

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – June 19, 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, and Rodgers

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

ABSENT: Councilman Kelley

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:

June 19, 2012

Moved by Councilman Coyle, seconded by Councilman Murray. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 07/17/12.

PRESENTATION OF AWARDS:

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

PRESENTATION:

Essex County Surrogate's Court – Surrogate's New Initiatives

Presented by: Theodore N. Stephens, II
Essex County Surrogate

OPEN PUBLIC COMMENTS ON RESOLUTION:

RESOLUTIONS – CONSENT AGENDA

6-134: RESOLUTION AWARDING PROFESSIONAL SERVICE AGREEMENT TO SUPERIOR SERVICES, LLC FOR SERVICES IN CONNECTION WITH THE OPERATION OF THE BOROUGH OF CALDWELL WATER SYSTEM IN AN AMOUNT NOT TO EXCEED \$7,020 PER ANNUM PLUS THE COST OF ADDITIONAL SERVICES NOT TO EXCEED \$48,000 PER ANNUM

6-135: AUTHORIZING THE APPOINTMENT OF FRANCINE T. PASERCHIA AS THE BOROUGH CLERK OF THE BOROUGH OF CALDWELL AT AN ANNUAL STIPEND OF \$5,000 EFFECTIVE JULY 1, 2012

6-136: AUTHORIZING THE APPOINTMENT OF LISA O'NEILL AS THE DEPUTY BOROUGH CLERK AT A SALARY OF \$51,756 EFFECTIVE JULY 1, 2012

6-137: AUTHORIZING THE ISSUANCE OF RENEWAL LIQUOR LICENSES FOR THE PERIOD JULY 1, 2012 THROUGH JUNE 30, 2013. APPLICATIONS AND APPLICANTS HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS

6-138: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159 - Alcohol Education Rehabilitation & Enforcement

6-139: AUTHORIZING THE BOROUGH CLERK TO PREPARE A REQUEST FOR PROPOSALS AND ADVERTISE TO SOLICIT QUOTATIONS FOR THE MANAGEMENT OF THE CALDWELL LEAF COMPOST FACILITY

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- 6-140: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159 – Comcast Grant 2012
- 6-141: AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159 – 2011 Safety Incentive Program Award
- 6-142: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH JUNE 19, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$4,120,550.88
- 6-143: RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR MILLING AND PAVING OF CHERRY LANE FOR AN AMOUNT OF \$17,607.45 AS APPROPRIATED IN CAPITAL ORDINANCE #1248-12 FOR THE BOROUGH OF CALDWELL
- 6-144: RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR MILLING AND PAVING OF OAK RIDGE ROAD FOR AN AMOUNT OF \$17,999.00 AS APPROPRIATED IN CAPITAL ORDINANCE #1248-12 FOR THE BOROUGH OF CALDWELL
- 6-145: AUTHORIZING THE BOROUGH OF CALDWELL TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED 2012 TAX BILLS IN ACCORDANCE WITH CHAPTER 72, P.L. 1994

CONSENT

Moved by Councilman Coyle, seconded by Councilman Murray. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 06/19/12.

Council President Hauser reported there was a joint meeting with West Caldwell Recreation Committee. West Caldwell has spoken with the Board of Education reviewing that agreement about the fields. The reason that comes into Caldwell purview is there are something's we jointly would like to do in regards to the Board of Education. I have requested that we be a part of those meetings with the Board of Education when it relates to field usage and filed maintenance. I suggested that we speak to the Board of Education to try and collaborate on things like share services for technology which includes computer systems, phone systems and any other things that we can possibly do. West Caldwell talked about some capital projects that they are planning for the fields. The lighting at Memorial Park is done, the lighting at Francisco is planned for 2013 and they spoke about the security at the various ball fields. The Recreation Director has asked that both Police Departments show some presence at the fields before and after events. There has been some damage on the fields and they spoke about possibly putting camera's up. Also, we spoke about members of Caldwell, West Caldwell who join Community Center and or Community pools to have some sort of a share offering. People who join the Community Pool would also have membership to the Community Center which would benefit the residents.

Councilman Murray responded that he is 100% in favor of having camera's on the fields. He would like to see this body move forward with the cameras. I would also like to let West Caldwell know that if they lock everything at 11:00PM and then open the gates at 7:00AM we are in favor of that. Discussions Ensued.

6-146: RESOLUTION AUTHORIZING THE PURCHASE OF ADDITIONAL SECURITY CAMERA EQUIPMENT FOR THE CALDWELL COMMUNITY CENTER IN AN AMOUNT NOT TO EXCEED \$5,000

Moved by Councilman Murray, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 06/19/12.

Councilman Murray reported that the Parking Ordinance will go into effect on July 1st. I spoke to Mr. Carelli about making sure that all the signs, posting and striping are done by that time.

Chief Bongiorno reported that there have been some residential burglaries and he reminded the residents to lock all doors and windows when you are not at home. If you can put jewelry and all valuables away don't leave them in plain site. We have vacant house forms available at the Police Department let us know when you will be away. Stop all mail and newspaper delivery. He thanked Sergeant Arnold for attending Lincoln Schools 5th grade graduation. Sergeant Arnold is heavily involved with the Dare program and the students were really happy to see him there. He had the honor of going to Middlesex County with Officer Roberts he was honored by MADD (Mothers

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against Drunk Driving) for his efforts arresting and stopping impaired drivers. Chief read the award; **2011 Law Enforcement Distinguished Service Award**

In recognition of your meritorious service your lifesaving efforts and dedication to keeping our New Jersey roads safe from impaired drivers. Your accomplishments have made a difference and are an inspiration in the prevention and creation of more victims and survivors. In appreciation for DU/DWI Enforcement – New Jersey Chapter of MOTHERS AGAINST DRUNK DRIVING acknowledges WILLIAM ROBERTS Patrol Officer Caldwell Borough Police Department.

