

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – August 4, 2015**

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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, Council President O'Donnell, Councilman Capozzoli, Brown and Cascarano

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

ABSENT: Councilman Hauser and Councilman Durkin

Adequate notice of this Council Business/Conference meeting was given on January 1, 2015. 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:
July 21, 2015**

Moved by Council President O'Donnell, seconded by Councilman Cascarano. No Discussion. On roll call, Council President O'Donnell, Councilman Capozzoli, and Cascarano voted in the affirmative. Councilman Brown abstained. Councilman Hauser and Durkin absent. Minutes approved 08/04/15.

INTRODUCTION OF ORDINANCES

ORDINANCE #1311-15: AN ORDINANCE AMENDING CHAPTER 230 - ARTICLE V OF THE CODE OF THE BOROUGH OF CALDWELL, TRAFFIC REGULATIONS

Moved by Councilman Cascarano, seconded by Councilman Brown. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced 08/04/15.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

Moved by Councilman Capozzoli, seconded by Councilman Cascarano.

RESOLUTIONS - CONSENT AGENDA

8-160: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #14-00023 BLOCK 57.01, LOT 1.08

8-161: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #14-00020 BLOCK 41.01, LOT 19

8-162: RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR 4-10 CENTRAL AVENUE, LLC. Block 28, Lots 6 & 7, 4-10 Central Avenue, Caldwell, NJ

8-163: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #14-00002 BLOCK 30.02, LOT 3

8-164: RESOLUTION AUTHORIZING A SUBSTITUTE BUS DRIVER FOR THE CALDWELL SENIOR TRANSPORTATION PROGRAM AT AN HOURLY RATE OF \$20.00 PER HOUR – Mary Jo Senkier

8-165: AUTHORIZING AN EXTENSION TO THE AWARDED CONTRACT FOR THE ACADEMY ROAD-ELIZABETH STREET ROADWAY IMPROVEMENTS, NJDOT TRUST FUNDS OF \$237,000 TO GRANADA CONSTRUCTION CORPORATION, 147 THOMAS STREET, NEWARK, N.J. 07114 IN THE AMOUNT OF \$445,161.10

CONSENT

Moved by Councilman Capozzoli, seconded by Councilman Cascarano. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 08/04/15.

8-166: AUTHORIZING THE APPOINTMENT OF Dante Capozzoli AS A JUNIOR FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT

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Moved by Councilman Brown, seconded by Councilman Cascarano. No Discussion. On roll call, Council President O'Donnell, Councilman Cascarano and Brown voted in the affirmative. Councilman Capozzoli abstained. Resolution approved 08/04/15.

OLD BUSINESS:

1. Discussion – Historic Commission Ordinance

Mayor Dassing discussed the Historic Commission Ordinance and she would like to propose that Historic Districts be taken out of the ordinance and she feels it might quell some of the fears of the people who might be in that district or feel like they might be in that district without having any say. If the districts are taken out then there is no creation of a district and it becomes a voluntary decision by the individual property owners as to whether or not they want to be known as a Historic Property. There was a suggestion by a resident that Section 130-9E add the following: With regard to any property the Historic Commission is considering or has identified as a potential landmark, historic structure, historic district, and/or as part of a historic district, the Historic Preservation Commission shall make a written request of the owner of such property for such owner's written consent to the designation of such property by ordinance as a landmark, historic structure, historic district, and/or as part of a historic district. After discussion the Mayor and Council agreed to change the ordinance.

REPORT OF MAYOR:

Mayor Dassing reported that she had a discussion with a company called EZ Ride that services Municipalities with smaller buses and shuttle services. The Mayor asked if anyone on Council would like to work with her on this and Councilman Cascarano responded that he would assist and Council President O'Donnell will assist if necessary as well. Additionally Congressman Frelinghuysen on June 12th sent a Resolution to congress asking them to consider changing the Federal Law to ensure that all Veteran service organizations are eligible for Community Development Block Grants and that would mean funding for public facilities and improvement funding and if this is passed it would enhance our American Legion Building which currently serves Veterans in Caldwell, West Caldwell, Cedar Grove, Roseland, Livingston and Verona. We always appreciate the Congressman for always thinking of our Veterans.

