

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – August 6, 2013**

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 Coyle, O'Donnell, Kelley, Rodgers and Durkin

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

**ABSENT:** Council President Hauser

Adequate notice of this Council Business/Conference meeting was given on January 1, 2013. 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.

**APPROVAL OF MINUTES:**  
July 16, 2013

Moved by Councilman Kelley, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Councilman Coyle abstained. Minutes approved 08/06/13.

**INTRODUCTION OF ORDINANCE:**

**ORDINANCE# 1278-13:** BOND ORDINANCE AMENDING BOND SECTION 1 OF ORDINANCE NUMBERED 1248-12 OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY FINALLY ADOPTED MAY 15, 2012 IN ORDER TO AMEND THE AMOUNT OF THE ESSEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT.

Moved by Councilman O'Donnell, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced 08/06/13.

**OPEN PUBLIC COMMENTS ON RESOLUTIONS:**

Moved by Councilman Coyle, seconded by Councilman Kelley to Open to the Public for Consent Agenda

**RESOLUTIONS – CONSENT AGENDA**

**8-189:** RESOLUTION TO CANCEL RESERVE BALANCES

**8-190:** RESOLUTION TO CANCEL PAYROLL RESERVE BALANCES

**8-191:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00014 PAYABLE TO US BANK CUST-PROCAP 11, LLC RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE FISCAL YEAR 2012 AUDIT REPORT

**8-192:** AUTHORIZING A CREDIT FOR OVERPAYMENT OF 2011 & 2012 TAXES FOR BLOCK 74 LOT 5, 14 BOWERS ROAD

**8-193:** AUTHORIZING A CREDIT FOR TAX EXEMPT PROPERTY FOR BLOCK 30.02 LOT 7, 98 CENTRAL AVENUE

**8-194:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parent Faculty Association of Mt. Saint Dominic Academy - Off Premise / 50/50 Raffle – September 15, 2013 – 12:00PM – 4:00PM

**8-195:** RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION Block 302, Lot 58, Tim Berra, 23 Wilson Terrace, West Caldwell, NJ

**8-196:** AUTHORIZING THE APPOINTMENT OF Shane Cunningham AS A FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT

**8-197:** RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF 2013 TAXES FOR BLOCK 30.02 LOT 7, 98 CENTRAL AVENUE, CALDWELL, NJ

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8-198: AUTHORIZING THE 2013 EQUIVALENT CONNECTION CHARGE OF \$360.82 PER EQUIVALENT CONNECTION

**CONSENT**

Moved by Councilman Coyle, seconded by Councilman Kelley. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 08/06/13.

**COUNCIL COMMITTEE REPORTS:**

**Councilman Coyle** reported that there will be a meeting on Thursday for the DPW Committee.

**Mayor Dassing** reported that to date for the Library Gala we have received \$5,000.00 in sponsorships. Dancy Funeral Home, Lakeland Bank, McManimon, Scotland & Baumann and Fairview Insurance and they have a table sold already. Thank you to the corporate sponsors so far. She also thanked Grover Cleveland Park Conservancy for a lovely evening last night it was well attended and the weather was great. She also attended the Caldwell Volunteer Fire Department fund raiser on Saturday night at the Ringside Pub. Gerard Grecni plays the guitar and our own fire chief plays the drums and someone from out of town won the Turks and Caicos trip. On July 17<sup>th</sup> we held a second Board of Ed shared services meeting and some of the topics that we discussed will be spoken about at their retreat which happens at the end of August.

**REPORT OF BOROUGH ADMINISTRATOR:**

1. Administrator Report August 6, 2013

Paul reported on some completed projects. Park Avenue has been fixed it was a catch basin and some drainage. The roof on the Borough Hall has been repaired and no more leaking around the perimeter. Brookside Avenue is completed and they did a great job and they were a month ahead of schedule. The emergency generator is basically ready to go; it is waiting for an inspection by our Construction Department. There is an outstanding issue with converting the heat for the Fire Department and he gave me a schedule and I am going to make sure he does it a little quicker than that. **Councilman O'Donnell** responded that no payment should be issued until the job is 100% complete. Paul responded that he agreed. They did do the load test and Ray Sullivan said it worked great. Ray will be in this week to talk about the phone system. He will be doing the Finance presentation in September when all the Council members are here.

