

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 March 5, 2024 at 7:00 p.m.

Present

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

Absent

Councilman Michael Cecere

Also Present

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

Councilman Hindy moved, Councilman Sullivan seconded approval of the minutes of February 20, 2024.

And was carried on call of the roll:

Ayes

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

Nays

None

Absent

Michael Cecere

Abstain

None

Bids

- Gasoline Bids – Bid date February 28, 2024

The administrator informed the council that no bids were received. This satisfies the New Jersey Purchasing requirements for 2024.

*All were in Agreement.*

Public Safety (Police & Fire)

- Public Safety Update

The Police Chief gave an overview of some proposed/pending legislation as well as an update on activity within the borough since he was at the last council meeting giving an update on the same topics.

*No formal action taken just for informational purposes.*

## Public Affairs

- **Garden Club Plant Sale Signs**

The Administrator advised the Mayor and Council that she received an email request for the Department of Public Works to erect signs for the Garden Clubs Annual Mother's Day Plant Sale.

One sign would be at the corner of Roseland and Runnymede and the other would be by the Pond. They would go up the week of May 1<sup>st</sup> and take down the week of May 13<sup>th</sup>.

*All were in Agreement.*

## Finance & Personnel

- **Donation Request – West Esse First Aid Squad**

The Administrator circulated correspondence to the governing body regarding the West Essex First Aid Squad donation for 2024.

Councilman Sullivan advised that the Public Safety has reviewed and would like to get more information prior to making a decision on the amount of the donation.

Mayor Davis suggested that the surrounding towns who also use this service should meet to discuss it as well.

*The Administrator will reach out to the surrounding communities that use the service to set up a meeting and advise the council once a date has been made.  
All were in Agreement.*

- **2023-2024 Elected Officials Risk Management Seminar Reminder**

The Administrator distributed information and reminded everyone to complete the training. 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.*

*Mayor Davis announced introduction on first reading of Ordinance 2024-1092*

Councilman Hindy moved, Councilman Sullivan seconded a motion to introduce on first reading and publish according to law an ordinance entitled 2024-1092, ORDINANCE AMENDING CHAPTER 286 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ESSEX AND ESTABLISHING A FEE FOR EMERGENCY WATER SHUTOFF, hearing to be held on April 2, 2024 at 7:00 p.m.

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

**Section 1.** Chapter 286, Section 286-39, of the Revised General Ordinances of the Borough of Essex Fells, "Utility Fees", Subparagraph C., shall be amended as follows:

C. Water shutoff and restart: \$200; emergency water shutoff: \$500.

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

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

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

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

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

Nays  
None  
  
Abstain  
None

Absent  
Michael Cecere

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

2024-52

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF ESSEX FELLS AND SUBURBAN CONSULTING ENGINEERS, INC. FOR THE COUNTRY CLUB PFOA REMOVAL TREATMENT FACILITY CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES**

**WHEREAS**, there exists the need for professional engineering services in the Borough of Essex Fells in connection with the Country Club PFOA Removal Treatment Facility Construction Administration and Observation Services; and

**WHEREAS**, the Borough has received a proposal dated February 22, 2024 and determined that it is in the best interest of the Borough to accept the proposal submitted by Suburban Consulting Engineers, Inc.

**WHEREAS**, the maximum amount of the contract is \$180,355.00 for construction administration and observation services; 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 Suburban Consulting Engineers, Inc. for construction administration and observation services for the Borough of Essex Fells Country Club PFOA Removal Treatment Facility Project in an amount of \$180,355.00 for construction administration and observation services as set forth in a proposal dated February 22, 2024.

**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.

**Section 3.** Notice of this action shall be printed once in the legal newspaper of the Borough of Essex Fells.

2024-53

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF ESSEX FELLS AND SUBURBAN CONSULTING ENGINEERS, INC. FOR THE GRAY STREET PFOA REMOVAL TREATMENT FACILITY CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES.**

**WHEREAS**, there exists the need for professional engineering services in the Borough of Essex Fells in connection with the Gray Street PFOA Removal Treatment Facility Construction Administration and Observation Services; and

**WHEREAS**, the Borough has received a proposal dated February 22, 2024 and determined that it is in the best interest of the Borough to accept the proposal submitted by Suburban Consulting Engineers, Inc.

