

BOROUGH OF CALDWELL, N.J.
ORGANIZATION MEETING
MINUTES – January 1, 2010

Administration of Oaths of Office to

Councilman Richard Hauser
by
Helen Hauser

Mayor Gartland congratulated Councilman Hauser and welcomed him to the Caldwell Council. Councilman Hauser shared with everyone that he had asked his mother to swear him in; she has been through quite a battle the last two years with cancer. Councilman Hauser stated he feels very blessed to have the opportunity to have her here to swear him in.

Councilman Peter Murray
by
Tim Murray

Mayor Gartland congratulated Councilman Murray and welcomed him to the Caldwell Council.

Mayor Gartland welcomed Mayor Tempesta, Councilman Otterbein, Councilman Aiello, and Councilman Cecere of West Caldwell to the meeting. Mayor Gartland thanked them for coming to the meeting and said it was nice of them to come and welcome the new councilmen. Mayor Gartland stated that we have so many joint projects with West Caldwell and that it is also nice we have settled the sewer negotiations.

The Organization Meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers by Mayor Susan Gartland at 12:17 PM.

PRESENT: Mayor Gartland, Councilman Murray, Hauser, Norton, Slattery, Dassing, and Lawshe.

ALSO PRESENT: Borough Administrator, Maureen Ruane, Borough Attorney, Gregory Mascera, Esq. and Deputy Clerk, Beth Bush Telepan

ABSENT: None

INVOCATION: Minister Bob McGruther

MAYOR'S MESSAGE:

Caldwell is a wonderful place to live, shop and dine. I have lived in the Caldwells for my whole life and I am happy to have raised my family here. I am starting my 24th year of serving my community.

2009 has certainly been an interesting year in Caldwell. The Borough upgraded the Police Desk with state of the art radios and 911 equipment. We accomplished an upgrade to the Caldwell Community Center with new exercise equipment, lockers in the bathrooms, new floors and walls in the bathrooms, repainting rooms and the pool area and repairing the heating and cooling system; it is essential that we continue to upgrade this facility since it is such a vital part of our community.

We have repaved Prospect Street and Highview Avenue with \$260,000.00 in funds from New Jersey Department of Transportation. Hawthorne Avenue was also repaved with \$82,500.00 in funds from the County Community Development Block Grant Funds. Small Avenue repaving was financed with funds from New Jersey Department of Transportation of \$353,000.00. We finally resurfaced Park Terrace North and I am sure the residents are pleased. We received \$82,000.00 in Community Development Block Grant funds and

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\$152,000.00 in Federal Stimulus Funds to repave Parkway East and Parkway West. Needless to say even though Caldwell has repaved many streets in town there are many more to do, especially in the Cedars sections. I hope we can accomplish that in 2010. I think the budget committee needs to consider some of these roads in the future.

We celebrated our first farmer's market this past summer. It was a rousing success and I believe that in 2010 we can expand the vendors to make it even more successful. My husband misses the olive man and the fresh tomatoes and the onion rolls. He even went on his own on Fridays in case I did not get there to purchase what he wanted for the week. That was big in our household. I know that the Caldwell Downtown Alliance will make the market in 2010 even bigger and better.

We had a number of events in Caldwell this year that brought people to our community and our shops and restaurants. The fall festival and the scarecrows are always exciting and the Street Fair brought thousands to our streets. Santa pictures were new to our community and were a great success. The Gold Rush highlighted shopping in our stores for the holidays. As I have said in years past, our Downtown is vital to Caldwell and I am hoping that 2010 will bring much success to our stores and restaurants. Take a chance shop and dine in Caldwell.

I know that the Caldwell Downtown Alliance and the Caldwell Merchants Association both have the interest of Caldwell at heart and I know that in 2010 they can work together to accomplish great events and happenings in Caldwell to benefit our merchants and the residents in Caldwell.

I am very excited to have a wonderful new President at Caldwell College who is committed to working with the Borough to accomplish many joint projects that will benefit the College and the town. I speak to Dr. Nancy Blattner often, she is excited about having the college students, and the college staff involved in so many projects and can clearly see the benefit to all.

