

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – June 6, 2013**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at **7:05PM**

PRESENT: Council President Richard Hauser, Councilman Coyle, O'Donnell, Rodgers and Durkin

ALSO PRESENT: Paul Carelli, Borough Administrator, Lisa O'Neil, Deputy Clerk and Borough Attorney, Greg Mascera

ABSENT: Mayor Dassing

ABSENT ROLL CALL: Councilman Kelley

Adequate notice of this Council Business/Conference meeting was given on January 1, 2013. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2013. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2013. Notice was posted and all persons requesting notice were sent same.

APPROVAL OF MINUTES:
May 21, 2013

PRESENTATION:

1. Swearing in Lieutenant Demetrios Andrinopoulos and Sergeant Brad Palatucci
2. Catherine Daly / for all her years served on the Rent Review Board
3. Caldwell Volunteer Fire Department
4. Chris Battaglia / Finance

PUBLIC HEARING AND ADOPTION OF ORDINANCES:

Ordinance #1277-13: CALENDAR YEAR 2013 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 O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Ordinance adopted 06/06/13.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

RESOLUTIONS – CONSENT AGENDA

6-148: PULLED

Moved by Councilman Coyle, seconded by Councilman Durkin. Discussions Ensued. On roll Call, all present voted to pull the Resolution.

6-149: AUTHORIZING THE ISSUANCE OF A PERMIT FOR EXEMPT CANVASSER/SOLICIT OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – James Kelly, Edward Jones Financial Planning, 622 Long Valley Road, Upper Montclair, NJ

6-150: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00017 PAYVABLE TO ISAAC MORADI

6-151: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Caldwell Volunteer Fire Department

6-152: AUTHORIZING TO AMEND RESOLUTION 4-126 TO PROPERLY REFLECT THE AMOUNT DISBURSED IN ACCORDANCE WITH THE MAY 21, 2013 BILL LIST

6-153: AUTHORIZING THE HIRING OF 2013 SUMMER CAMP COUNSELORS FOR THE CALDWELL COMMUNITY CENTER

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CONSENT

Moved by Councilman Durkin, seconded by Councilman Kelley. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 06/06/13.

COUNCIL COMMITTEE REPORTS:

Councilman Durkin reported that the finance committee has received some feedback from the Council in regards to the Budget and all though Paul Carelli has responded to the questions the finance committee has not yet met to discuss and consider this recommendations. I would like to make a motion that we cancel the adoption of the Budget on June 18th. **Greg Mascarra** responded that the Mayor has to call for the motion there is a time to do it but now is not the time. After discussion the motion will be made in New Business.

Councilman Kelley reported that he attended a Senior Transportation meeting on Monday evening. The ridership is still proceeding at the same level with the three times. There is an interest in moving forward with the bus, the repairs are adding up. West Caldwell is in and that was affirmed during the meeting but Roseland has yet to reply and Maria will follow up on that. **Councilman Hauser** asked if there was any grant money available for the purchase of a new bus. **Paul Carelli** responded that they did apply for one last year but they didn't get it. He attended the PSE&G meeting with Councilman O'Donnell and the Mayor and PSE&G did a great job with a follow up to answer questions and concerns from the residents. Camp Wyanokie had sustained damages around \$10,000 from vandalism. Since the Camp is shared by five towns one of the discussions last night was to get coordination of the five town's Mayor and Chief of Police obtain signatures for the purpose of communicating to the Police and the governing body up there in West Milford for the purpose of getting them to patrol and keep an eye on the property. You can go on line and sign up for the June 22nd event. There is food, entertainment, fishing in the pond and he recommends it to family and friends.

Councilman Hauser reported that there was a Caldwell community center committee meeting and we touched on a lot of subjects. First there has been a resolution to the scheduling of outside agencies that thought they were given access to the Kiwanis Oval and it has been resolved. We addressed a complaint by now a former member and he asked if that person has received their refund. Paul responded that it was sent. He is happy to announce that the Rules and Regulations are now on the website and at the time of sign up, new members will receive the Rules and Regulations. The roof leaks have been fixed. They discussed some cleaning issues around the locker room and a number of solutions have been proposed. On June 7th at 6:30AM for early risers, the Special Olympics will be leaving from Shop Rite in West Caldwell to Trenton there will be a torch carrying. Rob Paterson is very passionate on this and as he explained that they will be escorted through the various towns. He would like to take a poll from the Council to try and come up with a program that they could share with the Caldwell Community Center as well as the West Caldwell pools. He has spoken to Councilman Hladik from West Caldwell and he is very interested and he suggested that I run it by this governing body. The idea in general is for an annual membership a resident would have access to either of the West Caldwell pools as well as the Community Center. The math has not been worked out it is just an idea. The common objective is to increase membership and participation among all the residents. After discussion the Council was in favor. There was a library meeting and a follow up question to Paul that had to do with the Payroll taxes. Paul responded that he sent an email explaining it.

