

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – August 20, 2013**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at **7:01PM**

**PRESENT:** Mayor Dassing, Council President Hauser, Councilman Coyle, O'Donnell, Rodgers and Durkin

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

**ABSENT:** Councilman Kelley

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:  
August 6, 2013**

Moved by Councilman Coyle, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Council President Hauser abstained. Minutes approved 08/20/13.

**INTRODUCTION OF ORDINANCE:**

**ORDINANCE# 1279-13:** AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE II, ADMINISTRATOR, CHAPTER 31, OFFICERS AND EMPLOYEES AT SECTION 31-12 ENTITLED "POWERS AND DUTIES," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CALDWELL, NEW JERSEY," IN ORDER TO AMEND THE ROLE OF THE ADMINISTRATOR IN HIRING AND FIRING CERTAIN EMPLOYEES

**Councilman Durkin** asked the question if this is the same ordinance that we have spoken about or what is different about it. Greg Mascera responded that what it does, personnel policies chapter 37-3H which we have right now is it allows the Administrator, he reads the ordinance; "Administrator shall of the authority to, and shall, fill a vacant position after having considered all of the applicants in the manner set forth in this section. Despite the foregoing, the Mayor and Council, and not the Administrator, shall act to fill a vacant or new position for a department head after having received and considered the recommendation of the Administrator". Discussion Ensued.

Moved by Councilman O'Donnell, seconded by Councilman Hauser. Discussions Ensued. On roll call, Councilman O'Donnell, Hauser and Coyle, voted in the affirmative. Councilman Durkin and Rodgers voted in the negative. Ordinance introduced on 08/20/13.

**OPEN PUBLIC COMMENTS ON RESOLUTIONS:**

Moved by Councilman Coyle, seconded by Councilman O'Donnell to open to the Public for Consent Agenda

**RESOLUTIONS – CONSENT AGENDA**

**Councilman Rodgers** asked the question on resolution #8-199, how we determine the streets to be worked on. Paul Carelli responded that there is a chart that prioritizes all the roads in town that need work. We needed to come up with an application for this year and typically with a DOT grant they want a street that is a main thoroughfare it connects from one town to another or a county road to a county road. Looking at the list the next one to apply was Academy Road. **Councilman Hauser** asked Paul when that list was prepared. Paul responded maybe two years. Councilman Hauser asked if it was updated. Paul responded that it needs to be updated because the top 15 have been done. Discussion Ensued.

**Councilman Hauser** asked why resolution 8-204 is on the agenda now when we do the salary ordinance in the beginning of the year. Paul responded that it is after we adopt the budget. Councilman O'Donnell asked when we would be moving forward with the discretionary raises. The money that is in a line item for other can we use that for discretionary raises. Paul responded yes and Councilman O'Donnell would like to move forward. Discussion Ensued.

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**Councilman Hauser** asks the question in regards to 8-207 why are the kilowatt hours up 35% over last year's kilowatt hours. Paul responded that it was part of the renegotiation extension with Hatch Mott when the new plant went on line it uses more electricity.

- 8-199:** APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE ACADEMY ROAD / ELIZABETH STREET ROAD IMPROVEMENT PROJECT
- 8-200:** RESOLUTION SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2013 STATEWIDE CRACKDOWN
- 8-201:** RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF 2013 TAXES FOR BLOCK 5 LOT 4.04 FOR 82 ELM ROAD, CALDWELL, NJ
- 8-202:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell College, Inc. - On Premise / 50/50 Raffle – November 22, 2013 – 6:00PM – 11:00PM
- 8-203:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell College, Inc. - On Premise / Tricky Tray Raffle – November 22, 2013 – 6:00PM – 11:00PM
- 8-204:** RESOLUTION ESTABLISHING SALARIES, WAGES, AND ALLOWANCES OF OFFICIALS AND EMPLOYEES OF THE BOROUGH OF CALDWELL FOR THE CALENDAR YEAR 2013
- 8-205:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH AUGUST 20, 2013 FOR 2012/2013 BILLS IN THE TOTAL AMOUNT OF \$5,671,595.77
- 8-206:** AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF REVENUE AND APPROPRIATION CHAPTER 159 -2013 FEMA Assistance to Firefighters Grant
- 8-207:** RESOLUTION AUTHORIZING PAYMENT TO HATCH MOTT MACDONALD OPERATING SERVICES FOR EXPENDITURES IN EXCESS OF THE 2012 CONTRACT CREDIT AMOUNT FOR SLUDGE HAULING DISPOSAL, PLANT MAINTENANCE, AND EXCESS ELECTRICITY COSTS FOR THE OPERATION AND MAINTENANCE OF THE CALDWELL WASTEWATER TREATMENT PLANT

**CONSENT**

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 08/20/13.

**COUNCIL COMMITTEE REPORTS:**

**Councilman Hauser** reported that Adele Puccio, Library Director has resigned. A job posting will be in several different places and we will be conducting interviews as resumes come in. Adele's resignation date is October 9<sup>th</sup>; she will be accepting a job in Bloomfield. During the meeting he spoke about shared service with other Municipalities but there were some members very much against it and some thought it would be a great idea.

**Councilman Coyle** reported that he asked Paul Carelli to distribute minutes of our committee meeting majority which was a discussion about roads. There are some additional bid specs being prepared for recycling, the Library ramp and the chair lift. We will have more information in October.

