

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 April 7, 2026 at 7:00 p.m.

<u>Present</u>	<u>Absent</u>
Mayor Edward A. Davis	
Councilman Michael Cecere	
Councilman BJ D’Avella	
Councilwoman Carolyn Goldman	
Councilman John King	
Councilwoman Maggie O’Connor	
Councilman William Sullivan	

<u>Also Present</u>
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.

Councilwoman O’Connor moved, Councilman Cecere seconded approval of the minutes of March 17, 2026

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		
John King		
Maggie O’Connor	<u>Abstain</u>	
William Sullivan	None	

Committee Discussions

Finance & Personnel

- Elected Officials Training – Reminder
- Financial Disclosure Statement – Reminder

The Administrator reminded the governing body of the above and the need to complete.

All were in Agreement.

- **Quotes – Sprinkler System**

A discussion ensued regarding a quote received by the Public Works Superintendent from Green Lawn Sprinkler pursuant to a Request for Proposals. Councilmen Cecere is the owner of Green Lawn Sprinkler and pursuant to Council Policy any contract award to a councilperson must be approved by the Council and may not be awarded administratively. The Council decided not to approve the award of the contract to Green Lawn Sprinkler.

Mayor Davis announced introduction on first reading of Ordinance 2026-1121

Councilman D’Avella moved, Councilman King seconded a motion to introduce on first reading and publish according to law an ordinance entitled 2026-1121, ORDINANCE AMENDING CHAPTER 10 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ESSEX FELS AND PROHIBITING ROUTES FOR TRUCKS OVER FOUR TONS ON BOROUGH STREETS, hearing to be held on May 5, 2026 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:

1. Chapter 10 of the Revised General Ordinances of the Borough of Essex Fells entitled “Vehicles and Traffic”, shall be amended by the inclusion of new Subchapter 10.26, “Prohibited Routes for Trucks Over Four Tons,” which shall read in its entirety as follows:

Subchapter 10.26 Prohibited Routes for Trucks Over Four Tons

Article XII Regulations

§10.26.010 Designation of Routes.

Pursuant to N.J.S.A. 40:67-16.1, all Borough streets or parts of streets are hereby prohibited as routes for vehicles over four tons. All trucks having a total combined registered gross vehicle weight (GVW) of vehicle plus load in excess of four tons shall be excluded from all streets under Borough jurisdiction.

§ 10.26.020 Exemptions

- A. Vehicles that are used for the purpose of providing local services and/or for local pickup and delivery of materials/merchandise to and from Borough residents, including but not limited to vehicles that provide landscaping services to Borough residents.
- B. Vehicles used for school transportation (school buses) from the sending districts (Essex Fells Elementary and West Essex Regional High School).
- C. Vehicles used by public utility companies in connection with the construction, installation, operation or maintenance of public utility facilities.
- D. Vehicles or equipment that are owned by the Borough.
- E. Vehicles that provide waste removal and recycling services.
- F. Emergency vehicles (fire, police, ambulance) snowplows, tow trucks, heavy rescue equipment and vehicles or required equipment to provide municipal or building services.

§ 10.26.030 Violations and Penalties.

Unless another penalty is expressly provided for by New Jersey statute, every person convicted of a violation of this provision or any supplement thereof shall be liable for a penalty of not more than \$2,000 nor less than \$100 or imprisonment for a term not exceeding 15 days, or both.

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.

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

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		
John King		
Maggie O’Connor	<u>Abstain</u>	
William Sullivan	None	

Mayor Davis announced introduction on first reading of Ordinance 2026-1124

Councilman Cecere moved, Councilman King seconded a motion to introduce on first reading and publish according to law an ordinance entitled 2026-1124, ORDINANCE AMENDING CHAPTER 286 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ESSEX FELLS AND ESTABLISHING AN AMENDED RATE FOR WHOLESALE WATER CONSUMPTION, hearing to be held on May 5, 2026 at 7:00 p.m.

