

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – January 15, 2013**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:09 PM

PRESENT: Mayor Dassing, Council President Richard Hauser, Councilman Coyle, O'Donnell, Kelley, Rodgers and Durkin

ALSO PRESENT: Paul Carelli, Borough Administrator, Lisa O'Neill, Deputy Clerk and Borough Attorney, Greg Mascara

ABSENT:

Adequate notice of this Council Business/Conference meeting was given on January 1, 2013. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2013. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2013. Notice was posted and all persons requesting notice were sent same.

**APPROVAL OF MINUTES:
December 18, 2012**

Moved by Councilman Coyle, seconded by Councilman O'Donnell. No Discussion. On roll call, Councilman Hauser, Coyle, O'Donnell, Kelley and Rodgers voted in the affirmative. Councilman Durkin abstained. Minutes approved 01/15/13.

December 27, 2012 – Special Meeting

Moved by Councilman Coyle seconded by Councilman O'Donnell. No Discussion. On roll call, Councilman Hauser, Coyle, O'Donnell, Kelley and Rodgers voted in the affirmative. Councilman Hauser, Kelley and Durkin abstained. Minutes approved 01/15/13.

January 1, 2013

Moved by Councilman Coyle, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 01/15/13.

PUBLIC HEARING AND ADOPTION OF ORDINANCES:

ORDINANCE# 1269-12: AN ORDINANCE AMENDING CHAPTER 20, THE CHAPTER ESTABLISHING THE CODE OF ETHICS, OF THE CODE OF THE BOROUGH OF CALDWELL

ORDINANCE# 1271-12: AN ORDINANCE AMENDING CHAPTER 37, THE CHAPTER GOVERNING PERSONNEL POLICIES, OF THE CODE OF THE BOROUGH OF CALDWELL

After discussion Greg Mascera, Borough Attorney stated that the Council can't act and carry over an ordinance. Both ordinances will have to be re-introduced and started over. The new body is considered a new independent body.

Ann Marchioni – Environmental Commission presents a Certificate of Appreciation to Doris Halprin for her many years of service.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

Bob Christensen, 3 Ravine Avenue, was happy to hear that Joseph Norton was in the Traffic Committee and wanted to know who else was on the Committee.

RESOLUTIONS – CONSENT AGENDA

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- 1-34:** AUTHORIZING THE EXECUTION OF MUNICIPAL INFORMATION FORM - COMMUNITY FORESTRY MANAGEMENT PLAN GUIDELINES
- 1-35:** AUTHORIZING APPOINTMENT OF DONALD O'CONNOR, ESQ. AS MUNICIPAL COURT JUDGE FOR THREE YEARS FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2015 AND UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED.
- 1-36:** AUTHORIZING THE CANCELLATION OF SMALL BALANCES ON TAX ACCOUNTS FOR THE YEAR ENDING 12/31/12
- 1-37:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00009 PAYABLE TO US BANK CUST-PROCAP 11, LLC.
- 1-38:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00018 PAYABLE TO ISAAC MORADI
- 1-39:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00003 PAYABLE TO US BANK CUST-PROCAP 11, LLC
- 1-40:** AUTHORIZING THE APPOINTMENT OF LIBRARY BOARD OF TRUSTEES – John J. Donovan
- 1-41:** AUTHORIZING THE APPOINTMENT OF HISTORIC PRESERVATION COMMITTEE – Beverly W. Crisfasi
- 1-42:** APPROVING A TOW OPERATOR'S LICENSE FOR AJACO TOWING, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-43:** APPROVING A TOW OPERATOR'S LICENSE CAMP AUTO & TRUCK PARTS, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-44:** APPROVING A TOW OPERATOR'S LICENSE CRIGER'S SERVICE, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-45:** APPROVING A TOW OPERATOR'S LICENSE J&M TOWING IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-46:** AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Giblin Associates
- 1-47:** AUTHORIZING THE APPOINTMENT OF TRAFFIC COMMITTEE MEMBER – Joseph Norton

Moved by Councilman Kelley, seconded by Councilman Rodgers. Discussions Ensued. On roll call, Councilman Durkin and Councilman Kelley voted in the affirmative. Councilman Rodgers, O'Donnell, Hauser and Coyle voted in the negative. Resolution was not approved.

