

BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – September 15, 2020

Page 1 of 4

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order on Zoom at 7:20PM.

PRESENT: Mayor Kelley, Councilman Rodgers, Councilman Cole, Councilman Lace, Councilwoman DePalma-Iozzi & Councilman Gates

ALSO PRESENT: Deputy Clerk Kim Conlon, Borough Administrator, Thomas Banker, Borough Attorney, Vincent Nuzzi, Police Chief James Bongiorno, Director of Health and Human Services Maria Burak

Adequate notice of this Council Business/Conference meeting was given on January 1, 2020. Notice was posted on the bulletin board on 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 ALLIGENCE

APPROVAL OF MINUTES

August 18, 2020

Moved by Councilman Lace seconded by Council President Schmidt. No Discussion. On roll call, all voted in the affirmative. Minutes approved 9/15/2020.

PRESENTATION

Chris Durkin – Essex County Clerk

- Election Procedure under Executive Order #177
 - Mostly Mail-in Ballot
 - Polling Locations will have provisional ballots and ADA Machines
 - 5 Ways to send back Mail-In
 - Mail-in's must be postmarked election day or prior to be accepted
 - Essexclerk.com for more information
 - Mayor Kelley asked about concerns over voter fraud. Mr. Durkin gave his thoughts on the topic and referred to FBI Testimonies.
 - Councilman Cole asked about arrival date of ballots. Mr. Durkin replied that the ballot must be sent by Oct. 5
 - Councilman Lace asked if voters can confirm receipt of ballot. Mr. Durkin suggested the ballot boxes be used and to check the website (essexclerk.com) for more information.
 - Barbara Buechner – 7 Park Lane, asked what is being done to clean up the roster of registered voters? Mr. Durkin said that if a voter misses 2 federal elections, they will be removed from rolls, or a death notice is received.

Board of Health Presentation

- Board Members:
 - Betty Sullivan – President of the Board of Health
 - Maria Burak – Secretary of the Board of Health
 - Rhonda DeStefano – Vice President of the Board of Health
 - Maria Rodgers – School Nurse in Verona
 - Valerie Schleck – Nurse Practitioner Morristown Health
 - Councilman Cole – Council Liaison
- Gave an overview to the duties of the Board
- Sending out Reverse 911 Calls to update residents on COVID-19 Status
- Immunization Clinics
- Caldwell residents are allowed to participate in Bloomfield Events, since we have a contract with them
- Councilman Lace remarked on the helpfulness of their website

COVID-19 Update

Maria Burak

- Thank you for sending out the reverse 911 calls
- 126 Positive cases ; 2 deaths since the last meeting
- Open for Indoor and Outdoor Dining – 25 % capacity and tables 6ft apart
- Masks must be worn except for when eating/drinking
- Masks must cover mouth and nose
- Working on dates for Flu shots
- COVID testing on website essexcoivd.org
- Local Assistance Board is looking for Donations- Checks out to “Caldwell Welfare Fund”
- Tuesday, Wednesday, Thursday- Food Party is open for donations
 - Wednesday is Distribution from 11am-1pm
 - Food Pantry needs vegetables, tuna, and kids snacks.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – September 15, 2020**

Page 2 of 4

Chief Bongiorno

- Reminder- Please do not discard used gloves and masks on the ground, dispose of properly

OPEN PUBLIC COMMENTS ON RESOLUTIONS OR ANY TOPIC

Members of the public are invited to comment at this time on ANY issues, whether or not on the agenda

- **Christine Lamont – Kirkwood Place**, *What is being done about the fireworks going off since June?*
 - *Mayor Kelley asked if this happened this week, Ms. Lamont responded in the affirmative.*
 - *Chief Bongiorno addressed Ms. Lamont's question and discussed that the Police Department is looking into it. A witness of the fireworks needs to sign a complaint. They have been fielding many complaints, but it is a low level offense.*
 - *Mayor Kelley noted that on the Weekly Mayor's Calls, Sherriff Ventora has stated that it is a County wide issue.*

INTRODUCTION OF ORDINANCES

ORDINANCE #1391-20 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Borough Administrator, Tom Banker gave a brief description of the Ordinance. A motion to introduce Ordinance #1391-20 was made by Councilman Lace and seconded by Councilman Cole. Upon a roll call vote, all voted in the affirmative. Ordinance was introduced on 9/15/2020.

ORDINANCE #1392-20 ORDINANCE TO AMEND THE ORDINANCE REGULATING SIGNAGE WITHING THE BOROUGH OF CALDWELL

Council President Schmidt gave a brief background on the process of this ordinance and described its purpose. Discussion ensued over the ordinance. A motion to introduce Ordinance # 1392-20 was made by Councilman Lace and seconded by Councilwoman DePalma-Iozzi. Upon a roll call vote, all voted in the affirmative. Ordinance was introduced on 9/15/2020.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

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.

