

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 January 2, 2024 at 7:07 p.m.

Present

Mayor Edward A. Davis
Councilman Michael Cecere
Councilman BJ D'Avella
Councilman Greg Hindy
Councilman John King
Councilman William Sullivan

Absent

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.

The Certification of Election was read by the Borough Clerk.

The Oath of Office was administered by Mayor Davis to:

Bernard D'Avella, Council Member
For a 3 Year Term

John King, Council Member
For a 3 Year Term

The Mayor welcomed everyone to the Organizational Meeting of the Borough of Essex Fells, his State of the Borough Address is as follows:

Good evening and welcome to the Borough of Essex Fells' 2024 Reorganization Meeting.

Congratulations to Councilman BJ D'Avella and Councilman John King, who were just sworn in for new three-year terms on the Borough Council. I thank them for renewing their commitment to the Borough and its residents. Both are lifelong residents of the Borough and share a dedication to public service that is exemplary. They volunteer their time in multiple roles in the community, including but not limited to their service as Councilmen. Residents are fortunate to have them both as representatives and I look forward to working with them during their new terms of office.

The oath of office that Councilmen D'Avella and King have just taken is an important reminder of our fundamental task as elected officials, and the principles that will continue to guide the Council's deliberations in 2024 and beyond. We volunteer our time in these roles not for monetary gain, or in pursuit of personal agendas or influence, but for the benefit of the citizens of Essex Fells as whole. In electing us to act as their representatives, our residents have put their faith in us, confident that we will apply our efforts, our judgment, and their tax dollars "faithfully, impartially and justly," in pursuit of what is in the best interests of the Borough and all of its residents.

As we begin our new year of service, I would like to highlight some of our accomplishments in 2023 and preview a few priorities for 2024. After my presentation, the Chairperson of each Council Committee will provide their 2023 Committee report, which will go into more detail regarding the Council's and the Borough's work during the past year.

Shared Services Agreements: Wholesale Water Supply, Emergency Dispatch, Shared Municipal Court and Sewer Treatment

As you know, in 2022 we negotiated and executed new long-term Wholesale Water Supply Agreements with Caldwell, North Caldwell and Roseland. We also entered into new agreements with North Caldwell regarding shared emergency dispatch and our shared municipal court, and an agreement with Caldwell for the provision of sewer treatment services.

In June 2023, we signed an amended Shared Court Agreement, adding Verona to the North Caldwell-Essex Fells shared court.

To date, everything seems to be operating well under these new arrangements. We will continue to monitor things to ensure a smooth transition, working with our partners to the extent any additional adjustments would be beneficial. In particular, we note that not all municipalities in the Caldwell sewer district have signed new contracts, and there is ongoing litigation among Caldwell, and West Caldwell and Roseland that impacts us and others. That is one of the reasons that sewer costs to the Borough and its residents have increased materially. We hope for a resolution of that matter in 2024, which will likely prompt a re-evaluation of the sewer contracts.

We will also continue to explore the possibility of other shared service arrangements. As always, we will remain alert for opportunities to lower costs for our residents while maintaining or improving the quality of service for residents.

PFOA Water Treatment Facilities

Since 2021, Council members and I, along with the Borough's water professionals, have spent an extraordinary amount of time on remedial measures prompted by a change in NJ drinking water regulations. Councilman D'Avella's Water Committee report will provide more details, but in 2023 we received NJDEP and NJ Infrastructure Bank approvals and began construction of a new PFOA water treatment building adjacent to the air stripper in the Trotter Tract. Subject to the usual contingencies, we expect the facility to be completed in mid-2024. Once operational, the facility will filter PFOA and similar substances from the water supplied by 13 of the Borough's 16 wells.

With the help of our consulting engineers, in 2023 we also finalized the design of two additional PFOA treatment facilities, one in West Caldwell and one on the grounds of the Essex Fells Country Club. We are awaiting engineering and financing approvals from the NJDEP and the NJ Infrastructure Bank for those two facilities, which will allow us to go out to bid on both projects in 2024.

We are also in the process of extending the operating permit for our temporary PFOA water treatment facility on Runnymede Road, since we will need that facility until the main facility in the Trotter Tract begins operating.

Collectively, these water treatment projects likely represent the largest capital project the Borough has ever undertaken. Completing the new treatment facilities will remain a high priority for us in 2024 and 2025. I'd like to thank Councilman D'Avella, Councilman Hindy and other members of the Water Committee; Suburban Consulting Engineers; our licensed water operator Bill Ryden; Deblock Environmental Services and the Essex Fells Water Department for their efforts in connection with the new facilities and navigating our water system through the operating challenges over the last two plus years. We have assembled a team that is second to none in the State of New Jersey, and the Borough and its residents and water customers are the better for it.

Lead and Galvanized Service Line Inventory and Replacement Program

Since late 2022, pursuant to another unfunded regulatory mandate by the State of New Jersey, we have been updating our inventory of water service lines at homes directly served by the Borough's water utility. To the extent any galvanized steel or lead service lines are identified, the law requires that they be replaced by 2031.

Consistent with the guidance we have received, the focus of our inspection efforts has been on properties developed before 1960. In 2023, we also commenced inspections of the public side of water service lines on selected streets. To date, about 13% of the privately-owned service lines inspected in the Borough have been found to contain galvanized pipes or components.

In the first half of 2024, I expect the Council and I will contact residents with galvanized lines to provide an update and discuss next steps.

Trotter Tract Forest Stewardship Program

During 2023 the Borough continued to execute the 10-year forest stewardship plan for the Trotter Tract that the Council adopted in 2019. In cooperation with professional consulting foresters, a dedicated group of local volunteers, supplemented by professional tree contractors, have made substantial progress in improving the forested areas of the Trotter Tract in accordance with the stated goals of our stewardship plan and established best forest management practices. This work will continue in 2024 and has been very well received by residents.

Other Improvements to Borough Properties

Led by our new Superintendent of Public Works, Anthony Sorisi, in 2023 we continued to invest in improvements to the Borough's building and grounds. I don't want to steal the thunder from our Public Works Committee report, but key improvements were made throughout the Borough. These include improvements to:

- *the Service Building*
- *Borough Hall (front and St. Peter's side)*
- *the Post Office*
- *Sidewalks, curbing and roadway improvements on Hawthorne Road near the Essex Fells School*
- *The Glen*
- *Trotter Tract (clearing of stormwater damage in Pine Brook)*
- *Recycling Facility*
- *Removal of hazardous trees*
- *Tree planting program on Borough properties*
- *Improvements to open space adjacent to our recreational fields*

I expect an equally active 2024, and look forward to working with our DPW and the Public Works Committee in the coming year.

Public Safety

Councilman Hindy will provide a report on behalf of the Public Safety Committee shortly. The Public Safety Committee has been very active in 2023. Consistent with Council members' and my focus on Public Safety matters, the Public Safety Committee has met more times in the last two years than any Committee outside of Water.

Our discussions on Public Safety matters have included two broad categories of high importance, and this is expected to continue in 2024:

- *Traffic Calming measures*
 - *Councilman Hindy will describe the most recent phase of our traffic calming program. Traffic calming will remain a high priority for us, as it has been every year since 2018. In 2024, I expect our efforts will include retaining a professional traffic engineer to provide an updated traffic study. We are concerned with the increase in development on our borders, and are open to considering additional changes to our streets that minimize the negative impact of cut-through traffic, speeding and other bad driver behaviors.*
- *Auto Thefts and Burglaries*
 - *Car thefts, car burglaries and, more recently, home burglaries, by roaming groups has been a troubling trend in NJ for several years. Unfortunately, we and suburban communities like ours have been directly affected. Based on what we, other municipalities and our respective law enforcement professionals have seen, there are a few key factors driving the increase. The important factors include: (a) insufficient consequences as a result of NJ's criminal justice reforms; (b) increased State restrictions on local police that lower the risk of getting caught and embolden criminals; and (c) opportunity, including the opportunities presented by unlocked doors and key fobs left in unattended vehicles, which encourage criminals to view suburban towns as ready sources of higher-end cars that can be easily stolen.*

Until New Jersey's criminal justice policies change and alter the incentives, we and the Essex Fells Police Department are focused on

detering these criminals within the bounds of state law, the Attorney General's Guidelines and best law enforcement practices. The Public Safety Committee and the Council will continue to work with the EFPD to consider tools that will help with this objective, such as the automated license plate readers and other cameras we have recently installed. Our police officers will also continue with targeted enforcement actions and our cooperative efforts with regional and state agencies. Informing residents and enlisting their support and their proactive efforts will continue to be a priority.