REPORT OF BOROUGH ADMINISTRATOR

Paul Carelli reported on the following:

- At the end of this week we will be advertising for the sewer plant Clarifier replacements.
- The new handbook has been distributed to all the employees. Paul has asked for them to send back their acknowledgement by August 14th. At the same time the performance evaluation forms were sent out and due back by August 14th.
- The remediation company finished the tax office.
- The senior lunch program started yesterday and there were 21 seniors from here and there were 50 seniors at the Boat House. On Tuesday's the seniors have shopping day and they go to malls and food stores. August's Calendar is full with activities.
- We have a new Assignment Judge in Essex County who will be visiting Caldwell on September 17th between 2:00PM – 4:00PM and Judge O'Connor wanted me to see if members from the Council can stop by he will be here to take a tour of the facility and meet everyone.

REPORT OF BOROUGH ATTORNEY:

Greg Mascera reported that the ordinance that was introduced tonight was the culmination of the settlement with the Gleason vs. Caldwell matter. There are now twenty-six (26) handicap spots throughout the Borough some are on public streets and some out where the Borough maintains parking lots. We believe that the Borough has gone above and beyond of what has been required and probably in the best interest of the public. He also wished Jim Jorgensen best wishes. Jim as the County Liaison for Caldwell has been a resource for everyone the Mayor and Council but he also has been a resource for him getting questions answered at the County level and he appreciates Jim's service and he is going to miss him. He knows the County has a lot of good people that we will get to know the successor as well as we did Jim. Mayor Dassing responded that she echo his sentiments and Jim always went above and beyond and if there was something he could proactively do for us he would.

OPEN PUBLIC MEETING:

Moved by Council President O'Donnell, seconded by Councilman Capozzoli to open meeting to the Public.

Stacey Doctoroff, 69 Ravine Avenue spoke about the 4-way stop and she discussed the Traffic study report with the Council. Mrs. Doctoroff stated that there are other Avenue's that can be discussed other than putting a 4-way stop sign.

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Mayor Dassing responded that they will look at it again and certainly take her concerns.

Don Allen, 24 Westover Avenue has concerns with a 4-way stop.

Councilman Capozzoli responded that it's not fair that you are saying we rushed into this we hired a professional to do the study and that was the answer we received. It was done by the Caldwell and West Caldwell Police Department it has been done by all of us. We are doing our homework and we are trying to do what's right for everyone.

Robert McMahon, 26 Westover Avenue stated that the intersection is not in compliance he measured the stop sign at 53" and the standard is 6' and an engineering contractor did a study in a non-compliant intersection and that study is now a part of your report.

Grace Oldroyd, 63 Forest Avenue she stated that there was a study between Hatfield, Forest and Hillside and she would like to know if within the perimeter for a 4 way stop sign because in the past month there was a woman who got hit coming down the hill on a bicycle.

Mayor Dassing responded that there has not been a study on Forest Avenue only on Hatfield.

Councilman Capozzoli responded that he will speak to the Chief about Forest Avenue

Joan Buckley, 16 Hillside Avenue thanked the Mayor and Council for presenting and discussing the Historical Ordinance and for raising the consent issue and for voting to draft the modification of the ordinance. They are looking at one aspect of the ordinance and they just want consent of the homeowner before any property is designated as a Historic District or Historic Site.

Bob Kaplan, Historic Preservation Commission talked about the Historic Preservation Ordinance and what needs to be added to that ordinance.

Beverly Crisfasi, Historic Preservation Commission spoke about the History of Caldwell.

Roxanne Douglas, President Historic Society of West Caldwell she explained that their mission is to preserve West Caldwell History also there are a number of items in there collection that relate to Caldwell. It is important to recognize the Historic Preservation Committee that Caldwell has.

On a motion made by Council President O'Donnell and seconded by Councilman Cascarano unanimously affirmed, the Council moved into Executive Session at 8:01P.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 will be discussion of inter-local agreement with West Caldwell.

The Executive Session was adjourned and upon a motion by Council President O'Donnell seconded by Councilman Capozzoli, the Council Business Conference Meeting was opened to the public and the press at 8:27

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Cascarano, seconded by Councilman Brown unanimously affirmed by all members present, the meeting was adjourned at 8:27PM

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

DATE