- 1-48:** RESOLUTION TO AMEND RESOLUTION 12-264 AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2012
- 1-49:** DISPOSAL OF OBSOLETE POLICE DEPARTMENT VEHICLES
- 1-50:** AUTHORIZING THE CHANGE OF STATUS FROM PROBATIONARY POLICE OFFICERS TO FULL POLICE OFFICERS IN THE CALDWELL POLICE DEPARTMENT FOR THE THREE OFFICERS HIRED JANUARY 1, 2012
- 1-51:** RESOLUTION AUTHORIZING THE CALDWELL COMMUNITY CENTER TO EXTEND THE CURRENT CALDWELL FIRE DEPARTMENT VOLUNTEER DISCOUNT TO ACTIVE MEMBERS FOR THE CALENDAR YEAR 2013

CONSENT

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 01/15/13.

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Councilman Durkin reported that he attended the Board of Health Committee and there will be a Rabbi's Clinic and will let everyone know when. I also attended the Environmental Commission workshop. On Wednesday, January 23rd there will be a workshop at 2:15pm "Making your Business Greener" Doug Shattuck P.E., a Senior Project Consultant at EAM Associates, will be here also.

Council President Hauser reported that the Library has a lot going on. There are a variety of events Blind Date with a Book, Black History Month, Valentine's Day and things going on in March. There are a lot of good things going on at the Library involving various aspects of the Community so I encourage everyone to check that out.

Councilman Kelley reported that Ed Durkin and he attended the Caldwell Merchants Association last week and it was held at the coloring room. The attendance was a little light but they answered the questions regarding the property tax program and moving forward on their part. They are looking for 20 to 25 merchants to sign up and are very excited about moving forward.

Mayor Dassing reported that she met with Finn Credit this evening along with our Tax Collector and our new CFO we are looking for a sponsor for the cards. It's a shop Caldwell program and every time you shop in these businesses you get a card and they swipe it and it gets added up and at the end of the year it gets sent to town hall toward property taxes. If you don't own a property you will receive a check in the mail. We will need a sponsorship for the cards which are like credit cards that will be mailed out to all the residents in Caldwell. This will encourage people to shop in downtown. We are hoping to get about 30 businesses involved. Every business will have a shop Caldwell in their window. She also met with PSE&G representatives this evening. She had received hundredths of phone calls as well as the clerk, police department, Borough Administrator and other Council members from various neighborhoods in Town. We are going to have a Town Hall meeting on Tuesday, January 29th at 7:00PM the place will most likely be at the Community Center. They gave us a lot of information that I think will be very good for the residents to have and some solutions that they have put into place already and are currently being worked on. I will be dancing with the stars on February 23rd at 7:00PM which will raise money for the Caldwell/West Caldwell Education Foundation.

REPORT OF ADMINISTRATOR:

Paul Carelli reported that there will be five (5) employees retiring. The first, Lt. Anthony Marta who left on January 4th his official retirement date is in November but he has left the building. Next is our Court Administrator, Marilyn Reeve who will be retiring on February 1st. We have put out advertisements for replacements for two positions Court and Deputy Court Administrator. There will be two public works employees also retiring and when those dates are firmed up I will let you know. Our financial management consulting firm has started on January 4th and the person that has been stationed here is our CFO Chris Battaglia and so far so good he is doing a great job and has made a lot of recommendations and has updated our software. As we roll over in 2013 we will have a new system in place for financial reports.

Council President Hauser discussed about one of the ordinances, having been on the personnel committee for three years, five people times' maybe fifty resumes for a position you are talking about maybe fifty resumes that some Councilman are proposing that the personnel committee go through review, make selections, and interview. He asked that they consider what that would entail in terms of slowing down the hiring process.

REPORT OF ATTORNEY:

Greg Mascera reported that in regards to 14 Park Avenue we have substantially completed the amendment of application to HHS the application will be sent in tomorrow and we hope to have approval whenever the Government Agency responds back to us. The two other matters are litigation matters, Ingris 3 and Gleason will be discussed thoroughly in executive session.