- ***Code Updates/Modernizing Land Use Regulations***

- *With the help of the Public Affairs Committee and our professionals, I expect the Council and I will spend a fair amount of time in 2024 considering potential updates to the Borough Code, including our land use ordinances and various quality of life laws. We have done this periodically over the last 5 years, but I believe it is time for a more comprehensive effort. I look forward to working with Council members on this initiative.*

In accomplishing our objectives in 2023 and 2024, I cannot overstate the importance of the work done by the Department heads and other professionals who work for the Borough on a day-to-day or regular basis, including but not limited to:

- *Francine Paserchia, Borough Administrator*
- *Police Chief Darren Volker and Captain Scott Jones*
- *Chris Battaglia, our Chief Financial Officer*
- *Bob Oostdyk and Jim Parisi, Borough Attorneys*
- *Mike Petry, Borough Engineer*
- *Bill Ryden, Consulting Engineer on Water Matters*
- *Jim DeBlock and DeBlock Environmental, Water Operations*
- *Anthony Sorisi, Superintendent of Public Works*
- *Brittany Thunell, our Tax Collector and Building Department representative*
- *Terry King*
- *Lauren Lombardy Moussab, Recreation Director*
- *Kevin Esposito, Tax Assessor*
- *Carl Thunell, Construction Code Official*

As a Borough, we are very fortunate to have them. On behalf of the Council and myself, I want to tell each of them that we are very grateful for their contributions and we look forward to working with them in 2024.

I would also like to thank the many residents who volunteer their time on behalf of our community. We manage the Borough on a very tight budget. We staff leanly, which requires many of our employees to work in multiple roles. We also share services with our neighboring municipalities and, where feasible, utilize officials who split their time between Essex Fells and other communities.

This approach is consistent with our residents' desire to keep taxes low. But we must remain cognizant that our commitment to lean staffing and tight budgeting also means that we rely to a great extent on the assistance of our residents in volunteering their skills and their time toward the welfare of our community. Volunteering can no doubt be challenging. The time commitment is often great, and the thanks can be few and far between. However, the value these citizens provide to our community is immeasurable, and their contribution is greatly appreciated by me and all members of the Borough Council.

Committee Reports

Public Safety (Police & Fire)

Submitted by Councilman Hindy -

- *The Department recorded a total of 9555 General Complaint Reports.*
- *6 burglaries and 2 attempted burglaries of homes occurred in town.*
- *14 burglaries to auto and 5 attempted burglaries to auto occurred.*
- *4 automobiles stolen.*
- *We responded to 292 Burglar, Fire, Medical and Panic alarms.*
- *We responded to 28 motor vehicle crash reports. 4 of these crashes had injuries associated with them.*
- *The Department responded to 168 calls involving suspicious autos, suspicious calls, suspicious incidents, suspicious packages, and suspicious persons.*
- *The Department conducted 270 vacant house checks.*
- *The Department handled 6 reports of criminal mischief.*
- *The Department handled 33 incidents involving juveniles.*
- *The Department issued 737 motor vehicle summonses.*
- *The Department charged 2 motorists with Driving While Intoxicated.*
- *The Department arrested 0 persons for possession of narcotics.*
- *The Department issued 9 criminal summonses/warrants*
- *Patrol conducted 338 daily school walkthrough checks for security and officer familiarization.*
- *Officers drove 50961 miles in the course of their duties.*

Water

Submitted by Councilman D'Avella -

2023 was another very busy year for the Water Department. I'm glad to report once again that significant progress was made over the past twelve months – not only on our efforts to mitigate perfluorooctanoic acid (PFOA) contaminants in our water supply, but on several others as well.

PFOA COMPLIANCE PROGRAM

Temporary PFOA Treatment System for Wells 1A & 5 – We obtained an extension to operate the granulated activated carbon (GAC) treatment system to treat the water from Wells 1A and 5, two of our most productive wells. Originally stood up in May of 2022 near the Water Department building on Runnymede Road, this temporary system treats 580 gallons per minute (GPM) and removes PFOA to near zero levels. This treated water is blended with water from the other wells currently online to deliver water below the 14 parts per trillion (ppt) Maximum Contaminant Limit (MCL) dictated by the State of New Jersey.

Main PFOA treatment facility – We obtained DEP approval of the 3,000 GPM GAC treatment system for the removal of PFOA from the bulk of our system (13 of our 16 wells), awarded the bid to Coppola Services (who had also installed the temporary facility on Runnymede Road), and began work on the facility, which is scheduled to be completed and operational by mid-year. The most significant gating issue on facility timing is delivery of the treatment vessels, which have a 5-7 month lead time for fabrication and are scheduled to be delivered in March of this year.

Additional PFOA treatment facilities – We submitted plans to the DEP for approval of an ion exchange (IX) filtration system at our existing facility at the Essex Fells Country Club (near Oval Road). And in December, we received West Caldwell Planning Board approval that allows us to proceed with our DEP submission for a GAC treatment system at our existing facility on Gray Street (West Caldwell). These steps were required to enable us to treat the water sourced from the remaining points of entry to the water system not treated at our main facility (i.e., the remaining 3 wells). We expect to submit the final Gray Street application to the DEP this month.

NJ Water Bank Funding – as noted last year, applications were submitted for funding and/or loans from the New Jersey Water Bank (NJWB); subsequently, we received word that we've qualified for \$1 million in loan forgiveness for the current fiscal year, which runs through June 30, 2024. We have also submitted applications to the NJWB for the additional treatment facilities, to help ensure that we maximize the benefit to the water system of participation in the relevant funding programs.

Multi-District Litigation (MDL) – we officially signed onto the ongoing MDL against the manufacturers of PFOA contaminants; based on what the attorneys have told us, we can expect final decisions in these cases during the first quarter of 2024, and will have a better understanding thereafter of the level at which Essex Fells will participate financially in the settlement. We have provided all of the data to the attorneys that they've told us that the settlement administrators will require in order to calculate those amounts, and will keep the Council updated as we learn more.

EPA Rule-Making – we're hearing that the proposed Federal rule with respect to a PFOA MCL will be finalized in the first quarter of 2024, and that the EPA will set the MCL at 4 ppt – which is lower than the current NJ standard of 14 ppt. We expect that EPA will phase in the requirement over some period of time yet to be determined, and that the impact on our system will mainly be in the form of more frequent filter media changes at our treatment facilities. While it is perhaps inevitable that rates will increase as a result of the increased infrastructure costs that the utility will bear due to the regulatory changes, we have been and continue to be committed to right-sizing the solution and obtaining all available funding from State and Federal sources to minimize that impact.

RISK & RESILIENCY ASSESSMENT

We completed the process of creating the EPA-required Risk & Resiliency Assessment for the water system, and updated the Borough's Emergency Response Plan to work together with same.

LEAD SERVICE LINE REPLACEMENT PROGRAM

We continued our efforts to inventory all service lines; written and telephone notices have been sent to homeowners regarding inspection of service lines, and the inspection work has continued – albeit slowly, in light of apparent hesitancy on the part of homeowners to schedule appointments and/or allow access to inspectors. We will keep the Council posted on progress and come back to you to discuss any required next steps.

BULK SALES CONTRACTS

We began operations under our new water supply contracts with our neighbors in Roseland, Caldwell, and North Caldwell, and I'm glad to report that everything has been running smoothly so far.

OTHER PROJECTS

A contract for redeveloping two of our wells (i.e., Wells 15 and 16) was awarded in November to A.C. Schultes. The redevelopment work will regenerate the water-bearing formation in the aquifer and increase the volume of water produced by the wells. A preconstruction meeting is scheduled and work will commence during January.

Public Works

Submitted by Councilman Sullivan -

The DPW continued to maintain and landscape the Borough properties and the fields at the Egan field complex, from April through November.

We have made many improvements to Borough Hall including painting the council chambers, new curbing, replacing gutters and landscaping.

Borough Hall Clock has been restored to working order after fifty years of not working.

DPW building had numerous improvements including landscaping, gutter repairs, and organization of the grounds.

Post Office also received many improvements to the building. Including painting the chimney and replacing the furnace.

The Field House has been painted and the fascia was replaced.

New sidewalks and fence were installed by Hawthorne Road by the school.

Implemented a tree planting program. Planting 20 new trees this year.

Implemented Street Sign Replacement program to have all new signs up by 2025.

An ongoing pothole / catch basin maintenance plan. Repairing 22 catch basins this year.

*An ongoing storm inlet cleaning program continues to be a work-in-progress throughout the borough.
Implemented a Pond maintenance / drainage plan to ensure proper drainage throughout the year.*

*We picked up a total of approximately 1098 tons of recycling throughout the year.
During November leaf pickup in 2023 we collected 10,900 cubic yards of leaves from the borough streets which will be composted and recycled back to the Residents.*

The Recycling Center has been operating 2 days a week ensuring compliance from residents with one employee overseeing the operation.

Hawthorne Road, Devon Road, and Oval Road were milled and paved, and drainage was added to alleviate icing.

Improvements were made to the storm water system and mapping ensuring MS4 requirements.

Lead and Copper Service Line Program was done in house checking over 150 lines.

All DPW employees received training in the following areas through JIF:

*Personal Protective Equipment
Lockout/Tagout, HazCom w/GHS
Bloodborne Pathogens,
Confined Space,
Driving Safety Awareness
Harassment Training*

Public Affairs

Submitted by Councilman King –

On Memorial Day, the Borough held a ceremony in front of Borough Hall that was well attended by Essex Fells veterans, other residents and an honor guard from the VFW. After the ceremony, Council members and members of the Fire Department, along with several younger residents, participated in the annual West Essex parade down Bloomfield Avenue. Following the parade, the Essex Fells Volunteer Fire Company hosted its annual Memorial Day picnic on the Green.

