

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 4, 2014**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at **7:00PM**

PRESENT: Mayor Dassing, Council President Hauser, Kelley, Rodgers, Durkin and Capozzoli

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

ABSENT: Councilman O’Donnell

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.

APPROVAL OF MINUTES:

February 18, 2014

Moved by Councilman Kelley, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Minutes were approved with corrections 03/04/14.

PRESENTATIONS:

1. Grover Cleveland Middle School Ecology Club

INTRODUCTION OF ORDINANCE:

Ordinance #1287-14: AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE II, GENERAL LEGISLATION, CHAPTER 109, FIRE PREVENTION OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CALDWELL, NEW JERSEY

Moved by Councilman Hauser, seconded by Councilman Capozzoli. No Discussion. On roll call, all present voted in the affirmative. Ordinance Introduced on 03/04/14.

PUBLIC HEARING AND ADOPTION OF ORDINANCES:

Ordinance #1284-14: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 41 ENTITLED “POLICE DEPARTMENT;” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF CALDWELL, NEW JERSEY;” IN ORDER TO ESTABLISH A POLICE AUXILIARY UNIT AND TO PRESCRIBE APPROPRIATE TERMS, CONDITIONS AND REGULATIONS ASSOCIATED THEREWITH.

Moved by Councilman Hauser, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Ordinance Adopted on 03/04/14.

Ordinance #1285-14: AN ORDINANCE AMENDING CHAPTER 182 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION GOVERNING REGISTRATION AND INSPECTION OF APARTMENT UNITS

Moved by Councilman Hauser, seconded by Councilman Capozzoli. No Discussion. On roll call, all present voted in the affirmative. Ordinance Adopted on 03/04/14.

Ordinance #1286-14: AN ORDINANCE ADDING SECTIONS 1, 2 AND 3 OF CHAPTER 131 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE CHAPTER TITLED “HOUSING” GOVERNING REGISTRATION AND INSPECTION OF APARTMENT UNITS

Moved by Councilman Hauser, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Ordinance Adopted on 03/04/14.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

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Moved by Councilman Kelley, seconded by Councilman Capozzoli to open to the Public for Consent Agenda

RESOLUTIONS – CONSENT AGENDA

- 3-71:** AUTHORIZING THE LIEN REDEMPTION OF TAX LIEN CERTIFICATE #13-00010 BLOCK 36.01, LOT 16.09
- 3-72:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell-West Caldwell Lacrosse Club, Inc./ Off Premise – 50/50 Raffle, June 25, 2014 – 7:00PM.
- 3-73:** AUTHORIZING ISSUANCE OF ONE (7) TAXICAB LICENSES TO Caldwell Taxi, Inc., 570 Bloomfield Avenue, Bloomfield, NJ 07003. APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS
- 3-74:** 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, 95 Bloomfield Avenue, Caldwell, NJ – Charles Jencarelli
- 3-75:** 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, 7 Park Avenue, Caldwell, NJ – Michael Conley
- 3-76:** 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

CONSENT

Moved by Councilman Hauser, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/04/14.

COUNCIL COMMITTEE REPORTS:

Councilman Durkin thanked the contractors who were responsible for the snow removal on the Avenue. He has received a lot of praise from the merchants thanking the Mayor and Council for doing that. He had a DPW conference call with Paul and the Mayor and Councilman Kelley it was productive and there will be a presentation at the next meeting.

Councilman Capozzoli reported that he spoke with Lt. Mark Giuliano, our newly employed fire inspector and he will be starting April 1st and I look forward to it. He also met with the Caldwell merchants and again they were all happy with the removal of the snow and they thanked all of us. On Tuesday night on the Avenue it is dinner and a movie and will continue until March 18th and it is 20% off the local restaurants, Bangkok Kitchen, Caldwell Seafood, Cloverleaf Tavern, and Cedar Grill, Hog wild BBQ, Ocha Japanese Restaurant and Xunta Spanish Tapas along with a \$6.00 movie ticket. The Black Maria film festival will be held on April 12th.

Councilman Hauser reported that at the Senior Transportation meeting Roseland is apparently authorizing and approving at their council meeting the continuation of the shared service between West Caldwell, Caldwell and Roseland. Paul responded that Maria has reached out to him and he has forwarded the document to Roseland. Councilman Hauser reported that there was discussion about the bus and Maria will be pursuing and looking at some grant money to try and replace the existing bus. We have a meeting scheduled with West Caldwell on recreation Friday the 14th, having to pursue the idea of trying to get some advertising dollars going. He is working on setting up a meeting with West Caldwell for the shared service.

Councilman Rodgers reported that he met with the Board of Trustees from the Library it was a discussion about the budget they are looking to meet with the Finance committee. Barbara and Maria are going to work together for a grant for technology upgrade for the seniors and the children regarding health awareness issues.

