

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – September 14, 2010**

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 Murray, Hauser, Slattery,  
Norton and Piazza

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

**ABSENT:** Councilman Dassing

Adequate notice of this Council Business/Conference meeting was given on January 1, 2010. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2010. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2010. Notice was posted and all persons requesting notice were sent same.

**APPROVAL OF MINUTES:** May 25, 2010  
June 8, 2010

Moved by Councilman Murray, seconded by Councilman Norton. No Discussion. On roll call, all members present voted in the affirmative. Minutes approved 09/14/10.

**PRESENTATION:** John Scheri/Hatch Mott McDonald – Sewer Plant Upgrade Status

**PUBLIC HEARING AND ADOPTION OF ORDINANCES:**

Tammy Wysocki, 15 Cedars Road – spoke about stop sign ordinance that was passed. She would like the Council to look into putting a stop at Gould and Brookside.

Jerry Smith, 358 Bloomfield Avenue – made a statement that the Council is moving towards safety issues. He would like to offer his support for looking into these areas to slow traffic down and making it a little more pedestrian friendly.

**ORDINANCE #1222-10 – AN ORDINANCE TO AMEND THE BOROUGH CODE, CHAPTER 230, TRAFFIC AND VEHICLES, SECTION 230-57 SCHEDULE III OF THE BOROUGH CODE ENTITLED, “ONE-WAY STREETS”.**

Moved by Councilman Norton, seconded by Councilman Hauser. Discussions Ensued. On roll call, all members present voted in the affirmative. Ordinance amended on 09/14/10

**RESOLUTIONS:**

9-185 AUTHORIZING THE APPOINTMENT OF DAVID LAGAN AS A VOLUNTEER FIREMAN IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT

Moved by Councilman Murray, seconded by Councilman Slattery. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 09/14/10

9-186 AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM OF REVENUE AND APPROPRIATION  
– CHAPTER 159 - OVER THE LIMIT UNDER ARREST 2010

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Moved by Councilman Murray, seconded by Councilman Norton.  
Discussions Ensued. On roll call, all members present voted in the  
affirmative. Resolution adopted 09/14/10

9-187 AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM  
OF REVENUE AND APPROPRIATION – CHAPTER 159 - 2009 BODY  
ARMOR GRANT

Moved by Councilman Norton, seconded by Councilman Hauser.  
No Discussions. On roll call, all members present voted in the  
affirmative. Resolution adopted 09/14/10

9-188 AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM  
OF REVENUE AND APPROPRIATION – CHAPTER 159 - CLEAN  
COMMUNITIES

Moved by Councilman Norton, seconded by Councilman Hauser.  
Discussions Ensued. On roll call, all members present voted in the  
affirmative. Resolution adopted 09/14/10

9-189 AUTHORIZING THE INSERTION IN BUDGET OF SPECIAL ITEM  
OF REVENUE AND APPROPRIATION – CHAPTER 159 - ALCOHOL  
EDUCATION REHABILITATION & ENFORCEMENT

Moved by Councilman Slattery, seconded by Councilman Hauser.  
No Discussions. On roll call, all members present voted in the  
affirmative. Resolution adopted 09/14/10

9-190 AUTHORIZING THE APPOINTMENT OF BOARD OF HEALTH  
MEMBER ANN M.CHRISTENSEN

Moved by Councilman Slattery, seconded by Councilman Norton.  
Discussions Ensued. On roll call, all members present voted in the  
affirmative. Resolution adopted 09/14/10

9-191 RESOLUTION TO SUPPORT THE APPLICATION GRANT PROPSAL  
FOR AN HISTORIC SITE MANAGEMENT GRANT FOR THE  
GROVER CLEVELAND BIRTH PLACE

Moved by Councilman Slattery, seconded by Councilman Norton.  
No Discussion. On roll call, all members present voted in the  
affirmative. Resolution adopted 09/14/10

9-192 AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF  
CHECKS FOR THE PERIOD THROUGH SEPTEMBER 14, 2010 FOR  
2010 BILLS IN THE TOTAL AMOUNT OF \$5,271,460.69

Moved by Councilman Hauser, seconded by Councilman Norton.  
No Discussion. On roll call, all members present voted in the  
affirmative. Resolution adopted 09/14/10

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9-193 RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ANDREW SRODIN, P.E. OF BECKMEYER ENGINEERING, P.C FOR STRUCTURAL ENGINEERING INSPECTION SERVICES AT THE COMMUNITY CENTER PARKING DECK FOR AN AMOUNT NOT TO EXCEED \$4000

Moved by Councilman Hauser, seconded by Councilman Murray. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 09/14/10

9-194 RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF CALDWELL AND THE BOROUGH OF ESSEX FIELDS FOR MUNICIPAL WELFARE DIRECTOR SERVICES

