

**BOROUGH OF CALDWELL, N.J.**  
**COUNCIL BUSINESS/CONFERENCE MEETING**  
**MINUTES – MAY 27, 2008**

The Council Business/Conference meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers by Mayor Susan Gartland at 7:11 P.M.

PRESENT: Councilman Mescia, Dassing, Curley, Edge, Slattery and Gates

ALSO PRESENT: Maureen Ruane, Borough Administrator, Stuart Koenig, Esq., Borough Attorney, Beth Bush Telepan, Deputy Clerk

ABSENT:

Adequate notice of this Council Business/Conference meeting was given on December 27, 2007. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on December 27, 2007. Four official newspapers of the Borough were notified of this meeting by mail on December 27, 2007. Notice was posted and all persons requesting notice were sent same.

Presentation of a Proclamation to Josephine Trivino for her thirteen years of service on the Zoning Board of Adjustment

Approval of Minutes: May 13, 2008

Approved by Councilman Mescia, Dassing, Curley, Edge and Gates,  
Councilman Slattery abstained from the motion made by Councilman  
Mescia, seconded by Councilman Curley

Mayor Gartland read the Proclamation for Myasthenia Gravis Awareness Month

Receiving of Bids: None

Introduction of Ordinances: None

Public Hearings: None

Resolutions:

5-107 **PULLED**

5-115 Authorizing refund of overpayment of 2006&2007 water payments on account #11001674-6, 319-325 Bloomfield Avenue, Trinity Apartments LLC

Moved by Councilman Slattery, seconded by Councilman Mescia. No Discussion. On roll call vote all members present voted in the affirmative. Resolution adopted 5/27/08

5-116 Authorizing the signalization of the intersection of Roseland Avenue and Westville Avenue

Moved by Councilman Curley, seconded by Councilman Slattery. Discussion Ensued. On roll call vote all members present voted in the affirmative. Resolution adopted 5/27/08

5-117 Authorizing payment of bills and the issuance of checks for the period through May 27, 2008 in the total amount of \$2,429,813.12

Moved by Councilman Slattery, seconded by Councilman Mescia. No Discussion. On roll call vote all members present voted in the affirmative. Resolution adopted 5/27/08

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5-118 Authorizing award of a contract to the Morris Land Conservancy for the purpose of completing an Open Space Brochure for the Borough of Caldwell for the period June 1, 2008 through September 30, 2008 in the amount of \$500.00

Moved by Councilman Mescia, seconded by Councilman Slattery. Discussion Ensued. On roll call vote Councilman Mescia, Curley, Edge, Slattery and Gates voted in the affirmative, Councilman Dassing voted in the negative. Resolution adopted 5/27/08

5-119 Authorizing award of a professional services contract for a surveyor, title search and environmental assessment to Green Acres standards of property located at Block 4, Lot 1.03 in an amount not to exceed \$8,000.00

Moved by Councilman Mescia, seconded by Councilman Slattery. Discussion Ensued. On roll call vote all members present voted in the affirmative. Resolution adopted as amended 5/27/08

5-120 Authorizing award of a contract to Integra Realty Resources for completion of a real estate appraisal report in accordance with the Green Acres Appraisal guidelines for Block 4, Lot 1.03 in an amount not to exceed \$4,000.00

Moved by Councilman Mescia, seconded by Councilman Slattery. No discussion. On roll call vote Councilman Mescia, Dassing, Curley, Edge and Slattery voted in the affirmative, Councilman Gates voted in the negative. Resolution adopted 5/27/08

5-121 Authorizing award of a contract to Landmark Appraisal, LLC for completion of a real estate appraisal report in accordance with the Green Acres appraisal guidelines for Block 4, Lot 1.03 in an amount not to exceed \$3,300.00

Moved by Councilman Mescia, seconded by Councilman Slattery. No Discussion. On roll call vote Councilman Mescia, Dassing, Curley, Edge and Slattery voted in the affirmative, Councilman Gates voted in the negative. Resolution adopted 5/27/08

5-122 Rejection of the bid proposal submitted by Delbros, Inc., as being non-responsive for the reasons set forth below and acceptance of the bid submitted by Cali Carting, Inc. for collection and disposal of solid waste, under alternate B, for a three year term, subject to the completion of contract documents.

