

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – November 22, 2016**

**Page 1 of 4**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:00PM.

**PRESENT:** Mayor Dassing, Council President Capozzoli, Councilman Hauser, O'Donnell, Brown, Cascarano and Rodgers

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

**ABSENT:** Borough Administrator, Paul Carelli

Adequate notice of this Council Business/Conference meeting was given on January 1, 2016. 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.

**PLEDGE OF ALLIGENCE**

**APPROVAL OF MINUTES:  
November 2, 2016**

Moved by Councilman Cascarano, seconded by Council President Capozzoli. No Discussion. On roll call, all voted in the affirmative. Minutes approved 11/22/16.

**PRESENTATION**

1. Designation of the Library as a Historic Landmark

**INTRODUCTION OF ORDINANCE**

**ORDINANCE #1323-16:** CAPITAL ORDINANCE OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NJ AUTHORIZING PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CALDWELL, APPROPRIATING THEREFOR THE SUM OF \$125,000 FROM THE WATER CAPITAL IMPROVEMENT FUND

Moved by Councilman Brown, seconded by Council President Capozzoli. No Discussion. On roll call, all voted in the affirmative. Ordinance Introduced 11/22/16.

**OPEN PUBLIC COMMENTS ON RESOLUTIONS**

Moved by Councilman Hauser, seconded by Councilman Cascarano to open meeting to the Public.

**RESOLUTIONS – CONSENT AGENDA**

**11-198:**AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Volunteer Fire Company of the Borough of Caldwell, Off Premise – Tricky Tray Raffle, December 3, 2016 – 4:30PM - 7:00PM

**11-199:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Volunteer Fire Company, Off Premise – 50/50 Raffle, December 3, 2017 – 4:30PM – 7:00PM

**11-200:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Trinity Academy HSA, Off Premise – Merchandise Raffle, December 3, 2017 – 8:00AM

**11-201:** 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, December 3, 2017 – 8:00AM – 12:00PM

**11-202:** AUTHORIZING ISSUANCE OF ONE TAXICAB LICENSES TO Rafik Hana, 52 Park Terrace North, Caldwell, NJ 07006. APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS

**11-203:**RESOLUTION AUTHORIZING THE BAGGING OF CALDWELL PARKING METERS FOR THE HOLIDAY SEASON FROM DECEMBER 1, 2016 TO JANUARY 1, 2017

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – November 22, 2016**

**Page 2 of 4**

**11-204:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH NOVEMBER 22, 2016 FOR 2016 BILLS IN THE TOTAL AMOUNT OF \$4,311,910.66

**11-205:** AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO CREW ENGINEERS, INC. TO CONDUCT HYDRANT FLOW TESTS AND PERFORM A HYDRAULIC EVALUATION OF THE WATER SYSTEM IN THE VICINITY OF ORCHARD SQUARE

**11-206:** RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR MBF AUTO RE, LLC, 1120 BLOOMFIELD AVENUE, WEST CALDWELL, BLOCK 1700, LOT 1

**11-207:** RESOLUTION AUTHORIZING THE AWARD OF AN EMERGENCY CONTRACT FOR A WATER MAIN EXTENSION FROM HATFIELD STREET TO ORCHARD SQUARE

**11-208:** RESOLUTION CONSENTING TO THE DESIGNATION OF THE CALDWELL PUBLIC LIBRARY AS AN HISTORIC STRUCTURE

**CONSENT**

Moved by Councilman Brown, seconded by Councilman Cascarano. No Discussion. On roll call, all voted in the affirmative. Resolutions approved 11/22/16.

**COUNCIL COMMITTEE REPORTS:**

**Council President Capozzoli read a report.**

On November 4<sup>th</sup> at 1444 a call of a fire at 29 Orchard Square was made to Caldwell/West Caldwell dispatch desk the caller reported a fire/smoke coming from under the porch of said residence, the dispatcher took down all the information needed to dispatch the needed emergency response personnel which was done at 1446, according to our time records the Police department responded immediately with the fire chief on scene at 1447, The first truck arrived at 1453, what they pulled up to was not a small fire like some would like you to believe but a blaze that turned out to be so hot it melted parts of Caldwell's fire engine melting the seats and gear gages, along with the heat so intensified it cracked the windshield of the engine. Before the arrival of the first Fire apparatus High voltage wires came down and were actively arcing across the front of 31 Orchard square, this hampered firefighting operations in the front of the building, West Caldwell FD arrived within minutes and attempted entry to the rear of 31 Orchard Square but were pushed back due to heavy fire. Top this off with the wind condition on this day.

On their approach to the fire the fire department hooked up to the hydrant located closest to the resident, which was working unfortunately the other responding Departments also connected to Hydrants located in the vicinity. I say unfortunately because these hydrants are on one loop meaning that the water supplied to these hydrants came from the same source causing the departments to actually steal water from each other, in response to this hoses were ran to other hydrants which in the case of any fire of this magnitude is a normal chain of events.

To recap, fire fighters responded with apparatus in 7 minutes from the time of dispatch our Fire Chief was on scene within 4 minutes of that call. It must be clear that Caldwell's Hydrants are tested on a regular basis the misconception that the Hydrants were not working is false.