Moved by Councilman Slattery, seconded by Councilman Norton. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 09/14/10

9-195 RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF CALDWELL AND THE BOROUGH OF ESSEX FIELDS FOR DEPUTY REGISTRAR SERVICES

Moved by Councilman Norton, seconded by Councilman Hauser. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 09/14/10

9-196 RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF CALDWELL AND THE BOROUGH OF ESSEX FIELDS FOR TAX ASSESSMENT SERVICES

Moved by Councilman Norton, seconded by Councilman Hauser. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 09/14/10

9-197 AUTHORIZING THE APPOINTMENT OF MARK P. GIULIANO AS A VOLUNTEER FIREMAN IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT

Moved by Councilman Slattery, seconded by Councilman Murray. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted 09/14/10

**OLD BUSINESS:**

Guest Report – Caldwell Community Center / Rob Paterson

Rob gave an update on how well they did with Camp Caldwell. He thanked his staff for all there help. There were more campers than we ever had. Revenue is up 10%

**REPORT OF COUNCIL COMMITTEE CHAIRMEN AND MEMBERS:**

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Councilman Murray reported that DPW summer help is winding down. The Fire department did a wonderful job on putting out the fire at the Caldwell Diner. One of the hardest things a fireman has to do is to stop the fire from spreading and our Fire department did just that. They also were called for mutual aid in Orange on Saturday. The tower ladder was brought in for a routine maintenance (the old ladder) and we believe that the ladder truck will be able to be repaired.

Councilman Hauser reported that the Recreation Committee has finally had a meeting which included three (3) Councilmen from West Caldwell and Gabe DiMasi, Recreation Director. The results of that meeting will be discussed in Executive Session. On Saturday, September 25<sup>th</sup> is Soccer Saturday and there is a possibility that it will be at the Kiwanis Oval.

Councilman Slattery reported on Caldwell Live a program for seniors. On Thursday, September 16<sup>th</sup> in the senior center from 9:30 – 12:00 their will be a Senior Safety Seminar. On September 22<sup>nd</sup> – December 8<sup>th</sup> (12) Wednesdays there will be a course in flexibility gentle exercise for seniors. The fee is \$12.00. On Feel Good Tuesday, September 28<sup>th</sup> at 10:00a.m. there will be a pharmacist at the Caldwell Public Library for managing your medications. The Board of Education will be having their Ribbon Cutting Ceremony on September 15<sup>th</sup> at 7:00 PM for the new Performing Arts Center.

Councilman Norton reported that the Finance Committee will be meeting the week of the 22<sup>nd</sup>. They will be bringing in a second bank

**REPORT OF MAYOR:**

Mayor Garland reported about the fire at the Caldwell Diner. The Caldwell Fire and Police department did an incredible job. Patrolman Andy Apicella was driving by and spotted smoke coming out of the roof. With is quick response to the Fire Department the fire was contained and the building structure was not a complete loss. Mayor Garland thanked the surrounding towns, West Caldwell, Roseland, Essex Fells, Cedar Grove, North Caldwell, the County and the West Essex First Aid Squad for the efforts on all volunteers.

**REPORT OF THE ADMINISTRATOR:**

Paul Carelli, Borough Administrator gave an update on the Security at the Street Fair. He reported that Chief Dombrowski, Lieutenant Driggs and Sergeant Pellegrino assisted with the manpower, estimates for that and documentation that goes with the Street fair. The Police reduced the cost 45% from last year to provide security that they need. I have mailed this proposal out on Friday and am waiting for a reply. As for the Kiwanis Oval the Council received an update on September 3<sup>rd</sup>. We should be discussing about a ribbon cutting ceremony and how you would like this to be handled. Mayor Garland suggested that the County Executive be asked which dates are good for him and then coordinate with the two Council's. Paul Carelli reported that the tax rate was certified by the County 2.245 we had estimated 2.243. The council has received the Governors tool kit his best practices check list. They want the CFO to go through it to comply with certain things. What they are trying to do is relate this to your Municipal Aide. As far as the tax collector I have received twenty-six resumes. Going through them with Marge we were able to interview two people. I have spoken to another neighboring town and we are looking into a shared service with possibly using a tax collector for two days a week. I rather not say who it is until we receive a proposal from this town.

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**REPORT OF THE ATTORNEY:**

Greg Mascera reported that the Police Contract expires this year. We had our first session with the PBA and we will be scheduling a meeting every other Thursday for five consecutive Thursday's making sure the lines of communication is open with the PBA. That at the next meeting we will be introducing Storm water Management Ordinance. Greg Seaman, Sewer Director responded that the changes to Storm water regulations are requiring the Borough to adopt. As far as the Connection Fee transfer, there is issues were there is a sewer connection fee for any new connection. If a business owner has twenty-three connections and wants to move that business to another location that business owner would be faced with a new sewer connection fee for each of those connections. The suggestion from Greg Seaman and discussion with Paul Carelli is an appropriation to be made to protect business owners who want to relocate their business from having to pay new connection fees. This will also be introduced at the next meeting.