Moved by Councilman Mescia, seconded by Councilman Slattery. Discussion Ensued. On roll call vote all members present voted in the affirmative. Resolution adopted 5/27/08

Mayor Gartland recognized John Cali III of Cali Carting, 450 Bergen Avenue, Kearney, New Jersey, reported that he really appreciated the vote of confidence that the Council has given them and he assured the Council that they will continue to provide the same level of service that the town has become accustomed to.

#### REPORT OF COUNCIL COMMITTEE CHAIRMEN AND MEMBERS

Councilman Mescia – Reported that last Thursday was the Business Enhancement Day. Main Street New Jersey representatives came to Caldwell and they did an excellent job on their presentation. Councilman Mescia reported that he had additional conversations with the State regarding Caldwell becoming a Certified Local Government. The State advised that the first step would be to put together an advisory committee. The Mayor responded that longtime residents Tom Gartland and David Cowell will be a part of the advisory committee because they have an historical perspective on our town and especially our

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downtown. Councilman Mescia also reminded everyone to vote on June 3, 2008, the polls will open at 6:00 am and close at 8:00 pm.

Councilman Dassing – Reported that the residents of White Birch Terrace and Linwood Terrace wanted to thank Mayor Gartland, Maureen Ruane and Mario Bifalco for coming out to talk to them on a Saturday morning to hear their concerns regarding the trees. Councilman Dassing asked Councilman Mescia if the Certified Local Government was the same as an Historic Commission Ordinance. Councilman Mescia responded yes. Councilman Dassing requested that we follow up on the housing ordinance with State Senator Nia Gill's office. Councilman Dassing also asked if an action plan report was ever submitted by Tom Litke of the Wander Group. Councilman Mescia said he would get the report from Mr. Litke. Councilman Dassing also asked if the Open Space Committee had submitted a list of priority properties yet. Councilman Mescia said that the Open Space Committee has not met since the request was made for the list and that they will be meeting next week. Councilman Dassing wanted to know if we had an update on the Faloni Contract. Stuart Koenig, Esq. said he will follow up with Morris Land Conservancy.

Councilman Curley – Thanked the Department of Public Works and the Police Department for the great job they did at the Memorial Day Parade. Councilman Curley reported that there will be the Police Department promotions at the Caldwell Community Center on Tuesday, June 3, 2008 at 8:00 PM. Councilman Curley thanked Councilman Edge and Councilman Slattery for their input on the Police Committee review of the prospective new candidates for the Police Department.

Councilman Edge – Thanked the Police Department for the work they did regarding the Police Department interviews of new candidates. Councilman Edge said he was sorry he could not be here on June 3, 2008 for the Police promotions because he has a prior commitment. Councilman Edge reported on the Health Department meeting. The State has raised the ceiling on the dog licensing fees and he requested that Maureen Ruane and Maria Burak check with other towns to see how much they are changing. Councilman Edge reported that he went to a couple of seminars in the past two weeks. One was held by the NJBIA, New Jersey Business and Industry Association. The topic that was discussed was the Energy Master Plan and a variety of things. There is availability for an Audit of townships of Municipal Properties for energy savings conservations. The purpose of the audit is to promote clean communities in municipalities. Councilman Edge reported that he also attended a seminar sponsored by NJAEE, New Jersey Association of Energy Engineers. The topic discussed was loans available for renewable resources in communities. Councilman Edge reported that three vendors wanted to come and see the Community Center, they were interested in seeing what they could do as far as solar heat for the water for the pool and solar panels for the electric. Councilman Edge thinks this a great opportunity for the Borough. Councilman Edge will provide the council with the information.

Councilman Slattery – Congratulated Lieutenant Bongiorno and Lieutenant Driggs on their promotions. Councilman Slattery also reported that there will be a presentation at the Caldwell Community Center on June 13, 2008 at 7:00 PM by Library Faces for the Autism Communities and Their Families. Everyone in the public is welcome to come.