That brings me to the project currently in motion at Kiwanis Oval. Caldwell College has been very involved in the planning of this recreation field and what happens there in the future. It will all happen in 2010 with the financial assistance of Essex County and County Executive Joseph DiVincenzo. It is very exciting that our children and the residents of Caldwell and West Caldwell will have a field that can be used almost 12 months of the year and remain in good working order. West Caldwell has been our partner in this project and hopefully in the future in more projects.

I welcome two new Council members to the dais in 2010, Peter Murray and Rich Hauser and I hope that they and all members up here will keep their eyes on the goal of 2010 to do the best for the residents of Caldwell. I will miss Jeff Curley and Dick Brennan and thank them for their years of service to the Borough of Caldwell. Kay Slattery and I are looking forward to a roller coaster ride for 2010 and know that we are tough and we will hang on for the ride. The Republican council members have an opportunity to bring a hopeful and positive spirit to Caldwell and I hope they take advantage of that opportunity instead of getting caught up with the negative picture of Caldwell that they presented in 2009. The election is over, let us move on.

Caldwell's financial picture is far more positive than our neighbors in the surrounding towns. We managed to settle the sewer dispute with West Caldwell, Roseland, Fairfield and hopefully in 2010 we can complete that process with Essex Fells and North Caldwell. I believe we are close but not quite there. Greg Mascera, our new borough attorney will have to jump in and finish the task. I will surely miss Stuart Koenig, our long time Borough Attorney. His knowledge of municipal law was astounding and his clear thinking was always profound. Many Mayors of different parties have depended upon his sage guidance and advice and Mr. Mascera has big shoes to fill. Good Luck.

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I want to thank Maureen Ruane for her hard work on the budget this past year. The year 2009 brought much anguish to all and Caldwell because of sound planning in the past came out in good shape. I will give credit to a diligent budget committee for keeping 2009 on target and hopefully 2010 will bring a better sense of financial security to our entire country and to Caldwell.

I wish to thank and recognize all of those professionals who have served Caldwell over the years. Their service was valuable to the residents of Caldwell. I especially want to thank Judge Donald Garson for his many years of excellent service to Caldwell as our Judge and wish him well in his law practice. I believe that Judge Donald O'Connor will also serve Caldwell well since he has experience being the Municipal Court Judge of North Caldwell and Essex Fells and hopefully will be able to set up a joint court system that will provide a saving to Caldwell in the future. That should be a goal.

I will end my talk with a wish for all in 2010. I wish you all "Good Health and Much Happiness" for the New Year.

Election of Council President - Mayor Gartland opened the floor to nominations for Council President. Councilman Lawshe nominated Councilman Dassing, seconded by Councilman Norton. On roll call vote for Councilman Dassing for the position of Council President all members voted in the affirmative.

Mayoral Council Committee Appointments

[*denotes Chairperson]

A. Board of Education	*Slattery, Hauser, Murray
B. Finance	*Norton, Dassing, Hauser
C. Community Center	*Dassing, Gartland, Norton
D. Police/Fire/Emergency Management	*Lawshe, Dassing, Murray
E. Health & Senior Services	*Slattery, Dassing, Lawshe
F. Library	*Gartland, Murray, Slattery
G. Local/Public Assistance	*Slattery, Dassing, Hauser
H. Personnel	*Hauser, Norton, Slattery
I. Public Works/Water	*Murray, Dassing, Lawshe
J. Recreation	*Hauser, Lawshe, Slattery
K. Technology	*Murray, Dassing, Hauser
L. Shared Services	*Dassing, Gartland, Norton
M. Construction/Code Enforcement	*Lawshe, Murray, Norton
N. Downtown Committee	*Norton, Dassing, Gartland