Our 2023 Veterans Day ceremony at Borough Hall was very well attended by our resident veterans, the public and the 6th grade class at Essex Fells School. After the ceremony, Essex Fells School hosted the veterans for a very informative Q & A session with the students.

Recreation

Submitted by Councilman Cecere –

The WEFC (travel soccer program) donated a new backstop netting on Volunteer Field.

- *EFRD continues to notice an increase of young children in town, especially at the Pre-K/K level. Our programs are growing each season.*
- *EFRD continues to plan and schedule each season with surrounding towns: Roseland, North Caldwell, Fairfield and other local towns when needed (Verona, Cedar Grove, Little Falls, etc).*
- *EFRD works with Sports Universe to offer a Pre School-K soccer program in the fall and baseball clinics in the spring.*
- *EFRD continue to work closely with the West Essex Junior Girl's and Boy's Lacrosse Club personnel in the implementation of their training program for girls and boys in grades 1-8 during the Spring.*
- *EFRD continues to provide field space for the Fall/Spring for the travel soccer programs, the West Essex Girl's and Boy's Lacrosse Clubs and West Essex Soccer Club. In addition, we rent out our fields to private groups that offer both lacrosse and soccer clinics for our residents as well as West Essex residents. All must provide proper insurance certificates and pay field use fees.*
- *EFRD receives compliments on how well-maintained the fields are and overall how beautiful our field complex is. We appreciate all that DPW does to maintain the fields.*
- *EFRD and the New Jersey Basketball Academy work together to offer a K-2 basketball clinic.*

- EFRD combined camps with North Caldwell Recreation Department during the Summer of 2023. It was an overall great experience and there was only positive feedback from parents/kids. We plan to do the same for the upcoming summer of 2024.
- EFRD continues to present championship teams with trophies/shirts to celebrate their achievements.
- EFRD & The EF Police Department worked together to organize a holiday toy drive for Toys for Tots.
- EFRD continued to plan our annual Soccer Day tradition, however we were rained out for the first time, but look forward to a great celebration next soccer season.
- DPW fixed up and painted to Robert Lombardy Sr. Field House. Thank you!!
- EFRD participated in the Caldwell-West Essex Little League program for our K-2 tee ballers.
- EFRD appreciates the support from the volunteers on the Recreation Foundation.
- EFRD has been added as a liaison on the EF Pond Committee and looks forward to working together for continued success in 2024.

Finance & Personnel

Mayor Davis reported for Councilwoman O'Connor in her absence–

- Our budget represented a 2.5% increase in the tax levy
- The year-over-year tax rate reduced from 2.188 to 2.168, jumping us up to the 3rd lowest in the County

MILLBURN	1.956
FAIRFIELD	2.053
ESSEX FELLS	2.168
NORTH CALDWELL	2.216
ROSELAND	2.315

- We continue to stay on track to exceed revenue anticipated in our current fund and continue to maintain a healthy fund balance
- The current fund (main operating budget) will have all permanent financing fully mature next year, allowing for a pay-as-you go capital improvement budget.

Councilman Hindy nominated John A. King for President of the Council for 2024, Councilman D'Avella seconded the nomination.

Mayor Davis asked if there were any more nominations. Hearing none, he asked the Clerk to poll the Council.

And was carried on call of the roll:

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

Mayor Davis then made the following appointments for 2024, pointing out that, with respect to the Committees of the Council, the first named is the Chairman of the Committee.

Councilman King made a motion to accept the 2024 Appointments, Councilman Sullivan seconded the motion.

Public Safety

William Sullivan
Greg Hindy
BJ D’Avella

Finance & Personnel

Maggie O’Connor
Michael Cecere
John King

Water

BJ D’Avella
Greg Hindy
William Sullivan

Recreation

Greg Hindy
Michael Cecere
BJ D’Avella

Public Works

John King
Maggie O’Connor
William Sullivan

Public Affairs

Michael Cecere
John King
Maggie O’Connor

**The Chairman is the first named member of a committee.*

Zoning Board of Adjustment

Bernard J. D’Avella, Jr. 4 years 2027

Alternates

Allison Semaya Alternate #1 2 years 2025

The Zoning Board now consists of:

<u>Member</u>	<u>Full Term</u>	<u>Term Expires 12/31</u>
Thomas J. O’Beirne	4 years	2025
Michael Candido	4 years	2025
Oscar M. Bate	4 years	2026
Michael Spellman	4 years	2026
Bernard J. D’Avella, Jr.	4 years	2027
Christopher Shearin <small>(FILLING UNEXPIRED TERM OF BERNARD J. D’AVELLA, JR.)</small>	4 years	2024
MJ Jolda-Crawford <small>(FILLING UNEXPIRED TERM OF CHRISTOPHER SHEARIN)</small>	4 years	2024

Alternates

Allison Semaya Alternate #1 2 years 2025

William Kovacs Alternate #2 2 years 2024

Planning Board

<u>Member</u>	<u>Full Term</u>	<u>Class</u>	<u>Term Expires 12/31</u>
Francine T. Paserchia	1 year	II	2024
John King	1 year	III	2024
Peter S. McMullen	4 years	IV	2027
<u>Alternates</u>			
David Isabel Alternate #1	2 years	IV	2025

Debra Tedesco
Alternate #1

1 year

IV

2024

The Planning Board now consists of:

<u>Member</u>	<u>Full Term</u>	<u>Class</u>	<u>Term Expires 12/31</u>
Robert Burchell	4 years	IV	2026
Francine T. Paserchia	1 year	II	2024
John King	1 year	III	2024
James Irwin	4 years	IV	2025
Edward Davis	4 years	I	2025
Jody James	4 years	IV	2025
Peter S. McMullen	4 years	IV	2027
<u>Alternates</u>			
David Isabel Alternate #1	2 years	IV	2025
Debra Tedesco Alternate #2	1 year	IV	2024

And was carried on call of the roll:

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

Councilman King moved, Councilman Sullivan seconded approval of the minutes of December 19, 2023.

And was carried on call of the roll:

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

Mayor Davis announced introduction on first reading of Ordinance 2024-1091

Councilman King moved, Councilman Sullivan seconded a motion to introduce on First reading and publish according to law an ordinance entitled 2024-1091, AN ORDINANCE FIXING THE SALARIES, COMPENSATION, RETAINERS AND ALLOWANCES FOR THE BOROUGH OF ESSEX FELLS, hearing to be held on February 6, 2023 at 7:00pm.

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

Section 1. The base salaries, compensation, retainers and allowances of certain paid officers, employees and fire department volunteers of the Borough shall be at the following rates effective as of January 1, 2024, until subsequently amended, are hereby established as follows:

	MINIMUM	MAXIMUM
ADMINISTRATION & EXECUTIVE		
Borough Administrator	\$ 20,000.00	\$ 40,000.00
Borough Clerk	\$ 55,000.00	\$ 130,000.00
Administrative Assistant	\$ 25,000.00	\$ 60,000.00
Administrative Assistant Confidential	\$ 25,000.00	\$ 60,000.00
Administrative Assistant Part-time	10.00	30.00
FINANCE		
Chief Finance Officer	\$ 5,000.00	\$ 80,000.00
TAX COLLECTION		
Tax Collector	\$ 25,000.00	\$ 80,000.00
TAX ASSESSOR		
Tax Assessor	\$ 10,000	\$ 18,000.00
FIRE DEPARTMENT UNIFORM ALLOWANCE		
All Members Receive		\$ 150.00
Additional:		
Fire Chief		\$ 400.00
Deputy Chief		\$ 225.00
Battalion Chief		\$ 150.00
Drivers		\$ 75.00
POLICE DEPARTMENT		
Police Chief	\$ 80,000.00	\$ 190,000.00
Police Captain	\$ 80,000.00	\$ 180,000.00
Crossing Guards (hourly)	\$ 10.00	\$ 25.00
Class III Officer	\$ 40,000.00	\$ 70,000.00
Class III Officer (hourly)	\$ 33.00	\$ 35.00
CONSTRUCTION CODE OFFICIAL		
Construction Official	\$ 15,000.00	\$ 35,000.00

Fire Protection Subcode Official (hourly)	\$ 25.00	\$ 35.00
Property Maintenance Worker	\$ 25.00	\$ 35.00
PUBLIC WORKS		
Public Works Superintendent	\$ 60,000.00	\$ 100,000.00
Deputy Public Works Superintendent	\$ 60,000.00	\$ 90,000.00
Foreman	\$ 45,000.00	\$ 60,000.00
Part-time Seasonal Employee	\$ 10.00	\$ 35.00
Recycling Worker	\$ 10.00	\$ 35.00
RECREATION		
Recreation Director	\$ 8,000.00	\$ 32,000.00
Part-time/Seasonal Employees (hourly):		
Camp Counselors	\$ 5.00	\$ 15.00
Teachers	\$ 10.00	\$ 30.00
Site Manager	\$ 20.00	\$ 30.00
Umpires/Referees/Timers	\$ 10.00	\$ 100.00

Section 2. Longevity

Said salaries of non-uniformed full-time employees, hired before December 31, 1992, longevity pay shall be added at the following rates:

Less than 5 years	None
5 through 10 years	2% of base salary
11 through 15 years	4% of base salary
16 through 20 years	6% of base salary
21 through 24 years	8% of base salary
More than 24 years	10% of base salary

Said salaries uniformed members of the Police Department shall be as follows:

Period of continuous, uninterrupted service:

Less than 5 years	None
5 through 10 years	2% of base salary
11 through 15 years	4% of base salary
16 through 20 years	6% of base salary
21 through 24 years	8% of base salary
More than 24 years	11% of base salary

Said longevity pay shall take effect as of the employment anniversary date of the individual.

