

**COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 11, 2011**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:07 PM

PRESENT: Mayor Dassing, Councilman Norton, Hauser, Piazza, Coyle and O'Donnell

ALSO PRESENT: Borough Administrator, Paul Carelli, Acting Borough Clerk, Lisa O'Neill and Borough Attorney, Greg Mascara

ABSENT: Council President Murray

Adequate notice of this Council Business/Conference meeting was given on January 1, 2011. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2011. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2011. Notice was posted and all persons requesting notice were sent same.

APPROVAL OF MINUTES
September 27, 2011

Moved by Councilman Piazza, seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 10/11/11.

INTRODUCTION OF ORDINANCE:

ORDINANCE #1238-11 - AN ORDINANCE ESTABLISHING PROCESS FOR AWARDING PROFESSIONAL SERVICES CONTRACTS AND ADOPTING THE STATE OF NEW JERSEY'S "PAY-TO-PLAY" LEGISLATION

Councilman Norton arrived at 7:04PM

Moved by Councilman Coyle, seconded by Councilman Piazza. Discussion Ensued. Ordinance was pulled.

ORDINANCE #1239-11 - AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE BOROUGH OF CALDWELL, NEW JERSEY.

Moved by Councilman Piazza, seconded by Councilman Coyle. Discussion Ensued. On roll call, all present voted in the affirmative. Introduction of Ordinance was approved 10/11/11.

ORDINANCE #1241-11 -AN ORDINANCE TO AMEND THE BOROUGH CODE, CHAPTER 230, TRAFFIC AND VEHICLES, SECTION 230-62 SCHEDULE VII OF THE BOROUGH CODE ENTITLED, "STOP INTERSECTIONS".

Moved by Councilman Norton, seconded by Councilman Piazza. Discussion Ensued. On roll call, Councilman Norton, Piazza, Coyle and O'Donnell voted in the affirmative. Councilman Hauser voted in the negative. Introduction of Ordinance was approved 10/11/11.

ORDINANCE #1242-11 -AN ORDINANCE TO AMEND THE BOROUGH CODE, CHAPTER 230, TRAFFIC AND VEHICLES, SECTION 230-61 SCHEDULE VII OF THE BOROUGH CODE ENTITLED, "THROUGH STREETS".

Moved by Councilman Hauser, seconded by Councilman Piazza. Discussion Ensued. On roll call, Councilman Norton, Piazza, Coyle and O'Donnell voted in the affirmative. Councilman Hauser voted in the negative. Introduction of Ordinance was approved 10/11/11.

**COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 11, 2011**

2 of 5

PUBLIC HEARING AND ADOPTION OF ORDINANCE
Bob Christensen, 3 Ravine Avenue asked if ordinance #1240-11 could be clarified.

ORDINANCE #1240-11 -AN ORDINANCE AMENDING CHAPTER 230 – ARTICLE V OF THE CODE OF THE BOROUGH OF CALDWELL, TRAFFIC REGULATIONS

Moved by Councilman Piazza, seconded by Councilman Norton. Discussions Ensued. On roll call, all presented voted in the affirmative. Adoption of Ordinance was approved on 10/11/11.

RESOLUTIONS - CONSENT AGENDA

10-229: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 11, 2011 FOR 2011 BILLS IN THE TOTAL AMOUNT OF \$2,389,286.64

10-230: AUTHORIZING THE APPOINTMENT OF BOARD OF HEALTH MEMBER

10-231: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Trinity Academy / On Premise – 50/50 Raffle / December 10, 2011 – 5:00PM

Moved by Councilman Coyle, seconded by Councilman Piazza. No Discussion. On roll call, Councilman Hauser, Piazza, Coyle and O'Donnell voted in the affirmative. Councilman Norton abstained. Resolution approved on 10/11/11.

10-232: RESOLUTION DESIGNATING OCTOBER AS COMMUNITY PLANNING MONTH IN THE BOROUGH OF CALDWELL

10-233: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT FOR A TERM OF 3 YEARS AND AN ANNUAL LEASE PAYMENT AMOUNT NOT TO EXCEED \$10,500.

