

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 5, 2019**

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The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:15PM.

PRESENT: Mayor Kelley, Council President Rodgers, Councilman Lace, Cole and Schmidt

ALSO PRESENT: Deputy Clerk, Lisa O'Neill, Borough Administrator, Thomas Banker
& Borough Attorney, Vincent Nuzzi

ABSENT: Councilman O'Donnell and Capozzoli

Adequate notice of this Council Business/Conference meeting was given on January 1, 2019. 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.

PLEDGE OF ALLIGENCE

**APPROVAL OF MINUTES:
January 15, 2019**

Moved by Councilman Lace, seconded by Council President Rodgers. No Discussion. On roll call, all voted in the affirmative. Minutes approved 02/05/19.

Mayor Kelley would like to welcome our new Administrator, Tom Banker, we are pleased to have you on board and we look forward to an exciting experience together and learning a lot and working together to resolve a lot of problems that exist as well as making things better.

Tom Banker thanked the Mayor and the Council for giving him the opportunity. It has already been an exciting three days and he will talk about those issues after we get through the basics of the agenda. He has scheduled a meeting with all the town employees for this Friday for them to have an opportunity for them to meet him and for him to meet them.

OPEN PUBLIC MEETING – ANY TOPIC

Max Time: 3min per speaker

Members of the public are invited to comment at this time on ANY issues, whether or not on the agenda

Mr. Nicholas Monte, 19 Ravine Avenue, provided a petition from residents on Ravine Avenue in regards to the speeding issues. Ravine Avenue is used to avoid Bloomfield Avenue.

Mayor Kelley responded that there was a Public Safety meeting with the Chief and Sgt. Pellegrino and the topic was discussed. It's not a new issue the speeding on Ravine there is a long history on Ravine as there is in other streets in Caldwell. His experience that he found on Beverly which is in West Caldwell the signage some of the new signage and our goal is to work with West Caldwell the police departments of Caldwell and West Caldwell all together. We are starting the dialog and we have to obtain some signage that is consistent with West Caldwell's. The new digital signs can gather and capture data information that allows for the Police to analysis and be strategic about their enforcement. We are going to put together and educate kind of a meeting to inform the residents what we are doing at Ravine and we are not stopping at Ravine. The short term answer is we hear you and we are going to do our best to address this and to solve this.

Thomas Massot, 21 Ravine Avenue, spoke about having more Police presence on Ravine Avenue. West Caldwell Police are seen on Ravine more so than Caldwell.

Michele Corbo, 57 Ravine Avenue, the traffic on Ravine has increased since the Street Fair.

Rudy Corbo, 57 Ravine Avenue, spoke about having no Police presence and also talked about Fort Lee, NJ and what they have done.

Joy Scally, President of Kiwanis, the Kiwanis is looking for what needs the Borough of Caldwell has regarding children and if there is a project regarding children please let the Kiwanis know.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

Moved by Council President Rodgers, seconded by Councilman Lace to open meeting to the Public.

Ann Marchioni, Environmental Commission, the Environmental Commission is applying for a grant for Sustainable Jersey and she hopes that the resolution passes.

RESOLUTIONS – CONSENT AGENDA

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- 2-60:** AUTHORIZING THE APPOINTMENT OF PLANNING BOARD MEMBER – PETER MESCIA
- 2-61:** AUTHORIZING THE APPOINTMENT OF DANIEL M. BERGMAN AS A THIRD YEAR EXTENDED CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT ANNUAL RATE OF \$6,760.00
- 2-62:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – HSA Trinity Academy – Off Premise/ Door Prize Raffle – March 9, 2019 – 10:30PM
- 2-63:** AUTHORIZING THE AMENDED LICENSE FOR A RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Parent Faculty Association of Mt. St. Dominic Academy /Off Premise – 50/50 Raffle – September 10, 2018 - June 3, 2019 – 8:00PM
- 2-64:** AUTHORIZING THE ISSUANCE OF A PERMIT FOR CANVASSER/SOLICIT OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK’S OFFICE – John O’Hara – Edward Jones
- 2-65:** AMENDING RESOLUTION FOR GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2019 TO JUNE 2020
- 2-66:** RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of February 5, 2019
- 2-67:** RESOLUTION APPOINTING THOMAS BANKER THE FUND COMMISSIONER AND JAMES BONGIORNO ALTERNATE FUND COMMISSIONER FOR THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND
- 2-68:** RESOLUTION OF SUPPORT FROM LOCAL GOVERNING BODY AUTHORIZING THE SUSTAINABLE JERSEY GRANT APPLICATION
- 2-69:** A RESOLUTION TO PETITION THE ESSEX COUNTY CHIEF EXECUTIVE AND BOARD OF CHOSEN FREEHOLDERS TO LOWER THE SPEED LIMIT ON CENTRAL AVENUE AND TO GRANT PERMISSION FOR THE INSTALLATION OF A CROSSWALK AT THAT INTERSECTION
- 2-70:** RESOLUTION TO ENSURE COMPLIANCE WITH THE BOROUGH OF CALDWELL SOCIAL MEDIA POLICY
- 2-71:** RESOLUTION TO CREATE SOCIAL MEDIA ACCOUNTS FOR THE BOROUGH OF CALDWELL

CONSENT

Moved by Council President Rodgers, seconded by Councilman Schmidt. No Discussion. On roll call, all voted in the affirmative. Resolutions approved 02/05/19.