2. Water and Road Improvement Project Update

Matina is moving along in the Cedars and he is on schedule. As far as the road resurfacing project the advertisement has been placed and Bids will be opened on August 16<sup>th</sup> at 2:00PM. One of the challenges of doing that work is in order to make the improvements we need to make up in the Cedars. There are certain areas that require drainage improvements and along with the drainage improvements, not only catch basins, but the piping is necessary to do. There are areas that require Belgium Block curbing because the curbing funnels the water into the catch basin. The Mayor and I drafted a letter that we would like to send. There are no surprises and the letter will be letting those residents know that the work will start in the beginning of September and with that we would like to put a list of the properties that will require the Belgium Block curbing for the drainage.

**Councilman O'Donnell** asked Paul if there is a completion date for the resurfacing and the drainage. Paul responded yes October 29<sup>th</sup> and he will confirm that. **Councilman O'Donnell** asked if the sweeper can get to the Cedars.

**Councilman Kelley** asked Paul if he addressed his concerns about the trenches and the timing of the Paving. Paul responded that the Borough Engineer did and he went to several other towns and looked at work that was done similar to this. **Councilman Kelley** asked the period of time after the trenches when the paving will occur. Paul responded that about six to eight weeks.

**REPORT OF ATTORNEY:**

**Greg Mascara** reported that he appeared at court with Paul Carrelli and Chief Bongiorno in reference to the Gleason suit. The Judge was highly complimentary of both Chief Bongiorno and of Paul. The presentation that Paul made to show the effort that the Borough is making to make the Borough ADA compliance. It was very productive and we do have to go back. Also, there will be a charge against the Wine Village and I have prepared the Notice of Charges in compliance with the ABC law. The hearing will be scheduled in September and at the hearing

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the Governing Body is the jury and will make the determination. The charges are clear there was service to an individual under the age of 18 the penalty would be a 30 day mandatory closure of the establishment. They do have a right to defend the charges against them. **Councilman Kelley** asked Greg, is the penalty mandatory or is it optional. Greg responded that the penalty is mandatory but it's up to you whether to decide that in fact a minor was served. Jack Kelly our Tax Assessor is retiring effective immediately and we will be assigned effectively a new Tax Assessor by the County. The Sewer takeover agreement, all the terms are essentially agreed upon. I received a call that Great American wanted to add some language and we are working on that language right now. They have a completion Contractor that has been hired and it will be 100 days. The soil analysis for Personette looks like there is not any ground contaminate. The next step would be to fill the holes and remove the dirt. Al & John are over in Caldwell and there was an issue as to whether Greg Seaman has collected sewer user fees and unfortunately, with the law we are not entitled to it.

**REPORT OF POLICE CHIEF:**

**Chief James Bongiorno** reported that Robert Adams graduated from the Police Academy on July 25<sup>th</sup>. He started his field training program last week it's a six week program and he will be training with Officer Roberts. The Auxiliary officers were at the Park last night and they have been very active in the Community and they are doing a great job. **Mayor Dassing** responded that Jessica Juszczyk was out with the cleanliness letter delivering personally with a big smile to all the merchants reminding them to sweep and clean in front of their stores. The merchants were very happy about that.

**PUBLIC HEARING OF THE 2013 MUNICIPAL BUDGET AMENDMENTS**

Moved by Councilman Kelley, 2<sup>nd</sup> by Councilman Rodgers to open the public hearing of the 2013 Municipal Budget

Discussion on the surplus.

**ADOPTION OF THE 2013 MUNICIPAL BUDGET**

**4 of 5** Budget Document --- Sheet 4  
Heidi Wohlleb, Nisivoccia read the resolution.

Be it Resolved by the Governing Body of the Borough of Caldwell, County of Essex that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$ 6,847,383.79 for municipal purposes and \$101,439.34 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy AND \$342,889.71 Minimum Library Tax

Moved by Councilman Kelley, seconded by Councilman Durkin. Discussions Enstued. On roll call, all present voted in the affirmative. 2013 Municipal Budget Adopted on 08/06/13.

**OPEN PUBLIC MEETING:**

Moved by Councilman Coyle, seconded by Councilman Kelley to Open Public Meeting.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman O'Donnell, unanimously affirmed by all members present, the meeting was adjourned at 7:33PM.

Prepared by: \_\_\_\_\_  
Lisa O'Neill, Deputy Borough Clerk

\_\_\_\_\_  
DATE