Councilman Kelley reported that he attended a meeting for the DPW and they discussed equipment and that will be reviewed during the presentation in a couple of weeks and prior to the presentation he would

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like to have Mario in for a follow up on that meeting. Mario has done a great job with his crew for managing the snow. He also attended a personnel meeting with Councilman Rodgers, the Mayor and Borough Administrator pertaining to reviews.

Mayor Dassing reported that she and Councilman Hauser attended a Grand Opening of Cross Fit which is located on Bloomfield Avenue and they have free classes on Saturday morning at 10AM & 11AM. She received a letter from a West Caldwell resident which she read: “apparently she was having trouble on February 7th leaving from the back of Ace Parking lot and got stuck on the ice. She contacted the Caldwell Police and two officers arrived in a very short time and they tried to get her car on to the street but there was too much ice so they called AAA and they stayed with her until help arrived and during that whole time Police Officer Marinaro and Officer Adams stayed behind her stuck car and protected her and she wanted to express her gratitude for all the help and services and she wanted to commend our Police Department.” On Thursday, March 13th at 11PM there will be a St. Patrick’s Day party for the seniors at the Community Center. March Madness is coming to the Caldwell Community Center which is a 3 on 3 basketball tournament. With regard to pot holes if you spot a pot hole you can call the County. She received a letter from Montclair State University on Tuesday, March 12th at 9AM public hearing on the budget. She will be attending a workshop on Thursday for Complete Streets Training at the Essex County Environmental Center.

REPORT OF ADMINISTRATOR:

Paul Carelli reported on the ADA Ramp. He had a meeting with Ray Sullivan to finalize the Phone system. We hope to have that for next meeting. There were no returns for the RFP on the Wheelchair lift. The training for the automated requisitions has been done. It is now the responsibility of the Department heads to send to the vendors. The last meeting the Council authorized him to seek contractors to clear the Avenue. I was authorized \$25,000 to do that and the next morning a plan was in place and the Avenue was cleaned in less than 48 hours and the total bill was about \$19,000.00.

Mayor Dassing responded that the DPW was in the Cooks Lane Lot yesterday removing some of the snow.

Paul reported that in the February meeting we authorized the appointment of Mark Guiliano as the fire official and that resolution actually states affective February 4th and we need to amend that to say starting April 1st.

We opened up the proposals for the cleaning service for the Community Center we received three (3) RFP’s that were returned ranging from the lowest \$4,981.78 per month to the highest bidder which was \$7,917.86 per month.

REPORT OF POLICE CHIEF:

James Bongiorno reported that the crews did a great job on the Avenue and our public works in the parking lots. He reminded everyone that the secondary roads are very narrow and use caution while driving and use your best judgment when parking your vehicle on these streets.

OLD BUSINESS:

Councilman Hauser asked where we stand with the issue that Jeff Lawshe talked about the changes to the ordinance with private landscaping/plowing Company’s pushing snow out on the roadways.

Paul Carelli responded that he has had a meeting with Paul Milani and he is putting together more detailed proposal for an ordinance change.

Councilman Hauser asked that we have any necessary changes by the next council meeting so this is dealt with before the winter is over.

NEW BUSINESS:

Borough Hall Building Repairs

Paul Carelli talked about the repairs needed for the building. **Mayor Dassing** responded that they will be touring the building with Architects tomorrow and on Saturday.

OPEN PUBLIC MEETING:

Moved by Councilman Kelley, seconded by Councilman Capozzoli to Open Public Meeting.

Ann Marchioni, Environmental Commission, wanted to remind everyone to use the project medicine drop this is an initiative from Sustainable New Jersey and part of that is to get people aware of that and she is thankful to the Police Department for having it right there. Chief Bongiorno responded that they have collected 80lbs.

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On a motion made by Councilman Kelley and seconded by Councilman Capozzoli, unanimously affirmed, the Council moved into Executive Session at 8:09PM.

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 Gleason Litigation and update on RFP for Sewer plant and Cleaning.

The Executive Session was adjourned and upon a motion by Councilman Durkin seconded by Councilman Capozzoli, the Council Business Conference Meeting was opened to the public and the press at 8:38PM

3-77: RESOLUTION TO AMEND 1-63 AUTHORIZING THE HIRING OF MARK GIULIANO AS THE FIRE OFFICIAL IN FIRE PREVENTION BUREAU OF THE BOROUGH OF CALDWELL EFFECTIVE APRIL 1, 2014

Moved by Councilman Capozzoli, seconded by Councilman Hauser. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/04/14.

3-78: RESOLUTION TO AUTHORIZE THE BOROUGH ADMINISTRATOR TO AWARD CLEANING CONTRACT TO ARMANDO'S CLEANING COMPANY, L.L.C. AT A MONTHLY FEE OF \$4,981.78 SUBJECT TO ATTORNEY REVIEW AND CERTIFICATION OF FUNDS BY THE CHIEF FINANCIAL OFFICER

Moved by Councilman Hauser, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/04/14.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Capozzoli, seconded by Councilman Hauser, unanimously affirmed by all members present, the meeting was adjourned at 8:40P.M.

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

DATE