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. This ordinance shall take effect in the manner provided by law.

And was carried on call of the roll:

Ayes
Michael Cecere
BJ D'Avella
Greg Hindy
John King
William Sullivan

Nays
None

Abstain
None

Absent
Maggie O'Connor

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

2024-01

BE IT RESOLVED by the Council of the Borough of Essex Fells that the *Meetings* of the Borough Council for the year 2024 will be held in the Council Chambers of the Essex Fells Borough Hall at 7:00 p.m., unless otherwise noted and formal action will be taken on the following dates:

<i>January 2, 2024</i>	<i>Organization Meeting</i>
<i>January 16, 2024</i>	<i>Regular Meeting</i>
<i>February 6, 2024</i>	<i>Conference Meeting</i>
<i>February 20, 2024</i>	<i>Regular Meeting</i>
<i>March 5, 2024</i>	<i>Conference Meeting</i>
<i>March 19, 2024</i>	<i>Regular Meeting</i>
<i>April 2, 2024</i>	<i>Conference Meeting</i>
<i>April 16, 2024</i>	<i>Regular Meeting</i>
<i>May 7, 2024</i>	<i>Conference Meeting</i>
<i>May 21, 2024</i>	<i>Regular Meeting</i>
<i>June 4, 2024</i>	<i>Conference Meeting</i>
<i>June 18, 2024</i>	<i>Regular Meeting</i>
<i>July 16, 2024</i>	<i>Regular Meeting</i>
<i>August 20, 2024</i>	<i>Regular Meeting</i>
<i>September 17, 2024</i>	<i>Regular Meeting</i>
<i>October 1, 2024</i>	<i>Conference Meeting</i>
<i>October 15, 2024</i>	<i>Regular Meeting</i>
<i>November 5, 2024</i>	<i>Conference Meeting</i>
<i>November 26, 2024</i>	<i>Regular Meeting</i>
<i>December 3, 2024</i>	<i>Conference Meeting</i>
<i>December 17, 2024</i>	<i>Regular Meeting</i>

2024-02

BE IT RESOLVED by the Council of the Borough of Essex Fells that the following newspapers be designated as the *Official Newspapers of the Borough of Essex Fells*:

The Progress
P.O. Box 72
Caldwell, New Jersey 07006

The Star Ledger
One Star Ledger Plaza
Newark, New Jersey 07102

2024-03

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2024 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

WHEREAS, said temporary appropriations are limited to 26.25% of the total appropriations in the 2023 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Essex Fells, in the County of Essex, State of New Jersey, that the following appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

<u>ACCOUNT</u>	<u>2023 BUDGET</u>	<u>2024 TEMPORARY BUDGET</u>
ADMINISTRATION & EXECUTIVE S&W	\$ 116,650.00	\$ 30,620.63
ADMINISTRATION & EXECUTIVE O/E	\$ 27,875.00	\$ 7,317.19
INFORMATION TECHNOLOGY - O/E	\$ 31,000.00	\$ 8,137.50
ELECTIONS - O/E	\$ 4,400.00	\$ 1,155.00
FINANCIAL ADMINISTRATION - S&W	\$ 20,000.00	\$ 5,250.00
FINANCIAL ADMINISTRATION - O/E	\$ 67,500.00	\$ 17,718.75
ANNUAL AUDIT	\$ 26,000.00	\$ 6,825.00
COLLECTION OF TAXES - S&W	\$ 30,500.00	\$ 8,006.25
COLLECTION OF TAXES - O/E	\$ 15,000.00	\$ 3,937.50
ASSESSMENT OF TAXES - S&W	\$ 16,300.00	\$ 4,278.75
ASSESSMENT OF TAXES	\$ 1,000.00	\$ 262.50
LEGAL - O/E	\$ 59,700.00	\$ 15,671.25
ENGINEERING O/E	\$ 30,000.00	\$ 7,875.00
ZONING BOARD O/E	\$ 15,500.00	\$ 4,068.75
PLANNING BOARD O/E	\$ 10,300.00	\$ 2,703.75
CONSTRUCTION CODE OFFICIAL - S&W	\$ 56,500.00	\$ 14,831.25
CONSTRUCTION CODE OFFICIAL - O/E	\$ 6,300.00	\$ 1,653.75
OTHER INSURANCE	\$ 90,372.50	\$ 23,722.78
EMPLOYEE GROUP HEALTH	\$ 749,000.00	\$ 196,612.50
POLICE - S&W	\$ 1,694,017.81	\$ 444,679.68
POLICE - O/E	\$ 95,025.00	\$ 24,944.06
FIRST AID CONTRIBUTION	\$ 7,000.00	\$ 1,837.50
FIRE - S&W	\$ 6,700.00	\$ 1,758.75
FIRE - O/E	\$ 32,800.00	\$ 8,610.00
STREETS AND ROADS - S&W	\$ 389,160.35	\$ 102,154.59
DEPARTMENT OF PUBLIC WORKS - O/E	\$ 240,500.00	\$ 63,131.25
SNOW REMOVAL - S&W	\$ 15,000.00	\$ 3,937.50
SNOW REMOVAL - O/E	\$ 27,000.00	\$ 7,087.50
SEWER SYSTEM - O/E	\$ 21,000.00	\$ 5,512.50
SANITARY SEWER - O/E	\$ 30,000.00	\$ 7,875.00
BOARD OF HEALTH - O/E	\$ 1,000.00	\$ 262.50
RECREATION - S&W	\$ 26,000.00	\$ 6,825.00
RECREATION - O/E	\$ 18,100.00	\$ 4,751.25
ELECTRIC & GAS	\$ 60,000.00	\$ 15,750.00
PHONES	\$ 24,000.00	\$ 6,300.00
SEWER SERV VERONA	\$ 25,000.00	\$ 6,562.50
SEWER SERVICES	\$ 362,000.00	\$ 95,025.00
GASOLINE	\$ 57,400.00	\$ 15,067.50
CONTINGENCY	\$ 15,000.00	
LIBRARY	\$ 2,000.00	\$ 525.00
UNEMPLOYMENT COMPENSATION FUND	\$ 13,000.00	\$ 3,412.50
FICA	\$ 79,000.00	\$ 20,737.50
PERS	\$ 63,285.00	
PFRS	\$ 573,331.00	
CHAPTER 159s	\$ -	
BUDGET GRANTS	\$ 41,943.71	
BD OF ED - SLEO	\$ 60,000.00	\$ 15,750.00
NORTH CALDWELL - POLICE DISPATCH	\$ 135,000.00	\$ 35,437.50

WEST ORANGE - HEALTH SERVICES	\$	12,749.00	\$	3,346.61
WEST ORANGE - ANIMAL CONTROL	\$	6,163.00	\$	1,617.79
NORTH CALDWELL - MUNICIPAL COURT	\$	100,000.00	\$	26,250.00
CAPITAL IMPROVEMENT FUND	\$	56,000.00	\$	50,000.00
BOND PRINCIPAL	\$	153,000.00	\$	160,000.00
BAN PRINCIPAL	\$	100,000.00		
BOND INTEREST	\$	9,100.00	\$	3,200.00
BAN INTEREST	\$	58,800.00		
UNFUNDED ORDINANCE	\$	350,000.00		
RESERVE FOR TAX APPEALS (BUDGET)	\$	10,000.00		
RESERVE FOR UNCOLLECTED TAXES	\$	430,000.00		

TOTAL	\$	6,773,972.37	\$	1,502,997.07
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WATER S&W	\$	548,704.00	\$	144,034.80
WATER O/E	\$	2,102,557.90	\$	551,921.45
PERS	\$	45,189.00	\$	11,862.11
UNEMPLOYMENT FUND	\$	3,000.00	\$	787.50
SOCIAL SECURITY	\$	32,000.00	\$	8,400.00
BOND PRINCIPAL	\$	160,000.00	\$	160,000.00
BOND INTEREST	\$	9,200.00	\$	3,200.00
PAYMENT OF NOTES	\$	26,000.00		
INTEREST ON NOTES	\$	93,500.00		

TOTAL	\$	3,020,150.90	\$	880,205.86
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2024-04

BE IT RESOLVED by the Council of the Borough of Essex Fells that the interest rate on delinquent Taxes and Sewer be fixed as follows:

8% per annum up to \$1,500.00 delinquency

18% per annum over \$1,500.00 delinquency

**6% additional penalty for a delinquency over \$10,000.00
if not paid prior to the end of the calendar year.**

BE IT FURTHER RESOLVED, that any taxes not paid when due shall be called delinquent taxes ten days after due date.

