

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – October 15, 2013**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at **7:03PM**

**PRESENT:** Mayor Dassing, Council President Hauser, Kelley, Rodgers and Durkin

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

**ABSENT ROLL CALL:** Councilman Coyle and Councilman O'Donnell

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:  
October 1, 2013**

Moved by Councilman Kelley, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 10/15/13.

**PRESENTATIONS:**

1. Sun Pacific Power, Inc. / Nick Campinella

**7:11pm - Councilman Coyle and Councilman O'Donnell arrived**

**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**

**10-231:** RESOLUTION AUTHORIZING CHANGE FUNDS

**10-232:** RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 36.01 LOT 71.01 & 36.01 LOT 96, 485 & 487 BLOOMFIELD AVENUE, BLOOMFIELD AVENUE, REALTY, LLC. CALDWELL, NJ 07006

**10-233:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Volunteer Fire Co of Borough of Caldwell - Off Premise / Tricky Tray Raffle – December 7, 2013 – 6:00PM – 10:00PM

**10-234:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Volunteer Fire Co of Borough of Caldwell - Off Premise / 50/50 Raffle – December 7, 2013 – 6:00PM – 10:00PM

**CONSENT**

Moved by Councilman Coyle, seconded by Councilman Kelley. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 10/15/13

**10-236:** RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDERS (1-4) FOR THE CEDARS ROAD IMPROVEMENT PROJECT IN THE AMOUNT OF \$25,073.12 – NEW TOTAL CONTRACT AMOUNT \$948,498.80

**10-237:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 15, 2013 FOR 2013 BILLS IN THE TOTAL AMOUNT OF \$3,418,975.01

**CONSENT**

Moved by Councilman Coyle, seconded by Councilman Kelley. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/15/13.

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**COUNCIL COMMITTEE REPORTS:**

**Councilman Durkin** reported that October is walk to school month and the Caldwell Environment Commission supports the Grover Cleveland Middle School's Eighth Grade Ecology's club initiative Walk for Earth Day which is on Friday, October 25<sup>th</sup>.

**Councilman Hauser** reported that they have hired a Library Director who will be starting November 4<sup>th</sup>.

**REPORT OF BOROUGH ADMINISTRATOR:**

1. Administrator Report October 15, 2013

Paul reported that the Cedars Road Improvements are moving along nicely. There have been some changes. They are making some last minute adjustments to the curbing that is required. The contract was for 4417 of linear feet of curbing and we are actually under that so we were able to put curbing in a couple problem areas primarily Overlook Road. The paving crew was on site yesterday raising manhole covers to get ready for the milling. Paul will check on the milling and will let the Council know a date when the milling will start and when the completion date will be. Paul handed out a sheet in regards to capital ordinances explaining where we are cleaning with old capital ordinances that have been on the books for the last almost 14 years. We are around \$600,000, from that there are things that still need to be paid, the completion of the generator, the council authorized the sidewalk repairs, the added cost for the video, the Park Avenue driveway which is completed and the last one is the computers in the Community Center and I would like the Council tonight to authorize that. The process would be to cancel all the ordinances and that would leave us with \$480,000 and no ordinances to spend money on and we would start fresh in saying what do we would like to do going forward. Before he cancels the ordinances he needs to finish these projects. Paul thanked Lisa O'Neill for training Colette in the Construction Office.

**10-238: AUTHORIZING THE BOROUGH ADMINISTRATOR TO PURCHASE COMPUTERS AND NECESSARY EQUIPMENT FOR THE COMMUNITY CENTER FOR AN AMOUNT NOT TO EXCEED \$14,000.00**

Moved by Councilman O'Donnell, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/15/13.

Paul reported that the Police have been using the E-ticketing for almost three years and he reached out to them and said he wasn't willing to pay what we have been paying for the price per ticket. He is waiting for the paperwork but it looks like there will be a 30% decrease.

**REPORT OF ATTORNEY:**

**Greg Mascera** reported that we took the next step on the Knights Property and we are waiting for the seller to provide a document which we received and have forward to the Land Conservancy and now we have forwarded it to the State and PSE&G. Mr. Ingris has filed another Law suit which we can talk about in private session.

