

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 8, 2011**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:05PM

PRESENT: Mayor Dassing, Councilman Murray, Hauser, Piazza, Coyle and O'Donnell

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

ABSENT: Councilman Norton absent at Roll Call

Adequate notice of this Council Business/Conference meeting was given on January 1, 2011. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2011. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2011. Notice was posted and all persons requesting notice were sent same.

APPROVAL OF MINUTES:

January 11, 2011
January 25, 2001

Moved by Councilman Piazza, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Minutes approved 02/08/11.

RECEIVING OF BIDS:

Oak Grove Road Improvements – Borough of Caldwell, Essex County, New Jersey

PRESENTATION:

GREENER CORNERS – Presentation by: Aaron Klein

Councilman Norton arrived at 7:22PM

ROTARY CLUB OF THE CALDWELLS "Gift of Life" featuring Rotarians June VanZandt and Tim Blattner

DEPARTMENT HEAD PRESENTATION:

FINANCE PRESENTATION – Presentation by: Margaret Cherone – CFO
Paul M. Carelli – Borough Administrator

RESOLUTIONS – CONSENT AGENDA

2-49 AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 10-00011 PAYABLE TO U.S. CUST-PRO CAPITAL, LLC.

2-50 AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 10-00004 PAYABLE TO STONEFIELD INVESTMENT FUND1, LLC

2-51 AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 10-00006 PAYABLE TO ROBERT PALMISANO

2-52 AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 10-00009 PAYABLE TO EMPIRE TAX FUND 11, LLC.

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- 2-53** AUTHORIZING THE CANCELLATION OF SMALL BALANCES ON TAX ACCOUNTS FOR THE YEAR ENDING 12/31/10
- 2-54** APPROVING AN APPLICATION FOR A SEWER CONNECTION AT, Block 13.03, Lots 1 and 4, Block 13, Lots 11, 12 and 13, ESSEX FIELDS, NJ TO CHARLES A. POEKEL, JR.
- 2-55** APPROVING AN APPLICATION FOR SEWER CONNECTION AT, 339-359 EAGLE ROCK AVENUE, ROSELAND, NJ TO SHELBOURNE SENIOR LIVING
- 2-56** RESOLUTION ESTABLISHING THE SALARY OF THE AQUATICS DIRECTOR FOR THE CALDWELL COMMUNITY CENTER

CONSENT

Moved by Councilman Norton, seconded by Councilman Piazza. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 02/08/11.

- 2-57** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH FEBRUARY 8, 2011 FOR 2010 BILLS IN THE TOTAL AMOUNT OF \$143,256.30
- Moved by Councilman Norton, seconded by Councilman Piazza. No Discussion. On roll call, Councilman Norton, Murray, Hauser, Piazza voted in the affirmative. Councilman Coyle and O'Donnell abstained. Resolution approved on 02/08/11.
- 2-58** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH FEBRUARY 8, 2011 FOR 2011 BILLS IN THE TOTAL AMOUNT OF \$2,023,174.94
- 2-59** AUTHORIZING THE BOROUGH CLERK TO ADVERTISE AND RECEIVE SEALED BIDS FOR THE LANE AVENUE WATER MAIN PROJECT CONSTRUCTION
- 2-60** AUTHORIZING THE CANCELLATION OF UNCOLLECTIBLE AMOUNTS IN THE ACCOUNTS RECEIVABLE SYSTEM OF THE CALDWELL COMMUNITY CENTER

CONSENT

Moved by Councilman Murray, seconded by Councilman Piazza. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 02/08/11.

OLD BUSINESS: None

Councilman Norton reported on Community Relations that they had there 2nd meeting on February 3rd and met with the Rob and went over the Community Center budget. There were several issues that they discussed and by the end of February they should have some solid information to report. There is one think that I can report the director, Rob has taken over purchasing for the Community Center in conjunction with our Borough Administrator and a requisition system. Last month total expenses for the Community Center were \$735.00. The requisition process system wide will keep our expenditures in check. In regards to space in the Community Center Rob is putting together some proposals in regards to restructuring and moving things around in the Community Center to maximize the efficiency of the building. The second portion of our Community Relations committee was in regards to the second annual Caldwell Presidential Luau weekend which we are tentatively scheduling for April 30th at 7:00PM. Which we hope to have outside under a tent next to the Grover Cleveland Birthplace. Our friends from Hawaii are coming and they have offered to prepare the food. Councilman Hauser responded that one of the notes that he read in the Community Relations meeting purchase requisition process, there was something in here about the Community Center working outside of those proceedings that were placed, generally I don't think that is a good policy of us to have. The purpose of having requisition policy in place is to have safe guards and when you start making exceptions and working outside of that, that generally is not a good idea

