

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – November 8, 2012**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:04 PM

PRESENT: Mayor Dassing, Council President Hauser, Councilman O'Donnell, Kelley and Rodgers

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

ABSENT: Councilman Murray

ABSENT ON ROLL CALL: Councilman Coyle

Adequate notice of this Council Business/Conference meeting was given on January 1, 2012. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2012. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2012. Notice was posted and all persons requesting notice were sent same.

**APPROVAL OF MINUTES:
October 16, 2012**

Moved by Councilman Kelley, seconded by Councilman Rodgers. No Discussion. On roll call, all present, voted in the affirmative with revision from Councilman O'Donnell. Minutes approved 11/08/12.

Councilman Coyle arrived at 7:07PM

PRESENTATION:

1. Fincredit Inc. – presented by: Nick Campanella, Managing Director / Carmine De Falco, Managing Director
2. Murrol Energy Solutions, Inc - presented by: Tim Hahn / Howard Hulin

OPEN PUBLIC COMMENTS ON RESOLUTION:

RESOLUTIONS – CONSENT AGENDA

11-238 AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Trinity Academy HSA / Off Premise –50/50 Raffle / April 26, 2013 – 11:00PM

11-239 AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – HSA Lincoln School / Off Premise –Merchandise Raffle / December 5th & December 6th – 3:00PM – 6:00PM

11-240 AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – St. Aloysius Roman Catholic Church / Off Premise –Calendar Raffle / January 15, 2013, February 15th, March 15th, April 15th, May 15th, June 15th, July 15th, August 15th, September 15th, October 15th, November 15th & December 15, 2013. 1:00PM

11-241 AUTHORIZING THE APPOINTMENT OF OPEN SPACE COMMITTEE MEMBER – DAVID PRESCOTT

Councilman Kelley asked the question as to whether Greg had draft any resolutions that were passed on the motions that I raised. **Paul Carelli** responded that he did. We drafted the resolution now I guess it's the matter of drafting the ordinances. **Greg Mascara** responded that one of the proposals would not be consistent with what's permitted within the law. I will not be drafting an ordinance which violates state law. My recommendation to the Council is you can not prohibit a town employee from participating in a municipal election the law is clear. **Councilman**

BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – November 8, 2012

2 of 4

Kelley asked the question can you craft the ordinance to affect that the controls over that employee in terms of management and monitoring for the protection of the employee and the Council in terms of their involvement of the work day. I think the ruling is during the work day, they cannot, but during their own free time they are allowed too. Isn't that the state law? The state law is the employer employee can do whatever they want after work. If you are proposing a different ordinance now on what an employee can do at work, that would be a different resolution and different ordinance that would be something that would come in the Employee handbook or you can do that by ordinance as well.

CONSENT

Moved by Councilman Hausser, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 11/08/12.

11-242 AUTHORIZING THE AWARD OF A CONTRACT FOR THE BROOKSIDE AVENUE WATER MAIN REPLACEMENT PROJECT TO MATINA & SON, 148 ENGLISH STREET, HACKENSACK, NJ 07601 IN THE AMOUNT OF \$566,600.00

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 11/08/12.

COUNCIL COMMITTEE REPORTS:

Councilman O'Donnell thanked the Community Center and their staff, as you know we were open as a warming center and we were serving hot lunches and anonymous donors who were sending food. We had restaurants donating food and it was nice to see people coming in to help those in need. The OEM people, Chief Bongiorno, Chief Garamella, Tony Greci, Gerard Greci, Dave Black from WEFAS, Councilman Murray and of course the Mayor. We had at least five (5) to six (6) OEM meetings and Dave Black mentioned that they service six (6) communities and Caldwell was the only one who was meeting regularly and had a plan. They were sleeping in cots around the clock to be available. The WEFAS were sleeping in the cold they do not have a generator. I would like to discuss with various towns of contributing dollars so that we can purchase a generator. Councilman Murray provided an 800 number for those who could not travel for the meeting and of course Mr. Carelli was there every step of the way keeping us calm. John McManis from PSE&G took his beating like a man and I would like to thank him as well.

