

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – January 28, 2014**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at **7:04PM**

PRESENT: Mayor Dassing, Councilman O'Donnell, Kelley, Rodgers, Durkin and Capozzoli

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

ABSENT AT ROLL CALL: Council President Hauser

Adequate notice of this Council Business/Conference meeting was given on January 1, 2014. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey. Official newspapers of the Borough were notified of this meeting by mail. Notice was posted and all persons requesting notice were sent same.

Council President Hauser arrived.

Joseph DeBellis, Gould Place, commended the great job that the Caldwell Fire Department did on January 23rd and that house is two doors down from my house. The reason we are still at my house is because of our Caldwell Fire Department. They did an outstanding job and he appreciates it so much. He also commended Caldwell Police Department; Chief Bongiorno has a great crew especially Jessica Lusez and Paul Stabile they went into that house and being in fires before it's the scariest thing that you will ever been involved in. Our officers went to the third floor and they took out people and the only reason they are alive because of the great work of those two officers. The Police and Fire Department are a great asset to our town. Thank you all and to the WEFAS for always being there for us. He was at the scene and Mayor Dassing and Councilman Capozzoli and we stood together at the curb watching that house in flames it was amazing to him that while this was all going on Mayor Dassing had plans and she was there for the fireman and policeman everything that was needed she was there she did not leave. While this was going on she was planning on getting clothes and finances since they lost everything. Ann sent a message and I decided to get involved. He spoke to Dan Handy from the American Legion, and he said that he would do whatever we needed. We have a date of March 9th from 12noon to 6PM at the American Legion on the corner of Personette and Bloomfield Avenue and ongoing benefit. There will be food there the whole day. It's time to show appreciation for the people involved and to help your neighbor. Everyone is welcomed it's a Borough Caldwell and American Legion joint effort to help these people.
Mayor Dassing reported that there are two other fund raisers Friday, February 7th at Ringside Pub it's a Fire and Ice Event there will be bands, some food and beer we have received some donations from Anthony Calandra and Corner Butcher and thank you to them. February 23rd there will be a tricky tray at the Verona Inn. Maria Burak, Human Resources is taking donations you can write a check to Borough of Caldwell and in memo you can put 12 Gould Place.

APPROVAL OF MINUTES:

December 17, 2013

Moved by Councilman Hauser, seconded by Councilman Durkin. No Discussion. On roll call, Council President Hauser, Kelley, Rodgers and Durkin voted in the affirmative. Councilman O'Donnell and Capozzoli abstained. Minutes approved 01/28/14.

December 27, 2013

Moved by Councilman Hauser, seconded by Councilman Durkin. No Discussion. On roll call, Council President Hauser, Councilman O'Donnell and Durkin voted in the affirmative. Councilman Kelley, Rodgers and Capozzoli abstained. Minutes approved 01/28/14.

January 4, 2014

Moved by Councilman Hauser, seconded by Councilman Durkin. No Discussion. On roll call, Council President Hauser, Councilman O'Donnell, Kelley, Durkin, and Capozzoli voted in the affirmative. Councilman Rodgers abstained. Minutes approved 01/28/14.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

Moved by Councilman Hauser, seconded by Councilman Durkin to open to the Public for Consent Agenda

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Caroline Mescia, 6 Bowers Road, asked the question on Resolution 1-47 what are the circumstances leading to this decision.

Paul Carelli responded that this is just a contract for the maintenance of the Dectron unit. This is in regards to the pool heating.