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so I would suggest that as we move forward before we consider it. There are also some things in here about adding Pre-school and Kindergarten services at the Community Center. I respectfully suggest that we are not in the business of educating our children at the Community Center that is what our schools are for and I think we should have a lot more discussion around that before we invest too much time and energy in the efforts of educating our children at the Community Center. I think there was a very good point raised about having a Certificate of Insurance for any body who is doing anything over there. The last thing is in regards to contracts and there is a thing in here about a contract from Mr. Paterson and I think that should come from the Personnel Committee.

Councilman O'Donnell reported on the Finance Committee that they are looking at areas of cost that the Borough has been absorbing in many areas that we feel that once we get a handle on it and we resolve it we will have a positive impact on the budget.

Councilman Piazza reported on Long-Range Planning a new possible scenario. One of the things that I have been talking about since the beginning is getting us one of those web presence and web portal for the town and community that I think we deserve and I always thought we were going to get a few years back. My mission is to make sure that it will happen one way or the other. Over the past week I have several discussions with some people that may actually make it happen much sooner than anticipated. We really have a great communication porthole at our website that will benefit everybody. I just wanted to touch base that at the last Council meeting we had declared Radon Awareness week and month and I just wanted to follow up and we have distributed so far seven (7) radon kits. There are still 23 radon kits for anyone interested. I urge everyone to stop by the Community Center and find Maria and put one of these kits in your basement and send it back.

Councilman Hauser reported that the Personnel Committee has had two meetings since the last Council Meeting and hopefully everyone has received the minutes for that. I wanted to touch on two things one is the benefits, we spent quite a bit of time discussing the cost of benefits that are paid to the retiree's. I believe the number is \$557,000 a year that the town pays for retiree's which is an excess of 50% of the health costs for the entire Borough. Paul and Greg have started to go through on a contract basis as to whether or not they should have been paid. Every month that we continue to pay these benefits that are not due we are wasting an excess of \$12,000. What we discussed is drafting a letter to go out to the retiree's that should not have been receiving those benefits. Greg Mascera responded that it seems like the best practice would be letters going out to all retiree's so that there can in essence be a survey to make sure that those who are entitled to the payments that they are receiving they may be deceased individuals and the Borough has a survey. For instance if a retiree who is entitled to benefits maybe on a family plan but their spouse may have died five years ago and they are still receiving a family plan there is no incentive for the retiree to let the Borough know. The initial letter will go out to all retiree's. I discussed with Councilman Hauser about sending a letter to all the employees to make sure that those errors that may be made in good faith but lack of bad faith to put it better. There may be errors in coverage and there may be overpayments. Various Discussions Ensued.

Councilman Murray reported that the Rent Board is in need of an attorney. Mayor Dassing reported that Joan Pransky wanted to be the attorney. We should reach out to her. As far as the Board of Health they are still in need of one more member. One of the big issues that we are discussing with Fire is the purchase of their Fire equipment. We wanted to see the impact not only there but the other capital expenditures that we have. I think once Marge gets this out and we digest exactly the numbers we will be sitting down to give you the number and finalize the things that you have. **Tony Grenci**, Fire Chief reported the prices that we gave you from cascade for the air compressor and we also gave you a price, not to your likening but to our likening, for the replacement of the self contained breathing apparatus. After our last meeting I went back to the officers and we decided on what we definitely needed on the fire department side of it and we think that those prices are the right prices we lowered the one price.

