

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

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at **7:06PM**

**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:  
March 5, 2013**

Moved by Councilman Coyle seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 03/19/13.

**PRESENTATION:**

1. Mr. Greg Courtright - Fundraising events for Cystic Fibrosis
2. Ann Marchioni – Caldwell Environmental Commission

**INTRODUCTION OF ORDINANCE:**

**ORDINANCE#1275-13: - PULLED**

**OPEN PUBLIC COMMENTS ON RESOLUTIONS:**

**RESOLUTIONS – CONSENT AGENDA**

**Discussion on Parking issues and suggestions**

**3-85:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00008 PAYABLE TO ISAAC MORADI

**3-86:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00012 PAYABLE TO ISAAC MORADI

**3-87:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00022 PAYABLE TO MTAG SERV. CUST FOR ATCF 11 NJ

**3-88:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00013 PAYABLE TO MTAG SERV. CUST FOR ATCF 11 NJ

**3-89:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00007 PAYABLE TO RIDGEBACK VENTURES, LLC.

**3-90:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00015 PAYABLE TO ISAAC MORADI

**3-91:** AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Rotary Kiwanis Caldwell Street Fair, Inc.

**3-92:** AUTHORIZING ISSUANCE OF ONE (5) TAXICAB LICENSES TO Caldwell Taxi, Inc., 570 Bloomfield Avenue, Bloomfield, NJ 07003. APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS

**3-93:** AUTHORIZING THE ISSUANCE OF A PERMIT FOR PEDDLER LICENSE OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS

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BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – Said H. Elsayed

- 3-94:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Volunteer Fire Company of Borough of Caldwell/ Off Premise – Merchandise Raffle, August 3, 2013 – 4:00PM – 10:00PM
- 3-95:** RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION Block 28.02, Lot 14.03 - 242 Passaic Avenue, West Caldwell, NJ to WROBEL HOME BUILDERS, LLC.
- 3-96:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 19, 2013 FOR 2012/2013 BILLS IN THE TOTAL AMOUNT OF \$1,522,792.35
- 3-97:** RESOLUTION SUPPORTING SUSTAINABLE STATE FUNDING FOR PRESERVATION AND STEWARDSHIP OF OPEN SPACE, PARKS, FARMLAND AND HISTORIC SITES IN NEW JERSEY
- 3-98:** Pulled.
- 3-99:** RESOLUTION AUTHORIZING PARKING FREE SATURDAYS ONCE A MONTH FOR ALL PARKING METER ZONES IN THE BOROUGH OF CALDWELL
- 3-100:** RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: ESSEX COUNTY WASTEWATER MANAGEMENT PLAN, NORTHEAST WATER QUALITY MANAGEMENT PLAN (WQMP)
- 3-101:** RESOLUTION SUPPORTING PSE&G'S ENERGY STRONG PROGRAM

**CONSENT**

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/19/13.

**COUNCIL COMMITTEE REPORTS:**

**Councilman Durkin**, reported that the Finance Committee has been meeting and are about 90% complete and will have a lot to report in two weeks. The Health Department would like everyone to know that the Borough website has information about the services of the Health Department and a calendar that they can access.

**Councilman Rodgers**, reported that the he has a personnel issue which will be discussed in executive session.

**Councilman O'Donnell**, reported that the Fire Department will be doing a presentation at the next meeting. There is a program that they are looking to adopt it is where they will go and survey the town to identify the elderly people or people who need assistance. If there is ever a fire at that location they will know where within the structure these people reside. There was a successful round of interviews on Saturday for promotions we were impressed with each and every one of the candidates. They were all qualified and in executive the Chief will be speaking to us about those interviews.

**Councilman Hauser**, reported that the Community Center Committee met on March 11th and we spent quite a bit of time around the Policies and Procedures. Everyone has received a draft and I haven't received any feedback on that and if you have feedback please get it to us so we can wrap this up. We also spent some time on the Budget for the Community Center.

**Councilman Kelley**, reported that he attended the Caldwell Merchants Association meeting and that's where he met Greg Courtright and he thanked him for coming and presenting the information regarding the Cystic Fibrosis foundation fundraisers. One of the topics was in regards to Street cleaning and he spoke to Mario and the one thing he made very clear today was that the merchants cannot sweep their sidewalks and throw the dirt at the curb. The building owner, tenant or business has an obligation to maintain the sidewalk and keep it clean and deposit their trash into their receptacle. Mario indicated that the sweeper will be Tuesday and Fridays as

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it has in the past. The trash receptacles along the Avenue are overflowing and no one is taking care of it. Mario shared with me that there are people on the Avenue using those receptacles as their daily, weekly trash container. Some of those people are the tenants that live along Bloomfield Avenue and potentially some are the merchants who may be using these receptacles. This comes back to enforcement and we need to work with enforcement on how we effectively get that accomplished so that building owner, the landlord, the merchants, the tenants understand that they cannot use the receptacles for their garbage. Another idea is having a hot line for the merchants for communication. He spoke about signage and this can provide good direction and good information on where to park, not just on the Avenue but behind the stores. Black Maria will be at Caldwell Flowerland on April 20<sup>th</sup>. Art on the Avenue is on June 1<sup>st</sup> and this year there will be an artist painting on the Avenue. Discussion on Parking meters and enforcement.

**Councilman Coyle** reported that he attended a Planning Board meeting on March 12<sup>th</sup> with the Mayor to review a proposal from the Corner Butcher Block located at 5 Park Avenue. They are looking to relocate their property to the front of property on Bloomfield Avenue. The plans were unanimously approved.

