

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 July 16, 2024 at 7:00 p.m.

Present

Mayor Edward A. Davis
Councilman Michael Cecere
Councilman BJ D'Avella
Councilman Greg Hindy
Councilwoman Maggie O'Connor

Absent

Councilman John King
Councilman William Sullivan

Also Present

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

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

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

Mayor Davis asked the Clerk to report on written communications.

The Clerk reported receipt of the following:

A. Written:

June 2024 Department Reports:

- Construction Department Cash Receipt & Permit Fee Log Report
- Police Department and Municipal Court Report

Mayor Davis said if there were no objections to the above, they will be placed on file. Hearing no objection, it was so ordered.

Motion by Councilwoman O'Connor and seconded by Councilman D'Avella to Carry Ordinance Number 2024-1098, ORDINANCE AMENDING THE ZONING MAP OF THE BOROUGH OF ESSEX FELLS to the August 20, 2024 Council Meeting.

And was carried on call of the roll:

Ayes
Michael Cecere
BJ D'Avella
Greg Hindy
Maggie O'Connor

Nays
None
Abstain
None

Absent
John King
William Sullivan

Public Comment

**Joseph Pannullo, 57 Holton Lane
Re: West Essex Highlands**

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

2024-111

RESOLUTION AUTHORIZING THE DISCRETIONARY AWARD OF CONTRACT FOR ACCUTABS (CHLORINE) FOR THE WATER DEPARTMENT TO COYNE CHEMICAL

WHEREAS, the Borough of Essex Fells solicited quotes for accutabs chlorine for the Water Department; and

WHEREAS, the quote from Coyne Chemical exceeds \$17,500 in the current contract year; and

WHEREAS, the New Jersey Pay-to-Play Law N.J.S.A. 19:44A-20.4 et seq. requires contracts in excess of \$17,500 to be issued in a fair and open or non-fair and open manner; and

WHEREAS, Coyne Chemical has provided the required documentation, which is on file in the office of the Chief Financial Officer, for a non-fair and open contract to be awarded; and

WHEREAS, the Chief Financial Officer has certified that funds are available to make the award within the amount identified; and

WHEREAS, it is the recommendation of the Licensed Water Operator that the contract be authorized.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Essex Fells as follows:

1. The contract for chlorine for the Water Department be awarded to Coyne Chemical in an amount not to exceed \$43,000.00.
2. The Borough Administrator is hereby authorized and directed to execute the necessary documents related to this award.

2024-112

RESOLUTION AUTHORIZING FIRST CHANGE ORDER TO THE AGREEMENT BETWEEN THE BOROUGH OF ESSEX FELS AND A.C. SCHULTES, INC.

WHEREAS, The Borough entered into an agreement with A.C. Schultes, Inc. for the Wells 15 and 16 Improvement Project (Contract 2023.15)

WHEREAS, it has been determined that certain changes to this Contract are necessary due to extra work as specifically set out in a memo dated July 11, 2024 prepared by the Consulting Engineer; and

WHEREAS, the total contract amount incorporating the change order will be the amount of \$195,874.00; and

WHEREAS, the Consulting Engineer has recommended to the Borough Council that it modify its Contract with A.C. Schultes, Inc. as a result of this change and the Borough Finance Officer has confirmed the availability of funds.

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, that the following Change Order is hereby approved in the Contract between the Borough of Essex Fells and A.C. Schultes, Inc.: Increase in Contract \$26,279.00 Total Contract Amount: \$195,874.00.

2024-113

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE ESSEX FELLS BOARD OF EDUCATION FOR SECURITY SERVICES (2024 AGREEMENT)

WHEREAS, N.J.S.A. 40:65-1, et seq., known as the “Uniform Shared Services and Consolidation Act,” authorizes two or more local units to enter into an agreement for shared services known as a Shared Services Agreement for the provision of municipal services (the “Agreement”); and

WHEREAS, the Essex Fells Board of Education (“Board”) and the Borough of Essex Fells (“Borough”), which maintains the Essex Fells Police Department, are authorized to purchase and/or provide security services for their respective jurisdictions; and

WHEREAS, the Board and the Borough are of the opinion that these services can be more efficiently and economically provided to the Board through an agreement providing for a Special Law Enforcement Officer III as a school security officer for the Essex Fells School District.

WHEREAS, the Parties now wish to enter into a Shared Municipal Court Services Agreement with each other to set forth the respective responsibilities; and

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

Section 1. The Shared Services Agreement with the Essex Fells Board of Education is hereby approved, and the appropriate Borough officials are hereby authorized to execute the agreement in the form attached hereto.

Section 2. The Borough Administrator and Chief of Police are hereby authorized to take all legal and necessary actions to facilitate the Borough’s participation in this Agreement.

Section 3. The within Resolution and subject Agreement shall be maintained on file and available for public inspection in the office of the Borough Clerk.

Section 4. A copy of this Resolution be forwarded to the Division of Local Government Services pursuant to N.J.S.A. 40A:65-4(b).

Section 5. This Resolution shall take effect immediately upon passage and publication in accordance with the law, if required.

2024-114

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	\$782,970.59
Current	3-01	\$0
Borough Capital	C-04	\$418,357.92
Water	3-05	\$0
Water	4-05	\$9,282.16
Grant	04	\$0
Water Capital	C-06	\$1,543,059.31
Animal Control	T-10	\$0
Trust	T-11	\$0
Payroll	T-13	\$0

And was carried on call of the roll:

Ayes
Michael Cecere
BJ D'Avella
Greg Hindy
Maggie O'Connor

Nays
None
Abstain
None

Absent
John King
William Sullivan

On motion made by Councilman Hindy, seconded by Councilman D'Avella and approved unanimously by the Council, the meeting adjourned at 7:08 p.m.

Respectfully submitted,

Francine T. Paserchia
Municipal Clerk