- 2-72:** A RESOLUTION TO CHANGE A BOROUGH COUNCIL MEETING DATES FROM APRIL 2, 2019 TO APRIL 8, 2019

Moved to hold Resolution 2-72 by Council President Rodgers, seconded by Councilman Lace. Discussion ensued. On roll call, all present voted in the affirmative. Resolution held 02/05/19.

- 2-73:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH FEBRUARY 1, 2019 FOR 2019/2018 BILLS IN THE TOTAL AMOUNT OF \$2,160,267.98

CONSENT

Moved by Council President Rodgers, seconded by Councilwoman Schmidt. No Discussion. On roll call, all voted in the affirmative. Resolutions approved 02/05/19.

COUNCIL COMMITTEE REPORTS:

Councilwoman Schmidt reported on Human Services, Caldwell is the recipient of the New Jersey Healthy Community Networks Health Grant. They have received 10,000.00 for 2018 and 10,000.00 for 2019 and the two key areas that the Community must be focused on to qualify for this grant funding. Number one is Health and we qualify through our Farmers Market which was very successful last year and we are hoping to continue with in 2019. The other item is Safety and we are qualifying for that through the Safe Routes to School Program which is part of the NJ Department of Transportation. As part of this program Mayor Kelley sent a statement of support for these efforts and the Borough’s commitment to promoting the health and safety of our residents. Through this program Caldwell will be applying for the silver level of the Safe Routes to School Program there are four levels and this is the third highest. Our Director of Human Services, Maria Burak, is partnering with Sgt. Mike Pellegrino our safety specialist in order to meet the requirements which include Annual Crossing Guard Training for all guards as well as putting together a safety project. The proposed safety project will be a bike ability assessment planned for April of this year which will also include a Community presentation on bike safety

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provided by Safe Routes to School. Other parts of this program that would need to be discussed would be the establishment of a walking school bus program which can encourage children to walk to school accompanied by parent volunteers. So beyond the obvious benefits of walking and biking to school there is another benefit which she would like to speak about which is cars idling in front of schools at pickup. Children are small and they are closer to the ground and therefore closer to tailpipes and therefore our children end up inhaling 50% more pollution per pound of body weight when they walk by these cars. Kids that walk or bike to school arrive at school ready to learn and she is looking forward to working with Maria and Sgt. Pellegrino to help provide safer routes to school and in general a healthier and more walkable community.

Councilman Lace reported on Grover Cleveland Birthplace Memorial Association had their meeting and Dave Cowell updated the Board on efforts to the get visitor center built since the initial bid came back over 700,000.00 over initial projections. Assemblyman Tom Giblin is working with the Board as well as State Legislators McKeon, Jasey and Codey in order to see what can be done to offset the additional cost and the Board discussed ideas for fund raising. Councilman Lace reported on the Community Center and the Director, Rosemarie Sutherland informed him this afternoon that the new cleaning company is up and running and all is well. The Community Center has switched carriers from Comcast to Verizon and complaints are down 90% since this change. There is a very successful trip into the city taking 40 people to see Kill a Mocking Bird and it is sold out. The first Camp Caldwell Open House will be on February 23rd from 2:00PM – 4:00PM. There's a kid night out on February 15th from 5:30PM – 9:30PM and there are still openings for any parents that would like to have a Valentine's Date night. Also, there is a mini camp on February 18th & 19th for all working parents and you can call the Community Center for any other information at 973-228-7665. All new fitness equipment is up and running and there has been nothing but positive feedback. The Community Center would like to congratulate James Caldwell Swim Team both Boys and Girls qualified for State competition and all the High School teams will conclude their seasons by February 27th. Also, he met with Matthew Cartwright is training for his Eagle Scout Award and he will be having the 8th Annual Skate for Cystic fibrosis foundation silent auction on March 9th from 4:15PM – 6:15PM at Floyd Hall Arena.

