

**BOROUGH OF CALDWELL, N.J.**  
**COUNCIL BUSINESS/CONFERENCE MEETING**  
**MINUTES – JUNE 23, 2009**

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 6:04 P.M. to discuss the 2009 Budget.

PRESENT: Mayor Gartland, Councilman Lawshe, Slattery, Dassing, Curley and Norton

ALSO PRESENT: Borough Administrator, Maureen Ruane, Borough Attorney, Stuart Koenig, Esq., Deputy Clerk, Beth Bush Telepan

ABSENT: Councilman Brennan

Adequate notice of this Council Business/Conference meeting was given on January 15, 2009. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 15, 2009. Four official newspapers of the Borough were notified of this meeting by mail on January 15, 2009. Notice was posted and all persons requesting notice were sent same.

Mayor Gartland read the following statement:

Whereas, the Open Public Meetings Act, N.J.S.A. 10:4-12(b) permits the public be excluded from specified portions of a public meeting in certain circumstances; and Whereas, the Governing Body is of the opinion that such circumstances presently exists; Now, therefore, be it resolved by the Mayor and Council of the Borough of Caldwell, County of Essex, and State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is follows:
  - A. A matter of personnel involving the Borough Administrator pursuant to N.J.S.A. 10:4-12(b)(8).
3. It is anticipated at this time that the above matter will be made public upon the matter being finalized.
4. This resolution shall take effect immediately.

A motion was made by Councilman Curley, and seconded by Councilman Slattery, to go into executive session. Councilman Lawshe, Slattery, Curley voted in the affirmative, Councilman Dassing and Norton voted in the negative. Said motion was approved and the Council went into Executive Session at 6:06 P.M.

The Executive Session was adjourned and upon a motion by Councilman Curley, seconded by Councilman Lawhse the Council Business Conference Meeting was opened to the public and the press at 7:26 P.M. All those previously in attendance were present.

Budget Recommendations presented by the Budget/Finance Committee

On a motion made by Councilman Slattery, seconded by Councilman Curley the Budget portion of the meeting was adjourned at 8:19 P.M.

The Mayor requested a 5 minute break.

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 8:28 P.M. All those previously in attendance were present.

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Mayor Gartland explained that Mr. Frint was not available tonight for a presentation he will be at the July 7<sup>th</sup> meeting.

PRESENTATIONS: None

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INTRODUCTION OF ORDINANCES: None

PUBLIC HEARINGS: None

RECEIVING OF BIDS: None

APPROVAL OF MINUTES: May 5, 2009

Approved by all members present upon a motion made by Councilman Curley, seconded by Councilman Dassing the minutes were adopted June 23, 2009.

June 2, 2009

Approved by Councilman Lawshe, Dassing, Curley, and Norton, Councilman Slattery abstained upon a motion made by Councilman Curley, seconded by Councilman Lawshe the minutes were adopted June 23, 2009.

June 9, 2009

Approved by all members present upon a motion made by Councilman Lawshe, seconded by Councilman Norton the minutes were adopted June 23, 2009.

Mayor Gartland opened the meeting to the public at 8:32 P.M. for public comment on resolutions. Seeing no one from the public wishing to be heard Mayor Gartland closed the open public comment on resolutions at 8:32 P.M.

RESOLUTIONS:

6-117 Authorizing Abovenet Communications, Inc., to use the public right of way to install a fiber optic cable through Caldwell

Moved by Councilman Curley, seconded by Councilman Norton. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/23/09.

6-118 Authorizing Cablevision Lightpath New Jersey to use the public right of way to install a fiber optic cable through Caldwell

Moved by Councilman Curley, seconded by Councilman Slattery. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/23/09.

6-119 Authorizing the issuing of license for raffle to St. Aloysius Roman Catholic Church, Off- Premise – 50/50 Raffle, October 10, 2009 – 9:00 P.M.

Moved by Councilman Curley, seconded by Councilman Norton. No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/23/09.

6-120 Authorizing the Borough Clerk to advertise and receive sealed bids for tree pruning and removal

Moved by Councilman Slattery, seconded by Councilman Curley. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/23/09.

