe 1 building can be saved and 1 can be demolished. I am not an engineer but that is what I determined.

Councilman Cole said we can absolutely have a town hall. I am the voice of one, and obviously the Council will be going through another delay. I did not approve of everything that was done in the past, but I am happy that we got our employees into safe and dry offices and out of the building that was falling apart.

Mr. Correale said that he was in the Borough Hall last May and saw the buckets. This is all circumstantial. What he did want to ask was the Topology work. Is that for the beautification to Bloomfield Ave?

Councilman Brown said that is for a review of the redevelopment plan. That floats above it master plan. It has gone through many iterations, and the latest increased densities and allows for massive buildings. I don't feel that residential areas should be over developed. This reworking will hopefully allow for residential areas to be returned to what they were. It is a rework of the document

Ken Jurgenson, Ravine Avenue. Storm water plan. I understood that Mott MacDonald was going to submit a larger plan.

Mayor Jones said that Tom did mention this at the last meeting.

Mr. Palumbo said that it is his understanding is that it is a draft, and that we will be adding to it.

Mayor Jones asked about a timetable of reporting it to the public?

Mr. Bossong said you should wait until Mott MacDonald completes it before presenting it to the public.

Mr. Palumbo said he will reach out tomorrow.

Mr. Jurgenson said that the library has flooded 5 or 6 times in the past. Shouldn't we know if the Culvert in that area needs to be modified.

Mayor Jones said that he believes part of the architectural plans we are looking to would address that. Should be presented to everyone in June. There are issues with the culvert currently. There are several

Jurgenson: Councilman Lace made comments about the PD and Library being in the same facility. Has there been any resolution to that?

Mayor Jones said that his personal view would be not to have those 2 entities together.

Councilman Brown said that there are certain architectural specifications that the Police Department Building must adhere too.

Christine Gurriere, 26 Welshman Court. 2018 there was a proposal by rapid recovery for Borough Hall, to rehab including rood, windows, etc. I would not consider a new roof and windows as "band-aid" approach. Forensic Accountant. What recourse do we have? We learned that the Police Chief was not in favor of the proposal, and. Kelley and Banker were aware. We have a problem with a culvert, and they had the architect draw plans over the Cover. I want to know what recourse will come out of the Forensic Accountant's findings.

Jones: we want to have full transparency and disclosure this year. There are things that we are going through from the past years. We are trying to move forward, and not focus to much on the past. We have money that is contract to the Cozzarelli firm, so we are continuing the work with him. This would be money better spent then starting fresh with another firm. We have Al's been able to have a conversation with him to negate the money that was owed to him, working on contract modifications. 1.2 million has already been spent with this firm, which was a surprise to us. I understand the forensic account's work will take a while.

Ms. Gurriere thanked for the thoughtful comments and the hard work being put in.

Ann Marchioni, Birds and pollinators in town are kind of endangered. Our upcoming webinar will tell you all about this. The webinar is free, and sign-up information is on our website. Our own pollinator garden is coming along nicely.

Robert Sullivan, 6 Parkway west. Any discussions about merging the West Caldwell and Caldwell Police Departments to save costs on building a new facility.

Mayor Jones said that no discussions have been had. Shared services are always welcome and are a nice idea. I personally like having our own Police Department. I feel that it is a great sense of safety having our own force.

Frank Gerard Godlewski, Essex Fells resident. So grateful for the work that is going to be done. As a member of the Historical Commission, I wanted to thank you and look forward to the discussions about the municipal building a library. I am hopefully to be a part of the conversation, and am a viable for any meetings.

EXECUTIVE SESSION

5-149

RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED

A motion to go into executive session was made by Councilwoman Buechner and seconded by Councilman Daniolowicz. Upon a voice vote, all members have voted in the affirmative. The Council left the public session and entered executive session at 8:23pm.

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 Council President Alonso and seconded by Councilman Lace, and unanimously affirmed by all members. The meeting was adjourned at 8:59pm.

Prepared by: 
Brittany Heun, Deputy Borough Clerk

5/17/2023
DATE