

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 5, 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: 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: Mayor Dassing

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:
January 15, 2013**

Moved by Councilman Coyle seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 02/ 5/13.

Mayor Tempesta, West Caldwell, thanked Larry Rosario on behalf of the Community from West Caldwell and Caldwell. We will miss him particularly the West Caldwell Volunteer Fire Department. Councilman O'Hern thanked Larry on behalf of the Fire Department.

INTRODUCTION OF ORDINANCES:

ORDINANCE #1272-13: AN ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION GOVERNING VEHICLES AND TRAFFIC

Moved by Councilman Rodgers, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Ordinance Introduced 02/05/13.

ORDINANCE# 1273-13: AN ORDINANCE AMENDING CHAPTER 230, THE CHAPTER ESTABLISHING THE CODE OF ETHICS, OF THE CODE OF THE BOROUGH OF CALDWELL

Moved by Councilman Rodgers, seconded by Councilman O'Donnell. No Discussion. On roll call, Councilman Durkin, Rodgers, Hauser and Kelley voted in the affirmative. Councilman O'Donnell abstained. Councilman Coyle voted in the negative. Ordinance Introduced 02/05/13.

ORDINANCE# 1274-13: AN ORDINANCE AMENDING CHAPTER 37, THE CHAPTER GOVERNING PERSONNEL POLICIES, OF THE CODE OF THE BOROUGH OF CALDWELL

Moved by Councilman Durkin, seconded by Councilman Kelley. Discussions Ensued. On roll call, Councilman O'Donnell, Hauser and Coyle voted in the affirmative. Councilman Durkin, Rodgers and Kelley voted in the negative.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

RESOLUTIONS – CONSENT AGENDA

2-54: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00017 PAYABLE TO CCE HOLDINGS, LLC

2-55: AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – Al Emmel Auto Body, LLC

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- 2-56:** AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – RC Auto Sales
- 2-57:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH FEBRUARY 5, 2013 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$ 2,694,087.31
- 2-58:** RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ENVIROFACTICS IN AN AMOUNT NOT TO EXCEED \$17,959.00 FOR REMEDIAL INVESTIGATION SERVICES AT THE PROPERTY DESIGNATED AS BLOCK 22 / LOT 25.02 LOCATED AT 27 PERSONETTE STREET IN THE BOROUGH OF CALDWELL

CONSENT

Moved by Councilman Coyle, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 02/5/13.

PRESENTATION:

Camp Wyanokie Presentation
Presentation to Larry Rosanio – *Vila Meats*

COUNCIL COMMITTEE REPORTS:

Councilman Durkin reported that the Free Rabies Clinic is on Saturday, February 9th at 1:30pm in the Firehouse.

Councilman Rodgers read a letter from the Local Assistance Board.

In conjunction with the Department of Human Services they would like to thank everyone for their support during the past holiday season. This Thanksgiving we provided baskets with a complete meal to 82 local families. In addition, over 100 children had a brighter holiday season by receiving holiday gifts thanks to the support of everyone. We would like to thank everyone who took a tag off the Giving Tree in the Community Center or took the time to donate food to the Caldwell Food Pantry. We would especially like to thank the local churches, First Presbyterian, Caldwell Methodist, and Notre Dame, St. Aloysius and St. Peter's Episcopal and Calvary Evangelical Church in Essex Fells who helped us throughout the year. The Caldwell West Essex Kiwanis and Rotary Club of Caldwell and Vero Amici for Charity for all of their financial support. The local Girl Scouts, Brownies and Daisies from St. Aloysius, Notre Dame, Lincoln, Washington, Wilson and Jefferson Elementary Schools. The Local Boy Scouts and Cub Scouts from St. Aloysius and Washington School. The Caldwell Cyclones Swim Team, North Jersey Corvette Club, Gridiron Club, Cranes Mill, RICOH and the Caldwell/West Caldwell Schools who worked so hard to fill our food pantry during the month of December. The goal of the food pantry is neighbors helping neighbors. We would like to thank all of the individuals of this town who reached out to help their neighbors. The Caldwell Food Pantry is located at 14 Park Avenue, Caldwell. We are open Monday, 4-6; Wednesday, 11-1 and Thursday 4:30-5:30. Donations are accepted Monday through Friday 9-5 by leaving your donation on the cart in lobby of the building.

Councilman O'Donnell reported that they will be conducting interviews for promotions of officers for Sgt. and Lt. on March 16th. The Caldwell Fire Department is having their yearly fund raising as well as a new combination which is the Caldwell Police Foundation. I think it is very important that those who can donate do. He has sent checks to the Fire Department and the Caldwell Police Foundation today in the amount of \$100 each.