**Councilman Hauser** spoke about a shared service of the sweeping of the streets.

**Mayor Dassing** reported that she attended the Caldwell Fire Department dinner and it was a terrific evening. Thank you to them for their services and their families for parting with them during severe weather like Hurricane Sandy. In reference to 14 Park Avenue the Bridge Building, I did hear from the Federal Government and we have a preliminary approval so we should be hearing from them in early April. The Mayor attended a shared service meeting with Councilman Hauser and Paul Carelli in West Caldwell there were Mayors from Roseland, Fairfield, Essex Fells, North Caldwell and West Caldwell there as well as Council members and Business Administrators. It was a very positive meeting and very encouraging seeing so many people there. I thank Mayor Tempesta for putting that together. The Mayor has identified a possible grant source for the Pine Brook in addition to the FEMA Mitigation grants which we will discuss in Old Business. I asked our DPW Director to get pricing to repair the sprinkler system on the common known as the green. There are interested merchants and interested residents to refurbish the common make it more attractive and inviting. The first day is April 6<sup>th</sup> for free parking. The Mayor was very impressed with all the officers that were interviewed for the promotions.

**REPORT OF ADMINISTRATOR:**

**Paul Carelli**, reported that Mario and FEMA representatives have been working on projects and he reported at the last meeting that one project was already signed off and that was for \$118,000 and since then we are up to over \$210,000 grants that were signed off by FEMA. The FEMA Representative will be putting in an application for the replacement of the awing outside of the Community Center. **Councilman Keley** asked if Paul mentioned the video equipment in Council Chambers, is that waiting for the budget or can we move forward. Paul responded that we are waiting for the Budget. The Company came back and took a look at it again and the quote is almost \$29,000 not including the installation which can be another \$4000 and the grant was for \$25,000.

**OLD BUSINESS:**

Water Main Improvement Project – Update

**Paul Carell** distributed information to Council on the added portion to show a schedule of the incremented cost that was already approved. Brookside Avenue will be done within the 60 day time frame. Bids will be opened on the 26th for the rest of the water work and we will have the actual pricing for that. Discussion Ensued.

Pine Brook Flooding – Update

**Paul Carelli** reported that he met with Anthony Grenci and they spoke to the State Police and learned that there are FEMA Mitigation grants available for fixing generators and other things of that nature reoccurring issues that you have. We drafted two applications, a letter of intent that went to the County. One was for \$128,000 for generator and the Pine Brook was an estimate. We took the cost of what Mr. Flynn had spent on stabilizing a portion of his bank and it was in the neighborhood of \$50,000 and so many feet. Basically Glenn, Town Engineer, extrapolated that number and put a grant application in for 4.2 million dollars. **Mayor Dassing** responded that we were able to include the report from the Army Corps of Engineers with the grant. In addition to the Army Corps of Engineers I had Duberry out here the following year to look at the area behind the Parkside Gardens and they in fact concurred that the brook banks are being

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undetermined and the apartment is sliding in that direction. Hopefully this will help us to rise to the top of the pile when it comes to funding.

Senior Transportation – Executive Session

**Councilman Hauser** asked the question to Paul Carelli about what is going on with the Employee Incentive Plan. We have the CFO in place which was one of the issues. Discussion was in putting together a meeting with the employees. In reference to the budget is the intent this year to incorporate the committee chairs to present the budgets to the budget committee which has been done for the past two years or is there a different process this year? **Councilman Durkin** responded that he would prefer that they are. **Councilman Hauser** asked what is the goal, what is the objective not being part of the committee for the first time in a few years. **Councilman Durkin** responded that once they have all the information from the department heads we will take all that and put it into the new budget. **Councilman Hauser** responded that we had a goal last year and the year before and not being a part of it this year and he is curious what the goal is. **Paul Carelli** responded that after Thursday's meeting the Finance Committee will have a lot more information to share. Discussions Ensued.

**NEW BUSINESS:**

**OPEN PUBLIC MEETING:**

**Amy Piazza, 24 Erwin Place**, she thanked the Mayor and a few Councilman for attending the last meeting and for passing the free parking one day a month. The merchants are looking for more help for a long term solution for the problems of parking. She discussed the issue with the trash and shoveling. The merchants would like the help of the Council to enforce keeping a clean downtown. Discussions Ensued.

**Ann Marchioni, 85 Brookside Avenue**, asked the question if Cedars Road is included in the bids. She invited the Council on April 3<sup>rd</sup>, at 7PM, Essex County Environmental in Roseland is having a presentation on Complete Streets.

**Jim Jorgensen, liaison of Essex County**, Glenn Beckmeyer is welcome to contact Sanje to set up an appointment to talk to him about the stop light. He asked for the chief to send him the paperwork for the Bus stop. There was an issue about a sign that was flipped up and he asked if it was fixed. Councilman Hauser responded that yes it was fixed and thank you. Councilman Coyle had contacted Mr. Jorgensen in regards of the maintenance of the trees that are planted along Bloomfield Avenue the little squares with the soil on them. He did find out that was originally done by the Borough with West Caldwell. I gave a suggestion to maybe approach it as a beautification or a competitive contractor would be maintaining and beautifying and watering the plants and using it as advertisement.

On a motion made by Councilman Hauser and seconded by Councilman Coyle, unanimously affirmed, the Council moved into Executive Session at **7:59PM**.

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. Mayor Dassing responds that the Executive Session will be discussion of status of Police Promotions, shared service senior transportation, personnel matter and Ingris litigation.

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 **9:03P.M.**

