

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – June 7, 2012**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:06 PM

PRESENT: Mayor Dassing, Council President Richard Hauser, Councilman Murray, Coyle, O'Donnell, Kelley and Rodgers

ALSO PRESENT: Lisa O'Neill, Acting Borough Clerk, Paul Carelli, Borough Administrator and Borough Attorney, Greg Mascara

ABSENT:

Adequate notice of this Council Business/Conference meeting was given on January 1, 2012. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2012. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2012. Notice was posted and all persons requesting notice were sent same.

APPROVAL OF MINUTES:

May 15, 2012

Moved by Councilman Coyle, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 06/07/12.

PRESENTATION OF AWARDS:

Garden State Municipal Joint Insurance Fund Presented by Mr. Zach Edelman
2011 Safety Incentive Award – Borough of Caldwell

PRESENTATION:

Borough of Caldwell – 2012 Municipal Finance Presentation
Presented by: Paul M. Carelli

PUBLIC HEARING OF THE 2012 MUNICIPAL BUDGET AMENDMENTS

ADOPTION OF THE 2012 MUNICIPAL BUDGET
Budget Document – Sheet 41

INTRODUCTION OF ORDINANCES

ORDINANCE# 1253-12: AN ORDINANCE AMENDING CHAPTER A270-1 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SCHEDULE OF FEES CHARGED BY THE BOROUGH, SO AS TO SET THE FEES AND THE ESCROW REQUIREMENTS FOR APPLICATIONS TO THE ZONING BOARD OF ADJUSTMENT AND TO THE PLANNING BOARD IN ACCORDANCE WITH CHAPTER 26 OF THE BOROUGH CODE

Moved by Councilman Murray, seconded by Councilman Coyle. Discussion Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced on 06/07/12.

ORDINANCE# 1254-12: AN ORDINANCE AMENDING CHAPTER 250-8 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED DEFINITONS AND WORD USAGE – (MOBILE TEMPORARY STORAGE CONTAINERS)

Moved by Councilman Coyle, seconded by Councilman Rodgers. Discussion Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced on 06/07/12.

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ORDINANCE# 1255-12: AN ORDINANCE AMENDING CHAPTER 250-8 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED GENERAL REGULATIONS (MOBILE TEMPORARY STORAGE CONTAINERS)

Moved by Councilman Kelley, seconded by Councilman Hauser. Discussion Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced on 06/07/12.

ORDINANCE# 1256-12: AN ORDINANCE AMENDING CHAPTER 250-7 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED “WORD USAGE (FENCES)

Moved by Councilman Kelley seconded by Councilman Coyle. Discussion Ensued. On roll call, Councilman O’Donnell, Murray, Hauser, and Coyle voted in the affirmative. Councilman Rodgers and Kelley voted in the negative. Ordinance Introduced on 06/07/12.

ORDINANCE# 1257-12: AN ORDINANCE AMENDING CHAPTER 250-8 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION REGULATING THE SIZE AND PLACEMENT OF FENCES

Moved by Councilman Kelley seconded by Councilman Coyle. Discussion Ensued. On roll call, Councilman O’Donnell, Murray, Hauser, and Coyle voted in the affirmative. Councilman Rodgers and Kelley voted in the negative. Ordinance Introduced on 06/07/12.

ORDINANCE# 1258-12: AN ORDINANCE AMENDING SECTION 17 OF CHAPTER 182 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED “MAINTENANCE OF SERVICES” (RENT CONTROL)

Moved by Councilman Murray, seconded by Councilman Coyle. Discussion Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced on 06/07/12.

PUBLIC HEARING AND ADOPTION OF ORDINANCE:

ORDINANCE# 1251-12: AN ORDINANCE AMENDING CHAPTER 230 – ARTICLE V OF THE CODE OF THE BOROUGH OF CALDWELL, TRAFFIC REGULATIONS

Moved by Councilman Murray, seconded by Councilman O’Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Adopted on 06/07/12.

OPEN PUBLIC COMMENTS ON RESOLUTION:

Ann Marchioni, Environmental Commission, she asked the Council to authorize the Resolution 6-128. She thanked the Mayor and Chief for coming to the presentation on anti-idling.

RESOLUTIONS – CONSENT AGENDA

6-125: AUTHORIZING THE APPOINTMENT OF ROBERT SULLIVAN AS A PARKING ENFORCEMENT OFFICER IN THE BOROUGH OF CALDWELL

6-126: AUTHORIZING AWARD OF A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO CREW ENGINEERS, INC. BUTLER, NEW JERSEY FOR THE DESIGN OF WATER SYSTEM MAIN REPLACEMENTS IN THE BOROUGH OF CALDWELL

6-127: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00002 PAYABLE TO ROBERT PALMISANO

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6-128: RESOLUTION BY THE CALDWELL GOVERNING BODY SUPPORTING THE ADOPTION OF "IDLE FREE ZONES" BY GOVERNMENT AGENCIES, SCHOOLS, BUSINESSES, AND OTHER ORGANIZATIONS

6-129: RESOLUTION AUTHORIZING THE MODIFICATION OF CONTRACT TERMS AND AGREEMENT DOCUMENT FOR MEMBERSHIP IN THE CALDWELL COMMUNITY CENTER

6-130: RESOLUTION APPROVING A CONTRACT BETWEEN THE BOROUGH OF CALDWELL AND THE TOWNSHIP OF VERONA – SUMMER SWIM TEAM

CONSENT

Moved by Councilman Coyle, seconded by Councilman Murray. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 06/07/12.

