

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – March 18, 2014**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:03PM

**PRESENT:** Mayor Dassing, Council President Hauser, Councilman O'Donnell, Kelley, Rodgers, Durkin and Capozzoli

**ALSO PRESENT:** Deputy Clerk, Lisa O'Neill, Borough Administrator, Paul Carelli and Borough Attorney, Greg Mascera

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:**

March 4, 2014

Moved by Councilman Hauser, seconded by Councilman Kelley. Discussions Ensued. On roll call, Council President Hauser, Councilman Kelley, Rodgers, Durkin and Capozzoli voted in the affirmative. Councilman O'Donnell abstained. Minutes were approved with corrections 03/18/14.

**SWEARING IN OF NEWCALDWELL POLICE OFFICER:**

**Robert Paxson**

**INTRODUCTION OF ORDINANCE:**

**Ordinance #1288-14:** AN ORDINANCE AMENDING CHAPTER 31, ARTICLE I OF THE CODE OF THE BOROUGH OF CALDWELL, BEING A CHAPTER TITLED "OFFICER AND EMPLOYEES"

Moved by Councilman O'Donnell, seconded by Councilman Hauser: Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced on 03/18/14.

**PUBLIC HEARING AND ADOPTION OF ORDINANCES:**

**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 Capozzoli, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Ordinance Adopted on 03/18/14.

**OPEN PUBLIC COMMENTS ON RESOLUTIONS:**

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

**RESOLUTIONS – CONSENT AGENDA**

**3-79:** AUTHORIZING THE LIEN REDEMPTION OF TAX LIEN CERTIFICATE #13-00010 BLOCK 36.01, LOT 16.09

**3-80:** 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.

**3-81:** 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

**3-82:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 09-00011 BLOCK 38, LOT 2.06

**3-83:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 18, 2014 FOR 2013/2014 BILLS IN THE TOTAL AMOUNT OF \$3,670,714.93

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**CONSENT**

Moved by Councilman Kelley, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/18/14.

**COUNCIL COMMITTEE REPORTS:**

**Councilman O'Donnell** reported that there will be a second finance committee meeting next week on Thursday at 6PM.

**Councilman Hauser** reported on the Environmental Commission meeting which was focused on the contest for various grades through adults as was done in years past. A question came up about funding sources and he has connected Ann to Chris Battaglia to answer directly on what money is available for prizes and awards. He attended a joint recreation meeting and the subjects of the matter were a few different things. We received a schedule of where the Kiwanis Oval Fund Trust is at and where the expectations were when we first set out and a big part of that has to do with the lack of advertising so there was a lot of discussion on advertising dollars. We are trying to push some advertising dollars in conjunction with Caldwell College and an involvement of an outside marketing firm. The average revenues were about \$27,000-28,000 per year and 20,000 which is coming from the College and only about \$7,000 or 8,000 coming from other sources. When the program started three or four years ago the estimate was about ½ million dollars set aside for ten years to replace the turf. There was supposed to be a shared service follow up meeting today and Paul will report on that.

**Councilman Kelley** reported that as far as Public Works he would defer to Paul Carelli to talk about that.

**Mayor Dassing** reported that the Borough has reached a milestone year for Tree City USA. This is our 15<sup>th</sup> year. The ceremony is scheduled on April 25, 2014 at 3:00PM and the Governor and Commissioner of the Department of Environmental Protection have attended and presented awards in the past. She also received a letter from the State of New Jersey with regards to the Safe Routes to School grant. There is a shared service meeting with the Board of Ed on Monday and maybe this is something we can ask them about. There is also another grant from the Transportation alternatives program for the NJDOT and we had applied for this last year for new sidewalks in the downtown and this is due on May 15<sup>th</sup>. The Mayor thanked Richard Basta, Historic Commission, Bruce Steve, Zoning Board and Ken Mihalik, Planning Board. They are all architects and in admission to their time Councilman Capozzoli, Councilman Hauser, Councilman Durkin and Councilman Rodgers participated in three separate walk through of this building and a lot of the same things came out. Discussion Ensued on the Building.

**3-84: AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE PROPOSALS FOR A FEASIBILITY STUDY FOR THE BOROUGH HALL BUILDING**

Moved by Councilman O'Donnell, seconded by Councilman Hauser. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 3/18/14.

**REPORT OF ADMINISTRATOR:**

**Paul Carelli** reported that the joint application with West Caldwell for Open Space does not meet the qualifications because the field is not owned by West Caldwell. County Council would like to meet with the both Borough Administrators and anyone else that would like to attend.