Councilman Hauser spoke about the passing of five different people this week. Justin Grant who was a guest at the Community Center, Chet and Rose Andracka, Thomas Trane (Father in-law of Glenn Beckmeyer, Borough Engineer) Stephen Seaman (Father of Greg Seaman, Sewer Director) John Tofanelli (Father of John Tofanelli, former Police Chief). On behalf of the Borough he would like to pass along our condolences to all their families. As for Committee reports we had a Library Board meeting and there are a lot of things going on with the Library Board trustees in terms of requests being made of the foundation having to do with the funds that were made at the Mayors Gala.

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REPORT OF ADMINISTRATOR:

Paul Carelli reported that he handed out an equitable remedy chart. He has created a task force with Chief Bongiorno, Mario, myself and Sgt. Pellegrino just to give everyone an idea how much work it is going to take. We are having a Finance meeting on Thursday morning with the Finance Committee. Paul discussed the emergency contact system. He would like more security in the building using a key fob. There were interviews that we conducted last week for Court Administrator and that whole interview process is governed by the Court. The Hatch Mott agreement for the operation of the sewer plant has been extended until the end of the year. Discussions Ensued.

Councilman Hauser spoke about the meeting last week with PSE&G that was held at the Community Center that Mayor Dassing and Essex Fells set this meeting up. He thanked the Mayor for coordinating that.

REPORT OF ATTORNEY:

Greg Mascera reported that we did hear back from GSA with regards to the submission of the application. A new lease will need to be submitted to the Bridge. They will not accept terms of the old lease because of how old it is. They have given us two weeks from today. There was discussion on putting signs on the Borough property.

OLD BUSINESS:

Water Main Improvement Project – update

Councilman Coyle reported that he had asked Paul for an update of where we are with a variety different projects that are being worked on. The interconnection it appears that there is still some work going on, there is an electrical box for lighting within the vault within the interconnection that should be done by the end of next week. The Brookside water main project will start on or about February 18th the issue with that is we are not able to cross Westville Avenue, which is part of the project, until March 15th with permission from the County. That project will start on the 18th and will be complete within 60 days of the notice to proceed.

Councilman Kelley asked about the recycling that was talked about at last meeting with West Caldwell. Paul Carelli responded that it would only be our Recycling that would be picked up. Discussion ensued.

Councilman Durkin spoke about the resident who had an issue with the Community Center. Discussions Ensued.

Greg Mascera said for the record Councilman Durkin asked me to step outside

NEW BUSINESS:

Correspondence from Paul Milani – Dumpster Permit Application/Ordinance for consideration Paul Carelli said he received a letter from Mr. Milani and he would like the Council to review the information..

Councilman Hauser discussed how we can get communication out better to our residents. He talked about making use of information of what people of already submitted through various means combine that into one large to wn database to make use of and have people to opt into those things that they wish or do not wish to get communication on. Councilman Kelley made a recommendation that Paul reaches out to the Board of Education. Discussions Ensued.

OPEN PUBLIC MEETING:

Gary, 252 Franklin Street, Bloomfield, he is Michael Mignone's Uncle and he was there to talk about the issue that he had with the Community Center. He asked if there are rules at the Community Center and what can they do and what you are prohibited from doing. Discussions Ensued.

Michael Mignone, 23 Westville Avenue, he talked about the Community Center and he wants to be a member but if there are rules that a 4 and 5 year old will not be accommodated then he doesn't want to be a member. It's a Community Center and we would like to be members at a Community Center. Discussions Ensued.

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Dale Lazarovitch, 57 Evergreen Road, North Caldwell, owner of My Daughters Closet. She thanked Councilman Kelley and Durkin and the Mayor for coming by to visit her since she has opened her store. She would like more things happening in the downtown; she said it is like a ghost town. She is concerned because the meters are gone in front of her store.

Doug Piazza, Erwin Place he spoke about how disturbed he is because the Council meetings are not being televised. The TV and Camera system was paid for by Comcast, which he put together when he was on Council that was approved by this Council and was put in place and still does not exist. This system that is fully paid for and was voted on to be done as soon as we got payment which we have received would actually address quite a few things that have gone on here tonight.

Jim Jorgensen, Liaison Essex County, reported that the State of the County will be presented on February 19th at the hospital center in Cedar Grove.

On a motion made by Councilman Coyle and seconded by Councilman Kelley, unanimously affirmed, the Council moved into Executive Session at 9:14PM.

Council President Hauser 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 Gleason and Personnel.

The Executive Session was adjourned and upon a motion by Councilman O'Donnell, seconded by Councilman Coyle, the Council Business Conference Meeting was opened to the public and the press at 9:49P.M.

2-59: RESOLUTION AUTHORIZING THE INCREASE IN BOROUGH ADMINISTRATOR PAUL CARELLI'S SALARY FROM IT'S EXISTING AMOUNT BY 2% OF WHERE HE IS THIS YEAR EFFECTIVE JANUARY 1, 2013.

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, Councilman Durkin, Rodgers, O'Donnell, Kelley and Coyle voted in the affirmative. Councilman Hauser voted in the negative. Resolution approved 02/5/13.

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 9:50P.M.

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

DATE