Councilman Murray reported on security costs. He was approached by a W.C. Council member who reached out to him. West Caldwell is in charge of Football games in the past they would send one of their officers and Caldwell would send one of their officers. We should have a meeting in regards to events with the Board of Education, West Caldwell and Caldwell. Since it is a Board of Education event and we are supplying the officers are we being reimbursed by the Board.

Councilman Norton reported that he had sent an email to the Borough Administrator in regards to strong gas odor on Arlington and Hatfield up the hill towards Erwin and down towards Hillside. These gas odors are emanating from the sewer drains. I think as a Borough we need to address this. PSE&G have been out and have detected gas levels in certain spots throughout Hatfield Street. We need to contact PSE&G and have a meeting in regards to this. Various Discussions Ensued.

Councilman Hauser reported that he would like to see a follow-up to do list. He would like to see a working list recognizing things that are going to change a priority list.

**OPEN PUBLIC PORTION OF THE MEETING:**

Donald Mesera, North Caldwell, speaking about information published about September 11<sup>th</sup>. Asking Council to sign a proclamation.

Bob Christensen, 3 Ravine Avenue, asked the question about the ordinance that was passed six weeks ago with parking on one side. When are they going to be putting these signs up? I almost experienced a head on collision on Ravine. Paul Carelli said he would look into were the signs are. Mr. Christensen also would like to know if the pedestrian signs on Bloomfield Avenue can be moved to the streets along Central Avenue. The drivers do not know the law about the crosswalks and for the safety of our children we need to do something.

Ann Marchioni, Chairperson of the Environmental Commission, reported that the Environmental Commission has respectfully withdrawn there proposal for Greener Corners. She has spoken to the Caldwell Downtown and Mrs. Cowell from the Caldwell Merchants Association and they are not in support of it for this reason we withdrawal. On October 17<sup>th</sup> the Roseland, West Caldwell and Caldwell Environmental Commission will be having a Green Fair. We have invited the New Jersey Department of Agriculture and they will have on display pests. Native Plants Society is coming to help pick out the

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right plants for our gardens. We have also reached out to local houses of Faith to see what they have done to go green. We are asking for photos from residents showing their gardens.

Councilman Norton spoke about having Erin from Greener Corners speak at a Caldwell Merchants meeting and he was going to get back to them about the containers that are on Bloomfield Avenue.

Christy Berg, thank you to David Cowell for his work on the preservation. I would also like to thank Arn for coming to Project Main Street and Downtown Alliance and looking at the Greener Corner's Proposal. We have offered and applied for licenses to sell 50/50 tickets to help fund raise and several businesses have offered to pay to prevent Greener Corners to come to Caldwell. Councilman Norton responded that we are going to get the information from Greener Corners and if we don't get it and if we can't put forth as a cost reduction as of right now we don't have any money for. We are just gathering the information. Councilman Piazza responded that whatever we do there also needs to be some form of education to the people included in this. I can speak from direct experience managing the market every Friday, DPW brings down the cans and recycling bins and we spend and awful lot of time taking garbage out of the recycling bins because people don't follow putting recycling in recycling and garbage in the garbage bins. Christy spoke about the Beautification Day on September 25<sup>th</sup> at 9:00AM volunteers will be assembling on the Green. We have eight projects working together with Mario Bifalco planting 25 trees down Bloomfield Avenue, mulching the trees that are already on the Avenue. We will be doing a general cleanup, planting fall flowers, and painting the bases of the black lamp posts. Rotary is refurbishing the bus stop next to Dunkin Doughnuts.

Anthony Abbaleo, Essex County Liaison – I gave Lisa some information on events at the County. Thursday they have the opening of the mini golf on Northfield. On the 21<sup>st</sup>. they have the Senior Wellness Day at Codey Arena. Also, on October 2<sup>nd</sup> the Hazard Waste Collection and on October 16<sup>th</sup> Computer Recycling at 99 West Bradford Avenue, Cedar Grove.

Mayor Gartland 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 with Faloni Property, contract for shared services agreement with Caldwell in regards to the Oval, 14 Park Avenue in regards to the conversation I had with the Federal Government, grievance filed by the Police Department in regards to payment for off duty work, grievance for DPW in regards to the modification to Health Insurance and the PBA Contract.

On a motion made by Councilman Murray, and seconded by Councilman Norton, unanimously affirmed, the Council moved into Executive Session at 9:33 P.M.

