

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 3, 2023**

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

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

ALSO PRESENT: Deputy Clerk Brittany Heun, Deputy Clerk, Kim Conlon, Borough Administrator, Alex Palumbo, Borough Attorney, Craig Bossong, esq., and county Liaison, Patricia Keenan

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

APPROVAL OF MINUTES

September 19, 2023

A motion to approve the September 19, 2023 minutes was made by Council President Alonso and seconded by Councilwoman Buechner. Upon a roll call vote, all members voted in the affirmative. Minutes approved 10/3/2023.

PRESENTATION

REPORT OF COUNTY LIAISON

Patricia Keenan

Patricia Keenan Reported:

- Events:
 - Pumpkin Patch/ Maze at the Fall fam festival on Sunday 10/15 11am-3pm at the environmental center
 - 10/20 Event at the Iris Gardens
 - Hazardous waste this sat 8am -4pm
 - Comp 10/21 9am - 3 pm
 - DPW on Bradford Ave
- Mobile Health Clinic
 - COVID 19 vaccines, flu vaccines, other
 - Screenings and education session
 - Essexcountynjvaccination.org

Major Jones said the health clinic did not come to the Street Fair. Hopefully next year it will be there. Communicate with OEM and the Street Fair Committee

OPEN PUBLIC COMMENTS ON ITEMS ON THE AGENDA

No Public Comments on the Agenda

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.

10-262	RESOLUTION AUTHORIZING THE CREATION OF AN OVERSIGHT COMMITTEE TO OVERSEE THE DESIGN PROCESS FOR THE MUNICIPAL BUILDINGS AT 1 PROVOST SQUARE, CALDWELL, NJ 07006
10-263	RESOLUTION AUTHORIZING THE APPOINTMENT OF MAGALY KIRNAN AS A CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY
10-264	RESOLUTION AUTHORIZING THE APPOINTMENT OF DAVID COHEN AS A SUBSTITUTE CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY
10-265	RESOLUTION AUTHORIZING THE POLICE CHIEF TO ADVERTISE FOR THE POSITION OF POLICE OFFICER IN THE BOROUGH OF CALDWELL

10-266	RESOLUTION AUTHORIZING THE ISSUING OF LICENSE FOR BINGO. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE –St. Aloysius Church ON –PREMISE- BINGO, OCTOBER 27, 2023 – 7PM
10-267	RESOLUTION AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE TAX OFFICE
10-268	A RESOLUTION TO AFFIRM THE BOROUGH OF CALDWELL'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS
10-269	AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD OF 09/16/2023 THROUGH 10/02/2023
10-270	RESOLUTION TO AMEND RESOLUTION 7-174 AND AMEND THE CONTRACT WITH TWO BOTHERS CONTRACTING, INC. FOR THE DEMOLITION OF BOROUGH HALL IN AN AMOUNT NOT TO EXCEED \$260,000.00
10-271	RESOLUTION AWARDING A CONTRACT TO NATURAL SYSTEMS UTILITIES FOR A C-2 SANITARY COLLECTION SYSTEM OPERATOR

A motion to adopt the consent agenda was made by Council President Alonso and seconded by Councilwoman Buechner. Upon a roll call vote, all members were voted in the affirmative. The consent agenda was approved on 10/3/2023.

RESOLUTIONS

9-246	A RESOLUTION REGARDING COMMUNICATIONS RELATED TO THE NEW MUNICIPAL COMPLEX
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A motion to table resolution 9-246 was made by Councilman Daniolowicz and seconded by Council President Alonso. Discussion ensued. Upon a roll call vote, all members voted in the affirmative. Resolution 9-246 was tabled 10/5/2023.

NEW BUSINESS

- Discussion Regarding the Removal of the Current Ordinance 1421-21 Section 217A, Which Allows for Tax Abatements for Developers/Owners Throughout the Redevelopment Area within the Boundaries of the Borough.
 - Mr. Palumbo asked the Council for discussion regarding possibly rescinding the Tax Abatement Ordinance, as he does not believe a 5-year abatement for developers benefits the Borough.
 - Mr. Bossong gave an explanation on the definitions of Area of Rehabilitation versus Area of Redevelopment, and the 5-Year Tax abatement program versus the Pilot Program.
 - Discussion among the Council was had regarding how the original 5-Year Tax Abatement Program was presented. The Council also asked for more information on how the private homeowners would be affected.