Planning Board - Appointment by Mayor – Resolution 1-1

Ms. Ann E. Martin Class IV Member – (filling unexpired term) term expiration 12/31/11
Councilman Peter Murray Class III Member – term expiration 12/31/10
Mr. Kenneth Mihalik – Class IV Member – term expiration 12/31/13
Mr. Christopher Esposito Alternate #2 – term expiration 12/31/10

Zoning Board of Adjustment - Mayor, Consent of the Council – Resolution 1-2

Mr. Joseph Testa – (filling unexpired term) term expiration 12/31/12
Mr. Richard Brennan – Alternate #2 One Year Term – term expiration 12/31/010

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Library Board of Trustees - Mayor, Consent of the Council- Resolution 1-3

Ms. Clair Beth Nogay – term expiration 12/31/14
Ms. Christine Corliss – term expiration 12/31/14
Ms. Nancy Caplan – term expiration 12/31/14
Ms. Jane Bestys – (filling unexpired term) – term expiration 12/31/13
Ms. Cindy Kellenberger – term expiration 12/31/10
Mayor Susan Gartland, Council Representative

Board of Health - Mayor, Consent of the Council - Resolution 1-4

Ms. Betty Sullivan – term expiration 12/31/12
Mr. E. William Edge – term expiration 12/31/12
Councilman Kay Slattery, Council Representative

Local Assistance Board - Mayor, Consent of the Council - Resolution 1-5

Ms. Iva Hemmel – term expiration 12/31/13
Councilman Kay Slattery, Council Representative

Rent Review Board - Mayor, Consent of the Council - Resolution 1-6

Ms. Suzanne Pemrick – (Tenant Alternate) term expiration 12/31/12
Councilman Peter Murray, Council Representative

Environmental Commission – Appointment by Mayor - Resolution 1-7

[One of the members must be a member of the Planning Board]

Ms. Nancy Massoto – term expiration 12/31/12
Ms. Ann Marchioni – term expiration 12/31/12
Ms. Ann E. Martin – (filling unexpired term) term expiration 12/31/10
Ms. Evelyn Ponchek – (alternate) term expiration 12/31/11
Councilman Kay Slattery, Council Representative

Moved by Councilman Slattery, seconded by Councilman Lawshe. Discussion ensued. On roll call vote all members present voted in the affirmative.
Resolution adopted 1/01/10

Open Space Trust Committee – Mayor Consent of the Council – Resolution 1-8

Ms. Maureen Ruane, Borough Administrator – term expires 12/31/10
Councilman Ann Dassing, Council Representative – term expires 12/31/10
Ms. Ann Finnegan, Planning Board Member – term expires 12/31/12
Ms. Sally Garson, Environmental Commission Member – term expires 12/31/10
Mr. John Coyle, Resident – term expires 12/31/12

Moved by Councilman Slattery, seconded by Councilman Norton. Discussion ensued. On roll call vote all members present voted in the affirmative.
Resolution adopted 1/01/10

Annual Appointments.

A. Mayor's Advisory Council on Senior Citizens - Appointment by Mayor.

Mr. Manny Ferrara
Ms. Gloria Corrado
Mr. Henderson Cole
Mr. Thomas J. Gartland
Mr. Stanley C. Bestys
Mr. John Castano
Mr. James McHugh
Councilman Kay Slattery, Council Representative

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B. Board of Education - Appointment by Mayor.

Ms. Eva Ogens
Councilman Kay Slattery, Council Representative

C. Camp Wyanokie - Appointment by Mayor.

Mr. Jeffrey Weinman
Councilman Rich Hauser, Council Representative

D. The Bridge - Appointment by Mayor.

Councilman Kay Slattery, Council Representative

E. Community Development - Appointment by Mayor.

Councilman Joseph Norton
Ms. Maureen Ruane, Borough Administrator

F. Official Borough Photographer - Appointment by Mayor.

Mr. Louis J. Ginefra

G. Borough Arborist - Appointment by Mayor.

Mr. Al Ferrentino – Green Maple Landscaping

H. New Jersey Council Motion Picture Development - Appointment by Mayor.

Ms. Lisa O'Neill

I. Liaison to the Grover Cleveland Birthplace - Appointment by Mayor.

Dr. David Cowell

J. Senior Citizen Transportation Committee – Mayor, Consent of the Council.

Mr. Manny Ferrara
Mr. Peter Pirrello
Councilman Kay Slattery, Council Representative

