

**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 7, 2025 at 7:00 p.m.

Present

**Mayor Edward A. Davis
Councilman Michael Cecere
Councilman BJ D'Avella
Councilwoman Carolyn Goldman
Councilman John King
Councilwoman Maggie O'Connor
Councilman William Sullivan**

Absent

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:

**Michael W. Cecere, Council Member
For a 3 Year Term**

**William B. Sullivan, Council Member
For a 3 Year Term**

Committee Reports

Water

Submitted by Councilman D'Avella -

2024 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

Main PFOA treatment facility - The biggest news coming out of last year was the completion of the 3,000 gallons per minute (GPM) granulated activated carbon (GAC) treatment system for the removal of PFOA from the bulk of our system (13 of our 16 wells), which was completed and operational on July 15, 2024. This is the only treatment plant currently delivering water to our customers, and this important step means that the water being supplied to our customers now measures non-detectable levels of PFOA.

Temporary PFOA Treatment System for Wells 1A & 5 - We finally were able to decommission and remove the GAC treatment system that was treating 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 treated 580 GPM and removed PFOA to near zero levels while we were building the main treatment facility; when blended with water from the other wells, the Temporary System enabled us to deliver water below the 14 parts per trillion (ppt) Maximum Contaminant Limit (MCL) dictated by the State of New Jersey throughout the construction process.

Additional PFOA treatment facilities – We received DEP approval to construct additional permanent treatment facilities for the two wells on Gray Street in West Caldwell and the well located in the Borough’s well field at the Essex Fells Country Club. Construction contracts were awarded for the facilities as soon as possible after final DEP approvals of the respective facilities: Gray Street on June 17, 2024, and EFCC on December 9, 2024. Work on Gray Street is underway and due to be complete by the end of May, and the EFCC work is scheduled to be completed by the end of 2025. Once online, these three wells will increase our water system’s capacity while maintaining its ability to supply water with non-detectable levels of PFOA, and will complete the required remedial efforts with regard to PFOA in the Borough’s water supply. As with the main facility, the key dependency in both projects is the lead time to fabricate the treatment vessels (i.e., about 34 weeks after the Notice to Proceed was/is issued to the respective contractors).

NJ Water Bank Funding – as noted last year, applications were submitted for funding and/or loans from the New Jersey Water Bank (NJWB) with respect to the additional treatment facilities, to help ensure that we maximize the benefit to the water system of participation in the relevant funding programs. We have received funding for both projects that will significantly reduce the cost to our customers of implementing the required remedial measures; across all three treatment facilities, we have secured a total of \$5 million in loan forgiveness, bringing down the estimated cost of all three projects by over a third. To the extent that we are aware, no other municipal water system in New Jersey has gotten funding in two consecutive NJWB fiscal years to date, and Essex Fells has gotten funding in three consecutive years – quite an accomplishment, and a principal reason that Mayor Davis was invited to speak at a League of Municipalities meeting to provide key learnings from our experience to date. We are actively exploring other ways in which we can expand our utilization of NJWB funding to support continued improvements to the water system infrastructure.

Multi-District Litigation (MDL) – as a reminder, in 2023 we officially signed onto the ongoing MDLs against the manufacturers of PFOA contaminants; final decisions in these cases were handed down in early 2024, and we are awaiting final disposition on the cases by the respective judges to find out the level at which Essex Fells will participate financially in the respective settlements. 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. We’ve received guidance that the first payments out of these settlements may arrive by the end of 2025.

EPA Rule-Making – the proposed Federal rule with respect to a PFOA MCL was finalized in the first quarter of 2024, and the EPA will set the MCL at “undetectable.” The most sensitive tests available can only detect down to an MCL of 4 ppt – which is lower than the current NJ standard of 14 ppt. EPA will phase in the requirement over the next three years, and we continue to expect 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.

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 continued operations under our water supply contracts with our neighbors in Roseland, Caldwell, and North Caldwell, and I’m glad to report that everything has continued to run smoothly.

OTHER INFRASTRUCTURE IMPROVEMENTS

We continued to maintain and improve our water infrastructure, including redevelopment of Wells 15 and 16, with more work planned for this year (including the potential replacement of Well 7, which we had to take out of service while we evaluate options) to maintain and

grow our capacity to serve our customers. The Water Department is working on longer-term plans for infrastructure improvements, including well replacement and redrilling, water main replacement, and sewer line upgrades. Finally, we have continued to address the issue of stormwater infiltration into our sewer system, having installed about 50 devices to date with another 50 planned for this year.