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6-121 Authorizing the payment of bills and the issuance of check for the period through June 23, 2009 in the total amount of \$448,223.37

Moved by Councilman Slattery, seconded by Councilman Curley. Discussion ensued. On roll call vote, Councilman Lawshe, Dassing and Norton voted in the negative, Councilman Curley and Slattery voted in the affirmative. Motion did not carry.

6-122 Authorizing the Caldwell Cyclones Swim Team to enter into a contract with the Township of Verona for the use of their pool and for the purpose of conducting practice sessions for the total amount of \$4,800.00

Moved by Councilman Curley, seconded by Councilman Slattery. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/23/09.

6-123 Authorizing the issuance of renewal liquor licenses for the period July 1, 2009 through June 30, 2010 applications and applicants have been approved by the appropriate municipal departments

Moved by Councilman Slattery, seconded by Councilman Norton. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/23/09.

**REPORT OF COMMITTEE CHAIRMEN AND MEMBERS:**

Councilman Lawshe – Wished everyone a happy Fourth Of July and hopes that everyone attends the fireworks in West Caldwell.

Councilman Slattery – Reported that the gates open for Fourth of July at 7:00 P.M. for entertainment, donations are \$3.00 for adults and \$1:00 for children. The rain date is July 5, 2009.

Councilman Dassing – Reported that the Food Pantry is now open on 14 Park Avenue. They are still looking for volunteers and donations.

Councilman Curley – Reported that the Caldwell Community Center is now accepting credit cards. The total amount to date received is \$12,000.00

Councilman Norton – No report.

Mayor Gartland – Reported on the Grover Cleveland Birthplace Ice Cream Social to be held on July 4, 2009. Mayor Gartland thanked the Budget Committee Members for all their hard work on the budget.

Administrator – Administrator Maureen Ruane requested that the Council put the estimated tax bill resolution for the meeting of July 7, 2009. The Council said yes. Ms. Ruane also reported on the proposed General Capital projects. Mr. Ruane also requested that the Council give permission to have the Rotary Clock on the Town Green. The council approved this request.

New Business – Councilman Dassing requested that the Council put a resolution on for the next meeting to conduct an audit through the New Jersey State Comptrollers office. The Council members agreed. Councilman Lawshe also requested that Ed Sandve attend the July 7, 2009 meeting. Councilman Norton also requested that the administrator have new procedures for the purchase orders be put in writing by the next July 7, 2009 Council meeting.

OPEN MEETING: Mayor Gartland opened the meeting to the public at 9:18 PM. Lisa O'Neill of 19 Parkway West had questions regarding the bills that were not paid tonight on the bill list. Rebecca Roth, Tax Collector, asked the Council if they would consider pulling certain

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bills from the bill list that are in question and paying the other remaining bills. Peter Murray of 61 Arlington Avenue wanted to know if the Borough was obligated under the Main Street Contract to give a specific dollar amount to the Caldwell Downtown Alliance. Mr. Murray also had questions if the Council could control how the money for the Caldwell Downtown Alliance be spent. Mr. Murray also had a question regarding Meryl Layton currently being a part time employee of the Caldwell Downtown Alliance and if she would be going fulltime. Mr. Murray also had questions regarding the Kiwanis Oval. Seeing no one else from the public wishing to be heard the Mayor closed the open public meeting at 9:27 PM.

On a motion made by Councilman Slattery, and seconded by Councilman Curley, unanimously affirmed, the Council moved into Executive Session in order to discuss a matter potential litigation and land acquisition. Said motion was unanimously approved and the Council went into Executive Session at 8:27 P.M.

The Executive Session was adjourned and upon motion by Councilman Slattery, seconded by Councilman Curley the Council Business Conference Meeting was opened to the public and the press at 10:11 P.M. All those previously in attendance were present.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Curley, seconded by Councilman Slattery, unanimously affirmed by all members present, the meeting was adjourned at 10:11 PM.

Prepared by:

\_\_\_\_\_  
Beth Bush Telepan  
Deputy Clerk

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Date