K. Tree Removal Committee - Mayor, Consent of the Council.

Ms. Doris Halprin (Arborist)
Mr. Edward Broheimer (Tree Expert)
Councilman Rich Hauser
Councilman Ann Dassing
Mr. Donald Neil Aharra (Environmental Commission)
Ms. Maureen Ruane, (Borough Administrator)

Councilman Lawshe had a question regarding Mr. Broheimer, he stated that he sold his business and wanted to know if he would still be on the committee or would it be Hunter Adams who bought his business. Mayor Gartland replied that we will check to see if Mr. Broheimer still wants to be on the committee.

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Annual Professional Appointments – Mayor, Consent of the Council.

Various discussion ensued regarding the annual professional appointments.

1-9 Municipal Attorney - Gregory Mascera, Esq.

Moved by Councilman Murray, Seconded by Councilman Hauser. On roll call vote all Councilman Murray, Hauser, Norton, Dassing and Lawshe voted in the affirmative, Councilman Slattery abstained. Resolution Adopted January 1, 2010.

1-10 Borough Prosecutor - Joseph DeFuria, Esq.

Moved by Councilman Norton, Seconded by Councilman Lawshe. No discussion. On roll call vote all members present voted in the affirmative. Resolution Adopted January 1, 2010.

1-11 Borough Engineer - Glenn Beckmeyer

Moved by Councilman Murray, Seconded by Councilman Norton. No discussion. On roll call vote all Councilman Murray, Hauser, Norton, Dassing and Lawshe voted in the affirmative, Councilman Slattery abstained. Resolution Adopted January 1, 2010.

1-12 Public Defender - James Pomaco, Esq.

Moved by Councilman Norton, Seconded by Councilman Lawshe. Discussion ensued. On roll call vote all Councilman Murray, Hauser, Norton, Dassing and Lawshe voted in the affirmative, Councilman Slattery abstained. Resolution Adopted January 1, 2010.

1-13 Licensed Water Operator - William Frint

Moved by Councilman Dassing, Seconded by Councilman Lawshe. No discussion. On roll call vote all members present voted in the affirmative. Resolution Adopted January 1, 2010.

1-14 Municipal Zoning Officer - Paul Milani

Moved by Councilman Hauser, Seconded by Councilman Lawshe. No discussion. On roll call vote all members present voted in the affirmative. Resolution Adopted January 1, 2010.

1-15 Municipal Court Judge - Donald O'Connor, Esq.

Moved by Councilman Hauser, Seconded by Councilman Lawshe. No discussion. On roll call vote all members present voted in the affirmative. Resolution Adopted January 1, 2010.

1-15A Licensed Sewer Operator – Greg Seaman

Moved by Councilman Norton, Seconded by Councilman Lawshe. Discussion ensued. On roll call vote all Councilman Murray, Hauser, Norton, Dassing and Lawshe voted in the affirmative, Councilman Slattery abstained. Resolution Adopted January 1, 2010.

1-16 Designation of Official Depositories

Moved by Councilman Slattery, Seconded by Councilman Hauser. No discussion. On roll call vote all members present voted in the affirmative. Resolution Adopted January 1, 2010.

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1-17 Designating list of Official 2010 Holidays

Moved by Councilman Slattery, Seconded by Councilman Murray.
Discussion ensued. Resolution amended to reflect the correct date on
Thanksgiving. On roll call vote all members present voted in the
affirmative. Resolution amended Adopted January 1, 2010.

1-18 Temporary 2010 Municipal Budget

Moved by Councilman Lawshe, Seconded by Councilman Dassing.
Discussion ensued. On roll call vote all members present voted in the
affirmative. Resolution Adopted January 1, 2010.

