

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 25, 2010**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:05 P.M.

**PRESENT:** Mayor Gartland, Councilman Murray, Hauser, Dassing, Slattery, Norton and Lawshe

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

**ABSENT:**

Adequate notice of this Council Business/Conference meeting was given on January 1, 2010. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2010. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2010. Notice was posted and all persons requesting notice were sent same.

Introduction of Ordinances:

**ORDINANCE #1208-10** – Table

**ORDINANCE #1209-10** – Table

**ORDINANCE #1210-10** – AN ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION GOVERNING VEHICLES AND TRAFFIC

Moved by Councilman Norton, seconded by Councilman Hauser. Discussions Ensued. On roll call, all members present voted in the affirmative. Ordinance introduced on 05/25/10

**ORDINANCE #1211-10** – AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS FOR CALENDAR YEAR 2010 AND TO ESTABLISH A CAP BANK

Moved by Councilman Norton, seconded by Councilman Dassing. Discussions Ensued. On roll call, all members present voted in the affirmative. Ordinance introduced on 05/25/10

Receiving of Bids:

Approval of Minutes: April 13, 2010  
April 13, 2010 - Executive

Moved by Councilman Lawshe, seconded by Councilman Hauser. No Discussion. On roll call, all members present voted in the affirmative. Minutes approved 05/25/10.

**RESOLUTIONS:**

5-111 Authorizing the issuing of license for raffle to St. Aloysius Church – Off-Premise - 50/50 Raffle, September 12, 2010 – 4:00 PM

Moved by Councilman Murray, seconded by Councilman Slattery. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 25, 2010**

2 of 7

- 5-112 Authorizing the issuing of License for raffle Caldwell College – Off-Premise – 50/50 Raffle, June 19, 2010 – 2:00 PM – 8:00 PM  
Moved by Councilman Slattery, seconded by Councilman Murray. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10
- 5-113 Authorizing the issuing of License for raffle Kiwanis Club of Caldwell- West Caldwell - 50/50 Raffle, October 3, 2010 – 11:30 AM – 5:00 PM  
Moved by Councilman Murray, seconded by Councilman Hauser. No Discussion. On roll call, Councilman Murray, Hauser, Slattery, Norton and Lawshe voted in the affirmative. Councilman Dassing abstained. Resolution adopted 05/25/10
- 5-114 Authorizing the issuing of a Special Liquor Permit to Caldwell College for an event to be held at Caldwell College Parking Lot, 120 Bloomfield Avenue, Caldwell on June 19, 2010 from 2:00 PM – 8:00 PM  
Moved by Councilman Slattery, seconded by Councilman Murray. No Discussion. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10
- 5-115 Authorizing the Borough of Caldwell and the Caldwell Police Department to support the Click it or Ticket Mobilization of May 24, 2010 – June 6, 2010  
Moved by Councilman Slattery, seconded by Councilman Norton. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10
- 5-116 Authorizing Shannon Corine as Camp Director for the Caldwell Community Center  
Moved by Councilman Dassing, seconded by Councilman Norton. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10
- 5-117 Authorizing Jessica Blechar as Aquatics Director for the Caldwell Community Center  
Moved by Councilman Dassing, seconded by Councilman Hauser. No Discussion. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 25, 2010**

3 of 7

- 5-118 Authorizing the award of a contract for Parkway East and Parkway West Roadway and Water Main improvements to J.A. Alexander, inc., 130-158 John F. Kennedy drive, North – Bloomfield, NJ 07003, in the amount of \$275,552.18, being funded by CDBG 2009 Grant in the amount of \$82,450.00 and CDBG fund – American Recovery and Reinvestment Act Grant of 2009 for \$152,044.00 and the balance of \$41,058.18 to be paid from the Borough of Caldwell General Capital Improvement Fund
- Moved by Councilman Murray, seconded by Councilman Lawshe. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10
- 5-119 Authorizing Introducing and approving the 2010 Calendar Year Budget (January 1, 2010 – December 31, 2010)
- Moved by Councilman Murray, seconded by Councilman Hauser. Discussions Ensued. On roll call, Councilman Murray, Hauser, Dassing, Norton and Lawshe voted in the affirmative. Councilman Slattery voted in the negative. Resolution adopted 05/25/10
- 5-120 Authorizing payment of bills and the issuance of checks for the period through May 26, 2010 for 2009 bills in the total amount of \$30,502.17
- Moved by Councilman Lawshe, seconded by Councilman Norton. Discussions Ensued. On roll call, Councilman Dassing, Slattery, Norton and Lawshe voted in the affirmative. Councilman Murray and Hauser abstained. Resolution adopted 05/25/10
- 5-121 Authorizing payment of bills and the issuance of checks for the period through May 26, 2010 for 2010 bills in the total amount of \$1,864,689.06
- Moved by Councilman Hauser, seconded by Councilman Murray. No Discussion. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10
- 5-122 Resolution approving Tow Operator’s licenses for two companies in accordance with the provisions of borough ordinance #1201-09
- Moved by Councilman Slattery, seconded by Councilman Hauser. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10
- 5-123 Resolution Authorizing the Traffic Signal, Signing And Striping Plan on Bloomfield Avenue and Roseland Avenue and Westville Avenue
- Moved by Councilman Slattery, seconded by Councilman Hauser. Discussions Ensued. On roll call, Councilman Murray, Hauser, Slattery, Norton and Lawshe voted in the affirmative. Councilman Dassing voted in the negative. Resolution adopted 05/25/10