**Mayor Dassing** reported that there was a meeting at the Caldwell community center with the Caldwell Merchant Association and Project Main Street. Some CMA members attended putting feet on the street seminar in Montclair and they wanted to educate project main street members about what they learned. What they said in Montclair is to make friends with the County Engineer. The Mayor asked Jim Jorgensen if he can arrange a meeting for us some members from the CMA some members from the PMS and anyone else who would like to go and talk to him about some ideas that we have for Bloomfield Avenue. She received an email from Nicholas Campinella, president of Sun Pacific Power Corporation and they have the plans for the sewer plant and they surveyed the sewer plant for solar and we can put a Meg down there. She would like a discussion at the Sewer Board meeting and have him come and make a presentation.

**REPORT OF BOROUGH ADMINISTRATOR:**

1. Administrator Report August 20, 2013

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Paul reported that the generator is on line now. The gentleman has some work to do as far as hooking the heat and hot water up. Bob, Chris and I have been working on the capital ordinance evaluation status and Bob has left me with eight (8) pages of ordinances that date back to 2000 where there is vary degrees of funded and unfunded. I think there is a good amount of funded money that he would like to present to the Council and decide what we want to do with that as far as re-appropriating, cancelling a combination of both. There are some projects that he would like to move with, this building needs some work downstairs, the televising of the Council meetings, and computers that are needed in the Community Center. He finally got a hold of FEMA and he was told to just send P.O's and cancel checks for the things we paid for. The total is about \$90,000.00. As far as the ADA compliance we have started striping and redid the handicap spots. We need to put a drop off zone in front of the Community Center. We have brought in another concrete contractor to give us quotes for in front of the Library and the side of the Library we need to change the crosswalk right in front of Borough Hall. Chris has 99% of the budget in Edmunds now he will have payroll allocated tomorrow after this resolution. We will be able to get a snap shot were we are financially at a moment's notice. On Friday he will be meeting with the new Administrator in West Caldwell on Friday and they hired a new IT person for the Board of Education and I will be meeting with him also. Our Municipal Judge and as well as the County are pressuring me to replace the Deputy Court Administrator, we currently have someone working part-time and that person might be interested. Councilman Rodgers and I have been working on the Employee handbook and we have a new draft that hopefully we can get to everyone by next meeting. Brookside Avenue is completed. We received bids on Friday to award the contract in the Cedars and there is a recommendation for that and the bids did come under the estimate. As far as the Cedars water main project, today the water main was placed in the service on Overlook and all the water services on Knollwood were completed and the final services on Overlook will be completed this week and then next week they will connect the new main to the existing system.

**REPORT OF POLICE CHIEF:**

**Chief James Bongiorno** reported that the department is currently participating in the Drive Sober or get Pulled Over Campaign which started August 16<sup>th</sup> – September 2<sup>nd</sup> and it's a state sponsored grant. Four of our officers were able to participate in active shooter training in West Orange. The training was set up by Picatinny Arsenal and the officers were equipped with video cameras during the whole training session.

**REPORT OF ESSEX COUNTY LIASION:**

**James Jorgensen** reported that the Surrogates office is looking to make a presentation. On September 11<sup>th</sup> there is a solemn ceremony at the Eagle Rock 911 Memorial in West Orange it will start at 8AM.

**OLD BUSINESS:**

**Councilman Hauser** asked about the phone systems, changes and savings status. Paul responded that he had asked Ray Sullivan to give it one more look over. He received a proposal which will save us money and we are targeting to get that changed over on 9/1. Councilman Hauser asked what the status was with the secondary engineering presentation that was made. Paul responded that everyone liked it and we haven't followed through with it. Councilman Hauser asked him to reach out and do whatever has to be done to get it in place.

**Councilman Durkin** asked the question about line item 9 Video installation in Council Chambers it looks like we have the money and need to come up with \$7,000 and he would like for it to be done. After discussion a new resolution was needed to go out and bid for Televising.

**8-208: AUTHORIZING THE BOROUGH CLERK TO ADVERTISE AND RECEIVE SEALED BIDS FOR THE PURCHASE AND INSTALLATION OF AUDIO-VISUAL EQUIPMENT FOR THE TELEVISIONING OF BOROUGH OF CALDWELL COUNCIL BUSINESS MEETINGS**

Moved by Councilman Hauser, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 08/20/13.

**NEW BUSINESS:**

**Councilman O'Donnell** spoke about a section on Washburn about 150' was overlooked when bid specs were put together. It doesn't need water but it needs to be paved and he thinks that there should be a change order to pave that. Paul responded at the pre-construction meeting we will ask Reviacx to give a change order and we can see how much it is.

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**8-209:** AUTHORIZING THE AWARD OF A CONTRACT FOR ROADWAY IMPROVEMENTS, GOULD PLACE, CEDARS ROAD, JACKSON PLACE, KNOLLWOOD TERRACE, AND OVERLOOK ROAD TO REIVAX CONTRACTING CORP., 356 THOMAS STREET, NEWARK, NJ 07114 IN THE AMOUNT OF \$923,425.68.

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 08/20/13.

**OPEN PUBLIC MEETING:**

Moved by Councilman Coyle, seconded by Councilman O'Donnell to Open Public Meeting.

Frederick Albano, 17 Knollwood Terrace, he spoke about the paving on Knollwood and his concern is a hanley stone gully and he would like to keep the gully and not have it paved over.

Hilda Moore, 23 Personette Street, she asked about the covers on the catch basins at Personette Street.

On a motion made by Councilman Coyle and seconded by Councilman O'Donnell, unanimously affirmed, the Council moved into Executive Session at 8:24PM.

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 a potential litigation regarding the Community Center and personnel regarding a former employee Marge Cherone.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman Hauser, the Council Business Conference Meeting was opened to the public and the press at 8:41P.M.

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 8:41PM.

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

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DATE