

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – June 21, 2016**

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The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:00PM

PRESENT: Mayor Dassing, Councilman Hauser, Councilman O'Donnell, Brown, Cascarano and Rodgers

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

ABSENT: Councilman Capozzoli

Adequate notice of this Council Business/Conference meeting was given on January 1, 2016. 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:
June 9, 2016**

Moved by Councilman Brown, seconded by Councilman Cascarano. No Discussion. On roll call, all voted in the affirmative. Councilman Hauser abstained. Council President Capozzoli absent. Minutes approved 06/21/16.

PUBLIC HEARING AND ADOPTION OF ORDINANCE

ORDINANCE #1320-16: CALENDAR YEAR 2016 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 Cascarano, seconded by Councilman Brown. No Discussion. On roll call, all voted in the affirmative. Council President Capozzoli absent. Ordinance adopted 06/21/16.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

RESOLUTIONS – CONSENT AGENDA

6-131: AUTHORIZING THE CLEAN UP OF CUTTING THE GRASS AT 8 FRANCIS PLACE, BLOCK 34, LOT 5.03 AND TO PLACE A LIEN ON THE SAID PROPERTY

6-132: AUTHORIZING THE CLEAN UP OF CUTTING THE GRASS AT 11 MYRTLE AVENUE, BLOCK 25, LOT 7.01 AND TO PLACE A LIEN ON THE SAID PROPERTY

6-133: AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 58.01 LOT 8, 178 ROSELAND AVENUE, CALDWELL, NJ 07006, DUE TO TAX COURT JUDGEMENT. 2014/2015 STATE TAX JUDGEMENT

6-134: AUTHORIZING THE TAX COLLECTOR TO REFUND OVERPAYMENT OF 2016, 2ND QUARTER TAXES FOR BLOCK 65 LOT 1.22, 22 FIELDS MANOR ROAD, CALDWELL, NJ 07006

6-135: AUTHORIZING THE TAX COLLECTOR TO REFUND OVERPAYMENT BLOCK 50 LOT 17, 39 WASHBURN PLACE, CALDWELL, NJ 07006

6-136: AUTHORIZING REFUND OF OVERPAYMENT BLOCK 36.01 LOT 71, 501-507 BLOOMFIELD AVENUE CELL TOWER, CALDWELL, NJ 07006

6-137: AUTHORIZING THE 2016 EQUIVALENT CONNECTION CHARGE OF \$359.19 PER EQUIVALENT CONNECTION, BASED ON THE NUMBER OF EQUIVALENT CONNECTIONS AND THE APPLICATION OF THE SEWER USER AGREEMENTS BETWEEN THE BOROUGH OF CALDWELL AND THE SEWER USER MUNICIPALITIES OF WEST CALDWELL, NORTH CALDWELL, ESSEX FIELDS, FAIRFIELD AND ROSELAND

6-138: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH JUNE 21, 2016 FOR 2016 BILLS IN THE TOTAL AMOUNT OF \$2,049,796.65

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6-139: RESOLUTION AUTHORIZING THE ASSIGNMENT OF THE TAX ABATEMENT AGREEMENT DATED FEBRUARY 28, 1979 BETWEEN THE BOROUGH OF CALDWELL AND MARION MANOR, INC.

CONSENT

Moved by Councilman Brown, seconded by Councilman Cascarano. Discussions Ensued. On roll call, all present voted in the affirmative. Council President Capozzoli absent. Resolutions approved 06/21/16.

PUBLIC HEARING AND ADOPTION OF THE 2016 MUNICIPAL BUDGET

Members of the public are invited to comment at this time on the 2016 Municipal Budget

Budget Document – Sheet 41/42

Moved by Councilman Brown, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Council President Capozzoli absent. Budget approved 06/21/16.

COUNCIL COMMITTEE REPORTS

Borough Council Members

Councilman Cascarano reported that this Saturday is the Camp Wyanokie outing will be on Saturday, June 25th and rain date is June 26th, registration is on the website campwyanokie.com. There will be a Barbeque, fishing derby and more fun things to do.

Councilman Rodgers reported that at the Board of Education meeting and he had the opportunity to talk to a few of the Board members and they asked if he could reiterate the message that the Mayor had delivered at the last meeting about the survey that's on their website. The Board of Education is taking the opportunity to reach out to the Community and they are asking for your input into future plans regarding the school facilities, class sizes, faculty, taxes, upgrades and all-day Kindergarten.