Councilman Cole reported on the Public Safety meeting and Sgt. Pellegrino, Chief Bongiorno, Councilman Rodgers, Mayor Kelley and himself and on the Agenda were several streets in the town first and most was Ravine Avenue. There was a lengthy discussion on what to do about the speeding and what alternatives are. There was discussion on crosswalks on Central Avenue and a crosswalk on Bloomfield Avenue in the middle near Clover Leaf. Chief Bongiorno and Sgt. Pellegrino also reported that we do not have all the signage that is needed in the town and a list was given to the Mayor and Councilman a list of all the signage and we verbally approved there researching on what it would take to place the signage especially when it comes to pedestrian crossings. He believes that the Police Department is attempting to do the best job they can and sometimes the members of the Community haven't met the Police Officers and as part of his downtown initiative he went door to door last year and some of the merchants said they would appreciate if police officers were walking the Avenue and stopping in to meet with them. They are thinking about having members of the Council along with the Mayor and some police officers walking the Avenue speaking with the merchants and hearing their concerns as well. Another meeting they had was with Dr. Blattner from Caldwell University and he feels that Caldwell University has continued to grow and there are more than 2,000 students enrolled there and considering our town has 8,000 residents about it makes it as a big percentage of our population so that's another opportunity for the town Council and for the Police Department to interact with the University. We have established that we will meet on a monthly basis.

John Kelley responded that we need to have the Police force back in supporting them they are not perfect and there is going to be complaints at different times about the Police but trust me they do an incredible job and they put their lives on the line. Our Police Department is a wonderful police force and these men and woman do an incredible job, just like West Caldwell's does as well. We are taking some actions to partner and work together and there will be some good things in the future. The resolution that we pulled to change the Council meeting date from April 2nd to April 8th that actually is an initiative that we have spoken to Dr. Blattner about where we are going to hold a Council meeting at Caldwell University and it will be in April and it will probably be with week of April 8th and we are very excited about it and so is Caldwell University it will give us an opportunity to continue to build our relationship with one another. Caldwell University has a forum where the students gather and air their concerns and we are going to piggy back on that with our Council meeting so that we will have an open dialogue and discussion and he thinks it is a real good opportunity for the Borough of Caldwell to step in the right direction with Caldwell University.

Councilman Rodgers reported that he attended a share service meeting with Roseland, Caldwell, West Caldwell, Verona, Essex Fells, North Caldwell and Livingston. Areas that were discussed were Senior Services, Construction Code Enforcement, Property Maintenance, Zoning Officer, IT Services, public relations, sharing Municipal Courts, Dispatch, Wastewater Operator, Diesel Mechanic as well as other areas that were discussed. The next meeting is a focus on the senior services, the court, public relations, dispatch and IT services and they will try and meet once a month and the next meeting will be in West Caldwell.

Councilwoman Schmidt reported on the Library in front of her is the Caldwell Library Annual Report, as the liaison for the Library Board she feels it is important to mention this report. There are many digital materials now available through the library so they are moving forward with the future and with technology. Check out the library website.

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NEW BUSINESS:

Councilwoman Schmidt reported that there was a meeting this morning with our new Administrator, Tom Banker, Mario Bifalco, Glenn Beckmeyer and herself met with representatives from PSE&G to learn about their Energy Saving Programs for Govern customers. Caldwell is currently eligible and through this program PSE&G will conduct a free energy audit of Borough facilities. It will include and is not limited to the Municipal Building, Community Center, the Firehouse and the Library. The improvements that they cover typically are lighting, heating and air conditioning upgrades. Upon completion of the audit PSE&G will provide the Borough of Caldwell with an itemized proposal that will include overall costs of the amount that PSE&G will cover which is 70%. They will provide a cash flow statement that will include Caldwell's responsibility which will be part of the Borough's PSE&G bill which will be 30% which can be spread out over a period of 36 months or we have the option to pay that as a lump sum. This is a turnkey project and PSE&G has a contractor by the name of Weldon so the Borough does not need to go out for bid. All material and labor cost have been predetermined so there are no surprises.

REPORT OF THE MAYOR:

John Kelley reported that we have a parking deck issue and he has received to engineering proposals to get in and do a study and provide some guidance in terms of direction on where to go with either repairing or tearing down and he thinks that we are leaning in the direction of repairs. He may obtain a third proposal just so we have different perspectives on this and it's important to move on it as quickly as possible. St. John's Bible was presented to Caldwell University last week and Councilwoman Schmidt and himself attended the presentation and to describe it, it's a piece of art and the University will have that for the year and he encourages residents to please go to Caldwell University and participate in this it's an experience worthwhile.