NOW, THEREFORE, 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 286-34, of the Revised General Ordinances of the Borough of Essex Fells entitled “Per-gallon rate” shall be amended by the following amendment to subsection B which shall read in its entirety as follows:

B. The rate for contractual wholesale customers shall be \$3.938 for each thousand gallons of water purchased. This rate shall be effective beginning in the first quarter of 2026.

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		
John King		
Maggie O’Connor	<u>Abstain</u>	
William Sullivan	None	

Mayor Davis announced a public hearing on second reading of Ordinance 2026-1122

The Clerk offered proof of publication of the ordinance, indicating that it was published on the borough website on March 13, 2026

The public hearing was held and **BOND ORDINANCE PROVIDING A SUPPLMENTAL APPROPRIATION OF \$1,150,000 FOR VARIOUS IMPROVEMENTS TO THE WATER TREATMENT SYSTEM FOR AND BY THE BOROUGH OF ESSEX FELLS, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,150,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION**

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ESSEX FELLS, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Borough of Essex Fells, New Jersey (the “Borough”) as general improvements. For the said Improvements there is hereby appropriated the supplemental amount of \$1,150,000. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”) as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

SECTION 2:

In order to finance the cost of the Improvements, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,150,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount

not exceeding \$1,150,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
Various improvements to the water treatment system for the water utility system, including but not limited to, design and installation of per- and poly fluorinated alkyl substances (“PFAS”) treatment systems, for compliance with State of New Jersey drinking water standards, including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto (Supplements Bond Ordinances 2022-1057, 2023-1081 and 2024-1105).	\$1,150,000	\$1,150,000	40 Years
TOTAL ALL PURPOSES	\$1,150,000	\$1,150,000	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$1,150,000.

(c) The estimated cost of the Improvements is \$1,150,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the “Chief Financial Officer”); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$1,150,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$400,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The

maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,150,000.

SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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		
John King		
Maggie O’Connor	<u>Abstain</u>	
William Sullivan	None	

Mayor Davis announced a public hearing on second reading of Ordinance 2026-1123

The Clerk offered proof of publication of the ordinance, indicating that it was published on the borough website on March 20, 2026

The public hearing was held and AN ORDINANCE FIXING THE SALARIES, COMPENSATION, RETAINERS AND ALLOWANCES FOR THE BOROUGH OF ESSEX FELLS.

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

Section 1. The base salaries, compensation, retainers and allowances of certain paid officers, employees and fire department volunteers of the Borough shall be at the following rates effective as of January 1, 2026, until subsequently amended, are hereby established as follows:

	MINIMUM	MAXIMUM
ADMINISTRATION & EXECUTIVE		
Borough Administrator	\$ 20,000.00	\$ 40,000.00
Borough Clerk	\$ 55,000.00	\$ 140,000.00
Administrative Assistant	\$ 25,000.00	\$ 60,000.00
Administrative Assistant Confidential	\$ 25,000.00	\$ 60,000.00
Administrative Assistant Part-time	10.00	35.00
FINANCE		
Chief Finance Officer	\$ 5,000.00	\$ 80,000.00
TAX COLLECTION		
Tax Collector	\$ 25,000.00	\$ 95,000.00
TAX ASSESSOR	\$ 10,000	\$ 18,000.00
Tax Assessor		
FIRE DEPARTMENT UNIFORM ALLOWANCE		
All Members Receive		\$ 150.00
Additional:		
Fire Chief		\$ 400.00
Deputy Chief		\$ 225.00
Battalion Chief		\$ 150.00

