

BOROUGH OF CALDWELL, N.J.
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 13, 2009

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:04 P.M.

PRESENT: Mayor Gartland, Councilman, Slattery, Dassing, Curley, Norton and Brennan

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

ABSENT : Councilman Lawshe

Adequate notice of this Council 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.

INTRODUCTION OF ORDINANCES: None

PUBLIC HEARINGS: None

RECEIVING OF BIDS: Tree Maintenance Service (Pruning & Removal of Trees from Various Locations)

Friendly Tree Service
Orange, New Jersey
Tree Pruning \$14,522.00
Tree Removal \$12,869.00

Andy Matt Inc.
Mine Hill, New Jersey
Tree Pruning \$18,610.00
Tree Removal \$20,340.00

Downes Tree Service Inc.
Hawthorne, New Jersey
Tree Pruning \$19,006.70
Tree Removal \$18,870.00

Dujets Tree Experts
West Paterson, New Jersey
Tree Pruning \$25,100.00
Tree Removal \$17,012.00

Northcreek LLC
Basking Ridge, New Jersey
Tree Pruning \$50,810.00
Tree Removal \$39,480.00

APPROVAL OF MINUTES: None

On a motion made by Councilman Slattery, and seconded by Councilman Brennan, unanimously affirmed, the Council moved into Executive Session in order to discuss a matter of potential litigation. Said motion was unanimously approved and the Council went into Executive Session at 7:11 P.M.

The Executive Session was adjourned and upon motion by Councilman Slattery, seconded by Councilman Brennan the Council Business Conference Meeting was opened to the public and the press at 7:45 P.M. All those previously in attendance were present.

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Mayor Gartland reported that in Executive Session discussion was had regarding a tentative settlement pending a memorandum of understanding with West Caldwell regarding the sewer.

Mayor Tempesta of West Caldwell expressed that he was happy to settle the dispute without going to litigation. Mayor Tempesta said that hopefully we can move forward with a much longer term agreement.

Mayor Gartland reported that Mayor Levine of North Caldwell had called and wants to meet regarding the settlement with West Caldwell.

Mayor Gartland opened the meeting to the public at 7:52 P.M. for public comment on resolutions. Seeing no one from the public wishing to be heard Mayor Gartland closed the open public comment on resolutions at 7:52 P.M.

RESOLUTION:

- 10-173 Authorizing redemption of tax lien certificate #07-00008, Block 29, Lot 39.01, 47 Cleveland Street, Caldwell NJ 07006, Krupka, Danielle & Michelle
- Moved by Councilman Slattery, seconded by Councilman Brennan. No discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 10/13/09.
- 10-174 Authorizing redemption of tax lien certificate #08-00023, Block 72.01, Lot 5, 5 Cherry Lane, Caldwell, NJ 07006, Mackin, Stephen & Catherine
- Moved by Councilman Slattery, seconded by Councilman Brennan. No discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 10/13/09.
- 10-175 State of New Jersey Department of Environmental Protection Green Acres Enabling Resolution
- Moved by Councilman Slattery, seconded by Councilman Curley. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 10/13/09.
- 10-176 Authorizing the issuing of license for raffle to Caldwell Downtown Alliance, Inc., On-Premise 50/50 Raffle, October 24, 2009 – 12:00 P.M. – 4:00 P.M.
- Moved by Councilman Slattery, seconded by Councilman Curley. No discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 10/13/09.
- 10-177 Authorizing payment of bills and the issuance of checks for the period through October 13, 2009 in the total amount of \$3,167,086.78
- Moved by Councilman Slattery, seconded by Councilman Brennan. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 10/13/09.

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REPORT OF COMMITTEE CHAIRMEN AND MEMBERS:

Councilman Slattery – Reported that as of October 6, 2009 the local Health Departments in the state had received initial shipments of swine flu vaccine. This is the mist vaccine and is recommended for ages two to forty-nine and those who are not pregnant. These shipments will continue through November and December. For more information please call the hotline 1-866-321-9571. Councilman Slattery also reported that the New Jersey Department of Children and Families have embarked on a new program, Raise Me Up, the mission of Raise Me Up is that you don't have to raise a foster child to raise them up, you just have to raise your hand to help. Their website is www.raisemeup.org.

