

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 5, 2013**

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

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.

PLEDGE OF ALLEGIANCE TO THE FLAG

**APPROVAL OF MINUTES:
February 19, 2013**

Moved by Councilman Kelley seconded by Councilman Coyle. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 03/05/13.

PUBLIC HEARING AND ADOPTION 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 Hauser, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Ordinance Adopted 03/05/13.

ORDINANCE #1273-13: AN ORDINANCE AMENDING CHAPTER 20, THE CHAPTER ESTABLISH THE CODE OF ETHICS, OF THE CODE OF THE BOROUGH OF CALDWELL

Moved by Councilman Kelley, seconded by Councilman Rodgers. No Discussion. On roll call, Councilman Durkin, Rodgers, Hauser and Kelley voted in the affirmative. Councilman O'Donnell abstained and Councilman Coyle voted in the negative. Ordinance Adopted 03/05/13.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

RESOLUTIONS – CONSENT AGENDA

3-72: AUTHORIZING THE BOROUGH ADMINISTRATOR TO SUBMIT THE ANNUAL RECYCLING TONNAGE REPORT TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012

3-73: 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 – Jamie Classic Cars/Anthony Tino

3-74: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Mount Saint Dominic Academy

3-75: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parent Faculty Association of Mt. St. Dominic Academy/ On Premise - Merchandise Raffle, April 27, 2013 – 6:00PM – 8:00PM

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- 3-76: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parent Faculty Association of Mt. St. Dominic Academy/ On Premise – Merchandise Raffle, June 3, 2013 – 7:30PM – 8:30PM

- 3-77: 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 12, 2013 – 4:00PM – 10:00PM

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 abstained. Resolutions approved 03/05/13.

- 3-78: PULLED

- 3-79: RESOLUTION ESTABLISHING THE SALARY OF THE MUNICIPAL COURT ADMINISTRATOR FOR THE BOROUGH OF CALDWELL EFFECTIVE MARCH 1, 2013

- 3-80: RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO ADD AN ADDITIONAL SERGEANT WITHIN THE BOROUGH OF CALDWELL POLICE FORCE

- 3-81: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 5, 2013 FOR 2012/2013 BILLS IN THE TOTAL AMOUNT OF \$4,172,008.86

- 3-82: AUTHORIZING THE APPOINTMENT OF PLANNING BOARD MEMBER – Peter N. Byrne

CONSENT

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/05/13.

COUNCIL COMMITTEE REPORTS:

Councilman Durkin reported that they have been working on the Budget and it's a work in progress. We have been working on this every Thursday with the Mayor, Councilman Kelley, Paul and our new CFO. Paul has been meeting with the Department heads.

Councilman Rodgers reported that he attended the Kiwanis Charter Night Dinner for Maria Burak. He extended his congratulations to Maria for an award that was well deserved. She does a tremendous job. The seniors will be having a St. Patrick's Day Party on March 14th at 12 noon. Corned Beef, Cabbage, Soda Bread, Carrot Cake, Coffee, Tea, Ginger Ale for \$5.00. Magical Surprises included and live music by Celtic Justice.

Councilman Hauser reported the quarterly recreation meeting is schedule tomorrow at 7:30am. An agenda has been set but if anything has come up please let him know so he can add to the agenda. As far as the Library we did not have a meeting because there was not a quorum. There is nothing to report on the Community Center.

Councilman Kelley also congratulated Maria Burak on the award which she received from the Kiwanis. Maria is very deserving of that honor. He attended a senior transportation meeting along with Councilman Hladik from West Caldwell. There was discussion of the cost of the program and how the three towns share that cost. There was discussion at length and the goal is by March 19th our Council meeting we will be able to vote on it as well as an agreement that will be kept informal. The one topic regarding the operating costs and their capital costs and the idea of sharing the capital costs which is the van which is an expensive item. It is at its ten year threshold right now and the two other towns were receptive with sharing that capital investment equally.

Mayor Dassing welcomed Peter Byrne to our Planning Board and she thanked Marguerite Kenney for her years of service on the Planning Board. The Mayor wanted to correct something that was reported in the Progress on February 21st. The Progress reported that Marian Manor and the sisters of St. Dominic owed a 5% payment to the County and in fact it's not, Marian Manor

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does not pay the County anything. It is up to the Borough to make that payment when we get the Pilot and we see what the agreement says. I want to clarify that Marian Manor, the Sisters of St. Dominic have always paid in full, have always paid on time, and they don't owe anybody anything and I just want to make that clear. I believe the editor of the progress is going to print a something up on Thursday as well. I apologize for any inconvenience that may have caused them. Congratulations also to Maria Burak on her award the Kiwanis Charter night I believe they said was a record of attendance over a 100 people there and what a nice tribute to someone who really goes the extra mile for us and for our seniors and anyone who needs help in town. Thank you and congratulations to Maria. The Library has eight (8) brand new computers they are faster, smarter, sleeker it's like a whole new technology center. The money that was raised with the Legacy for Literacy dinner was funded for the computers. Please stop in and check them out. There was a shop Caldwell meeting on Thurs, Feb. 28th there were about 30 to 35 people in attendance to listen to the presentation. There are about 12 merchants that have signed on and we need around 20 to get the program up and running. Once the program is launched every resident will get a shop Caldwell card that you can take to participating restaurants and merchants who offer a discount that discount that is offered gets swiped into your account and goes into your account and at the end of the year it comes off your property taxes or you can get a check. It was nice to see so many merchants come out and she thanked the Merchant Association for all their work because there was a lot of work in participation of the meeting. Thanks to the dedication of our Borough Administrator who I understand is being courted by FEMA to go work for them because he is so very, very good in excel spread sheets and putting everything together from the storm. The FEMA representative was here today and it looks like we are going to get \$118,991.19. Paul Carelli responded that this one is strictly for a straight 30 day reimbursement for Public Works Personnel, the equipment we use, Police and the overtime as well. We have submitted for debris removal, tree removal and waiting for report from Fire Department since they went out on numerous calls and we also get reimbursement for their equipment. Discussions Ensued.

