

BOROUGH OF CALDWELL, N.J.
COUNCIL CONFERENCE MEETING
MINUTES – September 1, 2009

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:09 P.M.

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

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

ABSENT : None

Adequate notice of this Council 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.

RECEIVING OF BIDS: Tree Maintenance Service (Pruning & Removal of Trees from Various Locations)

Dugets Tree Experts
54 Knotch Road
West Paterson, New Jersey
\$28,390.00

Andy Matt Inc.
19 Scrub Oaks Road
Mine Hill, New Jersey
\$99,300.00

PRESENTATIONS: Bill Siudmak, Backstage Media, LLC
Presentation on televising Council Meetings

INTRODUCTION OF ORDINANCES: None

PUBLIC HEARINGS: None

APPROVAL OF MINUTES: August 25, 2009

Approved by all members present upon a motion made by
Councilman Curley, seconded by Councilman Slattery,
The minutes were adopted September 1, 2009.

OPEN PUBLIC COMMENT ON RESOLUTIONS: Mayor Gartland opened the public comment on resolutions portion at 7:51 P.M. Maureen Durr, 25 Forest Avenue, I hope that every one of you people will think about this before we give \$12,500.00 to the downtown, I would rather see other people get it. June Cowell, 29 Brookside wanted to know if the Council could make an in-kind donation rather than a monetary contribution. Ms. Ruane responded that there is already an in-kind line item in the agreement. Councilman Dassing said she asked the same question today of Jeff Buehler of Main Street New Jersey, his explanation to me was that in our application we stated that we would be financially obligated for four years. He said we were up against a couple other towns that were seeking the Main Street designation. Jeff Buehler felt that if we put the financial component in there that put our application up higher than the other towns. Jeff Buehler said they will be here next week and it is too bad we are voting on this tonight because it would be easier for the council to make a decision after their report. His recommendation to me was to put this off until we get the report. He also said that if all we can do is in-kind that they could take that into consideration, it may or may not hurt us. Councilman Slattery said that one of the things that they will look at next week was whether the town would be financially supportive. Councilman Dassing said she reiterated to Jeff Buehler that we have given \$63,000.00 so far in aid to the Caldwell Downtown Alliance. If we really promised \$17,500.00 for 4 years, we are only \$5,000.00 short of that. Councilman Norton asked if the Council has considered the

BOROUGH OF CALDWELL, N.J.
COUNCIL CONFERENCE MEETING
MINUTES – September 1, 2009

2 of 4

use of the Mayor's Office, the computer time, and the phone time as part of the in-kind contribution. Mayor Gartland responded that is already considered in the agreement. Councilman Norton stated that in the resolution it states that the Borough provide financial support in the current budget year and consider the inclusion of similar budget appropriations in future budget years. If I look at the word similar and think that \$12,500 is for four months that would be an annual appropriation of \$37,500.00 that makes me a little nervous. Where do we draw the line. Originally they came in and asked for \$32,000.00, next year are they going to ask for \$37,500.00. Councilman Norton said that he has stated on the record his feelings in regards to the way the program is set up. I am not very comfortable with a lot of things, especially the way that the organization has not raised any operating monies on their own. Councilman Norton suggested that the word similar be taken out of the resolution. David Cowell, 29 Brookside Avenue on the Main Street list of 33 towns there were several towns that made no commitment after being approved for a period of three years, 2 of them had been removed and no action was taken for 3 years. Mr. Cowell suggested approaching the Main Street Organization and say this is a tough year, we did not get any State Aid, why don't we suspend it, and then the ball is in there court, which they can come back any say they do not have any procedure for that, which they do not. On the other hand, they have invested time and money in the town and they do not want to lose it. If a town pulls out because of constraints it will make them look bad. I think they have a powerful incentive to get along with you if you ask them for an extension. June Cowell, 29 Brookside wanted clarification on why we could not put this resolution off. Councilman Curley said that next week we have to pass the budget and that is the concern we have. Seeing no one from the public wishing to be heard the Mayor closed the open public comment on resolutions at 8:05 P.M.

RESOLUTIONS:

9-150 Resolution to provide financial support for the Borough of Caldwell Main Street Program for \$12,500.00

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

Mayor Gartland read a statement into the record regarding the 2009 Budget. Various Discussion ensued. The Council agreed to have a Special Council Meeting on September 15, 2009 to adopt the 2009 Budget.

REPORT OF COMMITTEE CHAIRMEN AND MEMBERS:

Councilman Lawshe – Asked if we had received any bids back for the Engineer for the Oval. Ms. Ruane responded that they will be coming in on September 4, 2009.

Councilman Slattery – Reported that today begins the kick off of the New Jersey Office of Emergency Management National Preparedness Month. This is to make the public aware of what each individual must do in case of a national emergency or a local emergency or anything in between. If you would like more information, please call 609-963-6900 ext 6209 or go to www.ready.newjersey.gov.

Councilman Dassing – Requested that an Energy Committee be formed for 2010. Some local governments in New Jersey have gotten some nice grants to do energy efficient changes and conservation measures. I thought we were going to have a presentation for the Sewer Plant in August. Councilman Dassing requested that the Administrator Contact Hatch Mott McDonald to come to a Council Meeting for a report. Councilman Dassing commented on the Mayors message. Contrary to what we believe that the extraordinary

BOROUGH OF CALDWELL, N.J.
COUNCIL CONFERENCE MEETING
MINUTES – September 1, 2009

3 of 4

aid application was correct, I believe we need a rebate from our Auditor, according to the State Local Finance Board we left off 443,000 of anticipated revenue from the water utility and that was the main reason we were rejected. The Auditor was the person that put the application together. Every other year before this we have been lucky enough to get extraordinary aid and a mistake like that potentially cost us \$350,000. Various discussion ensued regarding the Extraordinary Aid Application.