Councilman Dassing – Thanked the Caldwell Fire Department for hanging the scarecrows on Bloomfield Avenue. There are about 30 scarecrows in the contest. The winner will be announced on Saturday, weather permitting. The Fall Festival is Saturday, October 17, from 11:00 A.M. to 4:00 P.M. There will be live music, face painting, jugglers and clowns. Some of the merchants will be putting out what they call dollar menus, you will be able to get food for a dollar. Councilman Dassing also reported that the Essex Photo Club had their opening of the Meet The Artist reception at the Caldwell Public Library. They are all local artists and the photographs are quite lovely. It will be running through the end of this month in the Gene and Catherine Collerd Reference Room.

Councilman Curley – Reported that the New Jersey Office of Clean Energy will be at the Caldwell Public Library tomorrow at 7:00 P.M. and the Green Fair will be on October 24, 2009 at Caldwell College from 12:00 P.M. to 4:00 P.M.

Councilman Norton – Reported that the Budget Committee will be meeting on Thursday at 9:00 A.M. to take the first look at the 2010 Budget. We look forward to getting the process going.

Councilman Brennan – No report.

Mayor Gartland – Reported on the notification of 554 Bloomfield Avenue regarding DEP remediation. The DEP on September 2, 2008 adopted rules requiring those responsible for clean ups of contaminated sites to post signs and distribute notification letters informing the local residents of the work progress. For sites already undergoing clean up these rules require notification to take place within one year of the effective date. The notification needed to be prior to September 2, 2009. The location was originally owned by 7/11 who has been mandated to continue with any remediation regarding that property. 7/11 was the one that sent out the notification to everyone within 200 feet of that site. This development was approved by our Zoning Board and DEP has supplied a letter that says that they approved the matter and the clean up. There had been a gas station there many, many years ago. The DEP issued approval for the development to take place at the location. Because of the new requirement to give public notification that is the reason the individuals received letters notifying them of the fact that this is a site that continues to be monitored.

Report of Administrator – No report.

Report of Attorney – Property Acquisition, 14 Park Avenue will be discussed in executive session.

New Business – Councilman Norton requested that the Mayor look into rejuvenating the Downtown Committee. Councilman Norton asked whether it would be instituted this year or next year. Councilman Norton reported that the Gold Rush Promotion by the Caldwell Merchants Association is off the ground and running. Raffle tickets are available at over 40 participating merchants on Bloomfield Avenue. People can shop downtown Caldwell, look for the Gold Rush in the stores and get their chance to win \$10,000.00. Councilman Dassing reported that there is a block in front of Ace Hardware where all the trees are

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dead. Councilman Curley reported that the environmental committee discussed the trees at their meeting on Thursday and is picking out specific trees to be planted. Councilman Norton inquired about the Adopt A Tree program and wanted to know if the program was still running. Councilman Norton requested that the program be listed on Channel 35 and the website. Councilman Slattery reported that in the Tree Removal Ordinance it states that if you want to remove a live tree on your property, you can replace that on your own property but if you do not have a place on your property, you can donate a tree to the town.

OPEN MEETING: Mayor Gartland opened the meeting to the public at 8:19 PM. Seeing no one from the public wishing to be heard the Mayor closed the Open Public portion of the meeting at 8:19 P.M.

On a motion made by Councilman Slattery, and seconded by Councilman Curley, unanimously affirmed, the Council moved into Executive Session in order to discuss land acquisition. Said motion was unanimously approved and the Council went into Executive Session at 8:19 P.M.

The Executive Session was adjourned and upon motion by Councilman Curley, seconded by Councilman Slattery the Council Business Conference Meeting was opened to the public and the press at 8:42 P.M. All those previously in attendance were present.

A motion was made by Councilman Slattery and seconded by Councilman Brennan to adjourn the meeting of November 3, 2009. All members present voted in the affirmative.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Brennan, seconded by Councilman Norton, unanimously affirmed by all members present, the meeting was adjourned at 8:43 PM.

Prepared by:

Beth Bush Telepan
Deputy Clerk

Date