

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 3, 2023 at 7:00 p.m.

Present

Mayor Edward A. Davis  
Councilman BJ D'Avella  
Councilman Greg Hindy  
Councilman John King  
Councilwoman Maggie O'Connor  
Councilman William Sullivan

Absent

Councilman Michael Cecere

Also Present

Borough Administrator/Borough Clerk Francine T. Paserchia  
Borough Attorney Robert Oostdyk

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.

Appointments:

*Councilman King moved, Councilman Sullivan seconded, approval of the following Appointment to the Essex Fells Planning Board:*

- Francine T. Paserchia  
Filling unexpired term of Brittany Gonzalez – 1 Year Term – 12/31/2023

And was carried on call of the roll:

Ayes

BJ D'Avella  
Greg Hindy  
John King  
Maggie O'Connor  
William Sullivan

Nays

None

Absent

Michael Cecere

Abstain

None

Committee Discussions

Public Safety (Police & Fire)

- Public Safety Update

The Police Chief gave the Mayor and Council an update on the recent Public Safety Matters within the borough and discussion ensued.

*No formal action was taken.*

- Parking Lot Update

The Administrator shared the Borough Engineers 3 possible scenarios for additional parking at borough hall.

After some discussion the council asked that the administrator reach out to St. Peter's Church to discuss some parking options and report back at the next meeting for further discussion.

**Public Comment**

- Sara Public Safety
- Simon Public Safety
- Robin Public Safety
- Carol LeCates, 89 Oak Lane Public Safety
- Dean DeStefano, 23 Avon Drive Public Safety
- Barbara Zimmer, 143 Fells Road Public Safety
- Bob DeStefano, 23 Avon Drive Public Safety
- Diane Public Safety
- Laura D’Avella, 17 Beechtree Lane Public Safety
- Brenda Cioce, 32 Oldchester Road Public Safety
- DiMitri, Avon Drive Public Safety

*Councilman King moved, Councilman Hindy seconded, approval of the following resolutions on consent:*

2023-143

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

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendation”, and

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body, and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey can subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

*R.S. 52:27BB-52 - “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of the Division of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, any be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.*

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Essex Fells, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**2023-144**

**WHEREAS**, the Tax Collector has received funds from a property owner(s) or other party of interest for redemption of a Tax Sale Lien(s), and

**WHEREAS**, lien holders are entitled to payment for redemption of the Tax Lien(s) upon receipt of funds by the Tax Collector, and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Essex Fells in the County of Essex and State of New Jersey that the Tax Collector is hereby authorized to redeem said lien(s) and return applicable premiums in the following amount(s):

**Certificate 21-00004**

**Block 10.06- Lot 14**

**Owner: Carnahan, Samuel  
Address: 15 Essex Road  
TOTAL TO REDEEM CERTIFICATE: \$4,436.74  
REFUND OF PREMIUM: \$3,200**

**Check to be issued to: Christiana T C/F CE1/FIRST TRUST  
Mailing Address: PO Box 5021  
Philadelphia, PA 19111-5021**

**2023-145**

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

**WHEREAS**, the following named employee has successfully obtained his Commercial Driver’s License and is hereby entitled to an increase; and

**1. The following named 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:**

<b>Name:</b>	<b>Title:</b>	<b>Rate of Pay:</b>	<b>Effective Date:</b>
Nicholas Guarino	Utility Worker	\$40,800/annum	October 3, 2023

**2023-146**

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

**2. The following 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:**

<b>Name:</b>	<b>Title:</b>	<b>Rate of Pay:</b>	<b>Effective Date:</b>
Pietro C. Aliano, Jr.	Laborer	\$36,000/annum	October 2, 2023

**2023-147**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Essex Fells in the County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$25,000.00, which is now available from “**Stormwater Assistance Grant**” in the amount of **\$25,000.00**.

BE IT FURTHER RESOLVED, that the like sum of \$25,000.00 is hereby appropriated under the caption “Stormwater Assistance Grant”; and

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey, Department of Environmental Protection in the amount of \$25,000.00.

### 2023-148

#### 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	3-01	\$914,432.30
Current	2-01	\$0
Borough Capital	C-04	\$6,796.12
Water	3-05	\$28,873.32
Grant	04	\$0
Water Capital	C-06	\$2,964.06
Animal Control	T-10	\$0
Trust	T-11	\$11,218.86
Payroll	T-13	\$106,245.79

And was carried on call of the roll:

Ayes

BJ D’Avella

Greg Hindy

John King

Maggie O’Connor

William Sullivan

Nays

None

Abstain

None

Absent

Michael Cecere

**On motion made by Councilman King, seconded by Councilwoman  
O'Connor and approved unanimously by the Council, the meeting adjourned at  
9:47 p.m.**

**Respectfully submitted,**

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