

MINUTES OF THE MEETING OF THE COUNCIL OF THE BOROUGH OF ESSEX  
FELLS, ESSEX COUNTY, NEW JERSEY

Held at the Essex Fells Municipal Building in said Borough on October 4, 2022 at 7:00 p.m.

Present

Mayor Edward A. Davis  
Councilman Michael Cecere

Absent

Councilman Greg Hindy  
Councilman William Sullivan

Councilman BJ D'Avella  
Councilman John King  
Councilwoman Maggie O'Connor

Also Present

Borough Administrator/Borough Clerk Francine T. Paserchia  
Borough Attorney James Parisi

Mayor Davis called the meeting to order. He stated that in compliance with the Open Public Meetings Law (Chapter 231, Public Laws of 1975) notice of this meeting was transmitted to The Progress and The Star Ledger and was filed with the Borough Clerk and is posted on the Bulletin Board of the Borough Hall.

Mayor Davis led the Council in the Pledge of Allegiance and gave the Invocation.

Committee Discussions

Public Affairs

**The Glen**

The administrator was contacted by the President of the Garden Club about doing some cleanup and repairs in the Glen. Being this is borough property the administrator just needed the council to be aware and in agreement with the work to take place, she also confirmed that no permits are required for the work they plan to do.

All were in Agreement.

*Mayor Davis announced a public hearing on second reading of Ordinance 2022-1065*

The Clerk offered proof of publication of the ordinance, indicating that it was published in The Progress issue of September 29, 2022

*The public hearing was held and* **ORDINANCE AMENDING CHAPTER 221, SECTION 221-1, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ESSEX FELLS PERTAINING TO INTEREST RATES FOR DELINQUENT PAYMENTS**

**WHEREAS**, Ordinance 2022-1064, adopted on July 19, 2022, which amended Section 221-1 of the Revised General Ordinances and established the sewer usage rate also provided for a penalty for delinquent payments; and

**WHEREAS**, the penalties for delinquent payments of municipal sewer charges are set forth in Section 221-3 and established by annual resolution of the Governing Body and should not have been set forth in Section 221-1.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Essex Fells, in the County of Essex and State of New Jersey, as follows:

**Section 1.** Chapter 221, Section 221, of the Revised General Ordinances of the Borough of Essex Fells entitled "Schedule of Rates" shall be amended by the deletion of the second sentence which read "A penalty of 10% of the amount of the bill shall be added to every bill that is not paid within 30 days of the date on which it is due".

**Section 2.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 3.** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

**And was carried on call of the roll:**

**Ayes**  
**Michael Cecere**  
**BJ D'Avella**  
**John King**  
**Maggie O'Connor**

**Nays**  
**None**  
  
**Abstain**  
**None**

**Absent**  
**Greg Hindy**  
**William Sullivan**

***Councilman King moved, Councilman D'Avella seconded, approval of the following resolutions on consent:***

**2022-123**

WHEREAS, the Morris County Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and;

WHEREAS, is currently a member of said Fund, and;

WHEREAS, effective December 31, 2022, said membership will expire unless earlier renewed, and;

WHEREAS, the Governing Body of **Essex Fells Borough** has resolved to renew said membership;

NOW THEREFORE, it is agreed as follows:

1. **Essex Fells Borough** hereby renews its membership in the Morris County Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2023 and ending January 1, 2026.
2. **Essex Fells Borough** hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Morris County Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Banking and Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. **Essex Fells Borough** agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.

**2022-124**

**BE IT RESOLVED** by the Council of the Borough of Essex Fells that the following Personnel action is hereby authorized;

1. The following probationary named person/employee of the Borough of Essex Fells, in the title, at the rate of pay, on the effective date set forth opposite his/her name:

Name:	Title:	Rate of Pay:	Effective Date:
Nicolas A. Guarino	Laborer	\$36,000/annum	September 27, 2022

**2022-125**

Authorization for Payment of Bills

**BE IT RESOLVED** by the Council of the Borough of Essex Fells that;

**WHEREAS**, the bill list as attached has been presented by the Chief Finance Officer for payment.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Essex Fells that the bill list as presented is approved.

<u>Fund</u>	<u>Fund No.</u>	<u>Amount</u>
Current	1-01	\$246,429.10
Current	2-01	\$0
Borough Capital	C-04	\$24,111.11
Water	2-05	\$104,959.10
Grant	04	\$0
Water Capital	C-06	\$43,951.25
Animal Control	T-10	\$0
Trust	T-11	\$4,866.31
Payroll	T-13	\$184,115.81

And was carried on call of the roll:

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>
Michael Cecere	None	Greg Hindy
BJ D'Avella		William Sullivan
John King	<u>Abstain</u>	
Maggie O'Connor	None	

**On motion made by Councilwoman O'Connor, seconded by Councilman Cecere  
and approved unanimously by the Council, the meeting adjourned at 7:09 p.m.**

**Respectfully submitted,**

**Francine T. Paserchia**  
*Municipal Clerk*