Council President Hauser reported that a cordial recreation meeting is scheduled for Wednesday.

Councilman O'Donnell reported that the aerobics room is now upstairs there is sunlight and a new floor and a lot of excitement over this new area.

Councilman Rodgers reported that the Senior Transportation had discussion on how to promote and increase ridership.

Councilman Kelley reported that he attended the Wyanokie Meeting and on June 23rd they will be having their 9th Annual Great Wyanokie outing there is a free BBQ picnic lunch, Fishing Contest, live music by Chris Bolger Quarter and guided hikes. You can register on line at www.campwyanokie.com. Our Caldwell Commissioner is relocating so as a Council we need to appoint a new Wyanokie Commissioner. They are planning to come to a Council meeting and provide some history and background and where they are headed in the next few years.

Mayor Dassing reported that she met with the Signage Committee and discussed the sign ordinance and they are getting ready to send off to Mr. Mascara. She attended the WEFAS picnic on Saturday and it was a lovely event and she especially enjoyed the dunk tank. Thank you to the WEFAS and all their help with the Community.

ADMINISTRATOR'S REPORT:

Paul Carelli reported that he has two copies of our fixed asset report. It is pretty thorough and everything has been tagged and accounted for. Councilman Kelley and Councilman Hauser have the only RFP that we received for Payroll. We will be signing the Interconnection Agreement.

REPORT OF ATTORNEY:

Greg Mascara reported that Mr. Milani asked that he looks into Pool Enclosure Ordinance and I hope to have a draft by next meeting. The Sewer Connection Agreement has been approved on our side. West Caldwell and Essex Fells will be executing it. I will be at the Essex County Tax Board on Tuesday with Mr. Kelly. There was discussion on a re-valuation.

OLD BUSINESS:

Councilman Coyle asked the question to Mr. Carelli if there were dates scheduled for Cherry and Oak Ridge. Paul Carelli responded that he has not and he would make a call tomorrow.

Councilman Hauser asked about if the boards outside by the Community Center were checked. Mr. Carelli said that Glenn Beckmeyer took a look at it and he doesn't think that it is going to fall down. There is an electric conduit that is hanging and they will be fixing it.

NEW BUSINESS:

Councilman Murray reported that there were two things placed in everyone's packet. The first is the sign ordinance memo and he would like everyone to take a look at all the spots listed on your own and any feed back you have on these particular areas you can get back to me. Also, in your packets is the Alarm System Ordinance and the Fire Department asked that we take a look at this. Councilman Murray was approached by the members of the WEFAS asking if we are able to offer some kind of discount at the Community Center. The Fire Department has started a Health and

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awareness program and they have been asking for a defibrillator in the Fire Department. I would like to ask the Council if we can purchase the defibrillator with the money from JIFF.

6:131: AUTHORIZING THE PURCHASE OF A DEFIBRILLATOR FOR THE CALDWELL FIRE DEPARTMENT UTILIZING THE 2011 SAFETY INCENTIVE AWARD OF \$1,000 RECEIVED FROM THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND

Moved by Councilman Murray, seconded by Councilman O'Donnell. No Discussion.
On roll call, all present voted in the affirmative. Resolutions approved 06/07/12.

Paul Carelli spoke about the Community Center Basketball Court logo. He was approached by Rob and Gordon who would like to sell the advertising space in center court. Discussions Ensued.

6:132: AUTHORIZING THE BOROUGH CLERK TO PREPARE A REQUEST FOR PROPOSALS AND ADVERTISE FOR THE SALE OF ADVERTISING SPACE IN THE GYMNASIUM AT THE CALDWELL COMMUNITY CENTER

Moved by Councilman O'Donnell seconded by Councilman Murray. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 06/07/12.

6:133: RESOLUTION AMENDING DESIGNATED DATES OF COUNCIL BUSINESS MEETINGS FOR THE CALENDAR YEAR 2012

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued.
On roll call, all present voted in the affirmative. Resolutions approved 06/07/12.

OPEN PUBLIC MEETING:

Maryanne Temple, 26 Orchard Square, spoke about the Parking issue if the Life Source Church. She would like the Council to change the ordinance for future applications. This is not fair for there neighborhood and it is very important to change the ordinance.

Maurice Brewer – 33 Personette Street, spoke about the Police Department making only one side parking which will leave us with less spaces. Greg Mascara responded that it was just a suggestion that someone said at the last meeting.

Ann Marchioni, Environmental Commission, she spoke about towns in Essex County that have joined together to save electricity and save money. Councilman Murray responded that we have done that and we went on our own.

Hilda Moore, 23 Personette Street, spoke about the parking issues at the VFW (Life Source Church). She asked if the town can purchase this property if the Church's application does not get heard can there be some stipulation on what the property is being used for. She thanked Councilman Murray for checking on their neighborhood.

On a motion made by Councilman Coyle and seconded by Councilman Hauser, unanimously affirmed, the Council moved into Executive Session at 9:40PM.

Mayor Dassing 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