Councilman D'Avella nominated William B. Sullivan for President of the Council for 2025, Councilman Cecere 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	None
BJ D'Avella		
Carolyn Goldman	<u>Abstain</u>	
John King	None	
Maggie O'Connor		
William Sullivan		

Mayor Davis then made the following appointments for 2025, pointing out that, with respect to the Committees of the Council, the first named is the Chairman of the Committee.

Councilman D'Avella made a motion to accept the 2025 Appointments, Councilman Sullivan seconded the motion.

<u>Public Safety</u>	<u>Finance & Personnel</u>	<u>Water</u>
<i>Margaret O'Connor</i>	<i>William Sullivan</i>	<i>BJ D'Avella</i>
<i>Michael Cecere</i>	<i>John King</i>	<i>Carolyn Goldman</i>
<i>BJ D'Avella</i>	<i>Margaret O'Connor</i>	<i>John King</i>
<u>Recreation</u>	<u>Public Works</u>	<u>Public Affairs</u>
<i>Carolyn Goldman</i>	<i>John King</i>	<i>Michael Cecere</i>
<i>Michael Cecere</i>	<i>Carolyn Goldman</i>	<i>William Sullivan</i>
<i>BJ D'Avella</i>	<i>William Sullivan</i>	<i>Maggie O'Connor</i>

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

Zoning Board of Adjustment

Christopher Shearin	4 years	2028
MJ Jolda-Crawford	4 years	2028

Alternates

William Kovacs	Alternate #2 2 years	2026
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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	4 years	2028
MJ Jolda-Crawford	4 years	2028

Alternates

Allison Semaya	Alternate #1 2 years	2025
William Kovacs	Alternate #2 2 years	2026

Planning Board

<u>Member</u>	<u>Full Term</u>	<u>Class</u>	<u>Term Expires 12/31</u>
Francine T. Paserchia	1 year	II	2025
Margaret O'Connor	1 year	III	2025

Alternates

Debra Tedesco Alternate #2	1 year	IV	2025
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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	2025
Margaret O'Connor	1 year	III	2025
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

Alternates

David Isabel Alternate #1	2 years	IV	2025
Debra Tedesco Alternate #2	1 year	IV	2025

And was carried on call of the roll:

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

Mayor Davis announced introduction on first reading of Ordinance 2025-1111

Councilwoman O'Connor moved, Councilman Cecere seconded a motion to introduce on First reading and publish according to law an ordinance entitled 2025-1111, **ORDINANCE AMENDING CHAPTER 72 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ESSEX FELLS AND PROVIDING FOR A LIQUOR LICENSE FEE, hearing to be held on January 21, 2025 at 7:00pm.**

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

Section 1. Chapter 72 of the Revised General Ordinances of the Borough of Essex Fells, Section 72-2 entitled "Fees," shall be amended to read in its entirety as follows:

72-2. Fees.

Effective January 1, 2025, the sum to be paid annually for a plenary retail consumption license is \$5,306.95 in accordance with N.J.S.A. 33:1-12. All fees collected pursuant to this section are nonrefundable.

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:

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

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

2025-01

BE IT RESOLVED by the Council of the Borough of Essex Fells that the *Meetings* of the Borough Council for the year 2025 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 7, 2025</i>	<i>Organization Meeting</i>
<i>January 21, 2025</i>	<i>Regular Meeting</i>
<i>February 4, 2025</i>	<i>Conference Meeting</i>
<i>February 18, 2025</i>	<i>Regular Meeting</i>
<i>March 4, 2025</i>	<i>Conference Meeting</i>
<i>March 18, 2025</i>	<i>Regular Meeting</i>
<i>April 1, 2025</i>	<i>Conference Meeting</i>
<i>April 15, 2025</i>	<i>Regular Meeting</i>
<i>May 6, 2025</i>	<i>Conference Meeting</i>
<i>May 20, 2025</i>	<i>Regular Meeting</i>
<i>June 3, 2025</i>	<i>Conference Meeting</i>
<i>June 17, 2025</i>	<i>Regular Meeting</i>
<i>July 15, 2025</i>	<i>Regular Meeting</i>
<i>August 19, 2025</i>	<i>Regular Meeting</i>
<i>September 16, 2025</i>	<i>Regular Meeting</i>
<i>October 7, 2025</i>	<i>Conference Meeting</i>
<i>October 21, 2025</i>	<i>Regular Meeting</i>
<i>November 4, 2025</i>	<i>Conference Meeting</i>
<i>November 25, 2025</i>	<i>Regular Meeting</i>
<i>December 2, 2025</i>	<i>Conference Meeting</i>
<i>December 16, 2025</i>	<i>Regular Meeting</i>