2024-05

BE IT RESOLVED by the Council of the Borough of Essex Fells that the following banks and/or savings and loan associations and/or their branch offices be designated depositories of the accounts and funds of the Borough of Essex Fells:

TD Bank, West Caldwell, NJ

Valley National Bank, Caldwell, NJ

BE IT FURTHER RESOLVED that the custodian of each of said several funds and accounts shall be Christopher Battaglia, Chief Financial Officer, and in his absence Francine T. Paserchia, Administrator/Borough Clerk.

BE IT FURTHER RESOLVED that the Borough Clerk be and he is hereby authorized to certify the authority granted by these resolutions to the several banks and/or savings and loan associations in the form required by the several banks and/or savings and loan associations and to furnish said several banks and/or savings and loan associations with certified copies of these resolutions.

AND BE IT FURTHER RESOLVED that a copy of the above resolution be sent to the surety company.

2024-06

AUTHORIZING THE TAX COLLECTOR TO CANCEL CERTAIN BALANCES OF \$10.00 OVER/UNDER

WHEREAS, N.J.S.A. 40A: 5-17 allows for the cancellation of property tax refunds or delinquent amounts in the amounts of less than \$10.00; and

WHEREAS, the enactment of P.L. 2013, c.54 has expanded the scope of this statute to encompass any delinquent charges or fees imposed by the municipality, so long as the delinquency is less than \$10.00.

WHEREAS, the Governing Body may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax refunds or delinquencies, or any charges and fees imposed by the municipality of Less than \$10.00

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Essex Fells, County of Essex, State of New Jersey, hereby authorize the Tax Collector to cancel said tax amounts and charges and fees as deemed necessary for current year.

2024-07

Resolution Adopting Cash Management Plan

WHEREAS it is in the best interest of the Borough of Essex Fells to earn additional revenue through the investment and prudent management of its cash receipts and cash on hand; and

WHEREAS, P.L.1997, Chapter 148, approved June 30, 1997 is an act concerning the Local Fiscal Affairs Law, and amends N.J.S.A.40A:5-2 and N.J.S.A.40A:5-14; and

WHEREAS, this law requires that each local unit shall adopt a Cash Management Plan; and

NOW, THEREFORE, BE IT RESOLVED that the following shall constitute the Cash Management Plan for the Borough of Essex Fells, and that the Borough of Essex Fells shall deposit its funds pursuant to this plan:

**CASH MANAGEMENT PLAN OF THE BOROUGH OF ESSEX FELLS
IN THE COUNTY OF BERGEN, NEW JERSEY**

I. Statement of Purpose

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds for the Borough of Essex Fells ("Borough"), pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. Identification of Funds and Accounts to be Covered by the Plan

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts:

Current Fund, Water Operating, All Capital and Trust accounts

B. It is understood that this Plan is not intended to cover certain funds and accounts, specifically:

None

III. Designation of Officials Authorized To Make Deposits and Investments Under the Plan

The **Chief Financial Officer** is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan.

IV. Designation of Depositories

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any Certificates of Deposit which are not otherwise invested in Permitted investments as provided in this Plan:

**N.J. Cash Management Fund,
Valley National Bank,
TD Bank,**

V. Designation of Brokerage Firms and Dealers with Whom the Designated Officials May Deal

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

None

VI. Authorized Investments

A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligations that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part of within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investments by Local Units;
- (6) Local government pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section I of P.L.1977, c. 281 (C.52:18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
 - (b) the custody of collateral is transferred to a third party;
 - (c) the maturity of the agreement is not more than 30 days;
 - (d) the underlying securities are purchased through a public depository as defined in section I of P.L. 1970, c.236 (C.17:9-41); and

(e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund An investment company or investment trust:

(a) which is registered with the Securities and Exchange Commission under the "investment Company Act of 1940," 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.

(b) the portfolio of which is limited to U.S. Government Securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and the repurchase of agreements that are collateralized by such U.S. Government securities; and

(c) which has:

(i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or

(ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940," 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for the least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool

An investment pool:

(a) which is managed in accordance with 17 C.F.R. sec. 2701a-7;

(b) which is rated in the highest category by a nationally recognized statistical rating organization.

(c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities.

(d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;

(e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and

(f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank for New York its position in and borrowing on such U.S. Government securities.

B. Notwithstanding the above authorization, the monies on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:

None

VII. Safekeeping Custody Payment and Acknowledgement of Receipt of Plan.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Borough or by a third party custodian prior to or upon the release of the Borough's funds.

To assure that all parties with whom the Borough deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

VIII. Reporting Requirements

Upon request, during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall apply to the government of the Borough a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at minimum, the following information:

- A. The name of any institution holding funds of the Borough as a Deposit or a Permitted investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the Governing Body of the Borough

IX. Wire and ACH Banking Best Practices (Joint Insurance Fund (“JIF”) requirements)

Wire transfers payments are completed the same day while ACH payments take 1-2 business days for the transaction to be completed. Banking institutions have indicated that ACH payments are more secure than wire transfers. The following requirements must be part of your wire transfer and ACH payments policy:

- A. Identify at least two authorized individuals in the covered entity who are authorized to execute and confirm wire transfers and ACH payments respectively. The Official with financial administrative rights that is tasked with this process is required to have an appropriate level of responsibility. This official will set up the wire transfer or the ACH payment and the other official, also with an appropriate level of responsibility will authorize the release of the wire or ACH payment directly with the bank utilizing a separate platform other than the electronic platform utilized to initiate the wire, i.e., Telephone call or Phone Text, not an email on the same network.
- B. Free form wire transfers and ACH payments must be blocked in the banking system. Only wire transfers where an approved wire or ACH template is authorized are allowed. Wire and ACH Template authorizations should go through the same approval process as noted in a. above, wherein the Finance office initiates and the Administrative office confirms. Also, any changes to a template must be authorized using this same process. A wire transfer or ACH payment requires at least two forms of verification from the vendor bank before a transfer can be authorized. The verification should include: (i) Multi-factor authentication for each authorized user; (ii) user verbal authorization and verbal confirmation using phone contact information on file, not the phone number in an email; and (iii) a limited email exchange to confirm the wire transfer. The additional factor(s) can be a text with a code sent to an authorized user’s smartphone, a hard token, or biometrics. The email exchange shall never contain specific information relating to the actual contents of the transfer.
- C. For all wire/ACH transfer of funds, the following information is required:
 - i. Must create a template for all transactions.
 - ii. Name of person spoken to, including the recipient vendor title and telephone number.
 - iii. Name of the two individuals from the covered entity that verbally and in writing confirmed the authorization of the transfer, and the receiving bank information, including routing number, account number and dollar amount.
 - iv. Confirming telephone call to vendor/receiving entity verifying transfer

authorization, receiving bank information including routing number, account number and dollar amount.

- v. Memorialization of the transfer and confirmation of completion of the transaction.
 - vi. Exception to the above is when a recurring transaction with an established template is transacted, steps iii-v will not have to be completed.
- D. Memorialization of each transfer/payment must be filed with the Chief Financial Officer and made available for audit.
- E. A detailed description of all wire transfers and ACH payments must be filed with the Chief Administrative Officer and the Clerk.
- F. Verbally confirm, within 24 hours, with receiving vendor/entity that the funds were credited to their account.
- G. Entities are required to establish a policy restricting the frequency of wire transfers to infrequent or emergent matters, and real estate transactions, rather than for routine payments to vendors. The frequency of fraudulent transactions for wire transfers is far greater than for checks. Templates must be set up for wire transfers and ACH payments.
- H. Entities are required to placing a dollar limit on wire transfers and ACH payments that is reasonable to your size entity but recognize when setting that limit that your coverage is limited to the maximum coverage of the crime policy and your entity will be responsible for any losses between the coverage limits and the wire limit you set.
- I. Establish on-line banking alerts for all wires & ACHs changes to a template. The online banking policy must include a requirement that the wire/ACH is not released until the recipient of the alert approves it.
- J. Covered entities are required to restrict all permissions on international wires. Authorized users are required to set up the restrictions on the banking institution's on-line system.
- K. Each Chief Financial Officer must utilize blocks and alerts in their banking system to ensure that any transactions not specifically authorized will be flagged by the banking system, and the Chief Financial Officer must authorize each flagged transaction. The use of a Payee Positive Pay system for all checks and ACH transactions is required. Additionally, daily review of overnight transactions and balances to identify any unusual transactions or events is strongly recommended.
- L. Notify the bank and Chief Financial Officer/Treasurer/Responsible individual immediately if suspicious activity is detected.

X. Disclosure

Any Governing Body member or official involved in the designation of depositories or in the authorization of investments permitted by Section III and IV, or in the selection of an entity seeking to sell securities to the local unit, who has a material business or personal relationship with the organization, shall disclose that relationship to the Governing Body, the public and the Local Finance board. The Governing Body member or official shall submit a letter to the Borough Clerk who shall list this as correspondence received at the next public meeting and shall forward a copy to the Local Finance Board.