He reported on his meeting with West Caldwell Administrator, Vinnie DPW Director, Mario and himself. Discussion was on shared service. He said neither one of them where sure of what the goal was but they did speak about some things that they can share and combine our resources with. **Councilman Hauser** asked why the conversation is not on combining DPW departments. Discussions Ensued.

Paul reported that he met with the Cleaning Service and they will be starting the first week of April. He would like to have a Community Center Committee meeting and have the cleaning service in also with Rob and his team so we have a clear understanding on how we are going to do this.

Ray Sullivan met with Quiktext today on our phone system and we should be moving on that. The ADA walkway to the Library is basically done and they just need to put up a hand rail. There will be a finance meeting next week to review capital and he has the requests for that. Computers and file server have been installed at the Community Center.

Mark Guiliano is all set to start on the 1<sup>st</sup>. He needed some equipment because the State comes in to check that you have all that and we did the PO's for the computer and software.

**Councilman Kelley** asked about the Pool. Paul replied that he will need to have a Community Center meeting there is new information that he wants to share before we actually make a decision.

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**REPORT OF ATTORNEY:**

Greg Mascera reported that we have been called to the County tax board because of the state of the Borough's tax records and our assessments and tax appeals the last couple of years. Our assessments to sales ratios fall outside to accepted parameters we had some that were 67% of assessed value so over 154%. Because of the long period of time since the Borough has gone through a re-evaluation of tax year 2005 we have been ordered to do a re-evaluation and it would be as of October 2015 and it would be for tax year of 2016. He was ordered to submit a preliminary plan of action. In 2005 - 2013 the Borough has lost \$21,756,715.00 in ratable. We will need to update our tax maps too. There will be an order that all tax maps will need to be digitized and the County will pay 80% of that cost and the local Municipalities will pay 20% of that cost. Discussion Ensued.

The draft dumpster ordinance will hopefully be introduced in two weeks for the first reading. Private session we will discuss an PSE&G issue they have had an access agreement for a couple of years at the sewer plant and that agreement has to be modified or actually we will need to start with a new agreement.

**REPORT OF ESSEX COUNTY LIASSON:**

James Jorgensen reported about the upcoming Cherry Blossom festival which starts from April 3-15. He will be sending fliers out on the upcoming events. The movie nights at Kips Castle will be starting on June 6<sup>th</sup> with a rain date of June 7<sup>th</sup> with a movie called Rio which is an animation of a parrot.

**OLD BUSINESS:**

**Councilman Hauser** asked for an update on the snow removal ordinance. Paul responded that he received all the recommendations from Paul Milani and he forwarded to Greg. Greg Mascera responded that he had problems with his email and he did not see it.

**Mayor Dassing** reported that she had a planning board member ask her about bus stops. When she was at the complete street seminar there was a question about who is responsible for removal of snow at the bus stops. The man from the engineering firm said that NJ transit says it is the responsibility of whoever's land the bus stop is on. Greg Mascera said that he would look into it.

**Councilman Hauser** asked about the intersection on Brookside and Westville. Paul responded that Glenn has been out there and he has a preliminary plan and he is waiting to hear back from the County. He did speak to Bill Frint and there are no water issues.

**NEW BUSINESS:**

**Councilman O'Donnell** stated that the swearing in of Officer Paxson it is a combination of a two year effort that was started by former Councilman Murray and was picked up by himself to Councilman Durkin's point, yes the police department has been staffed to proper levels and the equipment that they need for most part has been delivered but it was a two year process. He thanked the chief for the past two years it has been an outstanding effort.

**Chief Bongiorno** added that obviously with Officer Paxson that was to replace Lt. Marta from his retirement.

**Councilman Durkin** asked if there was anyone retiring from the DPW. **Mayor Dassing** responded that Bill Kern retired.

**Councilman Hauser** responded that we have someone moving out of the Community Center going back into DPW.

**Councilman Hauser** asked if we are rescheduling the Sewer Board discussion. Paul Carelli responded that they would like to reschedule a special meeting before the April 1<sup>st</sup> Council meeting. After discussion the Special Sewer Board Meeting is scheduled for March 26, 2014 at 7PM.

**OPEN PUBLIC MEETING:**

**Shep Wescott, 33 Brookside Avenue**, he asked about the intersection and asked for a copy of preliminary plans so he can see if it will work. He asked about the exit behind the diner. He talked about the plowing on his street and the crosswalk that it took so long for the DPW to clear.

On a motion made by Councilman Kelley and seconded by Councilman Capozzoli, unanimously affirmed, the Council moved into Executive Session at 8:43PM.

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