2025-02

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

2025-03

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 2025 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 2024 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:

Description	2024 BUDGET	2025 TEMPORARY BUDGET
ADMINISTRATION & EXECUTIVE S&W	\$106,100.00	\$27,851.25
ADMINISTRATION & EXECUTIVE O/E	\$27,875.00	\$7,317.19
INFORMATION TECHNOLOGY - O/E	\$36,000.00	\$9,450.00
ELECTIONS - O/E	\$5,000.00	\$1,312.50
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	\$31,060.00	\$8,153.25
COLLECTION OF TAXES - O/E	\$20,000.00	\$5,250.00
ASSESSMENT OF TAXES - S&W	\$16,600.00	\$4,357.50
ASSESSMENT OF TAXES	\$1,200.00	\$315.00
LEGAL - O/E	\$79,000.00	\$20,737.50
ENGINEERING O/E	\$30,000.00	\$7,875.00
ZONING BOARD O/E	\$15,500.00	\$4,068.75
AFFORDABLE HOUSING O/E	\$12,500.00	\$3,281.25
PLANNING BOARD O/E	\$10,300.00	\$2,703.75
CONSTRUCTION CODE OFFICIAL - S&W	\$76,780.00	\$20,154.75
CONSTRUCTION CODE OFFICIAL - O/E	\$6,300.00	\$1,653.75
OTHER INSURANCE	\$103,500.00	\$27,168.75
EMPLOYEE GROUP HEALTH	\$823,000.00	\$216,037.50
POLICE - S&W	\$1,678,830.67	\$440,693.05
POLICE - O/E	\$96,000.00	\$25,200.00
FIRST AID CONTRIBUTION	\$7,300.00	\$1,916.25
FIRE - S&W	\$6,700.00	\$1,758.75
FIRE - O/E	\$32,800.00	\$8,610.00
STREETS AND ROADS - S&W	\$413,830.00	\$108,630.38
DEPARTMENT OF PUBLIC WORKS - O/E	\$245,400.00	\$64,417.50
SNOW REMOVAL - S&W	\$15,000.00	\$3,937.50
SNOW REMOVAL - O/E	\$23,000.00	\$6,037.50
SEWER SYSTEM - O/E	\$21,000.00	\$5,512.50
SANITARY SEWER - O/E	\$28,600.00	\$7,507.50
BOARD OF HEALTH - O/E	\$1,000.00	\$262.50
RECREATION - S&W	\$0.00	\$0.00
RECREATION - O/E	\$18,100.00	\$4,751.25
ELECTRIC & GAS	\$60,000.00	\$15,750.00
PHONES	\$25,000.00	\$6,562.50
ACCUMULATED ABSENCES	\$0.00	\$0.00
SEWER SERV VERONA	\$25,000.00	\$6,562.50
SEWER SERVICES	\$419,400.00	\$110,092.50
GASOLINE	\$57,400.00	\$15,067.50
STREET LIGHTING	\$0.00	\$0.00
HEATING FUEL	\$0.00	\$0.00
CONTINGENCY	\$55,000.00	\$14,437.50
LIBRARY	\$2,000.00	\$525.00
UNEMPLOYMENT COMPENSATION FUND	\$1.00	\$0.26
FICA	\$78,000.00	\$20,475.00
PERS	\$78,532.00	\$20,614.65
PFRS	\$541,289.00	\$142,088.36
CHAPTER 159s	\$0.00	\$0.00
BUDGET GRANTS	\$2,269.52	\$0.00
CALDWELL - DEPUTY REGISTRAR	\$0.00	\$0.00

BD OF ED - SLEO	\$60,000.00	\$15,750.00
NORTH CALDWELL - POLICE DISPATCH	\$171,000.00	\$44,887.50
WEST ORANGE - HEALTH SERVICES	\$13,004.00	\$3,413.55
WEST ORANGE - ANIMAL CONTROL	\$6,286.00	\$1,650.08
NORTH CALDWELL - MUNICIPAL COURT	\$75,000.00	\$19,687.50
CAPITAL IMPROVEMENT FUND	\$50,000.00	\$13,125.00
BOND PRINCIPAL	\$160,000.00	\$0.00
BAN PRINCIPAL	\$385,505.00	\$0.00
BOND INTEREST	\$3,200.00	\$0.00
BAN INTEREST	\$99,300.00	\$0.00
UNFUNDED ORDINANCE	\$65,419.56	\$0.00
EMERGENCY AUTHORIZATION	\$0.00	\$0.00
RESERVE FOR TAX APPEALS (BUDGET)	\$10,000.00	\$2,625.00
RESERVE FOR UNCOLLECTED TAXES	\$330,000.00	\$86,625.00
CURRENT FUND TOTALS	\$6,874,381.75	\$1,616,655.52