XI. Term of Plan

This Plan shall be in effect from January 1, 2024 to December 31, 2024. Attached to this Plan is a resolution of the governing body of the Borough approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Governing Body, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

2024-08

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

WHEREAS, from time to time the Borough Office is required to make change for cash payments received for Tax, Water, Dog and Sewer Payments; and

WHEREAS, there exists a need to maintain such a fund for use of operation of the Tax/Administrative Offices and the custodian shall be Terry King and the amount shall be \$100.00;

NOW THEREFORE, BE IT RESOLVED, that the listed custodian be responsible for the maintenance of corresponding Change Fund.

2024-09

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

WHEREAS, the Borough of Essex Fells 2024 Paid Holiday Schedule is as follows:

Paid Holiday Policy:

All **Full-Time Employees** of the Borough are entitled to fourteen (14) paid holidays. The holiday schedule for all unionized employees may be found in the respective labor agreements between the Borough and said labor unions. The holiday schedule for all Full-Time Non-Unionized employees is as follows:

- ♦ *New Year's Day*
- ♦ *Dr. M.L. King's Birthday*
- ♦ *Lincoln's Birthday*
- ♦ *Washington's Birthday*
(For 2024 – 2/19 - President's Day)
- *Good Friday*
- *Memorial Day*
- *Juneteenth*
- *Independence Day*
- *Labor Day*
- *Columbus Day*
- *Veteran's Day*
- *Thanksgiving Day*
- *Day after Thanksgiving*
- *Christmas Day*

Should any of these holidays fall on a Saturday, it shall be celebrated on the preceding Friday. If a holiday falls on a Sunday, it shall be celebrated on the following Monday or as the Borough Administrator deems necessary. Under such circumstances, the Friday or the Monday shall be considered the holiday and paid accordingly.

2024-10

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

WHEREAS, the Borough of Essex Fells has filed a Recycling Tonnage Report with the New Jersey Department of Environmental Protection (NJDEP) for 2023, and

WHEREAS, the Borough of Essex Fells desires to make application to the NJDEP for a municipal recycling tonnage grant for 2023.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Essex Fells that the Public Works Superintendent is hereby authorized to file an application for said recycling grant.

2024-11

BE IT RESOLVED by the Council of the Borough of Essex Fells that the Chief Financial Officer is hereby authorized to keep an adequate balance in the postage account and secure postage as necessary to meet the day to day needs of the operation of the Borough of Essex Fells.

2024-12

WHEREAS, the Borough of Essex Fells has a need to obtain legal services and has determined to award this contract as a Professional Service without obtaining competitive bids or quotes as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Chief Financial Officer has determined and will certify in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one year*; and

WHEREAS, *Robert H. Oostdyk, Jr. and Murphy McKeon, PC* have submitted a proposal indicating he will provide the legal services for the annual fee of \$54,000.00 per year plus \$150.00 per hour for all matters for which the Borough has collected escrow accounts; and

WHEREAS, *Robert H. Oostdyk, Jr. and Murphy McKeon, PC* have completed and submitted a Business Entity Disclosure Certification which certifies that *Robert H. Oostdyk, Jr. and Murphy McKeon, PC* have not made any reportable contributions to a political or candidate committee in the *Borough of Essex Fells* in the previous one year, and that the contract will prohibit *Robert H. Oostdyk, Jr. and Murphy McKeon, PC* from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified in writing to the Governing Body that there are adequate funds in the amount of \$54,000.00 which are specifically designated as Legal, Operating Expenses, in the local budget to complete this contract.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Essex Fells, in the County of Essex and State of New Jersey, authorizes the entry of a contract with *Robert H. Oostdyk, Jr. and Murphy McKeon, PC* as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

2024-13

WHEREAS, the Borough of Essex Fells has a need to acquire a Registered Municipal Accountant as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4*; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is *one year*; and

WHEREAS, Joseph J. Faccone of the firm of Samuel Klein and Company, holding a license as a Registered Municipal Accountant has submitted a proposal indicating they will provide *Municipal Accountant Services for January 1, 2024 thru December 31, 2024*; and

WHEREAS, Joseph J. Faccone has completed and submitted a Business Entity Disclosure Certification which certifies that Samuel Klein and Company has not made any reportable contributions to a political or candidate committee in the *Borough of Essex Fells* in the previous one year, and that the contract will prohibit Samuel Klein and Company from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief financial Officer will certify in writing to the Governing Body that there are adequate funds in the amount of \$23,225.00 which are specifically designated as Auditing in the local budget to complete this contract and \$21,500.00 for the Municipal Utility.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Essex Fells, in the County of Essex and State of New Jersey, authorizes the entry of a contract with Samuel Klein and Company, as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

2024-14

WHEREAS, the Borough of Essex Fells has a need to acquire a Consulting Engineer as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4*; and

WHEREAS, the Chief Financial Officer has determined and will certify in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is *one year*; and

WHEREAS, William Ryden of the firm Anderson & Denzler Associates, Inc., has submitted a proposal indicating they will provide *Engineering Services and Licensed Wastewater Sewer Operator Services* as well as *Water System Superintendent and Consultant from January 1, 2024 thru December 31, 2024*; and

WHEREAS, William Ryden has completed and submitted a Business Entity Disclosure Certification which certifies that Anderson & Denzler Associates, Inc., has not made any reportable contributions to a political or candidate committee in the *Borough of Essex Fells* in the previous one year, and that the contract will prohibit Anderson & Denzler Associates, Inc., from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify in writing to the Governing Body that there are adequate funds in the amount of \$40,000.00 which is the not to exceed amount.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Essex Fells, in the County of Essex and State of New Jersey, authorizes the entry of a contract with Anderson & Denzler Associates, Inc., as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

2024-15

WHEREAS, the Borough of Essex Fells has a need to Bond Counsel Services and has determined to award this contract as a Professional Service without obtaining competitive bids or quotes as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one year*; and

WHEREAS, this contract shall not exceed \$30,000.00; and

WHEREAS, John D. Draikiwicz has completed and submitted a Business Entity Disclosure Certification which certifies that John D. Draikiwicz has not made any reportable contributions to a political or candidate committee in the *Borough of Essex Fells* in the previous one year, and that the contract will prohibit John D. Draikiwicz from making any reportable contributions through the term of the contract, and

WHEREAS, THE Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Essex Fells, in the County of Essex and State of New Jersey, authorizes the entry of a contract with John D. Draikiwicz of Gibbons P.C., as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

2024-16

WHEREAS, the Borough of Essex Fells has a need to acquire financial management services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, the initial term of this contract is from January 1, 2024 to December 31, 2024.

WHEREAS, Battaglia Associates, LLC has submitted a proposal indicating they will provide financial management services to the Borough of Essex Fells for a fee of \$104,700.00; and

WHEREAS, Battaglia Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Battaglia Associates, LLC has not made any reportable contributions to a political or candidate committee in the County of Essex and Borough of Essex Fells in the previous one year, and that the contract will prohibit the Battaglia Associates, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, The Mayor and Council of the Borough of Essex Fells pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Essex Fells authorizes a contract with Battaglia Associates, LLC as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

2024-17

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

WHEREAS, the Borough of Essex Fells has determined that it is in the public interest to join with other municipalities to jointly provide insurance coverage; and

WHEREAS, effective May 1, 1987 the Borough became a member of the Morris County Municipal Joint Insurance Fund (JIF) and the Municipal Excess Liability Joint Insurance Fund (MEL); and

WHEREAS, each fund requires that participating municipalities appoint an Insurance Fund Commissioner who must be either a member of the Governing Body or an employee of the municipality.

WHEREAS, the Risk Manager shall attend all Meetings of the JIF and MEL as required, on behalf of the Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Essex Fells that Borough Administrator Francine T. Paserchia is hereby appointed as the Borough's Insurance Fund Commissioner for 2024 and Anthony Sorisi as the Borough's Alternate Fund Commissioner and they also shall serve as the Essex Fells representatives to these two joint insurance funds.

2024-18

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$44,000.00; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a *Qualified Purchasing Agent* is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Francine T. Paserchia possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, the Borough of Essex Fells desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Essex Fells, in the County of Essex, in the State of New Jersey hereby increases its bid threshold to \$40,000.00; and

BE IT FURTHER RESOLVED, that the governing body hereby appoints Francine T. Paserchia as the Qualified Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 the Municipal Clerk, is hereby authorized and directed to forward a certified copy of this resolution and a copy of Francine T. Paserchia's, Qualified Purchasing Agent certification to the Director of the Division of Local Government Services.

2024-19

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

WHEREAS, the State of New Jersey, Department of Treasury, Division of Contract Compliance & Equal Employment Opportunity in Public Contracts requires that every year each municipality designates a Public Agency Compliance Officer (P.A.C.O.); and

WHEREAS, the Borough hereby names Brittany Gonzalaz as the Public Agency Compliance Officer (P.A.C.O.).

NOW FOR BE IT RESOLVED, that a copy of this resolution shall be sent to the Division of Contract Compliance & Equal Opportunity Office as required by law.