RESOLUTIONS – CONSENT AGENDA

- 1-32: AUTHORIZING THE CANCELLATION OF SMALL BALANCES ON TAX ACCOUNTS FOR THE YEAR ENDING 12/31/13
- 1-33: RESOLUTION TO CANCEL CERTAIN GRANT BALANCES
- 1-34: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 13-00001, Block 2, Lot 9
- 1-35: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 13-00013, Block 41.02, Lot 6
- 1-36: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 13-00009, Block 30.02, Lot 8
- 1-37: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 13-00019, Block 58.01, Lot 22
- 1-38: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00011, Block 29, Lot 36
- 1-39: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – CONGREGATION AGUDATH ISRAEL
- 1-40: APPROVING A TOW OPERATOR'S LICENSE FOR AIACO TOWING, INC., IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-41: APPROVING A TOW OPERATOR'S LICENSE FOR CAMP AUTO & TRUCK PARTS INC., IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-42: APPROVING A TOW OPERATOR'S LICENSE FOR NAPOLI TRANSPORTATION, INC. T/A C&L TOWING IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-43: APPROVING A TOW OPERATOR'S LICENSE FOR CRIGER SERVICE, INC., IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-44: APPROVING A TOW OPERATOR'S LICENSE FOR JML, INC., T/A J & M TOWING IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-45: APPROVING A TOW OPERATOR'S LICENSE FOR TRITON TOWING, LLC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-46: RESOLUTION OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX AND STATE OF NEW JERSEY INCREASING THE BID THRESHOLD FOR CONTRACTS SUBJECT TO PUBLIC BIDDING UNDER THE LOCAL PUBLIC CONTRACTS LAW TO \$36,000
- 1-47: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXECUTE A PREVENTIVE MAINTENANCE CONTRACT WITH SH TECHNICAL SERVICES, INC. FOR MAINTENANCE OF THE DECTRON UNIT AT THE CALDWELL COMMUNITY CENTER FOR AN ANNUAL AMOUNT OF \$1,854,00
- 1-48: AUTHORIZING THE CHANGE OF STATUS FROM PROBATIONARY POLICE OFFICER TO FULL POLICE OFFICER IN THE CALDWELL POLICE DEPARTMENT FOR NICHOLAS P. ADAMO HIRED ON JANUARY 1, 2013
- 1-49: AUTHORIZING THE EMPLOYMENT OF ROBERT E. PAXSON , 43 RESERVOIR ROAD, CEDAR GROVE, NJ 07009 AS A PROBATIONARY POLICE OFFICER IN THE CALDWELL POLICE DEPARTMENT EFFECTIVE FEBRUARY 1, 2014 WITH AN ANNUAL BASE SALARY OF \$35,000
- 1-50: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE - GIBLIN ASSOCIATION

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1-51: AUTHORIZING THE LIEN REDEMPTION OF TAX LIEN CERTIFICATE 13-00011, BLOCK 36.01, LOT 18.09

CONSENT

Moved by Councilman Durkin, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 01/28/14.

COUNCIL COMMITTEE REPORTS:

Councilman Durkin thanked the Fire, Police and Emergency responders and our neighbors. When people were running from the fire these guys were there including our Chief James Bongiorno. He is happy to have the Council meeting televised and it makes the meeting more transparent and open. He thanked Mario Bifalco, Director of DPW, when storms hit he is the first guy out there and the roads are very clear. There was a water main break today and he was out there. He thanked everyone who reached out to him about the passing of his grandfather.

Councilman Capozzoli reported that he had the pleasure of meeting with Chief Bongiorno and as well with Chief Garamella and he was very impressed on the way they run their departments. Caldwell is very lucky to have you guys. He met with the Merchants Association and they are talking about doing a few things down town and I will get back to the Council in upcoming meetings.

Councilman O'Donnell thanked the Caldwell Volunteer Fire Department. He also thanked former Councilman Piazza for bringing Caldwell TV live. They will be looking into introducing our Budget and the goal will be between a zero and a half percent tax increase for this year.

Council President Hauser thanked Chief Bongiorno and Chief Garamella and all the first responders. He attended the Environmental Committee meeting and they are looking at programs to raise our status and open our doors for grant money.

Councilman Rodgers thanked Chief Bongiorno and Chief Garamella for a fine job they did. He attended a Library Board meeting and they went over some preliminaries for the upcoming budget and Barbara and Nancy are eager to meet the Borough Administrator.