Councilman Gates – No Report.

Mayor Gartland – Thanked Councilman Mescia and the Main Street New Jersey representatives for their presentation on the Business Enhancement Day. Mayor Gartland said that it was very informative and the Main Street has so many things to offer to our community. Mayor Gartland thanked the Department of Public Works their preparation for the Memorial Day Parade. The parade was a huge success. Mayor Gartland reported that she went to the Chamber of Commerce Dinner that honored individuals that have contributed to the West Essex Area. Mayor Gartland congratulated Lieutenant Bongiorno and thanked him for attending tonight's meeting in place of Chief Dombrowski who was not feeling well.

Administrator Report – Maureen Ruane requested that the Mayor and Council consider appointing Leanne O'Hern as Deputy Court Administrator. The request was granted and there will be a resolution on for the next meeting. Maureen Ruane reported that

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Mountainside Hospital requested to attend one of our Council meetings for a presentation. The request was granted and we will reach out to Mountainside Hospital to attend one of our Council meetings.

OPEN MEETING: The Mayor declared the meeting open to the public at 8:29 PM. John Mooney of 18 Westville Avenue had questions regarding the resolution for the signalization of Westville Avenue and wanted to know if this included emergency lighting for the Fire House. Councilman Curley said it will include the Fire House. Mr. Mooney also questioned why we needed to have an Open Space Brochure when we already have an Open Space Plan Book. Councilman Mescia said this is a condensed version of the Open Space Plan. Councilman Dassing requested that we put a copy of the Open Space Plan in the Library for reference only. Mr. Mooney also had questions regarding where the money will come from for the land acquisition. Councilman Mescia said 50% will come from Green Acres and 50% will come from the Open Space Fund. Mr. Mooney also wanted to know why the police department did not canvass the area after there was a reported burglary on Westville Ave. Lieutenant Bongiorno said there was a canvass done of the area. Mr. Mooney requested that he see the police report stating that the canvassing was done. Mr. Mooney was told that this is an open investigation and that once the investigation is done the report can be released. Greg Ziegler of 17 Elizabeth Street had complaints regarding the construction at the Temple site. Mr. Ziegler complained about the noise that the beepers on trucks make when they are backing up. Mr. Ziegler wanted to know if we could toughen the fines against the construction site. The Mayor responded that there was a meeting held with the construction company and there were several summonses issued for violations. Gordon Lawshe of 15 Elizabeth Street said he had three questions for the council. The first question was that he wondered if the council were aware of the summonses or if they just found out about them tonight. The Mayor responded that the Council were aware of the summonses before tonight's council meeting. Mr. Lawshe also questioned the violations that were issued to the construction company regarding working on the site before and after working hours. Mr. Lawshe had said that there have been repeated violations at this site and was hoping that on June 10<sup>th</sup> at the court hearing that the fines would be more substantial. Mr. Lawshe also questioned why Paul Milani was not at a meeting attended by the Mayor and the administrator and officials from the construction company. Mr. Lawshe also had questions regarding Tony Greci and his job in the construction department. Mr. Lawshe also asked if there was anything that can be done regarding the construction company doing the compacting on the site. Lenore Lawshe of 15 Elizabeth Street had questions regarding the entrance to the construction site on Elizabeth Street. Ms. Lawshe reported that the street has not been kept clean by the construction company. Seeing no one else from the public wishing to be heard the Mayor closed the open public portion of the meeting at 9:11 PM.

On a motion made by Councilman Curley, and seconded by Councilman Mescia, unanimously affirmed, the Council moved into Executive Session in order to discuss building acquisition and a matter of personnel. Said motion was unanimously approved and the Council went into Executive Session at 9:11 P.M.

The Executive Session was adjourned and upon motion by Councilman Curley, seconded by Councilman Dassing the Council Business Meeting was opened to the public and the press at 9:51 P.M. All those previously in attendance were present.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Mescia, seconded by Councilman Curley, unanimously affirmed by all members present, the meeting was adjourned at 9:52 PM.

Prepared by:

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Beth Bush Telepan, Deputy Clerk

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Date