2024-20

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

WHEREAS, the Borough Council authorized Essex Fells' participation in the Essex County Community Development Block Grant Program; and

WHEREAS, each participating municipality is expected to appoint two representatives to the CDBG Committee.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Essex Fells that the following named persons shall serve as the Borough's Community Development Block Grant representatives for 2024:

Michael Cecere
Councilman

Francine T. Paserchia
Borough Administrator

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to forward a certified copy of this resolution to the Essex County Division of Housing and Community Development.

2024-21

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

WHEREAS, the Borough Council authorized Essex Fells' participation in the Essex County Solid Waste Advisory Committee; and

WHEREAS, each participating municipality is expected to appoint one representative to the Solid Waste Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Essex Fells that the following named persons shall serve as the Borough's Solid Waste Advisory Member and Alternate (Voting Member) for 2024:

Anthony Sorisi - Member
Department of Public Works - Superintendent

Michael Tardibuono - Alternate Member
Department of Public Works – Foreman

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to forward a certified copy of this resolution to the Essex County Planning Board.

2024-22

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

WHEREAS, the Borough Council authorized Essex Fells' participation in the Essex County Pre-Disaster Mitigation Committee; and

WHEREAS, each participating municipality is expected to appoint one representative to the Essex County Pre-Disaster Mitigation Committee.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Essex Fells that the following named person shall serve as the Borough's Essex County Pre-Disaster Mitigation Committee Member:

**Anthony Sorisi - Member
Department of Public Works Superintendent**

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to forward a certified copy of this resolution to the Essex County Office of Emergency Management.

2024-23

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

WHEREAS, the Borough Council hereby authorizes Essex Fells' participation in the Essex County Recycling Committee; and

WHEREAS, Anthony Sorisi the Department of Public Works Superintendent is serving as the Essex Fells Recycling Coordinator since 2022.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Essex Fells that Anthony Sorisi is hereby authorized to serve as the Borough's representative on the Essex County Recycling Committee and the Borough Clerk is hereby directed to forward a certified copy of this resolution to the Essex County Planning Board.

2024-24

WHEREAS, the Borough of Essex Fells has a need to obtain legal services, Special Labor Counsel and has determined to award this contract as a Professional Service without obtaining competitive bids or quotes as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and will certify in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one year*; and

WHEREAS, *Stephen E. Trimboli of Trimboli & Prusinowski, LLC* have submitted a proposal indicating he will provide the legal services at a rate of \$200.00 per hour and \$115.00 per hour for paralegals and law clerks; and

WHEREAS, *Stephen E. Trimboli of Trimboli & Prusinowski, LLC* have completed and submitted a Business Entity Disclosure Certification which certifies that *Stephen E. Trimboli of Trimboli & Prusinowski, LLC* have not made any reportable contributions to a political or candidate committee in the *Borough of Essex Fells* in the previous one year, and that the contract will prohibit *Stephen E. Trimboli of Trimboli & Prusinowski, LLC* from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Essex Fells, in the County of Essex and State of New Jersey, authorizes the entry of a contract with *Stephen E. Trimboli of Trimboli & Prusinowski, LLC* as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

2024-25

BE IT RESOLVED, by the Council of the Borough of Essex Fells that the Borough

Clerk be and is hereby authorized to advertise for the receipt of bids on January 17, 2024 at 10:00 am for the following:

Regular Unleaded Gasoline & Diesel Fuel

2024-26

WHEREAS, the Borough of Essex Fells has a need for a Consulting Engineer, this contract is being awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Chief Financial Officer has determined and will certify in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is *one year*; and

WHEREAS, Michael Petry of Petry Engineering, LLC , has submitted a proposal indicating they will provide *Engineering Services from January 1, 2024 thru December 31, 2024*; and

WHEREAS, Michael Petry of Petry Engineering, LLC , has completed and submitted a Business Entity Disclosure Certification which certifies that Michael Petry of Petry Engineering, LLC , has not made any reportable contributions to a political or candidate committee in the *Borough of Essex Fells* in the previous one year, and that the contract will prohibit Michael Petry of Petry Engineering, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify in writing to the Governing Body that there are adequate funds in the amount of \$40,000.00 which is the not to exceed amount.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Essex Fells, in the County of Essex and State of New Jersey, authorizes the entry of a contract with Michael Petry of Petry Engineering, LLC as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

2024-27

WHEREAS, the Borough of Essex Fells has a need to obtain Water Operational Services and has determined to award this contract as a Professional Service without obtaining competitive bids or quotes as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and will certify in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one year*; and

WHEREAS, DeBlock Environmental Services, LLC has submitted a proposal indicating they will provide Water Operational and Environmental Services for an amount not to exceed \$150,000.00 per year; and

WHEREAS, DeBlock Environmental Services, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that DeBlock Environmental Services, LLC has not made any reportable contributions to a political or candidate committee in the *Borough of Essex Fells* in the previous one year, and that the contract will prohibit DeBlock Environmental Services, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified in writing to the Governing Body that there are adequate funds, in the local budget to complete this contract.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Essex Fells, in the County of Essex and State of New Jersey, authorizes the entry of a contract with *DeBlock Environmental Services, LLC* as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

2024-28

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF ESSEX FELLS AND SUBURBAN CONSULTING ENGINEERS, INC. – AIR STRIPPER (MAIN FACILITY) PFOA REMOVAL TREATMENT DESIGN ADDITIONAL PERMITTING, PLANNING BOARD, RE-BID & FUNDING SERVICES (AMENDMENT #8 REVISION A)

WHEREAS, there exists the need for professional engineering services in the Borough of Essex Fells in connection with the Air Stripper (Main Facility) PFOA Removal Treatment Design Project; and

WHEREAS, the amount of the contract, which revises and amends previous contracts to cover additional costs, is \$14,000.00 (lump sum contract).

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified the availability of funds.

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, as follows:

Section 1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Suburban Consulting Engineers, Inc. for engineering services for the Borough of Essex Fells - Air Stripper (Main Facility) PFOA Removal Treatment Design Project; in an amount of \$14,000.00 as an amendment reflecting additional costs as set forth in a proposal dated November 28, 2023.

Section 2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

2024-29

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF ESSEX FELLS AND PHILLIPS PREISS LLC

WHEREAS, there exists the need for professional planning in the Borough of Essex Fells in connection with the Borough's affordable housing litigation and other planning services including drafting amendments to the Borough Zoning Ordinance; and

WHEREAS, the maximum amount of the contract is \$12,500.00; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

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, as follows:

Section 1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Phillips Preiss LLC for planning services for the Borough of Essex Fells for a total amount not to exceed \$12,500.00.

Section 2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

2024-30

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF ESSEX FELLS AND PETRY ENGINEERING, LLC (2024 ROAD IMPROVEMENT PROGRAM)

WHEREAS, there exists the need for professional engineering services in connection with the 2024 NJDOT Municipal Road Aid Project; and

WHEREAS, The Borough has received a proposal dated October 3, 2023, and determined that it is in the best interest of the Borough to accept the proposal submitted by Borough Engineers Petry Engineering, LLC.

WHEREAS, the maximum amount of the contract for design and inspection is \$48,600.00 for design and up to \$28,000.00 for inspection/construction observation; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified the availability of funds.

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, as follows:

Section 1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Petry Engineering, LLC for engineering and inspection services for the Borough of Essex Fells for the 2024 NJDOT Municipal Road Aid Project for a total amount not to exceed \$48,600.00 for design and up to \$28,000 for inspection/construction observation as set forth in a proposal dated October 3, 2023.

Section 2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

2024-31

WHEREAS, N.J.S.A. A:9-33 et seq requires the Mayor of a municipality in the State of New Jersey to appoint an Emergency Management Coordinator from within the municipality for a period of three years.

WHEREAS, there presently exists a need for an Emergency Management Coordinator in the Borough of Essex Fells.

NOW THEREFORE BE IT RESOLVED that James Egan, 37 Wootton Road, Essex Fells, NJ, 07021 is hereby appointed as Emergency Management Coordinator for the Borough of Essex Fells for the period of January 1, 2024 through December 31, 2026.

2024-32

BE IT RESOLVED, by the Council of the Borough of Essex Fells that:

WHEREAS, New Jersey Statutes Annotated, Appendix A:9-41, requires that the Mayor of every Municipality appoint an Emergency Management Council (EMC) to coordinate all disaster control activities on behalf of the citizens and government of the Municipality; and

WHEREAS, the EMC is to be chaired by the Emergency Management Coordinator and is to be comprised of no fewer than 15 members representing five specific groups; and

WHEREAS, it is in the best interest of the Borough of Essex Fells that such a functional group be formalized and updated; and

WHEREAS, the Mayor has recommended a list of appointees to serve in the various capacities required by the Statute.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Essex Fells that the Mayor's nominations to serve on the Emergency Management Council of this Municipality are hereby confirmed and shall be as follows:

NAME	WORKING TITLE	GROUP REPRESENTED
James M. Egan	EM Coordinator	Emergency Management
Scott Jones	Deputy EM Coordinator	Emergency Management
Scott Cohen	Communications	Emergency Management
Edward Davis	Mayor	Elected Official
Francine T. Paserchia	Borough Administrator	Emergency Management
Darren Volker	Chief of Police	Police
Ken Monroe	Fire Chief	Fire
William Ryden	Licensed Water/Sewer Operator	Water Department
Anthony Sorisi	Superintendent	Public Works Department
Michelle Gadeletta	Superintendent of Schools	Elementary School
Theresa DeNova	Health Officer	Health/Environment
Jocelyn Gilman	Disaster Coordinator	Red Cross
Jeff Sutherlin	First Aid Squad Captain	First Aid
Brett Friedensohn	Newspaper Reporter	NJ Hills Media
Greg James	Assistant to OEM Coordinator	Resident

BE IT FURTHER RESOLVED, that this list of members of the Essex Fells Emergency Management Council be transmitted to the NJ Department of Law and Public Safety, Emergency Management Section, and to the Essex County Office of Emergency Management along with an explanation that James M. Egan also will serve as the Borough's SARA Title-III alternate representative since no SARA facilities exist in Essex Fells.