REPORT OF ADMINISTRATOR:

Paul Carelli, reported that he had someone came to look at the roof and the Community Center roof is not leaking anymore. It seems like the membrane is cracked at the base of the wall on top of the roof. He has one quote for \$8400.00 and he needs to get a second quote because this is something that we need to address. He has received one quote for the phone services which is basically just changing the carrier with a savings of \$12,000 a year and he is waiting for the second quote. **Councilman Hauser** asked if only one of the companies is a cloud base internet. Paul responded that yes and the quote he has is not the cloud base internet. We have had a donation for a police car and I believe the Chief has found one but I will need to verify that. **Councilman O'Donnell** responded that Mike Stevens donated \$7,000.00 and Mr. Provost from the Butcher Block donated \$3,000.00. We received our fixed asset for the year. Councilman

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Hauser responded to please follow up with Chris Battaglia on that because I think we can take over and do that on our own. Paul responded that they already had discussions on incorporating that. Battaglia and Associates contract is up at the end of this month and I have asked for a new proposal from them and I will have that next week so we can act on that for next meeting. We will be encouraging the employees to take part in the wellness program at the Community Center.

REPORT OF ATTORNEY:

Greg Mascara reported that he completed the annual audit letter to the Borough auditors and in his opinion there are no potential material adverse conditions and he is happy to report that to the auditor. He looked into writing an ordinance in regards to public use of private property it should be Private use of public property and he searched throughout New Jersey's ordinances and other States unable to find any other Municipalities that addressed the issue. Our Ordinance that we have with regard to Parade's and events and gathering on our public property is probably an ordinance that he thinks should be modified. At the Council's directive I can add some provisions in regards to the signage. Discussions Ensued.

OLD BUSINESS:

Water Main / Road Improvement Project Status

Paul Carelli handed to the Council the schedule for the Water Main Project. The Water Main Project Matina expects to be out of there by August 16th. The road resurfacing we hope to have a completion date by the middle of October. He provided a map on all the work that is going to be done. On that map everything in yellow is a mill and pave job and the parts that are bordered in blue are drainage and curbing. He has a resolution on for Beckmeyer to do the engineering work. It's a large fee. **Councilman O'Donnell** asked Mr. Carelli who estimated the fee. Paul responded our Borough Engineer. **Councilman O'Donnell** asked if Beckmeyer estimated the fee that he is going to perform. He said he needs to interject and interrupt here, the key word here was hoped to finish. Councilman O'Donnell asks Councilman Coyle when they started this process. **Councilman Coyle** responded 2 ½ years ago. **Councilman O'Donnell** responded that the expectation was that it was going to be done this spring. He had a conversation with Glenn Beckmeyer and Mr. Carelli and he asked when the water work will be completed. He asked when they will start paving. He was told three months to let the road settle. We are talking about December and no one is paving in December. He went to the Pre-construction meeting on Tuesday and Beckmeyer wasn't at the meeting he showed up late. He said that Councilman

Coyle has been working towards this for 2 1/2 years and it's going to be complete based on these conversations after he leaves. He wants to know who is going to make the commitments. We needs Beckmeyer, here you are throwing a resolution for almost \$200,000 and he is not in this room. He wants guarantees, not we will try our best. **Paul Carelli** responded that the Water Main projects have not changed, the road re-surfacing has changed and yes with your help we did get progress on that. We are going to start a month later any engineer will tell you that you should wait three months but we are going to do it. **Councilman Coyle** responded that the answer is not to cut corners we have been asking for 2 ½ years. **Councilman Kelley** asked Paul on the Resolution with Beckmeyer do we see a conflict of having the Borough Engineer. Paul responded that most Borough Engineers do that. **Councilman Coyle** responded that he has a conflict with it. **Councilman O'Donnell** responded that we don't have to pass this resolution tonight this is not going to prevent us from doing what we have to do. If he wants to come into this room and explain what he is going to do and why we are at this point, he is more than welcome. He wants a number from Boswell. **Councilman Kelley** responded that he wouldn't restrict to just one other one. Greg responded as a profession service you do not have to take the lowest you can take other parameters to make your determination you don't have to restrict it.

Councilman O'Donnell responded if we need to let these trenches settle we are going to pave those roads, pave those sections that are bad and then we are going to come back in the spring and tare them up and do it the right way. We are not going through another winter like we did last year. **Councilman Kelley** responded that if memory serves me correct I think the water main project was a driver here for a lot of this and it did weather impacting scheduling. I know you are a resident of the Cedars Councilman O'Donnell. **Councilman O'Donnell** responded as well as Councilman Coyle and Councilman Durkin and that has nothing to do with anything.

Councilman Kelley responded that he does agree with him it has been in disrepair the roads do need attention and the schedule as it proceeded was impacted by the water main project. We did move forward and as a governing body we all agreed that we needed to make some selective decisions about paving that road and we did. I don't think it's fair at this stage to beat up our Borough Administrator and I can't even beat up our Borough Engineer but I do have a concern about a conflict of interest. The roads need to be paved and we need to move forward with this.

