

**BOROUGH OF CALDWELL,
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – September 17, 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, Kelley, Rodgers and Durkin

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

ABSENT:

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 20, 2013

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

PRESENTATIONS:

1. Sustainable Jersey Presentation / Gray Russell
2. Essex County Surrogate's Court / Theodore N. Stephens

PUBLIC HEARING AND ADOPTION OF ORDINANCE:

ORDINANCE #1278-13: BOND ORDINANCE AMENDING BOND SECTION 1 OF ORDINANCE NUMBERD 1248-12 OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY FINALLY ADOPTED MAY 15, 2012 IN ORDER TO AMEND THE AMOUNT OF THE ESSEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT

Moved by Council President Hauser, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Ordinance adopted 09/17/13.

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

Moved by Council President Hauser, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, Council President Hauser, Coyle and O'Donnell voted in the affirmative. Councilman Kelley, Rodgers and Durkin voted in the negative. Mayor Dassing voted in the affirmative. Ordinance adopted 09/17/13.

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

9-210: RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF 2013 TAXES FOR BLOCK 68 LOT 2.09 FOR 28 KNOLLWOOD TERRACE, CALDWELL, NJ

9-211: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – HSA Trinity Academy - On Premise / 50/50 Raffle – December 7, 2013 – 8:00AM – 5:00PM

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- 9-212: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – HSA Trinity Academy - On Premise / 50/50 Raffle – January 31, 2014 – 6:00PM – 11:00PM
- 9-213: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – HSA Trinity Academy - On Premise / Tricky Tray Raffle – January 31, 2014 – 6:00PM – 11:00PM
- 9-214: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – HSA Trinity Academy - Off Premise / 50/50 Raffle – March 21, 2014 – 6:00PM
- 9-215: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE FOR POSITIONS IN THE MUNICIPAL COURT OF THE BOROUGH OF CALDWELL
- 9-216: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE FOR POSITION OF CERTIFIED TAX ASSESSOR IN THE BOROUGH OF CALDWELL
- 9-217: RESOLUTION APPROVING AN INTERMUNICIPAL SERVICE AGREEMENT BETWEEN THE BOROUGH OF CALDWELL AND THE WEST ESSEX REGIONAL SCHOOL DISTRICT
- 9-218: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH SEPTEMBER 17, 2013 FOR 2013 BILLS IN THE TOTAL AMOUNT OF \$4,216,821.44
- 9-219: RESOLUTION APPOINTING THE CHIEF FINANCIAL OFFICER/TREASURER OF THE BOROUGH OF CALDWELL
- 9-220: AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH BOSWELL ENGINEERING FOR THE PREPARATION OF THE NJDOT FY2014 MUNICIPAL AID GRANT APPLICATION, CONSTRUCTION PLANS, AND SITE OBSERVATION FOR THE ACADEMY ROAD / ELIZABETH STREET ROAD IMPROVEMENTS FOR A NOT TO EXCEED FEE OF \$32,500 (\$16,000 FOR DESIGN PHASE AND \$16,500 FOR CONSTRUCTION PHASE)

CONSENT

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 09/17/13.

COUNCIL COMMITTEE REPORTS:

Councilman Durkin reported that the Finance Committee will be meeting on Thursday morning at 7:30AM along with Chris Battaglia our CFO. Environmental Commission will be having a Day of Service with the Students at Caldwell College on Friday at 10AM in Jack's Food Town garden they are looking for volunteers.

Councilman Rodgers reported that the Senior Advisory Committee met last Thursday and the good news is the Canada trip is sold out which helps fund a lot of the activities that are put on throughout the year. On September 24th from 10-2 at the Essex County Richard Codey Arena will be the 8th Annual Senior Wellness Day you can call 973-621-4400 for more information. Personnel Committee met and Paul is making a few minor changes to the employee handbook and the draft will be emailed to the Mayor and Council for review. Paul is getting ready to implement the performance reviews for all the department heads.

Councilman Hauser reported they are interviewing for the Library Director position and they have interviewed five candidates and hope to make a decision soon.