REPORT OF BOROUGH ADMINISTRATOR:

Thomas Banker reported:

- Tom has done some research that he will share with the Mayor and Council over the next week on where Caldwell sits relative to Municipalities generally within the state of New Jersey.
- He met with the CFO and Bond Counsel and they are laying out a budget schedule to get the operating budget underway.
- We have a capital budget deadline and there are notes outstanding that will mature on the 20th of February so we will be dealing with that. What they are recommending is a multi-part strategy issuing notes to rollover the current indebtedness for a period of time to get us past July 1st to be followed by a bond sale to permanently finance that existing funding debt. We will then be authorizing the issuance of new notes. We will roll over the stuff that was funded and permanently finance that at a point in time that causes next year's budget not to be impacted so dramatically and we are going to fund the existing authorization which includes some sewer, water and general stuff. We are going to fund those with new notes because under the local bond law for new authorizations you can use notes for a three year period before you are acquire to take them out with permanent bond financing.
- He will be issuing to the Department heads an instruction manual on what he would like them to do in terms of submissions about their department's needs.
- Chris will be supplying a base line of the current employee roster with current salaries and so on.
- Tom met with Mario and the Borough Engineer, Glenn Beckmeyer to tour the deck and inspect the conditions of the parking deck and clearly it appears that some significant remediation is going to be necessary to make it useable for a reasonable length of time.
- He also toured the damage in Borough Hall. Tom has instructed Mario not to do any renovations to this building until we identify the problem.
- He met with Mott McDonald, Phil LiVecchie and he gave him a thorough report and we do have quite a few things to address on the sewer operation which we will get to and Tom would like to take a tour with Phil at the sewer plant.
- There are a fairly large stack of bills that have not been paid and they are not necessarily on today's bill's list but need to be looked at and there are contracts that were extended rather than going out to bid.
- Councilwoman Schmidt discussed PSE&G and he does think that the energy saving program has a lot of merit and we should take advantage of that at least get the audit done and see what are alternatives are.
- We have a need for a replacement of a pool dehumidifier in the Community Center and this may be eligible for the PSE&G Program.
- He wants to get an inventory of solar program opportunities that exist in the State and Federal level so as we are looking at our capital programs we can try and incorporate solar into it.
- He would like to talk in Executive Session about the Borough's fair housing situation and builders remedy situation. There are two projects that did explore and succeeded in using builders remedy and we need to address that affirmatively rather than passively and have the Borough decide what kind of a plan we want.
- He was pleasantly surprised to see how much shared service the Borough already uses.
- He is interested in the downtown and using some of the more creative powers. We will talk about the redevelopment powers, declaring some or large parts of the town in need of rehabilitation as opposed to redevelopment which allows for short term tax abatement to encourage home improvement. It allows you to rezone in a more convenient way than going through a full master plan.

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- *Tom spoke about the downtown and Caldwell University.*

REPORT OF THE BOROUGH ATTORNEY:

Vince Nuzzi reported that he is happy to have a Borough Administrator such as Mr. Banker. There are a number of things that I was asked to look into and he has been anxiously waiting for Mr. Banker to come on. We have the Borough Post Office for parking and a survey needs to be done. The next issue is Jack's Foodtown and he is waiting on a phone call from their attorney. There is a contract with Maser to inspect the sewers and it was never done. Mr. Banker responded that with his discussion with Mott McDonald some things were done essentially on an emergent basis but then there were further activities that don't qualify as an emergent basis. There is other work that need to be done and the arrangements that don't appear to be fully documented and squared away needs to be straightened out as to who is going to do it and what's the arrangement as to price and so on. Mr. Nuzzi reported that he has been spending a significant amount of time with the attorneys representing the JIF and they now know to send me a monthly follow up on everything that they are doing and what that has been done.

REPORT OF COUNTY LIAISON:

Patricia Keenan reported that everyone should have received the State of the County Address which is taking place on Monday, February 25th at 7PM at the Essex County Donald Payne School of Technology. The State of the County is a great opportunity to hear about the achievements over the past year as well as some of the plans and goals for 2019 while at the same time seeing the new state of the art school.

Councilman Lace asked Ms. Keenan about the Open Space Grants from Essex County for Municipalities do you know if there are any that are being offered this year and Ms. Keenan responded that there are not but she will forward some information on whom the contact person is and some things to look at.

OPEN PUBLIC MEETING:

Moved by Councilman Lace, seconded by Council President Rodgers to open meeting to the Public.

Ann Marchioni, Environmental Commission we are looking for volunteers to help with all these green infrastructure projects and as part of the grant she has reached out to many members of the community and I am working with them to get a nice level on participation on everyone in the community.

On a motion made by Council President Rodgers, seconded by Councilman Cole unanimously affirmed, the Council moved into Executive Session at 8:29P.M.

Mayor Kelley 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 Personnel.

The Executive Session was adjourned and upon a motion by Councilman Lace, seconded by Councilwoman Schmidt the Council Business Conference Meeting was opened to the public and the press at 9:33PM.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Cole, seconded by Councilwoman Schmidt unanimously affirmed by all members present, the meeting was adjourned at 9:33PM.

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

DATE