

BOROUGH OF CALDWELL, N.J.
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – September 8, 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, Dassing, Curley, Norton and Brennan

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

ABSENT: Councilman Slattery

Adequate notice of this Council Business/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.

PRESENTATIONS: None

INTRODUCTION OF ORDINANCES: None

PUBLIC HEARINGS: None

RECEIVING OF BIDS: 2009 Road Program, Prospect Street, Highview Road, and Hawthorne Road, Borough of Caldwell and Township of West Caldwell, Essex County, New Jersey

Two Brothers Contracting, Inc.
250 Rutherford Boulevard
Clifton, New Jersey 07014
\$494,691.00

D&L Paving Contractors, Inc.
P.O. Box 507
Nutley, New Jersey 07110
\$517,853.50

Smith-Sondy
150 Anderson Avenue
Wallington, New Jersey 07057
\$546,626.25

Cifelli & Son General Construction, Inc.
4 Coppola Street
Nutley, New Jersey 07110
\$546,895.00

AJM Contractors, Inc.
300 Kuller Road
Clifton, New Jersey 07011

APPROVAL OF MINUTES: None

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RESOLUTIONS:

- 9-151 Authorization to fill the vacancy of the previously established position of sergeant
- Moved by Councilman Curley, seconded by Councilman Brennan. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 9/8/09.
- 9-152 Endorsing the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Act of 2009
- Moved by Councilman Curley, seconded by Councilman Norton. No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 9/8/09.
- 9-153 Approval of the sewer connection application for Mr. & Mrs. Crawford, 62 Smull Avenue, Caldwell, New Jersey for installation of one sewer connection from an existing home at 61 Argyll Road in Essex Fells, New Jersey (Block 6/0000, Lot 0001/0000)
- Moved by Councilman Curley, seconded by Councilman Norton. No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 9/8/09.
- 9-154 Approval of the sewer connection application for Anthony and Lisa Marra, P.O. Box 428, Roseland, New Jersey 07068, for construction of a new single-family house at 34 Condit Court, Roseland, New Jersey (Block 37, Lot 19.02) for one equivalent connection upon receipt of \$3,600.00
- Moved by Councilman Curley, seconded by Councilman Norton. No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 9/8/09.
- 9-155 Authorizing the issuing of license for raffle to Caldwell College, On-Premise – Merchandise Raffle, October 5, 2009 – 3:00 P.M.
- Moved by Councilman Norton, seconded by Councilman Curley. No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 9/8/09.
- 9-156 Authorizing the issuing of license for raffle to Parent Faculty Association of Mt. St. Dominic Academy, On-Premise – Fair Share Raffle, September 20, 2009 – 1:00 P.M. – 4:00 P.M.
- Moved by Councilman Norton, seconded by Councilman Lawshe. No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 9/8/09.
- 9-157 Authorizing the rejection of the bids for tree pruning and removal and authorizing the Borough Clerk to advertise for bids
- Moved by Councilman Norton, seconded by Councilman Lawshe. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 9/8/09.
- 9-158 Authorizing payment of bills and the issuance of checks for the period through September 8, 2009 in the total amount of \$1,964,805.57

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Moved by Councilman Curley, seconded by Councilman Brennan. A motion was made by Councilman Lawshe, seconded by Councilman Curley to move into executive session to discuss a matter of potential litigation. Said motion was unanimously approved and the Council went into Executive Session at 7:22 P.M.

The Executive Session was adjourned and upon motion by Councilman Brennan, seconded by Councilman Curley the Council Business Conference Meeting was opened to the public and the press at 7:34 P.M. All those previously in attendance were present.

A motion was made by Councilman Curley to amend the resolution to \$1,578,073.20 and seconded by Councilman Norton. No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 9/8/09.

9-159 Resolution to Amend the 2009 Budget

Moved by Councilman Curley, seconded by Councilman Brennan. No discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 9/8/09.

OLD BUSINESS: Mayor Gartland discussed a matter of insurance that Councilman Norton was going to discuss with the Attorney and the Administrator. Mayor Gartland had a concern that the Street Fair is coming quickly in our downtown. Mayor Gartland requested that the Rotary and Kiwanis Clubs come to our next meeting with their insurance policies. Mayor Gartland requested that before they come to our meeting, the council needs to have certain insurance procedures in place. Councilman Norton reported that he was trying to get some dates together to meet with Councilman Brennan and the attorney. Councilman Norton reported that they will work on the existing ordinance in place. Mayor Gartland reported that we have some general parameters that we can discuss with the Kiwanis and Rotary Clubs. There were requirements for the Farmers Market that were put in place and we need to make sure that we have something moving along so that we may have a discussion with the Rotary and Kiwanis Clubs.

REPORT OF COMMITTEE CHAIRMEN AND MEMBERS:

Councilman Lawshe – Reported that we received four (4) proposals from Engineering Companies regarding the Kiwanis Oval. All were very impressive. I think we will make the right decision. We are moving forward with the project.

Councilman Dassing – No report.

Councilman Curley – Reported that the Caldwell Volunteer Fire Department has received remnants of the World Trade Center and The Pentagon. The Police/Fire/Emergency Management Committee decided to do a service on September 11, 2009. The service will be at 7:00 P.M. on Friday, September 11, 2009 on the Caldwell Green, it is open to the public and all are welcome.