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 25, 2010**

4 of 7

5-124 Resolution authorizing the Borough Administrator to execute the Kiwanis Oval Improvement Agreement, the Kiwanis Oval Lease Agreement and the Shared Services Agreement on behalf of the Borough of Caldwell

Moved by Councilman Slattery, seconded by Councilman Hauser. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10

5-125 Authorizing the Appointment of Zoning Board of Adjustment Member

Moved by Councilman Slattery, seconded by Councilman Hauser. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10

5-126 Authorizing the award of a contract for Kiwanis Oval Improvements to Applied Landscape Technologies, 83 North Beverwyck Road, Lake Hiawatha, New Jersey 07034, in the amount of \$1,761,347

Moved by Councilman Slattery, seconded by Councilman Hauser. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 05/25/10

Mario Ianelli, Birdsal gave an update on the Kiwanis Oval Project. The last joint meeting we spoke about the \$6500.00 that was allocated for some other tasks that were left out of the RFP. I spoke with Glen Beckmeyer, Borough Engineer, and he normally would like to see a full-time inspection on jobs that are like this. Birdall would have an inspector on site all day. Various Discussions Ensued.

Mayor West Caldwell, Joseph Tempesta – Congratulates the Caldwell and West Caldwell Mayor and Council for a great day for the Community and for our children. In these difficult times it allows the two communities to come together and have a great field for our children.

**OLD BUSINESS:**

Councilman Lawshe asks the question to our Borough Attorney, Greg Mascera as to whether there was a response from Mr. Ezyzke. Mr. Mascera responded that he made contact with Mr. McEnerney and he assured him that the matter would be looked into. Several days later Mr. Ezyzke confirmed that he was informed of the situation and that he was cooperating with our new auditors. Various Discussions Ensued.

Councilman Murray gave an update about the Lane Avenue project.

**COMMITTEE CHAIRMEN AND MEMBERS:**

Councilman Murray gave an update on Technology waiting for a report from Spartech. He also gave an update on the T1 line which transmits video from West Caldwell to Caldwell. The Town has been paying \$1000.00 per month for this line which has not worked since the new Police desk was put in. Various Discussions Ensued.

Councilman Hauser gave an update on Recreation that a meeting was scheduled for next week.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 25, 2010**

**5 of 7**

Councilman Dassing welcomed to the Community Center our new Aquatics Director and Camp Director, Jessica and Shannon. On June 5<sup>th</sup> Camp Caldwell will be having an open house. There are over 60 campers signed up as of right now and we are hoping for more at the open house. Rob Patterson, Caldwell Community Center Director, instituted a new program called Saturday's lights in June for 12-15 year olds. There will be music, Basketball and swimming \$5.00 for non-members. Councilman Dassing gave an update on a grant that she is assisting the Fire Department with. They are looking to purchase a new generator, turn out gear for the 40 volunteer Firemen and a Health Fitness program.

Councilman Slattery gave an update on Caldwell Live. On June 3<sup>rd</sup> at 6:30pm there will be a free employment workshop for the seniors. On June 11<sup>th</sup> feel good Friday there will be a discussion on how to sleep better.

Councilman Norton gave an update on the 2010 Budget. He also gave an update on the Downtown Committee. They are working on a Caldwell calendar of events which will include the Gold Rush, Farmer's market and some new ideas possibly a classic car show and a Mr. Mom contest. Councilman Norton congratulated Project Main Street for there first Downtown Beautification Dinner which had approximately 100 guests and their fund raising efforts raised slightly over \$11,000.00.