**REPORT OF MAYOR:**

**Mayor Dassing** reported that her Council President attended a very nice ribbon cutting on Saturday for Miele's Bakery, 5 Smull Avenue. Mr. Miele ran the concession stands at the Pools for many years and his wife does some beautiful cakes. She wishes them well and encourages everyone to stop by and patronize the Miele's. Mayor Dassing would like to thank the community that has come together to support the families that have lost their homes. Tonight at Thatcher McGhees there is a benefit from 7PM to 10PM with a \$20.00 donation which includes a buffet and one drink and the money that is raised will go to the families. On Saturday, December 17<sup>th</sup> the American Legion and the Borough of Caldwell are doing a Fire Relief Benefit from 1PM to 6PM. They are suggesting a donation of \$10 and there will be sandwiches, hot food, soda, water, dessert and coffee. Donations have been received from Calandra's Italian Village, Fortes of Caldwell, Jack's Super Foodtown and West Caldwell Shop Rite as well as the American Legion. Also, St. Al's is planning a pasta night for the Orchard Square Families on January 13<sup>th</sup> and that will be in the gym. Mayor Dassing has been fielding some questions about the hydrants and she has spoken to the water operator to issue a report about how we maintain our hydrants. They are flushed annually in April of every year and they are done between 8PM to midnight and that's why some people have never seen it done. There are 225 hydrants and they are inspected every November to see that they are drained and will not freeze throughout the winter. We also ask that all residents that have fire hydrants in front of their houses to please dig them out from underneath the snow after a snow

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – November 22, 2016**

**Page 3 of 4**

storm. In 1991 we had 173 fire hydrants in the system and currently there are 225. We have replaced 173 of those hydrants which mean's 82% of the original fire hydrants have been replaced with new modern fire hydrants and an additional 15 hydrants that have been added throughout the system. This report is from our licensed water operator and it is his responsibility to maintain the hydrants and he has all the records and they are available to the public to OPRA. The Mayor also received a question on Grover Lane and he answers with the main on Grover Lane is six inches and it is connected to the main on Hatfield Street. There is also a hydrant at the town line and if there ever was a fire they would use the hydrant on Hatfield and if additional water was needed they would use the hydrant at the town line. Over the last eight years we have replaced seventeen streets that have four inch mains. In 1991 we had a study done and it was suggested that the four inch by NJDEP standards was no longer acceptable and it was suggested that these four inch mains be taken out. From 1992 -1998 eleven streets were done. From 2007-2015 seventeen streets have been done to the cost of almost three million dollars. We have a plan and the first part of the plan was to get rid of the four inch mains which we are doing and there are about three streets left. Part of plan B came to the for front and it is on the agenda this evening with a resolution to conduct a hydraulic evaluation of the water system in the vicinity of Orchard Square and at the next Council meeting we will pass the ordinance if the hydraulic study comes back that it would be advantages' to connect to the Hatfield Street main we will as of December 6<sup>th</sup> to start on that project. That is a \$125,000 project the main needs to go under the brook to get to Orchard Square. Mayor Dassing thanked her volunteer fire department and she wants to emphasize the word volunteer, they are volunteers they are the bravest men and women on the planet. They get up in the middle of the night to answer a fire call, missed birthdays, missed Christmas and Anniversaries because they are working for you and I. She has the upmost respect for them and she knows that we all do.

**REPORT OF BOROUGH ATTORNEY:**

**Greg Mascera** thanked Mr. Kaplan for all his good work on the library and the designation. Second, he has prepared an ordinance changing some provisions in the Rent Control ordinance that was recommended by the Rent Control Board and Counsel. If the Mayor and Council would review it and it can be introduced at the Council meeting. In executive session we will discuss affordable housing litigation. Also, he has spoken to Mr. Librizzi in regards to the revaluation and they are progressing and are on schedule.

**OLD BUSINESS:**

1. CDBG Application

The Mayor and Council were in agreement of the elevator at 14 Park Avenue Building so it would be Handicap Accessible. The money from Green Acres they would like to fix the bathrooms at the Oval.

**REPORT OF POLICE CHIEF:**

**James Bongiorno** wished everyone a Happy and Safe Thanksgiving.

**OPEN PUBLIC MEETING:**

Moved by Councilman Hauser, seconded by Council President Cascarano to open meeting to the Public.

**Residents concerned about the fire on Orchard Square:**

John Hart, 27 Orchard Square  
Anita Cimera, 2 Orchard Square  
Nancy Tortoriello, 96 Hatfield Street  
Nancy Cummings, 20 Personette Street  
Joe Puglin, 5 Orchard Square  
Ceil White, 7 Orchard Square  
Gene Hajduk, 34 Orchard Square  
Chip Gardner, 55 Crane Street  
Bob Martoglio, 18 Grover Lane  
37 Peronette Street  
Ms. Granada, 28 Personette Street  
Hilda Moore, 23 Personette Street  
John Nolan, 12 Kirkwood Place  
Johanthan Lace, 21 Welshman Court

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – November 22, 2016**

**Page 4 of 4**

On a motion made by Councilman O'Donnell and seconded by Councilman Cascarano, unanimously affirmed, the Council moved into Executive Session at 8:29P.M.

**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 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. The Executive Session will be discussion of affordable housing and update.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman O'Donnell, seconded by Councilman Cascarano unanimously affirmed by all members present, the meeting was adjourned at 8:41P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Council President Capozzoli, seconded by Councilman O'Donnell unanimously affirmed by all members present, the meeting was adjourned at 8:41PM.

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

\_\_\_\_\_  
DATE