COUNCIL COMMITTEE REPORTS

1. Councilwoman Buechner – Grover Cleveland Birth Place
 - Grover Cleveland
 - I continue to be astonished by the people that come and the places they come from.
 - We have had visitors from Canada and England as well as states all across the Country.
2. Cole: People in the town continue to be inundated with rain events. Reminder for Residents about the Ordinance that prohibits residents from directing their sump pumps, gutters, etc. into the Street, and therefore our Sanitary Sewer System. This causes our Sewer System to be overloaded. We did smoke testing last year to find these homes. It impacts negatively
 - Mayor Jones: I ensured that our Code enforcement and water department have a \$0 tolerance on this. Immediate fines are issued for violators.

REPORT OF MAYOR

Mayor Jones

Mayor Jones Reported:

- Col. John McHue - Highest ranking officer to lose their lives in desert storm. James Caldwell High School Graduate
 - We have honored Col. McHue during various events over the years.
 - Jeff Durr will be running the NYC marathon in honor of Col. McHue. Son of Joe Durr a former Police Chief
 - Event at Ringside pub on 10/21 at 7pm
- Would like to discuss Friday, Sept. 29th flooding and Fire event. Tree went down, 3 primary lines down, and 3 locations where the lines went down. Those large trees between sidewalks and streets cause the trees to be compromised. 1 resident and a fireman were injured. Response from PSEG, Essex County, Fire Dept, Police, and DPW was amazing. West Essex First Aid squad were on scene. Power was restored by 7:30am on Sat. Sunday Morning, a PSEG worker was burned during an incident in town.
- Thanked Cedar Grove, Roseland, Montclair, Essex fells, West Caldwell, fire departments as well for their response. Our Fire fighters went into the burning home to rescue the family cat, which has since died, and also went to rescue the urn of the homeowners deceased husband. Junior Firefighters came out of the home with personal artifacts and photographs. It is something that I have not seen and will always remember.

REPORT OF THE BOROUGH ADMINISTRATOR

Alex Palumbo

Alex Palumbo reported:

- Sep. 14th, we received the RFPs for Architectural and Engineering services. 14 bids of varying prices. Somewhere not quite on point for the scope of work we were looking for. Now that the committee has been appointed, we will start the interview process. 7 Engineering RFPs received
- Our Assistant Engineer, Mike DeCarlo is looking Mott MacDonalds I/I Survey and what changes can be made

Craig Bossong Reported:

- New Sewer operator took full control on Sunday.
- No updates on litigation at this time. Will have something next week

OPEN PUBLIC COMMENTS ON ANY ITEMS**Christine Gurriere, 26 Welshman Court. Oversight Committee resolution. Who is on the committee, what is their authority and role.**

Mayor Jones said that the committee will be me, Council Brown, Councilman Daniolowicz, Alex Palumbo, Mike DeCarlo and Tom Tucci. We will report to the Council. When we had Town employees at the facility meetings, it was tying up the employees for hours on end.

Ms. Guerriere asked if there will be full reports made to the Residents.

Mayor Jones said that there will be.

Mr. Bossong said that the oversight committee has no authority to make binding decisions.

Sue Marinucci, 32 Ravine Ave. Parking on Ravine and speed that people travel the street. It is not safe for the children on the street. I know that no one likes the speed bumps.

Mayor Jones said that we did bring this up to the Police Dept. and traffic studies were done. 2-sided parking was deemed to be too dangerous

Ms. Marinucci said that she brought this up years ago during the Dassing Administration.

Mayor Jones said that Capt. DeAngelo is online right now and we will ask that enforcement should be increased and monitored fully

Ken Jurgensen, Ravine Avenue. Stormwater maintenance draft report at Mott MacDonald did. The plan for debris removal was being worked on and would be done over the summer. What is the current status.

Mr. Palumbo said that we have the assistant engineer working on this with John Dening from Mott. The executive Summary will list the easy fixes that can be done, as well as the more complex fixes. We are going to start getting DPW out there to get some of those fixes done. Larger projects may require outside contractors.

Mr. Jurgensen asked why the RFPs did not list mechanical engineering.

Mr. Palumbo said that all mechanicals, electrical, HVAC etc., will be in the RFPS for the project. When construction documents go out to bid, His subs will be all the contractors on site

Mr. Jurgenson asked who Prepares this?

