

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – June 4, 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 7:14PM.

Mayor Kelley welcomed Dr. Heinegg.

PRESENT: Mayor Kelley, Councilman Capozzoli, Lace and Schmidt

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

ABSENT: Council President Rodgers & Councilman O'Donnell

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:  
May 21, 2019**

Moved by Councilman Lace, seconded by Councilman Capozzoli. No Discussion. On roll call, Councilman Capozzoli & Lace voted in the affirmative. Councilman Schmidt abstained. Council President Rodgers, Councilman O'Donnell & Cole absent. Minutes approved 06/04/19.

**PRESENTATION**

1. 5<sup>th</sup> Grade Students at Lincoln School / Plastics Awareness Campaign  
Students from Lincoln School read to the Mayor and Council letters and poems in regards to a plastic awareness campaign. They would like the Council to ban single use bags.

2. Robyn Kohn / Alzheimer's Association  
Ms. Kohn spoke about Alzheimer's Association that serves the greater New Jersey region which includes 14 of the 21 Counties and Essex County is among them. There are 5.8 million Americans across the Country living with Alzheimer's disease.

The Mayor and Council presented Mr. & Mrs. Whetton with a proclamation to proclaiming June 15<sup>th</sup> as "Caldwell Goes Purple for Alzheimer's Day".

Councilman Cole arrived at 7:44PM

**PUBLIC HEARING AND ADOPTION OF ORDINANCE**

**ORDINANCE #1362-19:** BOND ORDINANCE PROVIDING FOR ROAD IMPROVEMENTS TO GOULD PLACE, WAKEFIELD PLACE AND WARD PLACE IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$190,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

Moved by Councilman Lace, seconded by Councilwoman Schmidt. Discussions Ensued. On roll call, all voted in the affirmative. Ordinance Adopted 06/04/19.

**OPEN PUBLIC COMMENTS ON RESOLUTIONS**

*Moved by Councilman Capozzoli, seconded by Councilman Cole to open meeting to the Public.*

**RESOLUTIONS – CONSENT AGENDA**

**6-156:** AUTHORIZING THE APPOINTMENT OF BOARD OF HEALTH MEMBER LILA KURZUM

**CONSENT**

Moved by Councilman Capozzoli, seconded by Councilman Cole. No Discussion. On roll call, all voted in the affirmative. Resolutions approved 06/04/19.

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**6-157:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Rotary/Kiwanis Caldwell Street Fair, Inc. – Off Premise/ 50/50 Raffle – October 6, 2019 – 11:00AM – 5:00PM

Moved by Councilman Capozzoli, seconded by Councilman Cole. No Discussion. On roll call, Councilman Capozzoli, Cole & Schmidt voted in the affirmative. Councilman Lace abstained. Resolution approved 06/04/19.

**6-158:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell Alumni Association – Off Premise/ Merchandise Raffle – September 30, 2019 – 9:00AM – 5:00PM

**6-159:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MAY 31, 2019 FOR 2019 BILLS IN THE TOTAL AMOUNT OF \$3,971,239.74

**6-160:** RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of June 4, 2019

**6-161:** AUTHORIZING THE APPOINTMENT OF NICOLO DeMEO AS A FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT

**6-162:** AUTHORIZING THE APPOINTMENT OF LOCAL ASSISTANCE BOARD MEMBER REBECCA GLASS

**CONSENT**

Moved by Councilman Capozzoli, seconded by Councilman Cole. No Discussions. On roll call, all voted in the affirmative. Resolutions approved 06/04/19.

**COUNCIL COMMITTEE REPORTS**

***Borough Council Members***

**Councilman Lace** reported that he received an email expressing what a great job our Director, Rosemarie Sutherlin and all of her assistants especially Shannon have been doing at the Community Center. He wanted to acknowledge that email and tell them to keep up the good work.