Councilman Hauser reported that he attended a Historic Preservation Commission meeting and there is a resident from Caldwell who has approached the commission about designating their house as Historic. The Commission would also like the Library building to be designated and they are asking who owns that building. Also, he has received an email and there was a suggestion to have the Elm Street Property cleaned up and made usable by an Eagle Scout as an Eagle Scout project.

REPORT OF MAYOR:

Mayor Dassing received a phone call from the Army Corp of Engineers in regards to the Pine Brook erosion hopefully they will be coming back out to render an opinion and they haven't been here in ten years. She met with the new President of the Parkside Gardens condominiums and there are 108 condos and all of the owners are very concerned about this and they are going to move ahead and have a survey done. They want to determine where their land ends and whose land that is. The Mayor had a discussion on the parking at Hanford and if the Chief can take a look at that because the signage is not working and people are continuing to park after 9:00PM.

REPORT OF BOROUGH ADMINISTRATOR:

1. **Sale of \$5,828,717 Bond Anticipation Notes, Series 2016A**
The bids will be closing tomorrow.

- Hatfield, Erwin and Elm Road project will be starting on July 1st. The Pre-construction meeting will be on Tuesday. Paving will start after 4th of July.
- Brookside Avenue is finished and once the ordinance for the handicap space.
- The new construction office is completed. The last office will start shortly.
- The Sand filter rehab at the sewer plant is going well and it's a little below budget.
- The Budget was adopted this evening.
- The Bid opening for the leaf compost is on July 8th at 10AM.
- He has received an RFP draft from Adam Brewer for the recreation advertising. There was a modification from Caldwell to West Caldwell so West Caldwell will be putting out the bid.
- Last week they signed the release for Great American and the final payment was sent. The sewer treatment plant upgrade is completed.

Councilman O'Donnell reported that he had a resident on Arlington reach out to him about some brush that was left on the curb and had been sitting there is that something that can be addressed

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and Paul responded that he did a little investigation and we have guide lines on how things like that should be put out and apparently it wasn't in the guide lines he will speak to the director of Public Works and see about making an arrangement. There are very specific regulations and DPW will hand out a form with these regulations when residents do not properly follow this.

Councilman Hauser asked if the street sweeper is going around there are residents that have been asking. The Mayor responded that it is working and she has seen it out on the roads.

REPORT OF POLICE CHIEF:

James Bongiorno reported that he would like to recognize officers DeAngelo and Roberts for an award they received from MADD, Mothers Against Drunk Drivers for their efforts in 2015 preventing accidents with motor vehicle enforcement. It was a nice ceremony that they had at Rutgers University. Also, the Chief gave a thank you to the First Baptist Church on June 12th there was a service recognizing Law Enforcement at their mass where they thanked law enforcement for their service to the Community. Caldwell Police Department, New Jersey Department of Corrections, Lt. Capozzoli and Essex County Corrections and New Jersey State Police were there and they were presented with plaques. Also, Councilman O'Donnell was present for the mass.

Councilman Brown reported that he attended Jefferson School's 5th Grade Promotion and the students thanked the officers who participated in the DARE program. He too would like to extend a thank you to our fine officers who donate their time for that program.

REPORT OF COUNTY LIAISON:

Patricia Keenan reported that senior residents 60 and over can participate in the 37th Art show. Individuals are invited to submit two works of art that they completed within the last three years. All the information is available on line and the art work is exhibited at the Hospital Center. In regards to Roseland Avenue she followed up with the County and it is not being paved this year.

OPEN PUBLIC MEETING:

Moved by Councilman Brown, seconded by Councilman Hauser to open meeting to the Public.

Marie Palmiero, 13 Elizabeth Street she has concerns with cars coming out of Agudath Israel when it is an entrance only onto Elizabeth Street.

On a motion made by Councilman Cascarano and seconded by Councilman Brown, unanimously affirmed, the Council moved into Executive Session at 7:54P.M.

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. The Executive Session is about 10 Hatfield Street.

The Executive Session was adjourned and upon a motion by Councilman Brown seconded by Councilman Cascarano, the Council Business Conference Meeting was opened to the public and the press at 8:08P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Brown, seconded by Councilman Hauser unanimously affirmed by all members present, the meeting was adjourned at 8:09PM.

Prepared by: _____
Lisa O'Neill, Deputy Borough Clerk

DATE