**WHEREAS**, the maximum amount of the contract is \$203,590.00 for construction administration and observation services; 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 Suburban Consulting Engineers, Inc. for construction administration and observation services for the Borough of Essex Fells Gray Street PFOA Removal Treatment Facility Project in an amount of \$203,590.00 for construction administration and observation services as set forth in a proposal dated February 22, 2024.

**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.

**Section 3.** Notice of this action shall be printed once in the legal newspaper of the Borough of Essex Fells.

#### **2024-54**

### **A RESOLUTION AUTHORIZING THE PURCHASE OF EQUIPMENT FOR POLICE DEPARTMENT VEHICLES FROM EAST COAST EMERGENCY LIGHTING, INC. UNDER NEW JERSEY STATE CONTRACT**

**WHEREAS**, the Borough of Essex Fells wishes to purchase vehicle equipment for use by the Essex Fells Police Department; and

**WHEREAS**, said vehicle equipment can be supplied by East Coast Emergency Lighting, Inc., under a New Jersey State Contract; and

**WHEREAS**, Public bids are not required when the purchase is made under a cooperative contract in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law; and

**WHEREAS**, the maximum amount of the contract is \$27,577.85 and the Borough's Chief Financial Officer has certified that the funds are available; and

**WHEREAS**, The Borough Council wishes to authorize a contract for the purchase of the equipment.

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

1. A contract is hereby awarded to East Coast Emergency Lighting, Inc. Inc. for the purchase of a vehicle equipment as set forth on an Estimate dated 1/2/2024 in an amount not to exceed \$27,577.85
2. The contract is awarded in accordance with the unit pricing, terms and conditions contained in the Whelen State of New Jersey Contract 17-Fleet-00761 for an amount not to exceed \$27,577.85.
3. Any and all Municipal Officials are hereby authorized to take whatever actions may be necessary to implement the terms and conditions of this resolution.

**2024-55**

*BE IT RESOLVED by the Council of the Borough of Essex Fells that the Mayor and Borough Clerk are hereby authorized to execute on behalf of the Borough of Essex Fells an agreement to provide a dental insurance program from March 1, 2024 to February 28, 2025 for all eligible full-time Borough Employees.*

**2024-56**

**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**, this resolution replaces Resolution Number 2024-38, adopted by the governing body on January 2<sup>nd</sup>, 2024; and

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

|                                   |                      |             |
|-----------------------------------|----------------------|-------------|
| <b>Chief:</b>                     | <b>Ken Monroe</b>    | <b>#100</b> |
| <b>Assistant Chief:</b>           | <b>BJ D'Avella</b>   | <b>#101</b> |
| <b>Captain:</b>                   | <b>Tim Taylor</b>    | <b>#102</b> |
| <b>1<sup>st</sup> Lieutenant:</b> | <b>Chris Boeckel</b> | <b>#103</b> |
| <b>2<sup>nd</sup> Lieutenant:</b> | <b>Bob Bertoli</b>   | <b>#104</b> |
| <b>3<sup>rd</sup> Lieutenant:</b> | <b>Greg Morris</b>   | <b>#105</b> |
| <b>4<sup>th</sup> Lieutenant:</b> | <b>Ming Shih</b>     | <b>#106</b> |

**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.

**2024-57**

**Authorization for Payment of Bills**

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

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

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

| <u>Fund</u>     | <u>Fund No.</u> | <u>Amount</u> |
|-----------------|-----------------|---------------|
| Current         | 3-01            | \$3,795.00    |
| Current         | 4-01            | \$293,116.56  |
| Borough Capital | C-04            | \$133,880.60  |
| Water           | 3-05            | \$50,440.00   |
| Water           | 4-05            | \$20,149.06   |
| Grant           | 04              | \$0           |
| Water Capital   | C-06            | \$14,210.00   |
| Animal Control  | T-10            | \$0           |
| Trust           | T-11            | \$3,448.47    |
| Payroll         | T-13            | \$220,190.93  |

And was carried on call of the roll:

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

Nays  
None

Abstain  
None

Absent  
Michael Cecere

On motion made by Councilman Hindy, seconded by Councilman D'Avella and approved unanimously by the Council, the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Francine T. Paserchia  
*Municipal Clerk*