

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

Page 1 of 4

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:18PM.

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

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

ABSENT: Councilman O'Donnell & Councilman 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:
February 19, 2019**

Moved by Council President Rodgers, seconded by Councilwoman Schmidt. No Discussion. On roll call, Council President Rodgers, Lace, Cole and Schmidt voted in the affirmative. Councilman O'Donnell and Capozzoli absent. Minutes approved 03/05/19.

Mayor Kelley read and presented a proclamation for President Grover Cleveland birthday to the Grover Cleveland Birthplace Memorial Association.

Dave Cowell, President of Grover Cleveland Birthplace invited the Mayor and Council to the Birthplace on Monday, March 18th and a ceremony at 4PM.

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

Anthony Marotta, 13 Westover Avenue, spoke about the speeding issues on Westover Avenue. There are two catch basins that are broken for over 10 years someone needs to repair this. There was a Tractor Trailer parked directly in front of his driveway on Westover for the apartments on Bloomfield Avenue for six days.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

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

Councilman Lace discussed Resolution 3-90.

Mr. Banker would like to defer action on Resolution 3-92. He would like to discuss in Executive Session the mix of professionals to be retained to undertake Caldwell's activities.

RESOLUTIONS – CONSENT AGENDA

3-80: RESOLUTION APPROVING A REFUND FOR A SEWER CONNECTION FEE Block 801, Lot 11, ON THE TAX MAP OF THE BOROUGH OF NORTH CALDWELL TO SKENDER MEKA, 620 MOUNTAIN AVENUE, NORTH CALDWELL, NJ 07006 IN THE AMOUNT OF \$3,600.00

3-81: AUTHORIZING APPOINTMENT OF COMMITTEE MEMBERS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE YEAR 2019

3-82: APPROVAL TO SUBMIT A 2019 GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ROAD IMPROVEMENTS IN THE BOROUGH OF CALDWELL

3-83: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – St. Peter's Nursery School – On Premise/ 50/50 Raffle – March 29, 2019 – 7:00PM – 11:00PM

3-84: AUTHORIZING THE APPOINTMENT OF KIMBERLY A. VANDUNK AS A SUBSTITUTE CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT AN HOURLY RATE OF \$16.00 PER HOUR

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

Page 2 of 4

- 3-85:** AUTHORIZING THE APPOINTMENT OF SANDRA A. LAUER AS A SUBSTITUTE CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT AN HOURLY RATE OF \$16.00 PER HOUR
- 3-86:** AUTHORIZING THE REFUND OF A CONSTRUCTION DEPARTMENT VACATED APARTMENT FORM PAYMENT PAYABLE TO CARLA CAGGIANO
- 3-87:** RESOLUTION AUTHORIZING A CREDIT RE: 30 WESTVILLE AVENUE, WATER FOR THE 4TH QUARTER 2018, BLOCK 54, LOT 24, 30 WESTVILLE AVENUE, CALDWELL, NJ 07006
- 3-88:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #18-00008, Block 41.01, Lot 48, 42 HIGHVIEW ROAD, CALDWELL, NJ 07006
- 3-89:** RESOLUTION APPOINTING PETER MESCIA AS A MEMBER OF CAMP WYANOKIE COMMISSION
- 3-90:** A RESOLUTION RECOGNIZING NEW JERSEY LOCAL GOVERNMENT WEEK, APRIL 7TH - 13TH, 2019, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES
- 3-91:** RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of March 5, 2019

CONSENT

Moved by Council President Rodgers, seconded by Councilman Lace. Discussions Ensued. On roll call, all voted in the affirmative. Resolutions approved 03/05/19.

- 3-92:** RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR BOROUGH ENGINEER SERVICES FOR THE CALENDAR YEAR 2019

Moved by Council President Rodgers, seconded by Councilman Lace. Discussions Ensued. On roll call, all voted in the affirmative to table Resolution 3-92. Resolution tabled 3/05/19.

- 3-93:** RESOLUTION AUTHORIZING 2018 APPROPRIATION RESERVE TRANSFERS
- 3-94:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH FEBRUARY 16, 2019 FOR 2019/2018 BILLS IN THE TOTAL AMOUNT OF \$2,085,506.90
- 3-95:** RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT BY AND BETWEEN THE BOROUGH OF CALDWELL AND JEFFREY R. SURENIAN & ASSOCIATES, LLC

CONSENT

Moved by Council President Rodgers, seconded by Councilman Lace. Discussions Ensued. On roll call, all voted in the affirmative. Resolutions approved 03/05/19.

