

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 19, 2013**

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

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 Mascera

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:
February 5, 2013**

Moved by Councilman Kelley seconded by Councilman Coyle. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 02/19/13.

PRESENTATION:

George Stafford – Highland Coalition / Water Protection and Planning

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

RESOLUTIONS – CONSENT AGENDA

2-60: RESOLUTION OF CONTINUING SUPPORT FOR THE GOALS AND PURPOSES OF THE 2004 HIGHLANDS WATER PROTECTION AND PLANNING ACT

2-61: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – First Presbyterian Church at Caldwell, On Premise - 50/50 Raffle, April 27, 2013 – 7:00PM – 10:00PM.

Moved by Councilman Coyle, seconded by Councilman Hauser. Discussions Ensued. On roll call, Councilman Durkin, Rodgers, O'Donnell, Kelley and Coyle voted in the affirmative. Councilman Hauser abstained. Resolutions approved 02/19/13.

2-62: AUTHORIZING ISSUANCE OF A LICENSE TO OPERATE ELECTRONIC, MECHANICAL, AND OTHER TYPES OF AMUSEMENT DEVICES; FOR Starz, Inc. t/a Ringside Pub APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS

2-63: AUTHORIZING THE REFUND OF A STATE TAX COURT OF NEW JERSEY PAYABLE TO: McKirdy & Riskin, PA Attorneys At Law

2-64: RESOLUTION RELEASING CALDWELL PLAZA, INC. FROM THE OBLIGATION OF MAINTAINING A SITE IMPROVEMENT PERFORMANCE BOND

2-65: AMEND RESOLUTION 1-24 AUTHORIZING ADOPTION OF TEMPORARY BUDGET FOR THE YEAR 2013

2-66: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT FOR A TERM OF 3 YEARS AND AN ANNUAL LEASE PAYMENT AMOUNT NOT TO EXCEED \$10,900.

2-67: AUTHORIZING THE APPOINTMENT OF LEANNE O'HERN AS BOROUGH OF CALDWELL MUNICIPAL COURT ADMINISTRATOR EFFECTIVE MARCH 1, 2013

2-68: DISPOSAL OF OBSOLETE COMMUNITY CENTER FITNESS EQUIPMENT

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2-69: AUTHORIZING THE BOROUGH ADMINISTRATOR TO HIRE ASHLEY McMILLION AS A TEMPORARY MUNICIPAL COURT ADMINISTRATIVE ASSISTANT AT A RATE OF \$15.00 PER HOUR AND 12 HOURS PER WEEK

CONSENT

Moved by Councilman Coyle, seconded by Councilman Hauser. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 02/19/13.

COUNCIL COMMITTEE REPORTS:

Councilman O'Donnell reported that they will be conducting interviews for promotions on March 16th for Police Officers. We have moved forward for the much needed cruiser for the Police Department. There will be further discussion about the Resolution concerning the Auxiliary Police force.

Councilman Hauser reported that the Library Board has concerns about emergency situation protocol. He reached out to Chief Bongiorno about coordinating plans not only for the Library but the Community Center and Borough Hall. We are looking to put together a comprehensive plan where needed. We are in the process of scheduling our joint recreation meeting that we have quarterly with West Caldwell. We will be discussing the balance of the Kiwanis Oval Maintenance fund as of yearend. Also, in regards to the Mignone matter he is happy to report that Mr. Mignone and other members that have been involved have agreed that in fact the appropriate resolution is that reimbursement for Mr. Mignone's for three months. He has met with Rob and was fine with the rules and procedures that are in place and wishes to join the Community Center.

Mayor Dassing reported that she has been spending all her free time dancing and her debut is Saturday 7PM at James Caldwell High School. The proceeds benefit the Caldwell/West Caldwell Education Foundation which has given over \$100,000 to the schools in the past five years.

REPORT OF ADMINISTRATOR:

Paul Carelli reported Leanne O'Hern was authorized to be appointed as the Court Administrator. Congratulations to her, she is a hard worker and does a good job, and I am happy that she will be our Court Administrator. He met with the Chief and they are going to start re-furbishing the dispatch area. They are going to use the flooring that was used in the fitness room to cover up the floor that is coming up. We are going to try and do an inexpensive upgrade to the room. We are putting in the Edmunds software and they are creating new links so when you post records they go to the various lines so we can do the General Ledger.

Mayor Dassing thanked the County for their help. There were some trees at Grover Cleveland Park that were dying and some of the residents that live at 105 Roseland Avenue contacted me because they were afraid that they were going to fall on their condo unit. The County came out, and Jim Jorgensen helped he was amazing, within a day the park guy was there and within two days the tree was taken down. The tree that was in question was actually rotted all the way through.

Paul Carelli reported West Caldwell contacted him about two houses that they would like to be connected to the water supply.

2-70: RESOLUTION AUTHORIZING TWO PROPERTIES IN WEST CALDWELL, 151 BROOKSIDE AVENUE & 157 BROOKSIDE AVENUE TO CONNECT TO CALDWELL'S WATER SUPPLY SYTEM

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 02/19/13.

REPORT OF ATTORNEY:

Greg Mascera reported that Lisa O'Neill received a letter from Department of Administration and Finance of Essex County from Mark Acker dated February 11th. The County is looking for some clarification in regards to our Pilot Agreement. The only Pilot Agreement in Caldwell is the Marion Manor. The County is supposed to receive 5% of the annual service charge that is paid by Marion Manor. I attend to write a letter to Mr. Acker and inform him that we don't have

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the agreement and I don't believe the County has a copy of the agreement either. Discussion Ensued.

OLD BUSINESS:

Water Main Improvement Project – updates

Councilman Coyle reported that Paul passed out the summary of where we are with the various water and road improvement projects that we have been discussing for two years now. Discussions Ensued.

2-71: AUTHORIZING THE BOROUGH ADMINISTRATOR TO SEND BIDS FOR WATER CAPITAL IMPROVEMENTS AND ALTERNATE PAVING FOR CEDARS ROAD, KNOLLWOOD TERRACE, GOULD PLACE AND OVERLOOK ROAD

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 02/19/13.

Correspondence from Paul Miliani – Dumpster Permit Application/Ordinance for Consideration
Paul Carelli asked the Council if they would like the attorney to draft something up to have for next meeting.

Video of Council Meetings – Update

Paul Carelli reported that he is meeting tomorrow morning with the Company that submitted the RFP the last time. He will report more at the next meeting.

NEW BUSINESS:

Mayor Dassing spoke to the Chief about an article she read that the Borough can get a box to accept prescription drugs it looks like a mailbox and it is free.

James Bongiorno responded that we can place it in the lobby but it will need a camera on it.

OPEN PUBLIC MEETING:

Ann Marchioni, Caldwell Environmental Commission, she thanked the Council for approving the Resolution for Highlands Water Protection. The Conservancy is having a 100 year celebration at the West Caldwell Public Library on March 3rd.

Bob Christensen, 3 Ravine Avenue, spoke about Idling and what the town has done to advice the residents of its danger to their health.

Mayor Dassing announced that she would like to Congratulate Maria Burak who is being honored by the Kiwanis Club for her service to the Community on Thursday, February 28th at the Hanover Manor.

On a motion made by Councilman Coyle and seconded by Councilman Rodgers, unanimously affirmed, the Council moved into Executive Session at 8:25PM.

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 Sewer Plant Update and two Personnel issues and two law suits.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman O'Donnell, the Council Business Conference Meeting was opened to the public and the press at 8:51P.M.