Councilman Lawshe reported that the Police committee has been working with Chief Dombrowski, the Lieutenants and Sergeants on the Police Department for the past five months. In 2007 the overtime was \$239,000 with three officers out on medical leave in 2008 - \$166,000 in 2009 - \$165,000. This year we have budgeted the overtime to be \$100,000. This has nothing to do with hurting the public safety of this town. Our current overtime budget for the year as of May 14<sup>th</sup> is \$50,000. We have figured out something's that are causing the overtime. Every squad has a Dare Officer on it so instead of scheduling Dare when an officer is not available we have discussed with the Chief that Dare program will be done during the day that a Dare officer is available. There will be no training classes anymore. When an officer has training it causes overtime by short shift. Unless training is mandatory which can only can be determined by the Chief will the overtime be paid. Major overtime over the years was in our Court system. We are working on making changes in that. The committee has been talking about hiring another Detective reason being that we have always had two in the department. Detective Marta works during the day and we have problems at night and Detective Marta is call in which involves a lot of overtime. We are looking for a Detective during the day and one in the evening. We also did a four month summary officer by officer to determine which officers were writing tickets and which ones were not. We wanted to see why the revenue was down. We have addressed the problems with the Chief and there are some major concerns. Three officers have written tickets for non-parking tickets. All of the officers do a great job with overnight parking tickets. I would like to Congratulate and thank officer William Roberts for writing 68 tickets, Officer Brad Palatucci for writing 62 tickets and Matt DeAngelo for writing 53 tickets. We are not picking on anyone but people need to be accountable here. We have two high ranking officers in the Police Department that in four months the first officer wrote one (1) ticket and the second officer wrote zero (0) tickets. That is not acceptable unless the officer was sick. Our new Borough Administrator, Paul Carelli will now be able to stay on top of certain things like this. I would like to thank my committee; we have worked very hard here in the past five months. The chief has listened to everything that we have brought about and he didn't like everything but it's all about helping the residents in town encouraging public safety and we do have a very good police force. I want to thank them and some of the other problems we will get them resolved.

Councilman Slattery commented on Councilman Lawshe's report. She felt that they were getting to close to demanding or asking quota's from the Police Department.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 25, 2010**

6 of 7

Councilman Slattery stated that she didn't agree to saying you have to write a certain amount of tickets. Councilman Lawshe responded that there is no such thing as a quota system as far as the PBA contract. Various Discussions Ensued.

Mayor Gartland reported on the Big Read. The Big Read had the privilege of going to Sudbury, MA and stayed at the Longfellow Wayside Inn. His poems were a part of the Big Read this year. Many schools, many Scouts and many participants were involved. The Scouts camped out in a large field. On Saturday night they had an Iron Chef cook off. It was an exciting time for everyone. Congratulations to Karen Lembo our Director for another great Big Read year.

**REPORT OF ATTORNEY:**

Greg Mascera reported that it's tax appeal season and nothing formal to report. He also reported that the contract with the Board of Education is tentatively agreed upon it will be a three year contract and the Caldwell High School team will remain at the Community Center.

**OPEN PUBLIC MEETING:**

Michael Pellegrino, Caldwell Police Department – I like to reiterate on what the Chief said about summons. It's not quantify its quality. There are no quotas in the State of New Jersey its case law. You can raise rates of parking tickets from \$30.00 presently to \$50.00 or \$55.00 which other Town's are doing. The reason I take this personally is because you mentioned three people in this department and not one of them are on my squad. As far as one person writing zero tickets one month and thirteen the next do you know if that person is on vacation? Did you look at the schedule? I take this personally because I have been on this department for fourteen years as a police officer and I have written many tickets and I still do. To come out and say revenue is down when I know other areas in the Borough were revenue has come down whether it be DPW or the Community Center. I feel this was an attack on us. A few months ago you talked about \$176,500 deficit cut because of State aid. One month later you said we were at \$403,000 why was \$203,000 added was that Police revenue or was it in other places. Councilman Norton responded that he would have to go back through work sheets that were provided by the former Borough Administrator. Because of the fact that we are being singled out as far as Revenue being down in the Police Department I take offense since nothing else is being said about any other area in this Borough. Councilman Lawshe responded that the past Borough Administrator looked at the Revenue that is brought into the Borough of Caldwell. It was down from what she expected the Revenue to be. As far as Revenue goes say we are budgeting 180,000 and you bring in 120,000 we are now 60,000 in the whole as far as the Town is concerned so that's how the budget works. Various Discussions Ensued.

Tamara Bross, Erwin Place – would like to congratulate two (2) students from JCHS for bringing two Towns together in a joint service to the Community in a Cancer walk. There were 44 teams over 500 people and \$112,000 was raised.

Bob Christensen, Ravine Avenue – was upset with Councilman Lawshe's statement about the Police Department. They are there whenever you call and they keep the people in this Community safe.

Francis Larkey, Caldwell resident – asked the Council what their visions were for the Caldwell Public Library. Mayor Gartland responded that she would like to see a veranda with tables and chairs for people to sit outside and read together. Various Discussions Ensued.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 25, 2010**

7 of 7

Mayor Gartland wanted to thank Dr. Blattner for her cooperation on the Kiwanis Oval. I think that it is a great step forward in collaboration with the College. Sister Fran and George Haas thank you for also coming and I really appreciate everyone for there cooperation.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Murray, seconded by Councilman Norton, unanimously affirmed by all members present, the meeting was adjourned at 10:24 P.M.

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

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Date