Drivers		\$ 75.00
POLICE DEPARTMENT		
Police Chief	\$ 80,000.00	\$ 210,000.00
Police Captain	\$ 80,000.00	\$ 190,000.00
Crossing Guards (hourly)	\$ 10.00	\$ 25.00
Class III Officer	\$ 40,000.00	\$ 70,000.00
Class III Officer (hourly)	\$ 33.00	\$ 35.00
CONSTRUCTION CODE OFFICIAL		
Construction Official	\$ 15,000.00	\$ 35,000.00
Fire Protection Subcode Official (hourly)	\$ 25.00	\$ 35.00
Property Maintenance Worker	\$ 25.00	\$ 35.00
PUBLIC WORKS		
Public Works Superintendent	\$ 60,000.00	\$ 100,000.00
Deputy Public Works Superintendent	\$ 60,000.00	\$ 90,000.00
Foreman	\$ 45,000.00	\$ 60,000.00
Part-time Seasonal Employee	\$ 10.00	\$ 35.00
Recycling Worker	\$ 10.00	\$ 35.00
WATER		
Water Superintendent	\$ 120,000.00	\$ 140,000.00
Deputy Water Superintendent	\$ 110,000.00	\$ 130,000.00
RECREATION		
Recreation Director	\$ 8,000.00	\$ 32,000.00
Part-time/Seasonal Employees (hourly):		
Camp Counselors	\$ 5.00	\$ 15.00
Teachers	\$ 10.00	\$ 30.00
Site Manager	\$ 20.00	\$ 30.00
Umpires/Referees/Timers	\$ 10.00	\$ 100.00

Section 2. Longevity

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

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

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

Period of continuous, uninterrupted service:

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

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

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

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

And was carried on call of the roll:

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

Councilwoman Goldman moved, Councilwoman O’Connor seconded, approval of the following resolutions on consent:

2026-57

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO JOHN GARCIA CONSTRUCTION CO., INC., FOR EMERGENCY SEWER REPAIR

WHEREAS, due to an emergency at 36 Buttonwood Road an emergency sewer repair was necessary; and

WHEREAS, John Garcia Construction Co., Inc. was able to respond to the scope of this emergency and provided the lowest proposal for completion of the project; and

WHEREAS, under normal circumstances bids or formal quotations would have been obtained before the repair was authorized; and

WHEREAS, an emergency existed requiring the performance of the service pursuant to N.J.S.A. 40A:11-6; and

WHEREAS, N.J.S.A. 40A:11-6 permits the Borough to award a contract without bidding in the event of an emergency which requires the immediate performance of the service; and

WHEREAS, the Water Superintendent finds that an emergency condition which may affect the public safety and welfare required the immediate performance of the repair service; and

WHEREAS, the repairs were limited to the emergency and completion of repairs once commenced in the amount of \$11,942.70; and

WHEREAS, the CFO has certified the availability of funds for this expenditure.

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF ESSEX FELLS AND THE BOROUGH OF CALDWELL FOR STREET SWEEPING SERVICES

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, Caldwell and Essex Fells have had discussions regarding Street Sweeping Services to be completed by Caldwell in Essex Fells; and

WHEREAS, Caldwell seeks to provide street sweeping services to Essex Fells in the yearly amount of \$12,000.00; and

WHEREAS, the terms of the shared service are set forth in a Shared Services Agreement.

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 Borough shall enter into a Shared Services Agreement with the Borough of Caldwell for Street Sweeping Services and the appropriate Borough officials are hereby authorized to execute the agreement in the form attached hereto.

Section 2. The Mayor and Borough Administrator 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.

2026-59

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	5-01	\$65,147.10

Current	6-01	\$980,268.47
Borough Capital	C-04	\$19,341.50
Water	5-05	\$0
Water	6-05	\$113,184.29
Grant	04	\$0
Water Capital	C-06	\$9,330.76
Animal Control	T-10	\$0
Trust	T-11	\$18,577.31
Payroll	T-13	\$119,289.18
	T-16	\$7,457.00

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		
John King		
Maggie O’Connor	<u>Abstain</u>	
William Sullivan	None	

On motion made by Councilwoman O’Connor, seconded by Councilman Sullivan and approved unanimously by the Council, the meeting adjourned at 7:45 p.m.

Respectfully submitted,

Francine T. Paserchia
Municipal Clerk