1-19 Schedule of Meetings/Order of Business Observed

Moved by Councilman Lawshe, Seconded by Councilman Hauser.
Discussion ensued. On roll call vote all members present voted in the
affirmative. Resolution Adopted January 1, 2010.

1-20 Establish Interest for Non-payment of Taxes or Assessments

Moved by Councilman Hauser, Seconded by Councilman Norton.
Discussion ensued. On roll call vote all members present voted in the
affirmative. Resolution Adopted January 1, 2010.

1-21 Designation of Official Newspapers

Moved by Councilman Dassing, Seconded by Councilman Hauser.
Discussion ensued. On roll call vote all members present voted in the
affirmative. Resolution Adopted January 1, 2010.

1-22 Establish Times, Dates and Conduct of Meetings

A motion was made by Councilman Norton and seconded by Councilman
Murray to amend the resolution to include January 1, 2011 at 12:00 P.M. for
the Reorganization Meeting. Discussion ensued. On roll call vote
Councilman Murray, Hauser, Norton, Dassing and Lawshe voted in the
affirmative, Councilman Slattery voted in the negative. Resolution amended
January 1, 2010. Amended resolution moved by Councilman Norton
seconded by Councilman Lawshe. On roll call vote Councilman Murray,
Hauser, Norton, Dassing and Lawshe voted in the affirmative, Councilman
Slattery voted in the negative. Amended resolution adopted January 1,
2010.

1-23 Authorization to advertise for the following positions:

Counsel for Litigation & Special Projects
Borough Bond Counsel
Municipal Auditor
Borough Administrator
Registered Municipal Clerk

Moved by Councilman Norton, Seconded by Councilman Lawshe.
Discussion ensued. On roll call vote all Councilman Murray, Hauser,
Norton, Dassing and Lawshe voted in the affirmative, Councilman Slattery
voted in the negative. Resolution Adopted January 1, 2010.

Mayor Gartland opened the meeting to the public at 1:04 PM, Maureen Durr of 25 Forrest
Avenue wanted to know what happened with the Traffic Committee. Mayor Gartland
responded that the Traffic Committee will continue. Councilman Slattery addressed
Councilman Hauser regarding the interviewing of potential appointments. Councilman
Slattery stated she did not participate in the interviewing based on a lengthy and well

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researched memo from Stuart Koenig, Esq. Councilman Slattery stated in a nutshell what he said was that the way Caldwell has always made the appointments by the Mayor or someone on the Council approaching an individual and asking if they would be interested in serving. By law if that person accepts the appointment cannot have made a political contribution in the prior calendar year and the year that they are appointed. When it is opened up to the interview process that does allow anyone who interviews and is appointed to then make a political contribution in the prior year and the current year provided that they report it. Councilman Slattery stated that she has a philosophical objection to doing it that way. It is the antithesis of the Pay to Play in New Jersey that there has been so much publicity about. It opens up the potential when you interview that those people can then make a contribution. The way Caldwell has always done it they cannot. Councilman Slattery stated that is why she chose not to participate in the interview based on Stuart Koenig's memo. Councilman Lawshe responded to Councilman Slattery's comment. Councilman Lawshe stated that they interviewed a lot of people for a lot of positions to find the best possible person to represent the taxpayers of this town. We did not take one person because he is a friend or a republican. Councilman Murray, Hauser, Norton, Dassing, and I put a lot of hours in the last couple of weeks doing this. Councilman Lawshe stated that he wanted the taxpayers to know that they did their best to come up with the professional appointments that we think will best suit the interests of the people of this town. Councilman Lawshe thanked the Mayor for going along with their selections.

BENEDICTION: Minister Bob McGruther

Mayor Gartland thanked everyone for coming out to the meeting and wished everyone a Happy New Year. Councilman Murray invited everyone to come to the Knights of Columbus, for food and refreshments. There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Slattery, seconded by Councilman Norton, unanimously affirmed by all members present, the meeting was adjourned at 1:10 P.M.

Prepared by:

Beth Bush Telepan, Deputy Clerk

Date