- 9-187** RESOLUTION AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parent Faculty Association of Mount St. Dominic Academy – On Premise – 50/50 Raffle – December 5, 2020 11am
- 9-188** RESOLUTION AUTHORIZING THE PAYMENT OF FUNDS TO Level G Associates FOR SERVICES RENDERED
- 9-189** RESOLUTION AUTHORIZING THE REFUND OF WATER/SEWER PAYMENT FROM SHOPRITE LIQUORS
- 9-190** AUTHORIZING THE PAYMENT OF BILLS AND ISSUANCE OF CHECKS FOR THE PERIOD 8/15/2020 THROUGH 9/11/2020
- 9-191** RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED FOR THE MEETING OF SEPTEMBER 15, 2020.
- 9-192** RESOLUTION AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parent Faculty Association of Mount St. Dominic Academy – On Premise – Merchandise Raffle – October 24, 2020 11am – 6pm
- 9-193** RESOLUTION AUTHORIZING A CONTRACT WITH BECKMEYER ENGINEERING FOR ENGINEERING SERVICES FOR OVERSIGHT OF VARIOUS CONSTRUCTION PROJECTS WITHIN THE BOROUGH OF CALDWELL
- 9-194** RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO AGREEMENT SWITH THE QUALIFIED PRIVATE COMMUNITIES LOCATED IN CALDWELL FOR THE PROVISIONS OF THE Municipal Services Act (N.J.S.A. 40:67-23.2)
- 9-195** RESOLUTION ADOPTING A POLICY ON THE REMOVAL AND REPLACEMENT OF MUNICIPAL STREET TREES
- 9-196** A RESOLUTION IN SUPPORT OF THE CALDWELL POLICE DEPARTMENT AND CONDEMING EFFORTS AT DELEGITIMIZATION, INSULTS, HARASSMENT, THREATS, AND VIOLENCE AGAINST LAW ENFORCEMENT PERSONNEL AND/OR PROPERTY

Resolution 9-196 was read by Councilman Lace, discussion on resolution ensued.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – September 15, 2020**

Page 3 of 4

Discussion ensued. Motion to vote on the consent agenda was made by Council President Schmidt and seconded by Councilman Gates. Upon a roll call vote, all voted in the affirmative, with Councilman Lace abstaining from Resolution 9-194. Resolutions passed 9/15/2020

- *Chief Bongiorno thanked the Council for adopting resolution 9-196 and showing support for the Caldwell Police Department as well as taking a stand against racism.*
- *Detective De' Angelo is the president of the West Essex PBA. He expressed his thanks to the Council for taking this step and acknowledging local officers.*
- *Mayor Kelley expressed the Council's sincere gratitude to the Police Department and all they do.*

NEW BUSINESS

- Councilman Lace brought up concerns over Section E-1, paragraph A. Councilman Lace asked that the Council revisit Paragraph 21 of 250.
 - Mayor Kelley responded to Councilman Lace's concerns and is prepared to have more review of the sign ordinance. Suggested an Amendment can be made at some point for signs on Public Property.

A motion to leave the new business portion of the meeting was made by Council President Schmidt and seconded by Councilman Rodgers. Upon a unanimous vote, the new business section of the meeting has been closed.

COUNCIL COMMITTEE REPORTS

Borough Council Members

Councilman Cole

- CCC Task Force
 - 9 Members of the Public
 - 3 Governing Body Members
 - Videos of the meeting are on the website
 - Survey will be issued – Opinions about the CCC to all Caldwell Residents and CCC member sof other towns
 - Postcard will be send with Survey Instructions

Councilman Lace

- Grover Cleveland Birthplace Memorial Association
 - Visitors Center Project is moving at a fast pace
 - Bonds have been issued; surveyors and contractors have visited the site.
 - Diggers are ready to begin work
 - Tentative completion date February 2021
 - Thanked Dave Cowell for all the work he did

REPORT OF MAYOR

John Kelley

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker

Thomas Banker reported:

- Made offers on properties
- Process of waiting budget review from Trenton
- Discussed Water Main repair/roadway improvements

REPORT OF BOROUGH ATTORNEY

Vincent Nuzzi

REPORT OF COUNTY LIASON

Patricia Keenan

Patricia Keenan

- Food Distribution Flyers and COVID test site flyer will be sent
- 22nd testing at Verona Pool
- Look on the website for updates essexcovid.com

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.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE SPECIAL MEETING
MINUTES – September 15, 2020**

Page 4 of 4

The Council moved into Executive Session at 8:43PM.

The Borough Council meeting was adjourned at 10:15PM.

Prepared by: Brittany Heun
Brittany Heun, Deputy Borough Clerk

10/1/2020
DATE