Councilman Kelley thanked Chief Bongiorno and the Fire Department you guys do an outstanding job and we are all very proud of you. There were three meetings that he attended. We discussed at the Board of Health an issue in the ladies locker room. The Rabies Clinic is February 8th and there is no charge. One of the recommendations at the meeting was how to communicate on our calendar and they referenced Montclair's Calendar there were questions about recycling issues and some missed pick up. On the Rent Board Nancy Busby has resigned after twenty (20) plus years of service and they would like to commend her and Gus Lembo at a Council Meeting. In February the Rent Board will be hearing a complaint. The Personnel Committee's meeting was very productive and there are some goals that we are moving forward with the performance appraisals which is a target date of the end of February and the manual being distributed to the employees. A topic that came up was security in our building.

REPORT OF MAYOR:

Mayor Dassing thanked our brave fire fighters and our brave police officers as well as their leaders. It starts at the top and you are to be commended obviously yourself (James Bongiorno) and Gary Garamella are terrific role models for these young men and woman. The responders at WEFAS are amazing they are calm and they just do their job and are not affected she would put her life in their hands. Maria Burak was there taking care of our families. Pat and I came back to the Police Station and the Red Cross was there and thank you to Maria for all her hard work and her connections. She reported that our town engineer, Glenn Beckmeyer has started to work on a letter of intent for grant applications for the Pine Brook erosion issue. One of her committee member is a former teacher and has volunteered to prepare these grant applications. She thanked Bob Colaizzo for agreeing to be our film crew. We talked about in a shared service meeting that we had with the Board of Ed about open space money from the County. After some research we can potentially do a joint application like we did for the Oval. The application is due on Friday and I learned that West Caldwell has an engineering firm that will submit their application. It is \$150,000 per town to turf EVS field which is down on Clinton Road in West Caldwell. There are other organizations that will want to rent the field.

REPORT OF BOROUGH ADMINISTRATOR:

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Paul Carelli reported, there was a concern from a resident about plowing and we have resolved that problem. As a result we have started some training with the JIFF and they had some training classes for Blood Born pathogens, Snow Plowing safety and work force safety.

The JIFF will pay for this program and basically we will have stickers on our public works vehicles with a reference number and a number to call if you have any concerns. Mario is on board with this and the guys do a great job and most of the calls are people commending.

There are six responses for the RFP for operation of the sewer plant; part of the RFP was if you had any questions you would have to submit by January 31st they want to extend it. Greg responded that every entity that has picked up an application needs to be notified and you need to publish on the website. The new packages will have it in them.

The contractor is on site for the Library ramp and the sign is up.
The performance appraisals have gone out to all the employees and all self-appraisals are due back Friday.

We will be setting up a meeting with Finance
Edmunds was rolled over 2nd week of January. The requisitions are being automated

The Annual Debt statement has been filed to the State
The Annual Financial Statement is due February 10th

Fund balance ended at \$540,000 we have projected that this year will be around \$725,000 at the end of this year and the AFS is showing \$872,000. We replenished our surplus and then some.

Sign off from Tax Assessor for our ratable and we dropped another six million dollars this year
Next meeting he will have a resolution to purchase the phone system. The cost is about \$20,000 for equipment and installation.

Every year he receives an audit comment in regards to segregation of duties and collecting cash.
Thinking about that and how we can solve that problem and how we can tie that into security in this building. He would like to close off the front door basically with a cashier window and hiring a person as a cashier / helping other departments as needed.

We hired an engineer for the problem at the CCC pool and he said that the dectron unit is working it was designed properly for the use at the time and being that the pool is now used a lot it is not sized properly for the pool now. Rob has come up with converting the pool over to a salt water pool. We have one price to convert it and it would take about a week. It is environmentally friendly. The quote was about \$25,000.00 and we will need another quote. Part two of that is we received a quote for converting that pool to fiberglass that would be another \$82,000.00.

Councilman Hauser asked for some pros and cons to something like this and for the hiring of someone and what their job will be.
Resolution for a cleaning service will be on at next meeting.

REPORT OF ATTORNEY:

Greg Mascera reported that a necessity of a re-examination report on the Master Plan and will probably entail a hiring of a planner.