10-234: AUTHORIZING THE BOROUGH ADMINISTRATOR TO POST OR ADVERTISE FOR POSITIONS IN THE CALDWELL POLICE DEPARTMENT

10-235: RESOLUTION AUTHORIZING AN AWARD OF CONTRACTS FOR (5) SETS OF GEAR FOR AN AMOUNT OF \$11,466.05 AS APPROPRIATED IN CAPITAL ORDINANCE #1225-10 FOR THE CALDWELL VOLUNTEER FIRE DEPARTMENT

10-236: AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXECUTE AN AGGREGATED ENERGY PURCHASING CONTRACTING SERVICE – ELECTRICITY FOR THE BOROUGH OF CALDWELL

10-237: RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR AN AIR COMPRESSOR FOR AN AMOUNT OF \$32,500.00 AS APPROPRIATED IN CAPITAL ORDINANCE #1185-08 FOR THE CALDWELL VOLUNTEER FIRE DEPARTMENT

10-238: RESOLUTION AUTHORIZING THE PURCHASE OF (8) PAGERS AND SAFETY BELTS FOR AN AMOUNT OF \$5,905.80 AS APPROPRIATED IN CAPITAL ORDINANCE #1225-10 FOR THE CALDWELL VOLUNTEER FIRE DEPARTMENT

CONSENT

Moved by Councilman Coyle, seconded by Councilman Piazza. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 10/11/11.

Councilman Norton reported that the Community Center as of November 1st will hit last years revenue number with two months remaining we will exceed 5 to 12% over and above last year's revenue. We have a 5K race on October 29th.

**COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 11, 2011**

3 of 5

Councilman Piazza reported that the senior transportation has made a request to get the salary ordinance adjusted so they can hire a part-time fill in bus driver. On Long Range Planning and Technology, we did receive our bids for AV system and as soon as we complete the process for the Comcast Franchise agreement we will be able to move ahead. On Saturday, October 15th is the Essex County Computer and Electronics recycling day.

Councilman Hauser reported the seniors had their trip to Toronto it was very successful they left with a number of people and came back with the same amount. October 17th is a trip to Atlantic City to the Showboat. There was an Italian Feast on Columbus Day; there were fifty people who attended that lunch. The food pantry is extremely short, there are fifty-two families in Caldwell and West Caldwell so there is a tremendous need for donations. The recreation advisory committee will be meeting tomorrow morning to discuss the Caldwell College agreement and a host of other items including netting and parking issues. On Monday, October 17th the new Library Director will be starting.

Mayor Dassing reported for Councilman Murray, Liberty Murnal Be a Fire Smart Fire Safety program, Caldwell Volunteer Fire Department can earn one of ten 10,000.00 grants. If we vote to partner with Fire Departments around the Country to help families learn more about Fire Safety and Fire Prevention. Now through October 31st everyone can show their community support and learn more about Fire Safety simply by visiting the Fire Smart website and taking a quiz at www.befiresmart.com. Every time you go there we get points and if we earn enough points we get the 10,000 grant. We received a correspondence from Chief Dombrowski who will be retiring. His last day here is November 21st and his last official day will be January 1, 2012. He has been with us for twenty-eight years. He will definitely be missed and we wish him well in his future endeavors.

Mayor Dassing reported that she received a correspondence from the Caldwell Merchant's Association, June Cowell President, informing us that Brian White who is a Caldwell Volunteer Fireman and Electrician, has offered to set up wire to the Ann Filkin shop so we can have music this holiday season. They would also like to put up a banner saying Happy Holidays from the Caldwell Merchant's Association shop local eat local be local and they will advertise late shopping on Thursday's. I received a memo from Tamara Bross who was the employee who went on the senior trip. She included three letters that she received from people who had a great time and are looking forward to next trip. They rode the Maid of the Mist, they visited a winery, and they tasted ice wine made from frozen grapes.