WATER UTILITY		
WATER S&W	\$506,878.00	\$133,055.48
WATER O/E	\$2,178,236.65	\$571,787.12
PERS	\$44,102.00	\$11,576.78
UNEMPLOYMENT FUND	\$1.00	\$0.26
SOCIAL SECURITY	\$30,000.00	\$7,875.00
CAPITAL IMPROVEMENT FUND	\$0.00	\$0.00
BOND PRINCIPAL	\$160,000.00	\$0.00
BOND INTEREST	\$3,200.00	\$0.00
PAYMENT OF NOTES	\$60,000.00	\$0.00
INTEREST ON NOTES	\$160,000.00	\$0.00
WATER UTILITY TOTALS	\$3,142,417.65	\$724,294.64

2025-04

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.

2025-05

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.

2025-06

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.

2025-07

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 1 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 1 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, 2025 to December 31, 2025. 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.

2025-08

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.

2025-09

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

WHEREAS, the Borough of Essex Fells 2025 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*
(For 2025 – 2/17 - President's Day)
- ♦ *Washington's Birthday*
(For 2025 – 12/26)
 - *Good Friday*
 - *Memorial Day*
 - *Juneteenth*
(For 2025 – 6/20)
- *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 (as well as any another paid Holiday Date). Under such circumstances, the Friday or the Monday shall be considered the holiday and paid accordingly.

2025-10

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 2024, and

WHEREAS, the Borough of Essex Fells desires to make application to the NJDEP for a municipal recycling tonnage grant for 2024.

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.

2025-11

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.

2025-12

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.

2025-13

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, 2025 thru December 31, 2025*; 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 \$23,900.00 which are specifically designated as Auditing in the local budget to complete this contract and \$22,050.00 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.

2025-14

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 Licensed Superintendent and Consultant from January 1, 2025 thru December 31, 2025*; 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. Hourly rate of \$202.50 as per schedule of fees provided.

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.

2025-15

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.

2025-16

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, 2025 to December 31, 2025.

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 \$108,000.00 (\$9,000.00 a month); 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 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.

2025-17

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 2025 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.

2025-18

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.

2025-19

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.

2025-20

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 2025:

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.

2025-21

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 2025:

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.

2025-22

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.

2025-23

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.

2025-24

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 The Chilla Business Counsel, LLC* have submitted a proposal indicating he will provide the legal services at a rate of \$205.00 per hour and \$115.00 per hour for paralegals and law clerks; and

WHEREAS, *Stephen E. Trimboli of The Chilla Business Counsel, LLC* have completed and submitted a Business Entity Disclosure Certification which certifies that *Stephen E. Trimboli of The Chilla Business Counsel, 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 The Chilla Business Counsel, 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 The Chilla Business Counsel, 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.

2025-25

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 30, 2025 at 10:00 am for the following:

Regular Unleaded Gasoline & Diesel Fuel

2025-26

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, 2025 thru December 31, 2025*; 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.

2025-27

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.

2025-28

WHEREAS, pursuant to N.J.S.A. 2A:8-18.1, since January 1, 1991 the Borough of North Caldwell and the Borough of Essex Fells have had a Joint Municipal Court. In 2023 the Township of Verona joined the Municipal Court and consolidated the use of the Municipal Court accommodations and personnel.

WHEREAS, North Caldwell Mayor Joshua H. Raymond has advised that he has conferred with Essex Fells Mayor Edward Davis and they have reached agreement upon the appointment of Joseph Angelo, Esq. as Judge of the Municipal Courts of their respective municipalities. Mayor Raymond will confer with the Township of Verona and report back to Essex Fells; and

WHEREAS, Joseph Angelo, Esq. appointment as Judge of the Municipal Court of the Borough of Essex Fells for a three (3) year term through December 31, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Essex Fells, County of Essex, State of New Jersey, that the appointment of Joseph Angelo, Esq. as Judge of the Municipal Court of the Borough of Essex Fells be and hereby is confirmed.

2025-29

**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.

2025-30

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE BOROUGH OF ESSEX FELLS AND PETRY ENGINEERING, LLC
(2025 ROAD IMPROVEMENT PROGRAM)**

WHEREAS, there exists the need for professional engineering services in connection with the 2025 NJDOT Municipal Road Aid Project; and

WHEREAS, The Borough has received a proposal dated November 18, 2024, 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 \$42,000.00 for design and up to \$24,000.00 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 \$42,00000.00 for design and up to \$24,000 for inspection/construction observation as set forth in a proposal dated November 18, 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.