Mayor Dassing reported that the Administrator and she will be going to a seminar next Wednesday at Essex County Police Academy for Mitigation Grants for Emergency type situations. Mr. Jorgensen apologizes for not attending this evening.

REPORT OF BOROUGH ADMINISTRATOR:

1. Administrator Report September 18, 2013

Paul reported that the water project is completed. The road improvements started last week. The drainage on Knollwood is done. Upper part of Cedars to where overlook, that portion is just about 100% done with drainage pipe and catch basins. Revixax has hired as subcontractor Matina and Sons. They will

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be coming off Jackson Place and work their way to Overlook and meet up with Reviax who is at the lower level of the Cedars. We posted a construction schedule on our website. The date for completion by contract is for 10/29 and there schedule has them out of there 10/20 weather permitting. **Councilman O'Donnell** spoke about the odor of natural gas in the area. Paul responded that he was told today that PSE&G found the leak at 32 Cedars Road. He received an estimate for \$19,000 to do Washburn.

9-221: RESOLUTION AUTHORIZING CHANGE ORDER NUMBER 1 TO MILL AND PAVE WASHBURN PLACE AMOUNT NOT TO ACCEED \$30,000.00

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 09/17/13.

Paul reported that the phone system will be ready to switch on 10/1. The performance reviews should be done by 10/15. The handbook draft will be going out to Council soon. We received \$94,000 of FEMA money for the October storm 2011. He received a sheet from Chris and Bob and they are working on the Capital money and it goes back to 2000 he will be reviewing it with the Finance Committee. They have identified bond ordinances that funded or unfunded were able to reconcile those amounts into Edmunds and the last piece of this puzzle is in our financial statement there was some grant receivables that were needed to identify and work out with Heidi. They are showing up on our books for things that we are going to get but we are not, and some our ten or twelve years old. Currently we are in the neighborhood of 1.25 million dollars' worth of capital. There is about a million that is funded. We may have 750,000 to 800,000 for re-appropriating and put into another use. We will be advertising for a Tax Assessor and a Deputy Court Administrator. **Councilman O'Donnell** asked about the Dispatch area. Paul responded that it is going to be his recommendation that we refurbish downstairs.

REPORT OF POLICE CHIEF:

Chief James Bongiorno reported with the Public and Private Schools opening again he encourages all motorists to use caution not only in the school zones but the residential streets and where the children walk to school. **Councilman Hauser** asked about the signs that are in West Caldwell that say get off your phone or pay. Chief responded that the Township bought that sign. He had a meeting today with a vendor about possibly purchasing a message board that can also be used as a speed sign. We can trade in our older trailer that they have and purchase the message board that would do both things.

OLD BUSINESS:

Councilman Hauser asked about the 2nd engineering firm follow-up. Paul said he also was approached by another engineering firm that would like to do a presentation. Discussions Ensued.

NEW BUSINESS:

Ordinance for Hanford Place Parking Curfew

It was discussed by Mayor Dassing on potentially looking into signage changes on Hanford Place. She has received complaints from residents, nonresidents shopping and dining in Caldwell and park on Hanford they feel 9PM is too early especially if they are not going out until 8PM. The Mayor talked about a compromise to lengthen the time to 10PM for Thursday, Friday and Saturday evenings. After discussion the Mayor and Council would like for residents to attend the next meeting.

Cell Tower Proposal

Paul Carelli reported that he has been contacted by a legal counsel who represents some of the carriers for cell towers that we would consider putting a cell tower at the sewer plant. He has been told by various contacts that it's a good revenue generator you would need a 50 x 50 area to put in the equipment a Mona Pole Tower, which is a single pole tower that can handle up to five carriers. It can generate anywhere from \$20,000 to \$25,000 per carrier. Discussions Ensued.

Motion made by Councilman Hauser to have the Borough Administrator to go out and bid for a Cell Tower. No one seconded.

Chief Bongiorno reported that Councilman O'Donnell had a concern from a resident on Hawthorne Road. There was a new ordinance in place for the two driveways the college could not make a left hand