REPORT OF ADMINISTRATOR

Paul Carelli reported he sent out the report from the Police Department and the ticket revenue is up 13.4%. He met with Rocco Palermi and the Mayor in regards to the netting. There is a proposal on the netting for approximately \$7500.00. He has asked to have a look at putting retractable netting over home plate. On October 21st or 28th there will be a mandatory training class for employees with regards to work place behavior, ethics and harassment. Greg Mascara would like to clarify that good conduct is not lacking training is. Paul received a quote to repair the parking deck stairs for about \$30,000.00 to replace the steel, prefabricate the steel and pour concrete. Our Borough Engineer is looking at an alternative that can be a lot less expensive. The final bill for the Street Fair went out and it was slightly higher than last year but significantly lower than years past. The first batch of parking meters has been sent out to be painted.

REPORT OF ATTORNEY:

Greg Mascera reported that he spoke to Liz Durkin, Zoning Board Attorney; we have decided that the Lions Gate Association should appear back to the Zoning Board for a request for clarification of the Zoning Board's original determination. Liz will contact the Lions Gate Attorney and will instruct them to make an application. Discussion was made on the Towing ordinance. That Resolution will be put back on the October 25th meeting.

OLD BUSINESS:

Councilman Piazza spoke about the food pantry and how the Farmers' Market is a drop off point for the food pantry. Through Maria and the food pantry we just implemented a whole new thing that we are doing. Both of the Farmers that are in are Farmers' Market have agreed every single week to provide fresh fruit and vegetables to the families in need. I have created food pantry vouchers that they can bring to the farmers to receive this. I urge and ask that everyone to come out and support the farmers.

**COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 11, 2011**

4 of 5

NEW BUSINESS:

The meeting scheduled on November 8th will be tentatively changed to November 10th.

Moved by Councilman Piazza, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted affirmative. Council meeting to be adjourned to November 10th.

Councilman Hauser spoke about what was being sent out by the Finance Committee. There is an increase in debt obligation of payments of principle and interest of \$260,000 over this year's number. In two years from now it will be over \$300,000. I am uncomfortable voting now on anything that is not an emergency appropriation for capital expenditures. I urge the Council as items come up that may have been in request of previous years or for new requests that we really take a hard look what we can and can't do. Discussions Ensued.

OPEN PUBLIC COMMENTS ON RESOLUTION:

Jim Jorgensen, Liaison for County of Essex, reported that the schedule for the Farmers' Market is October 14th from 3-5PM.

Jane Lieber, 48 Roseland Avenue thanked the Council for taking some action with the Baseball's. She spoke about the kids who are playing football around the field.

Ms. D'Angelo, Superintendent for 48 Roseland Avenue spoke about the kids jumping over the fence.

Greg Mascara spoke that the Borough is not responsible to make sure that citizens don't go from public property to private property. It is the Borough's job to offer service.

Hilda Moore, 23 Personette Street, let the Council know that Mario never showed up. **Paul Carelli** stated that they called several times and there was no answer. She spoke about the property that has been vacant for five years, about the speeders that come down Personette Street and the Linwood light that people do not stop.

Gail Pruner, 507 Bloomfield Avenue, thanked the Council for working on the ball issue. How long will it take to have this netting? **Paul Carelli** responded that the target date is November 15th if everyone is in agreement.

Bob Christensen, spoke about having people donate their free turkeys for the families in the food pantry. He talked about the traffic committee and he wants to know who is on that committee. He spoke about West Caldwell closing the Cedar Street Pool and making it a Sports Complex similar to what the Community Center has and what Kiwanis Oval has.

On a motion made by Councilman Coyle and seconded by Councilman Piazza, unanimously affirmed, the Council moved into Executive Session at 8:31P.M.

Council President Murray 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, the Bridge Property that is owned by the Borough, Police, Caldwell's Woman's Club and various issues that go along with that perhaps leases that are used for parking.

The Executive Session was adjourned and upon a motion by Councilman Piazza, seconded by Councilman Coyle, the Council Business Conference Meeting was opened to the public and the press at 9:04P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman Piazza, unanimously affirmed by all members present, the meeting was adjourned at 9:05P.M.