COUNCIL COMMITTEE REPORTS:

Councilman Lace reported that Rosemarie provided Councilwoman Schmidt and himself with the Community Center's ending financial Statement for both 2017 & 2018 and he is happy to report that as a result of the change by Rosemarie the Community Center was able to finish the year 2018 with approximately \$12,000.00 in the black. There are 10 computers needed at the Community Center and he would like this to be figured into the Budget for 2019. All members are currently being transferred to the Community pass software system. Security cameras are currently being added to monitor the parking lot. The pool temperature is currently at 80 degrees and Rosemarie said it should be 84 degrees. A new dectron unit will help bring the temperature up to recommended levels and the Council has approved both bond and the appropriation for the dectron unit. The Borough has requested that the stop light from Provost Square onto Bloomfield Avenue be extended. Councilman Lace reported on the Senior Transportation Committee and Mr. Bill Pimblott was elected as president. The Committee approved a trip to Sands Casino on March 27th the cost is \$30.00 and the bus leaves at 9AM. On March 28th its Pizza and bingo the cost is \$4.00. Senior bus is a free service offered to seniors with trips to Jacks, Shop Rite and Kings on Mondays, Wednesdays, Thursdays and Fridays and local malls on Tuesdays. The Grover Cleveland's Birthplace Memorial Association met with plans to celebrate Grover Cleveland's 182nd Birthday at the Birthplace was approved. Dave Cowell has met with Assemblyman Tom Giblin and his staff in preparations with negotiations with the State on finding the remaining \$700,000.00 needed to complete the visitor's center. Councilman Lace will be meeting at Rock N Joe on Wednesday March 20th 7PM for a coffee with Grover event to read through a selection of President Cleveland's speeches.

Councilman Cole asked about the touch pads at the Community Center that are used for races and as to whether they were fixed and Councilman Lace responded that they are still in need of touch pads and they are about \$6,000.00.

NEW BUSINESS:

1. Snow Removal Policies for person with Disabilities/Councilman Lace

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

Page 3 of 4

Councilman Lace reported that our code enforcer issued citations after the first snow fall for unclear sidewalks and he did this because he was following what the ordinance says. The Borough ordinance stipulates that unclear sidewalks are prohibited after 8PM however there is no provision in the code for those that maybe handicapped. He would like to consider amending the ordinance as a Council to allow for a creation of database for residents who wish to have a medical hardship registered with the Borough so they can perhaps be issued a warning or some comparable accommodation before being issued a citation.

Mr. Banker responded that you can't make a special provision for this; a rule applies to the Town. Someone who has a disability needs to contract with someone who doesn't have a disability to undertake that obligation.

Mark Guiliano responded that the only issue he has is if we say we are only going to give certain people warnings what if something happens and Mr. Banker responded that if the town knowingly allows a condition to continue you have now made yourself liable. Councilwoman Schmidt responded that we didn't just have snow there was ice and she found something in the Montclair ordinance where it states in a case of ice which is difficult to remove they allow residents to put sand or salt or something on the surface to insure traction until climatic conditions change and it makes it easier to remove. Discussions Ensued.

2. Hanford Place and residential parking policies/Councilman Lace

Councilman Lace reported that he received an email from a resident an ordinance was passed for residents on Hanford that can purchase a permit for \$5.00 to park on Hanford on the north side until 9PM without having to pay the meter. If you are a visitor on Hanford you can park until 2AM as long as you have a permit. This resident received a ticket for parking on the street after 9PM because he had work being done in his home. Councilman Lace asked about amending the ordinance to allow residents to park until 2AM instead of 9PM. Discussions Ensued.

REPORT OF THE MAYOR:

John Kelley wished Maria Burak well and the Borough has benefited from her hard work and she is a gem to Caldwell.

REPORT OF BOROUGH ADMINISTRATOR:

Thomas Banker reported:

- There has been progress on the parking study.
- He has been meeting with multiple professionals with regards to the parking deck.
- He is almost done with budget meetings with Department Heads and hopes to complete this by Monday.
- There have been three snow storms without any major casualties and Mario and his team did a great job.

Mayor Kelley responded that we have received great response to Mario and his team response to the storm. They did a great job.

- Police Department has been vigilant getting the streets cleared.
- Today he met with the Storm water Management from DEP and a decision has to be made on who is going to serve as our Storm water Management entity.

REPORT OF THE BOROUGH ATTORNEY:

Vince Nuzzi reported discussion in executive session.

REPORT OF COUNTY LIAISON:

Patricia Keenan reminded everyone to go onto the county website to look at all the exciting upcoming events such as the Earth Day celebration, the Irish Heritage month on March 22nd and in April is the Cherry Blossom Event. As always if you have any issues or concerns you can contact me.

On a motion made by Council President Rodgers, seconded by Councilman Cole unanimously affirmed, the Council moved into Executive Session at 8:58P.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 was adjourned and upon a motion by Council President Rodgers, seconded by Councilwoman Schmidt the Council Business Conference Meeting was opened to the public and the press at 9:47PM.

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

Page 4 of 4

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Cole, seconded by Councilman Lace unanimously affirmed by all members present, the meeting was adjourned at 9:47PM.

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

DATE