Councilman Curley – Thanked Chief Greci of the Caldwell Fire Department he held a seminar at Caldwell College for Fire Prevention and Fire Safety. The Fire Chief from South Orange attended, who was there during the Seton Hall fire, and he explained to the students the gripping manner of the issue of fire safety. It was a well done presentation. The parking meters on the Avenue have been increased to a 2-hour time limit.

Councilman Norton – Reported that as Chair of the Finance and Budget Committee, I would like to thank everyone on that sat in on the meetings. A lot of hard work and a lot of hours were put in to get the budget is where it is now at \$200,000 to be raised by taxation. Am I happy, still no, I think a lot of things were left off the table and a lot more things could have been accomplished especially finding out and we still have to look into what transpired back in early spring. I would just like to thank everyone that worked on the budget for all their hard work and we will have more to come in 2010.

Councilman Brennan - I have a comment and a report. With respect to what Councilman Norton just said, I join in that. We saw some collegiality on that issue and I do appreciate it. We need less heat and more light on this Council and as Winston Churchill said “it’s amazing what you can accomplish if you don’t care who gets the credit “ and I think this was a good collegial enterprise on the budget. The personnel committee is happy to report that they have interviewed three candidates for the CFO position. Another interview is forthcoming. We will in due course make our representation to the council who as a whole will interview designated people who make the cuts.

Mayor Gartland – Reported that September 11th is coming up quickly. The County has a new area opening up for their September 11th dedication. It is up buy Pleasant dale Chateaus at Eagle Rock Reservation. I have gone the last two years it is very moving a very beautiful. The area will open at 8:00 A.M. and the ceremony begins at 9:00 A.M. This year they will also be honoring the pilots and staff of the airlines that were on the planes that crashed. If anyone has the time, it really is a very memorable way to spend September 11th and honor those that perished on that day.

Administrator Report – Ms. Ruane reported that she was happy that Chief Dombrowski is back at work and the Community Center is well underway with their upgrade.

Attorney Report – Stuart Koenig, Esq. reported that there will be one issue in Executive Session regarding the sewer issues.

OPEN MEETING: Mayor Gartland opened the meeting to the public at 8:53 P.M. Dave Cowell of 29 Brookside Avenue on behalf of the Grover Cleveland Birthplace Memorial Association thanked the town for its in-kind contribution for the July 4th picnic and for all their help and cooperation throughout the years. Mr. Cowell said the Council mentioned you were taking \$168,000 out of reserves that may be very reasonable in this condition but it is very hard to build up reserves. You will be taking out the interest that you would have gained next year. There are very limited number of ways in which you can in fact increase your surplus. If you budget very tight, you will surplus very fast because you are not appropriating surplus. Be aware that you may have been living higher on the hog with all the State Aid and you better be thinking in terms that you going to have to live a lot frugally in the future because your reserves are not going to grow at \$200,000 a year. That’s just a warning from experience. Councilman Norton replied that we did take that into consideration in the beginning of the budget process. We went with three different scenarios zero State Aid, 50% State Aid and 100% State Aid. We had three different scenarios back in February. At zero State Aid, we would have to look at cutting 1 million dollars. I do appreciate the advice from someone who has been here in the past. Maureen Durr, Forest Avenue, I really hope that down the road the video of the Council Meetings will go on. I am a firm believer that people

BOROUGH OF CALDWELL, N.J.
COUNCIL CONFERENCE MEETING
MINUTES – September 1, 2009

4 of 4

that go out to vote should come and watch what their people do and what they don't do. This way they can see who is spending, who is taking from this and that and who is blowing the money. People don't come out to the meetings but they will watch it on T.V. Tom O'Donnell, 32 Gladding Road, it is unfortunate that taxes are going up, my income has been cut. There is no one that I know that has not been affected by this. In 2010 you will need to cut back; if you don't cut back, it will be a recipe for disaster. Tom Bates, 14 Florence Avenue, wanted to know why there was a lamppost in the center of the American Flag and the New Jersey State Flag. It is a disgrace to have that there. Mr. Bates wanted the members of the Council to tear off a little piece of paper, put their initials on the back and on the other side tell me how many businesses on the so-called Main Street went out of business since one year ago. No one can tell me. You are spending my tax dollars for this garbage you are doing on Bloomfield Avenue. Mr. Bates also wanted to know why the Council can't find the money to fix the broken sewer lines. In front of my house on Florence place, if you look at the street there are highline cracks in it. They are there because all the waste is going through the ground not through your sewer pipes. This garbage about getting a letter from the town telling me that they don't do that, that is a lot of garbage. The town tree broke my sewer line and broke the town sewer line also. The town sewer lines are still broken. You are not doing what you are supposed to do to fix the streets. You can find money to fix up the Avenue but you are doing nothing for the rest of the town. Mr. Bates said he wants his sewer line and the town sewer line repaired now before the winter. Mayor Garland requested that the Borough Engineer and Mario Bifalco of the DPW Department prepare a report on the sewer lines. Seeing no one else from the public wishing to be heard the Mayor closed the open public portion of the meeting at 9:09 P.M.

On a motion made by Councilman Slattery, and seconded by Councilman Brennan, unanimously affirmed, the Council moved into Executive Session in order to discuss a matter potential litigation. Said motion was unanimously approved and the Council went into Executive Session at 9:09 P.M.

The Executive Session was adjourned and upon motion by Councilman Slattery, seconded by Councilman Curley the Council Conference Meeting was opened to the public and the press at 9:37 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 Brennan, seconded by Councilman Curley, unanimously affirmed by all members present, the meeting was adjourned at 9:37 PM.

Prepared by:

Beth Bush Telepan
Deputy Clerk

Date