

**BOROUGH OF CALDWELL
BUSINESS/CONFERENCE MEETING
MINUTES- September 14, 2021**

The Special Council Business Meeting of the Borough Council of the Borough of Caldwell was called to order via Zoom Meetings at 7:15pm.

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

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

September 9, 2021

Moved by Councilman Lace and seconded by Councilman Cole. Upon a roll call vote, all voted in the affirmative. Minutes approved on 9/14/2021

PRESENTATION

1. **Mark Guiliano – OEM Officer**
 - a. Covid numbers on a steady increase
 - b. Flooding
2. **Annette Sellers – Librarian at the Caldwell Public library**
 - a. Gave an update on the current status of the library, post Ida flooding
3. **Storm Water Presentation**
 - a. John Dening with Mott MacDonald gave a presentation on storm water, and their upcoming study.

OPEN PUBLIC MEETING-OPEN TO PUBLIC

June Cowell, 29 Brookside Avenue, was told at the last council meeting that someone would block off the sidewalk on Brookside so that no one would get hurt. Would like someone to come take a look at the culvert as it is compromised.

Mayor Kelley - I did drive by and noticed that there were no cones at that spot. I will talk to Tom further about putting cones up in that area.

Tom - The flooding issues have consumed our public works team. I will remind Mario tomorrow morning to check out the situation at Brookside to review and block off if necessary.

Mayor Kelley - Tom, please ask Mario and Glenn to take a look at that.

Christine Gurerrie, 26 Welshman Court, hopes that the storm water study is taken as a priority over the redevelopment projects in town. Experienced extreme flooding since the Town put in new pipes on my street. It has affected my water pressure, and my water heater. My plumber has told me that this could cause me to significant costs for new plumbing and appliances. Why were residents not told that this could be a possible situation.

Tom Banker- our new pipes are 8 inches which is the minimum according to building code. Most replacements were 6inch mains being replaced by 8-inch mains. The Borough's water main replacement is all about adding adequate fire protection. That allows for the fire department to properly fight house fires, so the tragedy of Orchard Square does not happen again. This would mean that you would have more water for the purposes that are needed. I do not know what kind of publicity was given when the project started in 2017, but we have been telling residents that these pipes were being enlarged.

Ms. Gurerrie - The effect was negative. If we had been given notice before the project was done, I could have avoided the costs for repairing the damage, when they could have been preventative measures.

Tom Banker - The governing Body could decide to send something to outline the positive and negatives of these repairs. These were done to ease the concerns regarding the water main upgrades.

Ms. Gurerrie- the Caldwell water department has been very helpful with some of the issues we've had regarding dirty water in appliances.

ORDINANCE FOR SECOND READING AND ADOPTION

ORDINANCE 1416-21 AN ORDINANCE AMENDING THE BOROUGH CODE, CHAPTER 49 ARTICLE 1 (AFFORDABLE HOUSING REGULATIONS), SECTION 10 OF THE BOROUGH CODE ENTITLED, "CONTROL PERIODS FOR RESTRICTED OWNERSHIP UNITS AND ENFORCEMENT MECHANISMS".

A motion to close the public hearing and adopt Ordinance 1416-21 was made by Councilwoman DePalma-Iozzi and seconded by Councilman Gates. No discussion. Upon a roll call vote, all voted in the affirmative. Ordinance adopted 9/14/2021

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.

9-207	RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of September 14, 2021
9-208	AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD 8/17/2021 THROUGH 9/13/2021
9-209	A RESOLUTION IN SUPPORT OF THE CALDWELL-WEST CALDWELL BOARD OF EDUCATION DECISION TO IMPLEMENT EXECUTIVE ORDER 251
9-210	RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH RAPID RECOVERY IN AN AMOUNT NOT TO EXCEED \$15,000
9-211	RESOLUTION AUTHORIZING THE BOROUGH OF CALDWELL TO ISSUE A CONTRACT TO SPECTRASERV INC. TO PROVIDE HAULING SERVICES FOR BIOSOLIDS GENERATED AT THE CALDWELL WASTEWATER TREATMENT PLANT
9-212	RESOLUTION AUTHORIZING THE BOROUGH OF CALDWELL TO ISSUE A CONTRACT TO SPECTRASERV INC. TO PROVIDE HAULING AND DISPOSAL SERVICES FOR GRIT AND SCREENINGS GENERATED AT THE CALDWELL WASTEWATER TREATMENT PLANT
9-213	RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH AZZOLINA & FEURY ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED \$35,750.00
9-214	A RESOLUTION PROVIDING UP TO 10 PERMITS FOR NON-PROFIT ORGANIZATIONS ON THE CALDWELL GREEN FOR SUNDAY, OCTOBER 3RD, FROM 12PM TO 5PM.

A motion to approve the consent agenda was made by Councilwoman DePalma-Iozzi and seconded by Councilman Lace. Discussion ensued. Upon a roll call vote, all voted in the affirmative. Resolutions passed on 9/14/2021.

NEW BUSINESS

Council President Schmidt: Asked about the possibility of doing something regarding the noise of gas-powered leaf blowers. Is there anything we can do about this?

- Tom Banker - We should do a mini study. You can't prohibit it completely, but you can regulate the time frame.
- Mayor Kelley said there is an expert at the Caldwell College that we can tap into if necessary.
- Councilman Cole asked if we have an ordinance in place already?
- Councilman Lace said that we do have electric equipment now, and that would actually help with the air quality as well.
- Councilman Cole suggested expanding the time frame for people who use electric leaf blowers, as it could encourage the use of electric over gas powered machines.

COUNCIL COMMITTEE REPORTS

Borough Council Members

1. Councilwoman DePalma-Iozzi / Porchfest / Environmental Commission
 - a. Environmental Commission
 - i. ANJEC achievement award for the rain gardens that we have put in.
 - ii. The pollinator garden has sustained some damage and will be closed until it can be repaired.
 - iii. Will be auctioning off a rain barrel, a large tree, etc.
 - b. Porchfest
 - i. 10 porches in Caldwell, and watch porch will have 3 sets of performers.
 - ii. There is a map of the event on the website.
 - iii. Rain date is September 25th. It will be called Friday night if we have bad weather.

- iv. Council President Schmidt said that if you want to volunteer, please reach out to her via email at cschmist@caldwell-nj.com.
 - 1. Reminded everyone that this is a family friendly event
- 2. Councilman Cole / Local Assistance Board
 - a. Local Assistance Board
 - i. The Caldwell food pantry is beginning their thanksgiving collection early.
 - 1. Collections mashed potatoes, corn, gravy, stuffing, etc.
 - ii. Local Assistance Fund
 - 1. Helps support our residents when they run into financial issues and need help.
 - 2. Temporary financial support to our residents.
 - 3. We are in need of monetary donations, as we are expecting the as the eviction moratorium lifts, it might leave residents in need of assistance.

REPORT OF MAYOR

Mayor Kelley

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

Tom Banker Reported:

- Budget was introduced by the Council and should be able to adopt it in October
- Facilities group continues to work on the Borough Hall and health department projects

REPORT OF BOROUGH ATTORNEY

Vincent Nuzzi

Vince Nuzzi reported:

- Redevelopment agreement for 16 Park Ave has been completed and should be signed by tomorrow.
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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.

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 9:15 PM.

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

9/28/2021
 DATE