Chief Greci of the Caldwell Volunteer Fire Department was recognized by Council President Jeff Curley. Chief Greci thanked Councilman Lawshe and Curley for their help on organizing this service. Chief Greci also reported that the Fire Department has been hanging up the banners for the Street Fair. Chief Greci reported that he is working closely with Chief Dombrowski and the OEM staff; they have been working to get the command vehicle from the County. Chief Greci also reported that the Fire Department is starting a Junior Firefighters program that will start next month at the Street Fair. Chief Greci reported that Administrator Ruane has been a great help to the Fire Department and OEM.

Councilman Norton – No Report

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Councilman Brennan – Reported that the personnel committee is continuing interviewing applicants for the CFO position and will be making a recommendation to the council shortly.

Mayor Gartland - Reported that the Main Street Program for Caldwell has been doing interviews with a variety of individuals in the town, residents, board members of the Caldwell Downtown Alliance, Council people and merchants between today and tomorrow. Mayor Gartland recognized Heather McCall from the Main Street Program and Kathy Lapant from the National Trust for Historic Preservation and Meryl Layton from the Caldwell Downtown Alliance.

Heather McCall from the Main Street Program thanked the council for welcoming them back to Caldwell. The Main Street Program is here as part of our annual program review. We are visiting all twenty-nine Main Street New Jersey Programs. We are here as a resource to your community. We are here to provide additional guidance to the Caldwell Downtown Alliance. I would like to invite the council and any members of the public to our presentation tomorrow evening from 5:30 P.M. to 6:30 P.M. at the Caldwell Fire Department. Your community signed a letter of agreement with Main Street New Jersey. In that agreement, your community stipulates that you will provide support for the Main Street Program for a minimum of four years. We are here to help you to the next level. Caldwell is currently in a Partner Level and we would love you to get to a Traditional Main Street Level. What that would take would be evidence of active committees and a full time executive director to facilitate all of these things. To date Main Street New Jersey has given your community well over \$70,000 of in-kind technical assistance and training. I understand that unfortunately your council has opted, because of financial constraints this year not to give a cash contribution to the Main Street Organization. We will talk about this at tomorrow night's meeting. There are some other options that the program can pursue on their own as well as opportunities for you as leaders of your community to support this project.

Meryl Layton, Executive Director of the Caldwell Downtown Alliance reported that this Friday the Secretary of the Department of Agriculture of New Jersey is visiting the Farmer's Market at 2:30 P.M. I would like to invite all of the Council to attend.

Administrator – Maureen Ruane reported that Sharon Reeve from Caldwell College is present to talk about the 5K Run that Caldwell College is proposing to host. Caldwell College would like to host a 5K Run in April of 2010. We would like to help the local community by providing a clinic for families that are affected by autism. We are asking for permission to hold the 5K Run. We would like to have the town join with the college in making this a community event. They will be finishing the paving of Provost Square during the shut down of the Caldwell Community Center. Ms. Ruane asked the Council's permission to put a resolution on for the next meeting regarding the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Act of 2009. Ms. Ruane reported that we are well underway with the update of the Community Center. We will be re-opening at 7:00 A.M. on Saturday, September 12, 2009.

Attorney Stuart Koenig – No report.

New Business – Councilman Lawshe, reported that last week he did not get a chance to look at the bill from McEnery and Brady. Our Auditor Mr. Ezyske had not given us a detailed listing for the last three years. The receiving of billing with dates and numbers is not what I consider an itemized bill. I have constantly said this since I have been on the Council since January.

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I stated last week that I am not questioning Mr. Ezyske's work but we need to know what he is spending his time on here. Mr. Ezyske's contract states that he needs to give us itemized bills; this is not an itemized bill. Various discussions ensued between the council regarding the bills. Councilman Lawshe requested that we put a resolution on for the next meeting to dismiss the auditor. I think we are paying way too much money and he is not abiding by his contract. In his contract it states that anything over \$32,500 must be submitted in an itemized bill. He is breaking his contract. Councilman Lawshe made a motion to put a resolution on for the next meeting to dismiss the auditor. Councilman Dassing seconded the motion. Discussion ensued. All members present voted in the affirmative.

Mayor Gartland read a statement from John Ezyske regarding the application for extraordinary aid. Various discussion ensued between the council regarding the application for extraordinary aid.

OPEN MEETING: Mayor Gartland opened the meeting to the public at 8:20 PM. Bill Edge, 36 Cleveland Road, Caldwell is made up of a lot of great things. There are two things in this town that I think are great assets. One is the Community Center. There are 50 zip codes that belong to this Community Center it is not just Caldwell. The second thing is the downtown. Mr. Edge suggested that advertisements be put in the Community Center Brochure. This would help both the downtown and the Community Center. Mr. Edge requested that the Caldwell Community Center Committee consider this. Mr. Edge also suggested that a committee be set up regarding televising special events and council meetings. Mr. Edge was glad that the town did not do the pension deferrals. Tony Greci reported that OEM and the Health Department has had numerous meeting with Caldwell College regarding the Swine Flu. Mr. Greci will keep the council updated with their progress. Seeing no one else from the public wishing to be heard the Mayor closed the Open Public portion of the meeting at 8:31 P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Curley, seconded by Councilman Norton, unanimously affirmed by all members present, the meeting was adjourned at 8:31 PM.

Prepared by:

Beth Bush Telepan
Deputy Clerk

Date