2025-31

A RESOLUTION CONFIRMING THE APPOINTMENT OF JOSEPH M. WENZEL, ESQ. AS PROSECTOR AND JAMES POMACO, ESQ. AS PUBLIC DEFENDER FOR THE NORTH CALDWELL, ESSEX FELLS AND VERONA SHARED MUNICIPAL COURT

WHEREAS, pursuant to N.J.S.A. 2A:8-18.1 (now repealed and currently N.J.S.A. 2B:12-1) since January 1, 1991 and continuing to the present, the Borough of Essex Fells and the Borough of North Caldwell have consolidated the use of the Municipal Court accommodations and personnel which the Township of Verona joined in 2023; and

WHEREAS, the Shared Municipal Court Services Agreement provides that appointments of court personnel are to be made by the Borough Council of the Borough of North Caldwell subject to confirmation by Essex Fells and Verona; and

WHEREAS, North Caldwell has advised Essex Fells of the appointment of Joseph M. Wenzel, Esq. and as Prosecutor and the appointment of James Pomaco, Esq. as the Public Defender of the Shared Municipal Court for one year appointments for 2025; and

WHEREAS, said appointments are subject to the advice and consent of the Borough Council.

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

1. Consent is hereby given to the appointment of Joseph M. Wenzel, Esq. as Prosecutor and James Pomaco, Esq. as Public Defender for the shared court Essex Fells effective January 1, 2025 and continuing through December 31, 2025, subject to the acceptance of contract terms and the consent of the Township of Verona.
2. The Mayor and all other officials of the Borough of Essex Fells are hereby directed and authorized to take any and all necessary and appropriate actions to carry out the subject and intent of this Resolution.
3. Upon execution by the parties, a copy of the subject agreement shall be maintained by the Borough Clerk for public inspection.

2025-32

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:

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
Paul Gomes	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
Michael Raimo	Health Officer	Health/Welfare
Jocelyn Gilman	Disaster Coordinator	Red Cross
Jeff Sutherlin	First Aid Squad Captain	First Aid
Elizabeth K. Parker	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 by the Coordinator or Deputy Coordinator 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.

2025-35

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 and all other requirements, in order to be in compliance with the Borough Code have been completed:

1. Abbot, Ed
2. Anchak, Noelle
3. Aronson, Lance
4. Bawa, Ro
5. Belai, Jamal
6. Bertoli, Bob (D)
7. Bloom, William (D)
8. Boeckel, Chris (D)
9. Cesar, George
10. D'Avella, BJ (D)
11. Davis, Ed (D)
12. Dykema, Erik
13. Egan, Jim (D)
14. Farrell, Liam
15. Gerson, Nate
16. Kearney, Jim (D)
17. King, John
18. Lavezzo, Ed
19. Lopez, Brian
20. McNamara, John (D)
21. Monroe, Ken (D)
22. Morris, Greg (D)
23. Moskowitz, Cliff
24. O'Connor, Mark(D)
25. Pryor, John
26. Roppatte, Jason
27. Schlusser, Dave

28. Shearin, Chris
29. Shih, Ming
30. Sorisi, Anthony
31. Steiner, Ben
32. Strathearn, Glen (D)
33. Taylor, Tim (D)
34. Torter, Tom
35. Vega, Santiago
36. Ward, Steve (D)
37. Woods, Greg

Firefighter (D) = Driver

Junior Firefighters

1. Schlosser, Maddy
2. McHugh, Georgia

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Essex Fells that the Volunteer Fire Department Members are hereby confirmed for 2025.

And was carried on call of the roll:

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

2025-36

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
1 st Lieutenant:	Chris Boeckel	#103
2 nd Lieutenant:	Bob Bertoli	#104
3 rd Lieutenant:	Greg Morris	#105
4 th Lieutenant:	Ming Shih	#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 dated 2024 (if they have not already), at which time they will be deemed complete.

And was carried on call of the roll:

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

2025-37

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, 2025 to February 28, 2026

for all eligible full-time Borough Employees.

And was carried on call of the roll:

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

Correspondence:

- **Essex Fells Country Club Dumpster and Storage Container Request**

The Governing Body discussed and Approved with Conditions, the containers must be placed close to the club and the current dumpster on site must be moved closer to the building. All permits and fees need to be applied for and paid in full.

All were in Agreement to Approve with Conditions.

On motion made by Councilwoman O'Connor, seconded by Councilman Sullivan and approved unanimously by the Council, the meeting adjourned at 8:23 p.m.

Respectfully submitted,

**Francine T. Paserchia
Municipal Clerk**