

**BOROUGH OF CALDWELL
BUSINESS/CONFERENCE MEETING
MINUTES- November 23, 2021**

The Special Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order via Zoom Meetings at 7:18pm.

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

ABSENT:

ALSO PRESENT: Borough Administrator Tom Banker, Borough Attorney Vince Nuzzi, Deputy Clerk Kim Conlon, and Deputy Clerk Brittany Heun

STATEMENT OF COMPLIANCE

Adequate notice of this Council Business/Conference Meeting was given on January 7, 2021. Notice was posted on the bulletin board on the first floor of the 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 same.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

November 12, 2021

Moved by Council President Schmidt and seconded by Councilman Gates. Upon a roll call vote, all voted in the affirmative. Minutes approved on 11/23/2021

OPEN PUBLIC MEETING-OPEN TO PUBLIC

Barbara Buechner, 7 Park Lane, FEMA workshop today, and asked if anyone from the town attended the meeting. It is for grant money, and there is a high priority for fire trucks.

Mayor Kelley - thanked Ms. Buechner for her questions. There was a grant meeting this morning, and a FEMA meeting yesterday. Mark Giuliano has been dealing with FEMA Directly

Tom Banker - Millennium did make us aware of the grant, and we are preparing to submit a grant application by the December deadline. Did have an on-site meeting with FEMA regarding recovery from IDA. They identified 3 major areas where they believe we are qualified to get reimbursements. Hopefully that this will produce quite a bit of reimbursements from FEMA for the damages sustained.

Mark Giuliano, OEM Officer, confirmed that we did have a FEMA meeting and a grant meeting and are actively working on money for a new fire truck, as well as for IDA damages. IDA has been out biggest claim yet due to the Library Damage, Sewer Plant damage, and other miscellaneous damages.

Mayor Kelley thanked Mark for his work on this and his leadership.

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.

11-253	RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of November 23, 2021
11-254	AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD 11/09/2021 THROUGH 11/22/2021 IN THE AMOUNT OF \$11,103,280.72
11-255	RESOLUTION AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #19-00011, BLOCK 50, LOT 34, 14 ELIZABETH STREET, CALDWELL, NJ 07006
11-256	RESOLUTION AUTHORIZING THE BOROUGH OF CALDWELL TO EXECUTE THE CONTRACT FOR THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL, FOR BODY-WARN CAMERA GRANT PROGRAM
11-257	RESOLUTION AUTHORIZING THE SUSPENSION OF METERED PARKING PAYMENTS FOR THE HOLIDAY SEASON

11-258	FORM OF RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87
11-259	RESOLUTION AUTHORIZING THE PURCHASE OF TWO 2022 FORD HYBRID ESCAPES FROM GENTILINI FORD, 555 JOHN S PENN BLVD, WOODBINE, NJ 08270 FOR THE BOROUGH OF CALDWELL IN THE AMOUNT OF \$67,880.14 THROUGH CRANFORD COOPERATIVE CONTRACT # 21-01.
11-260	RESOLUTION AUTHORIZING THE PURCHASE OF A 2022 FORD EXPLORER AND A 2022 CHEVROLET TAHOE FROM GENTILINI FORD, 555 JOHN S PENN BLVD, WOODBINE, NJ 08270 FOR THE CALDWELL POLICE DEPARTMENT FOR AN AMOUNT OF \$107,174.54 THROUGH CRANFORD COOPERATIVE CONTRACT # 21-01.
11-261	AUTHORIZING THE ISSUANCE OF A PERMIT FOR PEDDLER LICENSE OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – GLAZED AND CONFUSED
11-262	Pulled From Consent Agenda
11-263	RESOLUTION AMENDING A PROFESSIONAL SERVICE CONTRACT WITH MARAZITI FALCON, LLP FOR LEGAL SERVICES REGARDING THE CALDWELL SEWER UTILITY

A motion to pull Resolution 11-262 from the consent agenda and consider separately, was made by Council President Schmidt and seconded by Councilman Gates. Upon a voice vote, all voted in favor. Resolution 11-262 was removed from the consent agenda.

A motion to pass the consent agenda was made by Councilman Lace and seconded by Councilman Cole. Discussion Ensued. Upon a roll call vote, all members voted in the affirmative. Resolutions passed 11/9/2021.

RESOLUTIONS

11-262	RESOLUTION AWARDDING A CONTRACT TO TWO BROTHERS CONTRACTING, INC., 11 VREELAND AVENUE, TOTOWA, NJ 07512 FOR THE BOROUGH PROJECT ENTITLED "CALDWELL HEALTH AND HUMAN SERVICES BUILDING 14 PARK AVENUE INTERIOR DEMOLITION"
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A motion to pass resolution 11-262 was made by Councilman Rodgers and seconded by Council President Schmidt. Discussion ensued. Upon a roll call vote, Councilman Rodgers, Council President Schmidt, Councilwoman DePalma-Iozzi and Councilman Cole voting in the affirmative, and Councilman Lace and Councilman Gates voting against the resolution. Resolution passed 11/23/2021.