Mr. Palumbo said that the design comes through the architect; every detail will go out to bid.

Mr. Jurgenson said that the NEP work isn't listed as following under the contract

Mr. Palumbo said that it is listed in the proposals that came in. But it is typical during the construction phase. Construction Cost estimates will also be prepared before we go to bid.

Mr. Jurgensen asked about the Civil Engineer RFP. He said has happy to see Stormwater Remediation included in the RFP. Should the civil engineer process for remediation tackle place first? Before Engineers get on site

Mr. Palumbo said that the Civil engineers will work on their own and in conjunction with the Architect, including any underground catch basins on the property.

Mayor Jones said underground catch basins will be in parking area, possibly. Police Dept. Location not decided on yet

Mr. Jurgensen said I did not see scope of work for after the building is built. Suggest and independent person be brought in to make sure the work is built on site

Mayor Jones said that Alex Palumbo went into the senior center and was on top of ensuring that the punch list items are all taken care of. He will stay on top of things like that.

Mr. Palumbo said we will have bonds in place as well. These architects will do some oversight of the construction work to make sure things are done as planned. We will make sure all work is done before payments are issues

Mr. Jurgensen said he did not see anything in the RFP about building the building according to green building recommendations. I looked up a lot of the architects and engineers and saw they had the certifications

Mr. Palumbo said he believe there will be some as the project moves forward. We will look at the cost benefits for everything. Councilman Brown sad that there is a lot of things that we will look into regarding green infrastructure

Mayor Jones said that during the fire on Friday, I gave my jacket to the injured fireman and Ken came out and gave me a rain jacket. He thanked Mr. Jurgensen for the kind gesture.

Mayor Jones took a moment to publicly thank Chief Andrew Pollara for his work on this call and coordinating his firefighters.**Stephen Flack, 35 Hillside Avenue. I have the capital funding sheet you gave me but I don't think it answered my question. I asked an Actuary my question. Attached sheet shows that there is a 13 million cost advantage to having taken the money at that time.****Oversight Committee that is being put together. I thought that Oversight committees were bipartisan, but this is not. Is there a reason to that?**

Mayor Jones said that he does not believe there is a law requiring that.

Mr. Flack said I think in order to be open and transparent it should be bipartisan

Councilman Brown said that when we are up here, we are just Council members. It is not about the party. Our priority is getting the information to our fellow council members and to the residents. We are trying to work together.

Hilda Moore, Personette Street. Spoke with Mr. DeCarlpo yesterday, and he explained the work that will be done on Orchard Square and Personette Street. He was such a gentleman in our conversation, and I want to make that clear. Last meeting, I brought concerns about the Garbage can in the environmental Garden. The garbage can was placed in the garden and then on Sunday, the can was moved to in front of my door. I do not understand what the problem is. Would like to know why I am having this issue. When the town flooded my basement, I asked who will help me with the mold in my basement.

Councilman Alonso asked for clarification that Ms. Moore is asking for help with the flooding in your basement.

Ms. Moore said that the flood was caused by the town not me. It was repaired by DPW.

Council President Alonso asked if it was a water main break? I don't know about this.

Mayor Jones said that he was with Ms. Moore in her home when the water was running in the home. We identified that the leak was in the basement. Asked when was the garbage can placed in front of our door. Asked if Ms. Moore was in the home at the time?

Ms. Moore said she does not know when it was placed, but she could not leave her home on Sunday Morning.

Mayor Jones said he can have the Police Department take a police report for this. We are working on a security plan for the town property.

Councilman Brown said we are putting a high-tech camera that can be monitored 24/7.

Councilman Daniolowicz said he will talk to DPW in the morning.

Ms. Moore also said that there is a bench on the property under her window. Is there a possibility that we can have a meeting while you are there?

Mayor Jones asked if he can give Capt. DeAngelo your number to start a Police Report?

Vivian Rodifer, 92 Westville Ave. Earlier there were terms used for Redevelopment and Rehabilitation. Are they the same? Long-term is Redevelopment and short-term is Rehab?

Mr. Bossong said that is correct. We are rehabilitation.

ADJOURNMENT

There being no additional business to be conducted a motion to adjourn the public meeting was made by Councilman Brown and seconded by Councilman Daniolowicz, and unanimously affirmed by all members. The meeting was adjourned at 8:16pm.

Prepared by: 
Brittany Heun, Deputy Borough Clerk


DATE