Councilman Coyle wanted to add and acknowledge Mario Bifalco and the folks at the DPW who also joined in with the discussions with the OEM folks during this storm. He asked the question to Mr. Seaman that he understood we loss power to the sewer plant sometime during the storm. Greg responded that he had met with the operators prior to the storm and everything came off very well. **Councilman O'Donnell** responded that he would like to apologize for not mentioning the DPW and Councilman Coyle was with us through these meetings I do apologize it has been a rough week. We were running out of diesel and somehow Mario came over with 1500 gallons we didn't ask and we just thanked him.

Mayor Dassing thanked everyone from the bottom of her heart to everyone who came out to help us I felt like we were in very, very good hands. We were well prepared and I know it got really crazy and scary for our Fireman and our Construction official. Just the upmost in bravery in a volunteer capacity it is totally amazing how everyone keeps coming out and keeping us safe. I had a meeting with the President of PSE&G and probably twelve Mayors in the room Senator Cody set that up and I would like to thank Senator Cody for shortening the amount of time for the last circuit that they were working on. Basically the main concern was communication and specific communication was so that the mayor and administration of each town is equipped to talk to the residents about when the power is coming back on. We were fully restored in eight days and we originally were told seven to ten days.

REPORT OF ADMINISTRATOR:

Paul Carelli reported that he had the pleasure of being in the office everyday with our Deputy Clerk, Lisa O'Neill who might have been the last one in Caldwell to have her power turned on and it was very pleasant working with her last week as well as the Mayor. The residents don't see this too often but our Mayor was here pretty much all day into the night calling whoever she could to get the power back on as limited emails came in or phone calls from cell phones she was calling back residents

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – November 8, 2012**

3 of 4

individually trying to be a voice of support and to let them know that she was working as hard as she could to get the power on. The residents should be happy that they have someone like you here. I did post an RFP for Financial Management Services Councilman Hauser, Councilman Rodgers and myself met with one of the consultant firms and went over the RFP on Friday and fine tuned it to our needs. The RFP is due back next Friday on November 16th and I hope there is some type of decision for next meeting. We did advertise for CFO on the League of Municipality. I spoke to our Auditor Heidi and she will be coming in to review our Budget and to get some guidance. Our Police and Fire radios are in. We installed two touch screen monitors for dispatch we had an issue with those so they were delivered. Our back up generator ran for 196 hours eight days straight. I thought our communication was good amongst ourselves the residents, it got a little dicey because when people's power went out you can't call them on the phone. We are looking at some text messaging where we can have more people sign up. This would be something I or the Mayor can send from a cell phone. I issued to the Police committee this evening our October police report and the police department continues to do a great job our enforcement as far as summons is up 46% year to date, our revenue is up 67% from last year. The Chief has been doing a great job managing overtime which is now 62% our overtime cost. I know you thanked the Chief in all his work in OEM but a lot of his officers spent a lot of time standing out on Bloomfield Avenue directing traffic into gas stations which wasn't very pleasant. They broke up some altercations and I would like to acknowledge them as well. **Councilman Hauser** asked Mr. Carelli if he received any recommendations from ADP. Mr. Carelli responded no and he has not followed up with that. **Mayor Dassing** asked about the trees that need to come down and broken limbs. **Mr. Carelli** responded that he would like to do an RFP for tree cutting service and he believes that the Morris County Co-op has that. He would also like to do an RFP for a carpentry or handy man service.