Also, he gave a special thank you to the Nursery School at Congregation Agudath Israel specifically Shari Ornstein. They had a touch a truck event which they asked for us to bring a car along with the DPW and Fire Department. They made a nice donation to us and we were able to buy equipment we needed for our vehicles. He commended his officers who participated in the Click it or tick it campaign with the State from May 21st – June 3rd. Over that two week period we issued 125 tickets out of the 125 we issued 20 tickets for not wearing a seatbelts. Discussions ensued on Computer systems in the Police Department.

Councilman O'Donnell reported that he has the renovation specifications for the Community Center.

Councilman Rodgers reported that the Board of Health started their immunization program. They are working with the school nurses. As far as personnel we finished our first performance evaluation with the Borough Administrator and now we are in the process developing the other documents for the rest of the Town employees. He thanked Councilman Hauser and Mayor Dassing for their assistance in the process.

Mayor Dassing reported that the new office hours at the tax office are 1:00PM – 8:00PM the tax assessor and tax collector will be there. She thanked the Police Department for their help with Art on the Avenue. She also thanked Caldwell Fire Department for putting up the banner. The Mayor met with the County Executive and the Borough Administrator on Monday and we had some thoughts about possibly sharing some transportation services that the County offers. The County Administrator was going to get back to us with the programs they have available throughout the County for our residents in addition to what we currently provide. We discussed the possibility of applying for Open Space dollars for recreation projects that we might want to do jointly with West Caldwell. We spoke about the Street Sweeper, we have an agreement with the County that they provide the salt in the winter and we sweep their roads.

ADMINISTRATOR'S REPORT:

Paul Carelli reported the renovations for the Community Center are on scheduled. The signs we want to get done by July 1st. We will be paving Cherry Lane and Oak Ridge Road on Thursday. The fliers were sent out to the residents. We did appropriate money in our budget to repair the Street Sweeper. For the next Council meeting we will be putting together a salary ordinance for the year.

Mayor Dassing asked to see the proofs of the signs before they are delivered.

REPORT OF ATTORNEY:

Greg Mascara reported that PSE&G, Mr. Robert Wabal, is looking for an access agreement from the Borough into and through the property in which the Sewer plant is located. This would be an access road to the power lines and then after the access road there would be a more formal agreement that would allow PSE&G to continue access down that easement to continue to access their power lines. There is forth coming that there is a proposal to pay the Borough for this agreement.

6-147: RESOLUTION AUTHORIZING THE BOROUGH ATTORNEY TO NEGOTIATE TEMPORARY PERMISSION FOR AN ACCESS AGREEMENT WITH PSE&G AND THE BOROUGH OF CALDWELL

Moved by Councilman Coyle, seconded by Councilman Murray. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 06/19/12.

OLD BUSINESS:

Payroll RFP

To discuss with Councilman Kelley.

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Employee Incentive Plan

Councilman Hauser asked for input from the Council and to have it to him by July 17th meeting. **Greg Mascara** suggested that Councilman Hauser and himself get together and discuss and draft an Ordinance for the next meeting.

NEW BUSINESS:

Fire Alarm Ordinance

Greg Mascara prepared a draft ordinance and went over it with Councilman Murray and Paul Carelli. He asked for Council's approval or disapproval.

Councilman Murray responded that there are numerous false alarms and the Fire Department asked that we review the ordinance.

Pool Ordinance

Greg Mascara prepared a draft ordinance for this and sent it to Mr. Milani. Mr. Milani had some changes and he hasn't had a chance to look this over. Property Maintenance Ordinance to be on the July 17th meeting.

Jim Jorgensen, Liaison to Essex County, spoke about safe streets. It was an ordinance passed by the County and it was in relevance to the State of New Jersey's grant money. The DOT said if you want grant money to repair or build a road and if you don't have language in your specifications or your grant request that speaks to safety for runners, bikers, safety for people waiting at a bus stop everything you submit has to have a safety factor in the language of a grant request. If you do not have a safety aspect included you will not get the grant.

OPEN PUBLIC MEETING:

Tom Kelly, 48 Roseland Avenue, spoke about the steps in the lower level parking lot and how they are in need of repairs. He was concerned about the Community Center not allowing the public to use their restrooms he finds it offensive closing public restrooms to the public. The balls are still coming over we are being exposed to danger and at risk. Put higher nets up because the ones that were put up are not doing the job.

Hilda Moore, 23 Personette Street, asked if anything was being done with the ordinances allowing churches in Caldwell. **Greg Mascara** responded that he is working on that and will have that at the next meeting. There is a lot of garbage in her yard from the Knights of Columbus. She asked that the Farmers Market be moved since people are using her yard to get there.

Peter Nancoz, 45 Birkendene Road, he asked about having overnight guests and where they can park. He was told overnight parking is not allowed on the streets.

On a motion made by Councilman Coyte and seconded by Councilman Hauser, unanimously affirmed, the Council moved into Executive Session at 8:51PM.

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 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. **Greg Mascara** responds that the Executive Session will be discussion of Personnel in regards to positions that should be full-time or part-time, Sewer Plant with contract status with Maple Construction and West Caldwell Police Dispatch.

The Executive Session was adjourned and upon a motion by Councilman Murray, seconded by Councilman Hauser, the Council Business Conference Meeting was opened to the public and the press at 10:04P.M.

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