NEW BUSINESS

Best Practices Inventory

- Mr. Banker explained that this is an annual State requirement. The Borough has to show the state the degree to which you are following the best practices. There is no action for this, it is just for you to receive and acknowledge. As long as you get a passing score, you won't lose any State aid.
2. Councilman Gates:
- Attended the League of Municipalities last week. Discussed stormwater issues with elected officials from Verona and North Caldwell. Discussed improving communication between multiple governing bodies. Not sure if the proper protocol would be to create some sort of committee for this.
 - Mayor Kelley said that the shared services committee may encompass this. The shared services committee has a wide range of topics and stormwater could be one of them.
 - Mr. Banker said that we are clearly being the most aggressive of the West Essex Community, in regards to Stormwater. We have hired a company, that is the best in the industry, to advise us on what needs to be done. Our survey will also go outside of our borders a bit. We would love to have those communities participate. We should reach out to those municipalities to offer their participation. This is scientific data, that we could share with our neighbors.
 - Mayor Kelley said that we have had someone from Montclair reach out already, and think this is something worth pursuing.

- Councilman Lace said that he has a draft letter that is ready to be sent out. Would it be appropriate to mention the possibility of a dedicated stormwater meeting in that letter?
 - Mr. Banker said that would be very appropriate.
 - Councilman Cole suggested asking Caldwell University to be a host of such a meeting.
- Parking Deck debris
 - Is there something we can do to move those rocks in the interim period so we can make use of that space.
 - Mr. Banker said he will be able to give a better answer after the facility meeting tomorrow. We stockpiled that material because it is valuable and could benefit our projects going further. We will discuss how quickly we can move that or use that to make that site less burdensome.
 - Mayor Kelley asked if Councilman Gates would be able to attend the facilities team meeting tomorrow
3. Council President Schmidt
- Is there any chance to revisit the timing of leaf pickup for next year?
 - Mr. Banker said that is something we can look into for next year
 - Mayor Kelley asked if it would be possible to add a third pickup
 - Mr. Banker said that we will have to take another look at how we manage leaf pickups. He will talk to Mario about this tomorrow morning.
 - Noted that there were complaints about the late distribution of the mailer. The schedule was up online much earlier than it went out in mail. Reminded residents to check the website for updates as well.

COUNCIL COMMITTEE REPORTS

Borough Council Members

1. Council President Schmidt – Library
 - The 24 Smull site is smaller so they are sorting through which materials will be brought over
 - They are looking at funding
 - Please check the library schedule for updates and where you can find out librarians outside of Caldwell
 - The library is raising money to support its efforts in getting 24 Smull up and running for giving Tuesday.
2. Councilwoman DePalma-Iozzi
 - Congrats to the Chiefs for their upcoming game at MetLife stadium
3. Councilman Rodgers
 - Invited Coach Lamont and the captains of the football team to join the next council meeting and to present a proclamation
4. Councilman Cole
 - Caldwell food pantry's virtual giving tree is up online
 - Gifts can be returned to Provost Square
 - Turkey drive was a success
5. Councilman Lace
 - This Saturday is traditionally designated as Small Business Saturday, and encourage residents to buy their holiday gifts from our local merchants.

REPORT OF MAYOR

Mayor Kelley

Mayor Kelley Reported:

- Our Library Director will be attending tomorrow's facilities team meeting. Their involvement in that meeting is very important.
- They are working with the facilities team for the new borough hall/library/police headquarters/and court
- Asked the Borough administrator to provide an outline, as we move forward, for what was adopted at the 11/12 meeting and what needs to be done moving forward.

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

Tom Banker Reported:

- The actions that were before the Council on 11/12 included several items of significance.
 - Amendment to the redevelopment plan that would allow for the redevelopment of the current Borough Hall site, so that we will be able to develop a new municipal facility that will encompass Municipal Government, Court, Police, and Library.
 - Provides for the Borough to designate a redeveloped to design a maximum 5-story building and a new parking facility (2 level minimum)
 - Bond financing which will allow for us to finance these projects which include new health and human services building, borough hall, parking, etc.
 - Parking plan will probably be presented to the Council in January.
- Number of redevelopment projects currently underway.
 - The one on Roseland Ave should be ready for occupancy in the spring
 - Lane Ave excavation is underway
 - Corner of Smull Ave and Bloomfield Ave has begun
- The Council previously authorized work regarding Open Space acquisitions. The survey work should be delivered to us by the end of next week, so we should be making concrete offers by the first week in January.

REPORT OF BOROUGH ATTORNEY

Vincent Nuzzi

Vince Nuzzi reported:

EXECUTIVE SESSION

Closed Session

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.

A motion to enter into Executive Session was made by Councilman Lace and seconded by Councilwoman DePalma-Iozzi. Upon a voice vote, all voted in the affirmative. The Borough Council Meeting adjourned the public meeting and went into Executive Session at 8:41pm.

A motion to come out of Executive Session was made by Councilman Lace and seconded by Councilwoman DePalma-Iozzi. Upon a voice vote, all voted in the affirmative.

ADJOURNMENT

There being no additional business to be conducted, a motion to adjourn the meeting was made by Councilman Lace and seconded by Council President Schmidt. Upon a voice vote, all voted in the affirmative. The meeting adjourned at 9:07 PM.

Prepared by: *Brittany Heun*
Brittany Heun, Deputy Borough Clerk

12/9/2021

DATE