REPORT OF ATTORNEY:

Greg Mascara reported that the swim contract with West Essex Board of Education has been drafted and is circulating waiting for Rob Patterson's review of the numbers and I believe the swim season starts on November 15th. As your honor knows I received an email from the gentleman from West Essex so hopefully that will all be in place and it looks like everything is finished except the execution of that contract. Mr. Carelli, I and Mr. Seaman had a very long productive meeting with a gentleman from Hatch Mott I was expecting a draft of an agreement on the Friday before the storm and the agreement did not come until yesterday. I need to through it more thoroughly with Mr. Seaman and then I think it would be productive to discuss with the Mayor and Council. **Councilman O'Donnell** asked if there was any update on the Knights. **Greg** responded that he spoke to their attorney on a few occasions the Land Conservancy was still without power as of yesterday. The Conservancy did hire the sub contractors that we had talked about. **Mayor Dassing** reported that in the realm of the legal world I spoke to the Federal Government on 14 Park Avenue application and we have until the 16th of November. I think we need to have this faxed out to them on the 15th.

OLD BUSINESS:

Councilman O'Donnell would like to make a statement that last meeting was the low point of my twenty-three months absolutely the lowest statement that Councilman Kelley read as described by one member in the audience as a mugging it was obviously politically motivated it was distracting at best and I was just very disappointed.

NEW BUSINESS:

Councilman O'Donnell spoke about a resident that had a question about the Oval and I will direct this to Councilman Kelley. What have you done to date securing funding from the College and Calandra's? When you campaigned you said that these issues were critical and this resident wants to know what efforts have been made to secure the funding. **Councilman Kelley** responded that he was not sure what his question was. **Councilman O'Donnell** responded that one of your pieces of campaign literature mention that below your outline of critical issues it is vital to the citizens of Caldwell and one of many is the Oval's long term funding. "The window of opportunity to secure long term funding agreements with Caldwell College and Calandra's has been greatly compromised due to the poor management by the present Caldwell Council. With the potential loss of revenue from these two funding sources the Governing Body will need to look to tax payers to fill this budget gap. We will work to secure the long term funding for the Oval so you the tax payer do not have to fund this project for the next ten years". This resident asked me "Tom what has Councilman Kelley done in this regard". **Councilman Kelley** responded that if he is not mistaken

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – November 8, 2012**

4 of 4

Councilman Hauser has secured the agreements with West Caldwell, Calandra's and Caldwell College. Councilman Hauser responded that there is nothing from Calandra's just Caldwell College. Councilman O'Donnell asked Councilman Kelley what has he done with Calandra's? Councilman Kelley responded that he thought Calandra's was responsible for funding part of the \$200,000 per year. Greg Mascara responded that is not correct. In the documents it clearly does not say that anywhere. Councilman O'Donnell asked if there is anything that he can bring back to this resident. Councilman Kelley responded not at this time. Councilman O'Donnell responded so you are here eleven months okay thank you. Councilman Kelley responded your welcome. Councilman O'Donnell responded we will discuss other issues next week.

Councilman Coyle asked about the recycling contract there has been no pickup for the past two recycling days. Mayor Dassing responded that Bob Belasalma did call the Occupational Center and they did have some trouble getting to certain streets. The streets that didn't have trees down they did pick up the recycling.

OPEN PUBLIC MEETING:

Robert Moss, Bloomfield, spoke about assembly bill A2586. New Jersey League of Municipalities is opposing it and I urge you to contact NJLM. The bill exempts non public institutions of higher education from all provisions of Municipal land use law. Discussions Ensued.

Douglas Piazza, 24 Erwin Place, spoke about one year ago that the Council had passed an ordinance approving the completion of which I worked really hard on last year of setting up televise Council meetings. We successfully negotiated with Comcast to foot the bill we put together a proposal we went out to bid received bids that we approved and we could not complete it last year because we did not get the money. My understanding is the money was paid to the Borough of Caldwell from Comcast back in March of this year yet we still do not have it televised. I would like to know why we are not televised at this point. Mayor Dassing responded that we visit and we talk to Ray Sullivan. We have a new cabinet that will host some of that equipment which we didn't have back in March. Paul Carelli responded that we will have to do another RFP. Mayor Dassing said she was glad he brought this up and this will be put on our project list.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman Kelley, unanimously affirmed by all members present, the meeting was adjourned at 8:42P.M.

Prepared by: _____
Lisa O'Neill, Deputy Clerk

DATE