

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – April 23, 2019**

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The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order at Caldwell University at 7:15PM.

PRESENT: Mayor Kelley, Council President Rodgers, Councilman O'Donnell, Capozzoli and Lace,

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

ABSENT: Councilwoman Schmidt

ABSENT AT ROLL CALL: Councilman Cole

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:
April 8, 2019**

Moved by Councilman Capozzoli, seconded by Council President Rodgers. No Discussion. On roll call, all voted in the affirmative. Minutes approved 04/23/19. Councilman O'Donnell abstained.

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

Hilda Moore, 23 Personette Street, is concerned about the workers on Personette Street. There was no notice and trucks are blocking her driveway. Garcia Construction broke a curb in front of her home and she would like it fixed. Also, the tree stump is still in front of her house and she has asked for a handicap sign for a few months and still doesn't have one in the front of her house.

7:17PM Councilman Cole arrived.

Ann Marchioni, Co-chair Environmental Commission, spoke about the Borough going to single use plastic bags.

James Haas, West Caldwell Environmental Commission, is here to support Ann Marchioni.

PRESENTATION

Proclamation / Gelotti Ice Cream

OPEN PUBLIC COMMENTS ON RESOLUTIONS

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

Tom Banker discussed adding Resolution 4-136

RESOLUTIONS – CONSENT AGENDA

4-124: RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE BOROUGH OF CALDWELL AND THE TOWNSHIP OF VERONA

4-125: AUTHORIZING THE ISSUANCE OF A PERMIT FOR PEDDLER LICENSE OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – The Towne Scoop

4-126: RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR FINANCIAL MANAGEMENT SERVICES FOR THE CALENDAR YEAR 2019

4-127: RESOLUTION AMENDING 4-123 AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH FLOW ASSESSMENT SERVICES FOR PROVIDING FLOW METER INSTALLATION FOR A FEE NOT TO EXCEED \$34,680.000

4-128: RESOLUTION AMENDING 4-122 AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH MOTT MACDONALD FOR CAPACITY ASSURANCE AND INFILTRATION/INFLOW PROGRAM SUPPORT FOR A FEE NOT TO EXCEED \$96,900.00

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- 4-129:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – First Presbyterian Church – On Premise/ 50/50 Raffle – May 4, 2019 – 7:00PM – 10:00PM
- 4-130:** AUTHORIZING THE AWARD OF A CONTRACT FOR PASSAIC AVENUE SANITARY SEWER REPAIR AND REPLACEMENT TO JO-MED CONTRACTING CORP IN THE AMOUNT OF \$82,505.87
- 4-131:** RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
- 4-132:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 18, 2019 FOR 2019/2018 BILLS IN THE TOTAL AMOUNT OF \$1,303,706.82
- 4-133:** AUTHORIZING AN AWARD OF CONTRACT FOR THE GOULD PLACE – WAKEFIELD PLACE - WARD PLACE 2017 ROADWAY IMPROVEMENTS, NJDOT TRUST FUNDS OF \$235,000 TO CIFELLI AND SONS, 81 FRANKLIN AVENUE, NUTLEY, NJ 07110 IN THE AMOUNT OF \$588,020.07
- 4-134:** RESOLUTION EXTENDING A CONTRACT WITH THE BANKER GROUP LLC FOR SERVICES AS ACTING BOROUGH ADMINISTRATOR UNTIL AUGUST 31, 2019
- 4-135:** RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED
For the Meeting of April 23, 2019
- 4-136:** RESOLUTION OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-20 IN THE AMOUNT OF \$154,000 TO FUND ROAD IMPROVEMENTS TO GOULD PLACE, WAKEFIELD PLACE AND WARD PLACE

CONSENT

Moved by Council President Rodgers, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all voted in the affirmative. Resolutions approved 04/23/19.

COUNCIL COMMITTEE REPORTS:

Council President Rodgers reported that the Historic Preservation Commission now has an email address which is historicpreservation@caldwell-nj.com

Councilman Lace reported on the Community Center and the revenue has increased over \$52,000 for the first quarter 2019 compared to last year. The registration for Camp Caldwell is at a high enrollment. He thanked Rosemarie and her staff for hosting the first Borough Open House. It was a great event and they hope to do it again in the future. There is a new cleaning company at the Community Center, the cleaning company that was contracted with in the beginning of the year unfortunately was not doing a good job and a number of complaints were received. Tom Banker responded that we agreed to this change on an emergent basis but we will be going out to bid again.

