

**COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – July 12, 2011**

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

PRESENT: Mayor Dassing, Councilman Murray, Hauser, Piazza, Coyle and O'Donnell

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

ABSENT: Councilman Norton absent on Roll call

Adequate notice of this Council Business/Conference meeting was given on January 1, 2011. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2011. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2011. Notice was posted and all persons requesting notice were sent same.

APPROVAL OF MINUTES:

June 28, 2011

Moved by Councilman Hauser, seconded by Councilman Piazza. No Discussion. On roll call, Councilman Hauser, Piazza, Coyle and O'Donnell voted in the affirmative. Councilman Murray abstained. Minutes approved 07/12/11.

PUBLIC HEARING OF THE 2011 MUNICIPAL BUDGET
None

PRESENTATION:

Borough of Caldwell – 2011 Municipal Finance Presentation
Presented by: Paul M. Carelli

Councilman Norton arrived at 7:16PM

OPEN PUBLIC COMMENTS ON RESOLUTIONS
None

Greg Mascara, there was a question that a citizen raised about the propriety of having the budget hearings held in private session and while I stand by Council's decision to have those discussions in private sessions, given the nature of the negotiations that were on going that impacted the budget. It is important to note for the record, in order to rectify and perceive propriety the council had scheduled this hearing in the open again this evening, for the record that's been done and they will satisfy any and all requirements under the law.

RESOLUTIONS - CONSENT AGENDA

7-173: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Grover Cleveland Park Conservancy / Off-Premise – 50/50 Raffle / August 2, 2011 – 6:00PM – 10:00PM

7-174: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 10-00005 PAYABLE TO HAVID DEVELOPMENT, LLC

7-175: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH JULY 12, 2011 FOR 2011 BILLS IN THE TOTAL AMOUNT OF \$1,533,539.00

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7-176: RESOLUTION TO ADOPT THE PROVISIONS OF CHAPTER 48 (N.J.S.A. 52:14,17,38) UNDER WHICH A PUBLIC EMPLOYER MAY AGREE TO PAY FOR THE STATE HEALTH BENEFITS PROGRAM (SBHP) COVERAGE OF CERTAIN RETIREES.

7-177: AUTHORIZING THE AWARD OF A CONTRACT FOR FOREST AVENUE ROADWAY IMPROVEMENTS, NIDOT TRUST FUNDS OF \$245,000 TO CIPELLI & SON GENERAL CONSTRUCTION, INC., 4 COPPOLA STREET, NUTLEY, NEW JERSEY 07010

7-178: RESOLUTION TO AMEND THE BOROUGH OF CALDWELL 2011 MUNICIPAL BUDGET AS INTRODUCED AND APPROVED ON MAY 24, 2011.

CONSENT

Moved by Councilman Coyle, seconded by Councilman Murray. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 07/12/11.

Mayor Dassing thanked the Borough Administrator and the CFO for making such a difference this year. She thanked Councilman O'Donnell for all his hours spent in leading us. Also, the Mayor thanked Council President Murray for the contract renegotiation and on all of those contracts.

Councilman Norton reported that on the Community Center, Camp Caldwell is now on its way and it is the largest camp that the Community Center has ever had. Sand lot Camp has just started this year and thank you very much to the Fire Department. The playground that will be next to the Borough will be started next week. The Cyclones summer course we have minimum of 25 children signed up for this. By the end this week we should be hearing about a summer basketball league. I would like to thank Gordon Lawshe publicly for his hard work and the love of the sport.

Councilman O'Donnell reported that from 02 to 03 there was an additional \$203, 000 of taxes, from 03 to 04 there was an additional \$547,000 collected we move on to 06 there was a million three, 05 to 06 there was an additional \$824,000 collected in revenues from 06 to 09 there was \$229,000 then in 08 an additional \$411,000 and in 09 Joe Norton grabs it and it is up 1.4% an additional \$97,000 and in 10 he drops it to 1.2% \$82,000. Joe did this without the benefit of a CFO he started the heavy lifting and I want to thank you for making it so much easier for 11. He thanked Mr. Carelli, Marge, Greg Mascara, and Greg Seaman. In order to get to where we are tonight Councilman Murray had to conclude negotiations with the PBA and I want to thank the PBA and I want to thank Council President Murray. There were no threats of layoffs, there were no threats of demotions, both sides negotiated fairly and honorably and we came to an agreement that we all can live with. Councilman Norton started the process, Council President Murray, myself and Mayor Dassing carried the ball over the line. My goal was to keep everybody in this Borough employed, not to increase taxes on the residents that are not employed. I am very proud of this group, we don't always agree but we come together as a cohesive group when it's necessary.

Councilman Piazza reported as far technology, next week we will be scheduling appointments to get things going.

Councilman Hauser reported that we had a successful meeting with the Recreation Advisory Committee. The first thing we discussed was the netting situation. One of the things that I talked about two weeks ago was a potential solution for netting that essentially would cover the home plate area. It was decided jointly that we would not move forward immediately with that concept, largely because there is at least a two week order process for the netting to come in. The baseball and the softball seasons will essentially be complete and over by the end of this month. We will be looking at some better and longer term solutions. We will be revisiting the agreement with Caldwell College as it relates to their usage of the field.

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Council President Murray reported that the PBA agreement is finalized and the contract just needs to be signed. The e-ticket is going very well.

OLD BUSINESS:

Councilman Norton spoke about communications setting up an SOP. I would like to propose that the last five minutes of the meeting be recorded and sent to Borough Clerk for distribution to all Council members as well.

NEW BUSINESS:

Councilman Hauser made a suggestion that maybe at the next meeting there can be some discussion of the debt obligations that the Town has as it relates to what we talked about, a three or five year planning, long range planning for Capital projects.

I would like to get an understanding on what the protocol should be for purchases and the authorizations of purchases. Council President responded that one of the things we talked about was the requisition process. Would there be a minimum that a department head would be allowed to go out and purchase that would go to the requisition which then would go to Paul maybe sign off to the CFO. Discussions Ensued.

OPEN PUBLIC MEETING:

Jane Leiber, 48 Roseland Avenue, something has to be done about the balls. There was another incident tonight. We are being harassed by these balls. The games should have been stopped.

Hilda Moore, 23 Personette Street, thanked the Mayor for getting back to her so quickly over the weekend. She spoke about the speeding that is on Personette Street and Orchard Square. Council President Murray said he will speak to the Police Chief about that and see what has been done on those streets.

John Ferrari, 8 Cleveland Street, he has a problem with the retaining wall that's in the Parking lot of the Cloverleaf. The wall is falling down. Mayor Dassing responded that she did see the wall and it is on a list of things that need to be done in the Town.

Jim Jorgensen congratulated the Council, Paul Carelli and Margaret for everything they have done, not everyone will be able to do what you have done.

Robert Colaizzo, 7 Hatfield Street, spoke about two incidents of cars on Hatfield Street over the weekend.

Bob Christensen, 3 Ravine Avenue, spoke about his tax bill and it's the highest it has ever been. Mayor Dassing responded that it was based on the introduced Budget not the adopted Budget.

On a motion made by Councilman Piazza, and seconded by Councilman Norton, unanimously affirmed, the Council moved into Executive Session at 8:48P.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. Greg Mascera responds that the Executive Session will be discussion of, both Faloni Litigations, Gleason Litigation and the Essex Fells Water Contract.