OLD BUSINESS:

Update of Caldwell Water Utility Projects and Timelines

Paul Carelli reported that the water main repair at Caldwell College has successfully been completed. The Brookside water main project will be starting in about two weeks. The residents

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will be notified. We received a request from West Caldwell there are two water hook ups that they asked if we would try and hook up to our system.

NEW BUSINESS:

Council President Hauser spoke about a Councilman from West Caldwell who reached out to him for a potential of combining service contracts for Garbage Collection and Recycling. Paul Carelli responded that he spoke to Jock Watkins about this and he asked for information on how we handled that. Discussion Ensued.

Michael Mignone, 23 Westville Avenue, spoke about issues that he had with the Caldwell Community Center.

Diane Lily, The Jersey Tomato Press, read an email from Governor Christy stating that they did pass 60 Billion dollars for Hurricane Sandy.

Ann Marchioni, Environmental Commission, she attended the Board of Education meeting and was invited by Ecology club of the middle school to attend. Ann is working with the Ecology Club and it is called DOT “do one thing to help the environment”.

Mayor Dassing responded that Janet Markman is quite a nature photographer and has informed me that the Hilltop Conservancy is restoring some of the forest floor. Janet responded with our Open Space in the cedars maybe the students would like to do a project that will attract natural like bugs.

Janet Markman, 501 Bloomfield Avenue, spoke about the Legacy of Literacy and what a nice job Ann and Susan did and everyone else. She was asked for the month of February to put up some of the photos that were taken that evening.

On a motion made by Councilman O’Donnell and seconded by Councilman Coyle, unanimously affirmed, the Council moved into Executive Session at 8:18PM.

Mayor Dassing read the following statement: BE IT HEREBY RESOLVED in accordance with the provisions of N.J.S.A. 10:12 and 13, the public shall be excluded from the Executive Session of the Governing Body which is being held for the discussion of the following subject matters: 1. Pending or anticipated litigation or contract negotiation; 2. Personnel matters; 3. This Executive Session shall continue for an indefinite period of time and upon termination of the Executive Session, the Governing Body may choose to resume the public portion of the meeting. The discussion, which shall be conducted in closed session, shall be disclosed upon termination of litigation or contractual matter, upon resolution of the personnel matter with consent of said person or persons and as provided by N.J.S.A. 4-12 but in no case later than two (2) years from this date. These minutes shall be available as soon as the matter is resolved or not later than two years hence. Greg Mascera responds that the Executive Session will be discussion of Contracts with the Sewer Plant, Ingris, Gleason and PBA.

The Executive Session was adjourned and upon a motion by Councilman Hauser, seconded by Councilman O’Donnell, the Council Business Conference Meeting was opened to the public and the press at 9:33P.M.

1-52: RESOLUTION AUTHORIZING A THREE YEAR EXTENSION TO THE CURRENT BOROUGH OF CALDWELL COLLECTIVE BARGAINING AGREEMENT WITH WEST ESSEX PBA LOCAL 81 (CALDWELL UNIT) WITH TERMS AS CURRENTLY AGREED

Moved by Councilman Durkin, seconded by Councilman O’Donnell. Discussions Ensued. On roll call, Councilman O’Donnell, Coyle, Rodgers and Durkin voted in the affirmative. Council President Hauser and Councilman Kelley voted in the negative. Resolutions approved 01/15/13.

1-52: AUTHORIZING THE BOROUGH ADMINISTRATOR TO NEGOTIATE AND EXTENSION TO THE AGREEMENT EXPIRIING ON JANUARY 31, 2013 WITH HATCH MOTT MACDONALD OPERATING SERVICES FOR THE OPERATION AND MAINTENANCE OF THE CALDWELL WASTEWATER TREATMENT PLANT

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Moved by Councilman Coyle, seconded by Councilman Kelley. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 01/15/13.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman O'Donnell, unanimously affirmed by all members present, the meeting was adjourned at 9:35P.M.

Prepared by: _____
Lisa O'Neill, Acting Borough Clerk

DATE