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Councilman Murray responded that there was about a \$20,000 difference in the trade in value and I saw the note from the vendor that said we can reach out to him and discuss why that trade allowance dropped. Tony Greci responded that we were going to get those approved it is under the money that was allocated by the town for the capital but it wasn't the number you requested. I think that right there based on the officers decision this is our recommendation and we hope that the Mayor and Council will go by our recommendation. Councilman Murray spoke about the Police Department I had asked about last meeting for the municipal ordinance fees and we did receive feedback from the court and the police department so I would like to get that out to the Mayor and Council to see exactly the disparity of the two and I think at our next meeting we can come up with a recommendation to give to the courts so they can go and seek approval for that. I just received the final numbers for the police the 2010 numbers towards revenue tickets written in overtime. I just got it now so we will be evaluating that and having a meeting with the Chief. Also, the police contract has expired this year a letter came that they have filed for arbitration.

Councilman Coyle reported that they will be meeting with Patrick from teamsters local 97 on Tuesday, February 15th to enter into DPW contract negotiations for the two year contract that expired on the 31st of December 2010. We received notification on February 3rd that we have selected to receive NJDOT funding in the amount of \$245,000 for the Forest Avenue road repair. Glen Beckmeyer is preparing a consolidated report on the mining's of the core samples that were taken from the Community Center parking deck and the repair work that was done on the lower deck and the entrance to the upper level. He will prepare that and make available to the Council before our next meeting on the 22nd of February. In terms of Utility, a plan for addressing the Hatch Mott McDonald request to extend the construction phase services will be discussed at the Public Works Utility Committee meeting that has been rescheduled for this Thursday. We will also be talking about the property and building code enforcement including the option of property liens on some of the foreclosed properties where the snow removal has not been removed on the sidewalks. I have met with the Camp Wyanokie folks on Wednesday, February 2nd to elect the commission officers. They are working on a number of publicity initiatives that were discussed including an update to the camp brochure and some other materials that were put out in print and made available electronically to the schools and to connect to the town's websites. There were invoices issued on the 24th of January to the five participating towns Caldwell, North Caldwell, West Caldwell, Fairfield and Roseland. The request of contribution from Caldwell is in the amount of \$3,621.00 for the 2011 fund. They are preparing for there Great Wyanokie outing which is scheduled for the 25th of June.

Mayor Dassing reported that she and Councilman Norton attended the opening services for Catholic School week this Monday and presented Mrs. McMahon with our proclamation. They were very grateful that we were there and the principal ask that we extend her thank you to everyone for the proclamation. The Mayor will be attending the meet the Mayor's breakfast on February 14th hosted by Congressman Frelinghuysen he will be discussing the latest on the health care front on the Federal level as well as other pressing topics that could affect our Borough so I will be reporting on once that is over. I have asked our Health and Human Services Director to put together a set of specifications to bring the health services contracts not really out to bid but to get some quotes from some other towns. It is up this year and as we are doing with everything, we want to make sure that we are getting the most services that we can for our dollars. Mayor Dassing read a letter from Rabbi Hamerman thanking the Caldwell Police Department and Borough officials.

REPORT OF ADMINISTRATOR:

Paul Carelli reported that he has saved \$3,000 this year with Verizon on cell phones.

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REPORT OF ATTORNEY:

Greg Mascera reported that Comcast made an application and Councilman Murray asked if I could put together a summary of how the cable TV franchises work the laws that govern. I put together a small memo with some basics and as of late last week there is new legislation pending in Trenton that according to some will substantially change the way cable franchises operate in New Jersey. According to others it is more an administrative change and it's really just for consumer protection.

NEW BUSINESS:

Councilman Hauser reported that he had some discussion with Mr. Seaman about getting some information on the number of sewer connections or equivalents for non-profits so we can have some discussions about the possibility of breaking that out from our tax bills.

OPEN PUBLIC MEETING:

James Jorgensen, Liaison for Essex County, on April 9th is the 35th annual Cherry Blossom Festival

On a motion made by Councilman Murray, and seconded by Councilman Coyle, unanimously affirmed, the Council moved into Executive Session at 9:17 P.M.

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 shared services contract with Caldwell/West Caldwell recreation, certain agreements continued medical benefits, the Faloni litigation.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman Norton, the Council Business Conference Meeting was opened to the public and the press at 10:51 P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman O'Donnell, seconded by Councilman Norton, unanimously affirmed by all members present, the meeting was adjourned at 10:51 P.M.

Prepared by: _____

Lisa O'Neill, Acting Borough Clerk