On senior transportation the bus goes door to door free of charge service. Any residents interested can call 973-226-5108.

Environmental Commission would like to announce that on April 27th they will be showing the film Plastic Ocean. It will be at the Caldwell Public Library at 10:30AM and West Caldwell Public Library at 1PM. Dough Pizzeria has donated a gift card and will be handed out at the West Caldwell Library. On May 18th they will be continuing their Earth Day celebrations and there will be two Pollinator Patch Workshops. On Saturday, May 18th at 10AM in Caldwell and at 1PM in West Caldwell. In conjunction with Verona, Roseland and West Caldwell Environmental Commissions are currently collecting signatures for a plastic bag regulation.

Councilman Lace has been working with Councilwoman Schmidt on the Communications Committee that has been established and Caldwell has a new email address for residents who would like to be on an email distribution list. That email address is info@caldwell-nj.com. There is an event on May 5th on the Green for the Annual reading of the names for Holocaust Remembrance Day from 9:30AM – 12:30PM.

REPORT OF COUNTY LIASON

Patricia Keenan

Ms. Keenan reported that everyone should have received an email on the Essex County Guaranteed ECIA Pooled Capital Equipment Lease Program on April 29th at 9:30AM at the Zoo. On May 4th from 8:30AM – 4:00PM there will be a collection for Household Hazardous Waste at the Public Works in Cedar Grove.

REPORT OF THE MAYOR:

John Kelley reported that on May 9th there is a Wine Tasting at the Caldwell Public Library everyone is invited to come out and support the Library.

REPORT OF BOROUGH ADMINISTRATOR:

Thomas Banker reported:

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- *Glenn Beckmeyer is working on an alternative repair plan for the deck and it involves the use of concrete plank replacement of the upper part of the deck and it would allow us to replace the pavement on the lower section of the deck.*
- *This would be an estimate along with a proposal of his services with both the design and construction supervision.*
- *They are looking for a roofer.*
- *There were two inspections done on the generator and they think that the generator is only lacking a proper functioning governor. It is operating again but it runs too fast.*
- *We will be getting a quote to rebuild the governor.*
- *The I/I study was approved tonight and that will start us down the road to the capacity determinations regarding the treatment plant and the elimination of water intrusion.*
- *The next phase of the roadwork has been awarded.*
- *The next phase of the Passaic Avenue sewer repair.*
- *On the next meeting we will have contracts for Glenn Beckmeyer to assume a greater role as the Town Engineer.*
- *We will have a proposal from Mott MacDonald to extend the term as the operator at our treatment facility on the next meeting.*
- *The Budget will be introduced at the May 7th meeting.*

REPORT OF BOROUGH ATTORNEY:

Vince Nuzzi reported that he has been in contact with Mr. Milani in regards to the Pool at the University. They will need to be ADA Compliant and until they are there will be no Certificate of Occupancy submitted. Discussions Ensued.

Mayor Kelley asked about the Parking and Tom Banker responded that he just received data for the permits and he believes at the 2nd meeting in May we will be discussing this.

Tom Banker reported that he met with the representatives of the Tennis Club they indicated that they don't believe they are able to continue to operate on the basis that they have operated at the start. We suggested that it might be possible to preserve it as Open Space if we are able to get the County to cooperate with the Borough with some form of Open Space Grant. Discussion Ensued.

Motion was made by Councilman Lace to move the Sewer Board Meeting from April 25, 2019 to May 2, 2019, seconded by Councilman Cole. All voted in the affirmative. Council President Rodgers abstained.

Mrs. Sachs, 22 Gladding Road, is concerned with what will happen with the Tennis Courts there are a lot of rumors that they will be developing the area. Her concern is the water drainage problem.

Guy Olsen, 17 Gladding Road, is also concerned with what will happen with the Tennis Courts. His property is right next door and he has drainage issues already with the clay coming into his yard.

On a motion made by Councilman Cole, seconded by Councilman Lace unanimously affirmed, the Council moved into Executive Session at 8:48P.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 will be discussion Litigation and Personnel matters.

The Executive Session was adjourned and upon a motion by Councilman Capozzoli, seconded by Councilman Cole the Council Business Conference Meeting was opened to the public and the press at 9:04PM.

There being no additional business to be conducted a motion to adjourn the meeting was made by Council President Rodgers, seconded by Councilman Lace unanimously affirmed by all members present, the meeting was adjourned at 9:04PM.

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

DATE