

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – September 6, 2016**

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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 Capozzoli, Councilman Hauser, O'Donnell, Brown, Cascarano and Rodgers

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

Adequate notice of this Council Business/Conference meeting was given on January 1, 2016. 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:  
August 2, 2016**

Moved by Councilman O'Donnell, seconded by Council President Capozzoli. No Discussion. On roll call, all voted in the affirmative. Councilman Hauser and Brown abstained. Minutes approved 09/06/16.

**PRESENTATION**

1. Jean-Baptiste Mollet, Eagle Scout Project

Mayor and Council thanked Mr. Mollet for the beautiful job that he did and all his hard work. Councilman Hauser also thanked the leadership of the troop.

**OPEN PUBLIC COMMENTS ON RESOLUTIONS**

Moved by Councilman O'Donnell, seconded by Councilman Brown to open meeting to the Public.

**RESOLUTIONS – CONSENT AGENDA**

**9-157:** AUTHORIZING THE APPOINTMENT OF ZONING BOARD OF ADJUSTMENT MEMBER

**9-158:** RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR Fox Hollow Builder's, LLC, 7 Fox Run, North Caldwell, NJ – Block 400, Lot 12

**9-159:** RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR Fox Hollow Builder's, LLC, 5 Fox Run, North Caldwell, NJ – Block 400, Lot 10

**9-160:** RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR Fox Hollow Builder's, LLC, 9 Fox Run, North Caldwell, NJ – Block 400, Lot 13

**9-161:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parent Faculty Association of Mt. St. Dominic Academy - Off Premise – 50/50 Raffle, October 21, 2016 – 7:00PM – 11:00PM

**9-162:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #15-00007, Block 34 Lot 5.03

**9-163:** AUTHORIZING REFUND OF TAX OVERPAYMENT BLOCK 7 LOT 3, 24 MOUNTAIN AVENUE, CALDWELL, NJ 07006, DUE TO TAX COURT JUDGMENT 2013/ 2014/ 2015 STATE TAX BOARD JUDGMENT

**9-164:** AUTHORIZING REFUND OF TAX OVERPAYMENT of 2016, 2<sup>nd</sup> QUARTER TAXES FOR BLOCK 36 LOT 5, 459 BLOOMFIELD AVENUE, CALDWELL, NJ 07006

**9-165:** RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO HIRE ARTHUR R. THIBAUT, JR. AS SPECIAL LABOR COUNSEL UNDER A PROFESSIONAL SERVICES CONTRACT AT A RATE OF \$185.00 PER HOUR

**9-166:** DISPOSAL OF OBSOLETE COMMUNITY CENTER FITNESS EQUIPMENT

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**9-167:** AUTHORIZING THE REFUND OF CALDWELL COMMUNITY CENTER PAYMENTS

**9-168:** RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO HIRE VERITA, LLC TO CONDUCT A FACT-GATHERING INVESTIGATION FOR THE BOROUGH OF CALDWELL UNDER A PROFESSIONAL SERVICES CONTRACT AT A RATE OF \$240.00 PER HOUR

**9-169:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH SEPTEMBER 6, 2016 FOR 2016 BILLS IN THE TOTAL AMOUNT OF \$8,988,452.41

**CONSENT:**

Moved by Councilman Cascarano, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 09/06/16.

**COUNCIL COMMITTEE REPORTS:**

**Councilman Brown** reported on the Environmental Commission and they will be showing the movie called "Bag It" at the Caldwell University at 7PM on Tuesday, September 13<sup>th</sup> at the Alumni Theater we encourage everyone to go. Also, they have been getting updates about the solar panels at the Waste Water Treatment Plant and PSE&G is working and they are receiving progress reports every week from PSE&G.

**REPORT OF MAYOR:**

**Mayor Dassing** wished Governor Christy a Happy Birthday. The Governor was at Grover Cleveland Middle School today and he has signed seven (7) bills into law which he spoke about. It was a very enlightening morning and she was happy that he chose us again because he likes Caldwell. Councilman Cascarano responded the questions that came up a lot today were regarding fairness formula which is also a very important issue. He is happy that this Governing Body passed a resolution that was unanimous in support of that and the average tax payer in Caldwell saves somewhere around \$2,000.00 every year with a town where the average tax bill is approximately \$10,000.00.

**REPORT OF BOROUGH ADMINISTRATOR:**

**Paul Carelli reported on the following:**

- He handed out to Council a proposal from Mott McDonald on the sand filters. Total would be \$350,000.00 which is \$70,000 per cell. After discussion the Council would like more information and a sewer board meeting was decided for October 4<sup>th</sup> at 6PM.
- He has been contacted by the PBA in regards to their contract and after discussion Paul was advised to contact them and let them know that the police committee will be discussing this and will get back to them with dates.
- We advertised our senior transportation bus on Govdeals it ran for ten (10) days with 400 hits but no bids. After discussion it was decided to put it up for bid again.
- He handed out a draft resolution for the compost facility and asked Mayor and Council to look it over and he would like to add a resolution the September 20<sup>th</sup> meeting.
- The lighting audit is completed and he will send it to the Mayor and Council. The Company is called Generations Electric Company and they are part of the Co-op and its Government pricing. They have come up with a list of everything that will need to be replaced with LED lighting. Basically the way the program works financing can be done through them to implement all of these revisions.

**Councilman Hauser** asked when the flag will be put back up on the flag pole on the Green and Paul responded that the fire department's ladder truck was out for service and they were waiting for it. They have all the materials from Mario and they are ready to go. He will check with Gary and let them know.

**REPORT OF COUNTY LIAISON:**

**Patricia Keenan** reported that the 11<sup>th</sup> Annual Essex County Senior Wellness Day For Essex County Seniors only for a free event at the Codey Arena on Tuesday, September 27 from 10AM – 2PM. There will be Health Screenings, Musical Entertainment, Dancing, Free Food, Farmers Market (bagged produce), exercise demonstrations, valuable information and free admission to the Turtle Back Zoo. Also, Ales N' Tales Oktoberfest will be held on October 1<sup>st</sup> from 6:00PM – 9:00PM at the Turtle Back Zoo. Tickets cost \$60 for general admission and \$15 for designated drivers.

**OPEN PUBLIC MEETING:**

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Moved by Council President Capozzoli, seconded by Councilman Cascarano to open meeting to the Public.

On a motion made by Councilman Cascarano and seconded by Council President Capozzoli, unanimously affirmed, the Council moved into Executive Session at 7:42P.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 is a potential litigation with regards to Police Officer Marinaro and Geary.

The Executive Session was adjourned and upon a motion by Councilman O'Donnell seconded by Council President Capozzoli, the Council Business Conference Meeting was opened to the public and the press at 7:59P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Council President Capozzoli seconded by Councilman Cascarano unanimously affirmed by all members present, the meeting was adjourned at 7:59PM.

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

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DATE