**REPORT OF MAYOR**

***Mayor Kelley***

**Mayor Kelley** reported that Councilwoman Schmidt and himself participated on Saturday at the Library's Grand re-opening and they got to meet Pete the cat and they read to some children. It was a fun event and Claudine and the staff of the Library did an incredible job.

**REPORT OF COUNTY LIASON**

***Patricia Keenan***

**Patricia Keenan** reported that there are many and exciting events coming up in the summer and she encourages everyone to look on the website and check their mail. A fun thing to do is go to Kips Castle and see a movie outside with your family. There are two in June on the 7<sup>th</sup> and the 14<sup>th</sup> and this Friday is the Wizard of Oz.

**Councilman Lace** wanted to publically thank the Lincoln School 2<sup>nd</sup> Grade class and their teachers for inviting him to speak about the Borough's ordinance on smoking.

**REPORT OF BOROUGH ADMINISTRATOR**

***Thomas Banker***

**Thomas Banker** reported:

- He is unhappy to announce that they have not seen the progress from Caldwell University. We have been in touch with the YMCA and the University they understand that they will not be open to operate. They gave a variety of excuses the fence is the wrong color, the plants that they ordered are late in being delivered, etc. We will not grant the temporary CO or permit CO unless and until everything is in place.
- We have closed registration for the Community Center summer Camp with 100% capacity in all but one week of the summer and the one week is because we are missing one child. Our programs are popular they are valuable and people really appreciate them.
- The generator is now working and running it seems to be operating appropriately.
- He has met with Phil LiVecchi the I/I study most of the data has been collected. The temporary metering will remain in place to provide useful data s basis for our billing and also it will serve as essentially as a moderating system as to improvement that our participating municipalities make in response of the results of the I/I study. Discussion Ensued.
- June 18<sup>th</sup> will be an introduction of the Budget and ordinances.

**REPORT OF BOROUGH ATTORNEY**

***Vincent Nuzzi***

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*Vince Nuzzi thanked Councilwoman Schmidt, Tom Banker and Paul Milani they have done everything that he has asked in regards to Caldwell University pool. Paul has been going out there every day taking photographs.*

*Thomas Banker reported that they had a meeting with the Contractor on Forest Avenue at the Harrison site and came to an agreement as a schedule for the elimination of the problems from the members of the public that were here before us. The agreement is basically as follows they have agreed to clean up the site and they have done that to Paul Milani's satisfaction. On this Friday we will receive a complete set of plans from their architect and an engineer showing the topography as it was before they started, as it is now, and how it should be when they are complete. Also showing the remedial steps, drainage steps to be taken which involves fairly complex set of berms, catch basins, French drains and pipes out to Harrison. Discussions Ensued.*

*Thomas Banker reported on the Parking Deck and the bad news is Glenn Beckmeyer's review of potential to use pre-cast concrete is probably not practical. If plank is used but there would be an excessive number of joints and the joints would create both maintenance and drainage issues. If the joints are eliminated by putting top coat of the plank it would create enough of a load weight wise that we would probably would have to reinforce the steel. We are currently waiting a cost to eliminate the existing surface and do a pour and place replacement section by section. Discussions Ensued.*

**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*

*Ann Marchioni, Environmental Commission, reported that this Friday they will be having a presentation on Bats at the Center for Spiritual Living and it is free and the presenter is bringing live bats. If the weather cooperates they will be going on a bat hike in Grover Cleveland Park.*

On a motion made by Councilwoman Schmidt, seconded by Councilman Lace unanimously affirmed, the Council moved into Executive Session at 8:19P.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 of Contractual Negotiations and Potential Litigation.

The Executive Session was adjourned and upon a motion by Councilman Lace, seconded by Councilman Capozzoli the Council Business Conference Meeting was opened to the public and the press at 8:53PM.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Lace, seconded by Councilwoman Schmidt unanimously affirmed by all members present, the meeting was adjourned at 8:53PM.

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

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DATE