REPORT OF ADMINISTRATOR:

Paul Carelli reported that the Edmunds software is completed. We have been meeting with the Department Heads and we are about 75% done with that. The Mayor and Paul had a conference call along with Anthony Greci and the New Jersey State Police who are in charge of handling the FEMA grants and applications. We were made aware of that there are some litigation grants that you can get primarily generators. So we are going to put our generator in for that grant. He received the final quotes for the video equipment it is a little bit higher than the grant. The grant was for \$25,000 from Comcast the equipment quotation was just about \$29,000. I met with the Chief and we talked about the security in the Borough complex it is now on the list and we will be tracking. We talked about share services with Senior Transportation and we have a couple of scenarios for that. We have our new police car which we picked up on Friday.

REPORT OF ATTORNEY:

Greg Mascera reported that the Mayor and himself had completed the application for the Bridge Property on Park Avenue. Department of Health and Human Services asked for more information with the assistance of Mr. Podvey from the Bridge we hope that this time it will be accepted. The purchase of 27 Personette is underway and moving a little more slowly than we had hoped.

OLD BUSINESS:

Water Main Improvement Project – updates

Paul Carelli reported that the residents were sent letters to inform them of the work being done on Brookside Avenue. There was discussion on the traffic enforcement while the construction is being done.

Councilman Coyle asked what needs to be done to have the road work completed immediately after this road work update is done. Paul Carelli responded that we will need bid specs and at the next meeting we will do a resolution to authorize to go out to bid. Discussions Ensued.

3-83: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE BIDS FOR VARIOUS ROAD IMPROVEMENTS

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Moved by Councilman Coyle, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 03/05/13.

Pine Brook Flooding

Councilman Kelley reads a letter dated on January 8th from a resident, Daniel Flynn who lives on Westville Avenue talking about the brook that runs behind his house. Discussion Ensued.

3:84: RESOLUTION CREATING A BROOK STUDY COMMITTEE WITH MAYOR DASSING, COUNCILMAN KELLEY AND COUNCILMAN O'DONNELL

Moved by Councilman Kelley, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 03/05/13.

NEW BUSINESS:

Councilman Hauser talked about the Employee Incentive plan and he would like to get that going. He would like to get as many employees together at a meeting. He also suggested re-introducing Ordinance #1274-13 regarding the hiring process in the Borough. The Ordinance will be on the March 19th meeting.

Mayor Dassing reported that Councilman Hauser, herself and Paul Carelli will be attending a meeting at West Caldwell on Thursday at 7PM to discuss shared services opportunities with the West Essex Towns. If anyone on Council has any ideas for shared service please let one of us know and we will bring that to the meeting and will bring back a report.

OPEN PUBLIC MEETING:

James Jorgensen, Liaison for Essex County, Council President Hauser sent me an email about the sign that flipped up on Westville and Roseland and he forwarded to Director of Public Works. There is a County fishing derby that starts at Branch Brook Park on April 20th and there is going to be subsequent derbies at different parks throughout the County. There are a lot of spring time events coming up.

Debra Herr, 21 Fels Manor Road, she spoke about getting Municipal re-imburements and the best way to communicate with the Mayor and or Administrator.

Hilda Moore, 23 Personette Street, she congratulated Councilman Durkin and Councilman Hauser for being appointed. She also thanked Councilman O'Donnell for always being there for her and the neighborhood. There was discussion about the green arrow on Bloomfield and Roseland Avenue.

Dan Flynn, 24 Westville Avenue, thanked the Council for paying attention to his problem at the brook.

Michael Mignone, 23 Westville Avenue, discussed the rules and regulations that are at the Community Center.

Councilman Hauser responded that he was told that you met with Mr. Paterson and the Mayor informed me that there was a resolution and you were perfectly fine with the rules and regulations that Mr. Paterson sat down with you again and went over, and you were perfectly fine with the reimbursement that you requested.

Mr. Mignone asked the question if there are any written rules. We need written rules for the community center what we can and cannot do and something for our children to do.

Mayor Dassing responded that we do have a draft of a policy book that the community center committee will be reviewing that was put together by Mr. Paterson. I apologize it was supposed to be explained to you that you are more than welcome to join the community center. We never didn't want you there as a member that was something you decided in the fall that it didn't work for you. We did take your suggestion seriously, and I have always been a proponent to have things in writing and I thank you for that. We will have something shortly for members and there is an explanation on the back of the contract that you sign that does delineate behavior etc. what you can and cannot do. There are general rules on the back of that which applies to every member. But we are going a step further and we will have more specific details that will also be part of the membership when you join.