2024-33

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

1. 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:

Name:	Title:	Rate of Pay:	Effective Date:
Thomas J. Rigas	Police Officer	\$45,457.60 (Academy Pay)	January 8, 2024

2024-34

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

1. 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:

Name:	Title:	Rate of Pay:	Effective Date:
Michael J. Marta	Police Officer	\$45,457.60 (Academy Pay)	January 8, 2024

2024-35

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

1. 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:

Name:	Title:	Rate of Pay:	Effective Date:
Michael Tardibuono	Foreman	\$54,000/annum (CDL)	January 3, 2024

2024-36

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

WHEREAS, the Essex Fells Borough Code, Chapter 5, Article III, Section 5-9 Appointment of Board and Director, states that the mayor may, in his discretion and with the advice and consent of the Borough Council, annually appoint not less than three nor

more than 12 persons, employees or citizens and residents of the Borough as members of the Board of Recreation. He may also, in his discretion, annually appoint a Director of Recreation; and

WHEREAS, the following list has been submitted to the Borough Clerk by the Mayor:

<u>Member</u>	<u>Full Term</u>	<u>Term Expires 12/31</u>
Mike Desiderio	1 year	2024
John Toth	1 year	2024
BJ D'Avella	1 year	2024
Chris Nowak	1 year	2024
Rick Coughlin	1 year	2024
Gary Buccino	1 year	2024
Eiler Marcher	1 year	2024
Debra Tedesco	1 year	2024
Todd Wozniak	1 year	2024
Erin Dykema	1 year	2024
Keith Stefanczyk	1 year	2024
Kyle Torjussen	1 year	2024
Lauren Lombardy, Director	1 year	2024

Greg Hindy - Council Appointment

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Essex Fells that the Essex Fells Board of Recreation Appointments are hereby confirmed for 2024 pending the submission of new members Citizen Leadership Form.

2024-37

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

WHEREAS, the Essex Fells Borough Code, Chapter 29, Article 2, Section 29-2 Members, states that a maximum of 50 *volunteer firemen*, shall only become effective when confirmed by resolution of the Borough Council; and

WHEREAS, the following list has been submitted to the Borough Clerk by the Chief of the Essex Fells Volunteer Fire Department, and with doing so, confirms that all background checks for any new member, as well as any other requirements, in order to be in compliance with the Borough Code have been completed:

1. Abbot, Ed
2. Adams, Matt
3. Anchak, Noelle
4. Aronson, Lance
5. Bawa, Ro
6. Belai, Jamal
7. Bertoli, Bob (D)
8. Bloom, William (D) – Pending completion of internal documents
9. Boeckel, Chris (D)
10. Cesar, George
11. D'Avella, BJ (D)
12. Davis, Ed (D)
13. Dykema, Erik
14. Egan, Jim (D)
15. Gerson, Nate
16. James, Greg (D)
17. Kearney, Jim (D)
18. King, John
19. Lavezzo, Ed
20. Lopez, Brian
21. McNamara, John (D)
22. Monroe, Ken (D)
23. Morris, Greg (D)
24. Moskowitz, Cliff
25. O'Connor, Mark(D)
26. Parisi, Brett
27. Plunkett, Brendan (D)
28. Pryor, John
29. Roppatte, Jason
30. Rothschild, Gary (D)
31. Schlosser, Dave

32. Shearin, Chris
33. Shih, Ming
34. Sorisi, Anthony
35. Steiner, Ben
36. Strathearn, Glen (D)
37. Taylor, Tim (D)
38. Torter, Tom
39. Vega, Santiago
40. Ward, Steve (D)
41. Woods, Greg

Firefighter (D) = Driver

Junior Firefighters

1. Cusack, Ava
2. Caplan, Simone
3. Dungo, Mia
4. Himawan, Jonas
5. Ruane, Riley
6. Roppatte, Michael
7. Shih, Madeline
8. Woods, Abby

***NOW THEREFORE BE IT RESOLVED*, by the Council of the Borough of Essex Fells that the Volunteer Fire Department Members are hereby confirmed for 2024.**

2024-38

***BE IT RESOLVED* by the Council of the Borough of Essex Fells, that;
WHEREAS, the Essex Fells Borough Code, Chapter 29, Article 3, Section 29-3 Chief of Fire Department and Chapter 29, Article 4, Section 29-4 Powers and duties, requires the appointing of a Fire Chief, Assistant Fire Chief, Captain and Lieutenants; and**

***WHEREAS*, the following list has been submitted to the Borough Clerk by the Essex Fells Volunteer Fire Department:**

Chief:	Ken Monroe	#100
Assistant Chief:	Bj D'Avella	#101
Captain:	Tim Taylor	#102
1st Lieutenant:	Mark O'Connor	#103
2nd Lieutenant:	Chris Boeckel	#104
3rd Lieutenant:	Bob Bertoli	#105
4th Lieutenant:	Greg Morris	#106

***NOW THEREFORE BE IT RESOLVED*, by the Council of the Borough of Essex Fells that the Essex Fells Fire Department Chief, Assistant Fire Chief, Captain and Lieutenant appointments are hereby confirmed pending the Oath of Office being administered and signing off on the Personnel and Polices Handbook for 2024, at which time they will be deemed complete.**

2024-39

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

***WHEREAS*, the Essex Fells Borough Code, Chapter 5, Article IV, Section 5-11, "Skating Pond Committee", states that the Mayor may, in his discretion and with the advice and consent of the Borough Council, annually appoint up to fifteen employees or residents of the Borough as members of the Skating Pond Committee; and**

***WHEREAS*, the following list has been submitted to the Borough Clerk by the Mayor:**

<u>Member</u>	<u>Full Term</u>	<u>Term Expires 12/31</u>
<i>John Haydu</i>	<i>1 year</i>	<i>2024</i>
<i>Jody James</i>	<i>1 year</i>	<i>2024</i>
<i>Mary Shearin</i>	<i>1 year</i>	<i>2024</i>
<i>Jackie Burke</i>	<i>1 year</i>	<i>2024</i>
<i>Pat Miczak</i>	<i>1 year</i>	<i>2024</i>

<i>Ed Abbot</i>	<i>1 year</i>	<i>2024</i>
<i>Jim Egan</i>	<i>1 year</i>	<i>2024</i>
<i>Chris Boeckel</i>	<i>1 year</i>	<i>2024</i>
<i>Dennis Cusack</i>	<i>1 year</i>	<i>2024</i>
<i>Michael Desiderio</i>	<i>1 year</i>	<i>2024</i>
<i>Alair Muzzatti</i>	<i>1 year</i>	<i>2024</i>
<i>Brian Mazzei</i>	<i>1 year</i>	<i>2024</i>
<i>Erik Dykema</i>	<i>1 year</i>	<i>2024</i>
<i>Bill Kovacs</i>	<i>1 year</i>	<i>2024</i>

<i>Lauren Lombardy Moussab</i> <i>Recreation Director</i>	<i>1 year</i>	<i>2024</i>
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***NOW THEREFORE BE IT RESOLVED*, by the Council of the Borough of Essex Fells that the Essex Fells Skating Park Appointments are hereby confirmed for 2024 pending the submission of (new members) Citizen Leadership Form and Personnel and Policy Handbook Certification (all members).**

2024-40

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	4-01	\$45,188.00
Current	3-01	\$0
Borough Capital	C-04	\$0
Water	4-05	\$0
Grant	04	\$0
Water Capital	C-06	\$0
Animal Control	T-10	\$0
Trust	T-11	\$0
Payroll	T-13	\$0

Correspondence:

- **Elected Officials Risk Management Seminar**

The Administrator distributed information regarding the Elected Officials Risk Management Seminar. The seminar is designated to provide a general understanding of the legal principles pertaining to governmental operations. Municipal officials who complete this course by May 2024 qualify for a \$250.00 credit in their local units 2024 assessment.

All were in Agreement.

Public Comment

- | | |
|---|--|
| • Jody James, 24 Oldchester Road | Re: Planning Board Appointments |
| • Mrs. D'Avella, 105 Rensselaer Road | Re: Organizational Meeting |

On motion made by Councilman D'Avella, seconded by Councilman Sullivan and approved unanimously by the Council, the meeting adjourned at 8:16 p.m.

Respectfully submitted,

Francine T. Paserchia
Municipal Clerk