REPORT OF POLICE CHIEF:

James Bongiorno thanked the Mayor and Council for all your support in respect to the fire. Thank you for honoring my officers and representatives to the fire department. He thanked Captain DeBellis for all his support. Mayor and Councilman Capozzoli for being out there and just seeing your faces that means a lot emotionally to everyone. He is very proud of Officer Luszcz, Sgt. Stabile and Officer Roberts they did a great job and was quick to respond. The collaborate effort from all departments police, fire department, mutual aid fire departments, first aid squad, public works who did a fantastic job. Kudos to the fire department for keeping it contained to that one structure. Councilman Hauser we are working on the Cocks lot with PSE&G and we still have two lights that are out. We are working on getting the double arrows on Roseland Avenue we did put it in writing and we are just waiting for it.

REPORT OF ESSEX COUNTY LIASSON:

James Jorgensen on behalf of Essex County Executive Joseph DeVincenzo, Jr and himself would like to commend Chief Bongiorno, Chief Garamella and all the first aid that responded to this tragedy. He presented a check in the amount of \$56,000.00 for the ADA chair lift from the Division of Housing and Community Development.

OLD BUSINESS:

Councilman Hauser asked about the status on Brookside and Westville. **Paul** responded that he will be meeting with Bill Frint and Glenn Beckmeyer on Thursday and he does have the drawings but he wants to make sure about the water.

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Councilman Hauser asked if on the website we could post about road repairs and priorities.

Councilman O'Donnell asked about the Knights of Columbus and an update. Greg Mascera responded that we should hear in 4 – 6 weeks.

NEW BUSINESS:

Councilman Hauser talked about communication with the residents. He asked how we take information that we have and let the residents know. **Councilman Durkin** responded that he had reached out to Mayor Dutlie and Councilman Tsilionis from Roseland about their communication to their residents. Councilman Tsilionis formalized into a committee they have someone from the Board of Ed they have residents. We could have someone in charge of our website, newsletter, robo calls and text. He would like to solicit people who would like to help. Discussions Ensued.

Councilman Hauser stated that he thinks that they should consider doing a revaluation. There has been a tremendous drop in the tax base. Discussions Ensued.

OPEN PUBLIC MEETING:

Moved by Councilman Hauser, seconded by Councilman Rodgers to Open Public Meeting.

Diane Lilly, 72 Forest Avenue, she said that apps might be the one thing to think about. You can have a design and publish for less than \$2,000.00. Everyone has a cell phone.

Caroline Meschia, 6 Bowers Road, she would like to commend Rob Paterson, Paul Carelli and Mayor Dassing for the work that you have done in investigating a solution for the air quality at the Community Center. The swimmers will greatly appreciate a saline pool it will help with their breathing and their red skin. She read an article from the USA swimming website in reference to more swimmers cause more chloramines in the water.

Doug Piazza, Erwin Place, he thanked the Mayor and Council, Paul and the Borough for getting us on TV. A lot of hard work went into designing this system. He suggested reaching out to Caldwell College for assistance so all the meetings can be televised.

Councilman Hauser thanked Mr. Piazza for being the one pushing for it and when you were no longer up here, on the Council, you didn't walk away and let it go away and I appreciate the fact that not only you were committed when you were up here but also committed to after you weren't.

On a motion made by Councilman Hauser and seconded by Councilman Durkin, unanimously affirmed, the Council moved into Executive Session at 8:36PM.

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. The Executive Session will be discussion of Joint Dispatch and Gleason litigation.

The Executive Session was adjourned and upon a motion by Councilman Hauser seconded by Councilman Capozzoli, the Council Business Conference Meeting was opened to the public and the press at 8:55PM

1-52: APPROVAL TO SUBMIT A JOINT GRANT APPLICATION WITH THE TOWNSHIP OF WEST CALDWELL FOR THE 2014 OPEN SPACE LOCAL AID PROGRAM OFFERED BY THE ESSEX COUNTY RECREATION AND OPEN SPACE TRUST FUND

Moved by Councilman Hauser, 2nd by Councilman O'Donnell. No Discussion Ensued. On roll call, all present voted in the affirmative. Resolution approved 01/28/14.

