

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – April 17, 2012**

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

**PRESENT:** Mayor Dassing, Council President Richard Hauser, Councilman Murray, Coyle, O'Donnell, Kelley and Rodgers

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

**ABSENT:**

Adequate notice of this Council Business/Conference meeting was given on January 1, 2012. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2012. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2012. Notice was posted and all persons requesting notice were sent same.

**INTRODUCTION OF ORDINANCES:**

**ORDINANCE 1247-12:** CALENDAR YEAR 2012 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Moved by Councilman Coyle, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced 4/17/12.

**ORDINANCE 1248-12:** BOND ORDINANCE PROVIDING FOR VARIOUS STREET IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,375,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,326,605 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Moved by Councilman Coyle, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Ordinance Introduced 4/17/12.

**ORDINANCE 1249-12:** BOND ORDINANCE PROVIDING FOR VARIOUS WATER MAIN IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$975,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF

Moved by Councilman Coyle, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Ordinance Introduced 4/17/12.

**ORDINANCE 1250-12:** BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$220,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$209,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Moved by Councilman Murray, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the negative. Ordinance was not Introduced 4/17/12.

**OPEN PUBLIC COMMENTS ON RESOLUTION:**

**RESOLUTIONS – CONSENT AGENDA**

**COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – April 17, 2012**

**2 of 4**

- 4-98:** AUTHORIZING THE 2012 EQUIVALENT CONNECTION CHARGE OF \$358.51 PER EQUIVALENT CONNECTION, BASED ON THE NUMBER OF EQUIVALENT CONNECTIONS AND THE APPLICATION OF THE SEWER USER AGREEMENTS BETWEEN THE BOROUGH OF CALDWELL AND THE SEWER USER MUNICIPALITIES OF WEST CALDWELL, NORTH CALDWELL, ESSEX FELS, FAIRFIELD AND ROSELAND
- 4-99:** RESOLUTION AUTHORIZING A CONTRACT MODIFICATION CM-008 TO THE WASTEWATER TREATMENT PLANT UPGRADES, CONTRACT NO. 2007-1 – ADDITIONAL AMOUNT \$27,555.60 – NEW TOTAL AMOUNT \$12,487,091.05
- 4-100:** AUTHORIZING ADOPTION OF EMERGENCY TEMPORARY APPROPRIATION FOR THE YEAR 2012
- 4-101:** AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – The People of Hope
- 4-102:** AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Rotary Club of the Caldwells
- 4-103:** 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 – C&G Auto Tech, Inc
- 4-104:** 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
- 4-105:** 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 / May 4, 2012 – 4:00PM – 10:00PM
- 4-106:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 17, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$602,326.87
- 4-107:** RESOLUTION AUTHORIZING THE BROOKSIDE AVENUE / RUNNYMEDE ROAD INTECONNECTION IMPROVEMENT AGREEMENT WITH THE TOWNSHIP OF WEST CALDWELL AND THE BOROUGH OF ESSEX FELS
- 4-108:** RESOLUTION AUTHORIZING THE BROOKSIDE AVENUE / RUNNYMEDE ROAD INTECONNECTION OPERATIONS AND MAINTENANCE PLAN AGREEMENT WITH THE TOWNSHIP OF WEST CALDWELL AND THE BOROUGH OF ESSEX FELS
- 4-109:** RESOLUTION TO CANCEL IMPROVEMENT AUTHORIZATION BALANCES
- Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, Councilman Hauser, Kelley and Rodgers voted in the affirmative. Councilman Murray, O'Donnell and Coyle voted in the negative. Mayor Dassing voted in the affirmative. Resolution approved 4/17/12.
- 4-110:** RESOLUTION TO REQUEST TO THE DIRECTOR OF THE DIVISION OF LOCAL SERVICES TO PERMIT THE COUNCIL TO ANTICIPATE A CURRENT TAX COLLECTION PERCENTAGE EXPERIENCE OF 99.806% FOR THE YEAR ENDED DECEMBER 31, 2012

**CONSENT**

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 04/17/12.

**INTRODUCTION OF THE 2012 MUNICIPAL BUDGET:**

**Summary was read by title and amount and copy is available with the Municipal Clerk**

**COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – April 17, 2012**

**3 of 4**

**Introduction of the 2012 Municipal Budget – Borough of Caldwell**

Moved by Councilman Kelly, seconded by Councilman Hauser. Discussions Ensued. On roll call, Councilman Rodgers, Murray, Hauser, Kelley and Coyle voted in the affirmative. Councilman O'Donnell abstained. Budget Introduced 04/17/12.

**Councilman Hauser** thanked the Budget Committee for the work that has been done so far and to Marge and Paul as well.

**Councilman Murray deferred to the Police Chief.**

**Chief Bongiorno** reported that on Saturday, April 28<sup>th</sup> at 10PM – 2PM the Caldwell Police Department will be participating in Operation take back in New Jersey. This will give the residents of Caldwell to drop off their unused and expired medicines.

**Councilman Murray** reported that he saw Sergeant Geary on Bike patrol. I told the Council last meeting that I would give my final recommendation based on Parking Ordinance. I will have one more meeting with the Chief and by next meeting we should be able to move forward with Parking Lots. At the last meeting and based on the presentation that we gave we are looking to stay the same. The three hour meters are going in. The on street parking we are going to recommend that the Police Department continue to maintain as they have been however with stricter guidelines.

**Mayor Dassing** reported that she went to the dedication of a new American Flag and a new POW Flag with Councilman Murray and Councilman Hauser. It was donated by the Free Mason Lodge in Caldwell in memory of one of their members who was a war hero and passed away last week. They give \$15,000 - \$20,000 in scholarships to our schools and they help with our Eagle Scouts. On Saturday there will be a camp open house at the Caldwell Community Center from 12:30-4:30PM. Summer sessions start on June 25 and run through August 27<sup>th</sup>. On Sunday the Taste of Caldwell will be at the Caldwell College from 4:00PM – 7:00PM and it benefits the Caldwell – West Caldwell Educational Foundation.

**REPORT OF ADMINISTRATOR:**

**Paul Carelli** reported that the stop signs on Brookside Avenue are up. The Hanford Lot has been repaired. The sewer bills have been sent out for 2012. The email has been started and 80% of this is done. The cameras for Community Center will be installed on Thursday and Friday. Our meters are up and the rates will be changed. There was discussion on paving Gladding Road.

**4-11**      **AUTHORIZING THE BOROUGH CLERK TO PREPARE BIDS FOR THE IMPROVEMENT OF GLADDING ROAD, OAK RIDGE AND A PORTION OF CHERRY LANE.**

Moved by Councilman O'Donnell, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 04/17/12.

**REPORT OF ATTORNEY**

**Greg Mascara** reported that there are about 30 residential tax appeals filed in the tax court. There was discussion on a revaluation. There were four Police Officers that have been sued in Federal Court and it has been sent to the JIFF.

**James Jorgensen, Liaison of Essex County**, reported that there are a number of different events scheduled.

On a motion made by Councilman Coyle and seconded by Councilman O'Donnell, unanimously affirmed, the Council moved into Executive Session at 9:09PM.

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

**COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – April 17, 2012**

**4 of 4**

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. Greg Mascera responds that the Executive Session will be discussion of Personnel and issue in regards to Police investigation and Sewer.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman Kelley, the Council Business Conference Meeting was opened to the public and the press at 9:36P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman Rodgers, unanimously affirmed by all members present, the meeting was adjourned at 9:37P.M.

Prepared by: \_\_\_\_\_  
Lisa O'Neill, Acting Borough Clerk

\_\_\_\_\_  
DATE