**REPORT OF POLICE CHIEF:**

**Chief Bongiorno** thanked the West Caldwell, Fairfield, Roseland Police Department and the Essex County Sheriff's department for assistance to the Street Fair. They helped us supply security and it was a great event. He spoke to Rob Paterson and the Community Center is hosting the social event. It was Joanne's idea and they want to hold an Open House which is a wine tasting event. So it is geared to their adult population. Discussions Ensued.

**10-235: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Caldwell Community Center**

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, Council President Hauser, Coyle, O'Donnell and Durkin voted in the affirmative. Councilman Rodgers and Kelley voted in the negative. Resolution approved 10/15/13.

**Mayor Dassing** reported that the Essex County Liaison was here earlier tonight and we spoke about the Roseland Avenue intersection and she expressed her concern at the response that we received from the

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County. He suggested that I write a strong email to him and I talked about Tom who is in the audience and I gave him your suggestion about widening the lane.

**OLD BUSINESS:**

**Caldwell Yard Storage**

**Mayor Dassing** spoke about the information that she sent to Council about the revised numbers on the trucks per day for the storage at the Compost facility. It seems like it has dropped from 15 to 18 trucks a day to 5 or 6 trucks and they would like to start as soon as possible and they are willing to negotiate the price. **Greg Mascchera** responded that we talked about this and we will need West Caldwell's zoning permission as a prerequisite because outside storage would be precluded under the West Caldwell Zoning Ordinances. **Councilman O'Donnell** responded that the revenue and the harms done to the people in West Caldwell do to this situation is something we don't want to get involved in.

**NEW BUSINESS:**

**American Express Park on Patch**

**Mayor Dassing** explained that American Express and Patch are to separate days. American Express small business Day is a Saturday and each business has to apply. Park on Patch will bag the meters and they will give us the anticipated revenue that we would gain and it is the Saturday after Thanksgiving.

**10-239: AUTHORIZING SATURDAY NOVEMBER 30, 2013 AS "PARK ON PATCH" DAY FOR A FEE TO BE DETERMINED BY THE BOROUGH ADMINISTRATOR**

Moved by Councilman O'Donnell, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/15/13.

**2013 Best Practices Checklist**

**Paul Carelli** explained the best practice checklist that is mandatory and needs to be filled out every year. Chris and Paul worked on it and they had 42 affirmative answers which is sufficient enough not to lose any state aid. **Mayor Dassing** suggested that the finance committee base their goals and objectives on the best practice checklist next year. Discussions Ensued.

**Mayor Dassing** thanked the Caldwell Volunteer Fire Department and the officers. Chief Garamella and the staff were at the four high rises spent time in the lobbies talking about fire safety with the residents. There were a lot of questions and answers and they plan to do it again.

**OPEN PUBLIC MEETING:**

Moved by Councilman Hauser, seconded by Councilman Kelley to Open Public Meeting.

**Bob Christensen, 3 Ravine Avenue**, asked if there will be a traffic committee next year. Mayor Dassing responded yes.

**Tom Telven, 79 Roseland Avenue**, he thanked Councilman O'Donnell for the follow up on the issue of the traffic congestion on Roseland Avenue and a couple of the suggestions that he made. It is refreshing to have a public official call you back to let you know that he is looking into it. He thanked everyone for their consideration and time on this matter.

On a motion made by Councilman Coyle and seconded by Councilman O'Donnell, unanimously affirmed, the Council moved into Executive Session at 8:24PM.

Mayor Dassing 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

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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 two litigation matters and a personnel interview for a Tax Assessor.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman O'Donnell, the Council Business Conference Meeting was opened to the public and the press at 8:47P.M.

**10-240: AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXTEND AN OFFER FOR THE TAX ASSESSOR POSITION AT AN ANNUAL SALARY NOT TO EXCEED \$20,000**

Moved by Councilman Kelley, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Resolution approved 10/15/13.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman O'Donnell, unanimously affirmed by all members present, the meeting was adjourned at 8:48PM.

Prepared by: \_\_\_\_\_  
Lisa O'Neill, Deputy Borough Clerk

\_\_\_\_\_  
DATE