

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – December 19, 2017**

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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 Cascarano, Councilman Hauser, O'Donnell, Capozzoli, Brown and Rodgers

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

Adequate notice of this Council Business/Conference meeting was given on January 1, 2017. 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
December 5, 2017**

Moved by Councilman Capozzoli, seconded by Council President Cascarano. No Discussion. On roll call, Council President, Cascarano, Councilman Hauser, Capozzoli, Brown and Rodgers voted in the affirmative. Councilman O'Donnell abstained. Minutes approved 12/19/17.

PUBLIC HEARING AND ADOPTION OF ORDINANCES

ORDINANCE #1337-17: AN ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED "TRAFFIC AND VEHICLES", ARTICLE III, SECTION 230-28 OF THE BOROUGH CODE ENTILED, "NO PARKING, STANDING OR STOPPING

Motion by Council President Cascarano, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance adopted 12/19/17.

ORDINANCE #1338-17: AN ORDINANCE TO AMEND ORDINANCE 1322-16 ESTABLISHING SALARIES OR WAGES OF OFFICIALS AND EMPLOYEES OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX

Motion by Councilman Capozzoli, seconded by Council President Cascarano. No Discussion. On roll call, Council President Cascarano, O'Donnell, Capozzoli and Brown voted in the affirmative. Councilman Hauser voted no. Councilman Rodgers abstained. Ordinance adopted 12/19/17.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

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

RESOLUTIONS – CONSENT AGENDA

12-233:RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION CHAPTER 159 – "2017 Sustainable Jersey"

12-234: RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION CHAPTER 159 – "2017 Body Armor Grant"

12-235:RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION CHAPTER 159 – "2017 Clean Communities"

12-236:RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION CHAPTER 159 – "2017 DDEF"

12-237:RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION CHAPTER 159 – "2017 Bulletproof Vest Fund"

12-238:AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 19, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$761,046.10

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12-239: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00025, Block 58.01, Lot 2

12-240: RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2017

12-241: AUTHORIZING THE CANCELLATION OF SMALL BALANCES ON TAX ACCOUNTS FOR THE YEAR ENDING 12/31/17

12-242: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00017, Block 44.01, Lot 2.01

12-243: AUTHORIZING THE 100% VETERAN DEDUCTION ON PROPERTY LOCATED AT 75 FOREST AVENUE, BLOCK 20, LOT 14 FOR THE YEAR 2018 AND GOING FORWARD

CONSENT

Moved by Councilman Hauser, seconded by Council President Cascarano. No Discussion. On roll call, all voted in the affirmative. Resolutions approved 12/19/17.

12-244: RESOLUTION ESTABLISHING THE SALARY OF THE CHIEF OF POLICE FOR THE BOROUGH OF CALDWELL FOR THE CALENDAR YEAR 2018 EFFECTIVE JANUARY 1, 2018

Moved by Councilman Hauser, seconded by Council President Cascarano. Discussions Ensued. On roll call, Council President Cascarano, Councilman O'Donnell, Capozzoli and Brown voted in the affirmative. Councilman Hauser and Rodgers voted no. Resolutions approved 12/05/17.

COUNCIL COMMITTEE REPORTS:

Councilman Brown:

Since this is his last meeting he would like to say thank you to some folks. Number one, the residents of Caldwell, thank you for giving me this opportunity he has enjoyed his three years here. It's a learning experience but it's been made here by great Council members and Mayor and great staff.

He has worked closely to Mario and the DPW staff. They are a great crew and they do their best especially in the snow events. They are dedicated and knowing their routine and what they have done for this town he certainly has a better perspective on that and really appreciate what they do.

The Community Center, Nicole Tierney, she is relatively new at this job and she is really working hard to make the Community Center better and to get folks in there. It's a great place and he feels she will continue to succeed.

He has worked with the Environmental Commission since 2010 as their liaison for the past three years. The passion that they have for volunteerism is amazing and they put their hearts and souls into it. The Borough has benefited from their work. He will miss working with them but he is sure that Ann Marchioni and the group will continue to forge on and do great things.

The Caldwell Volunteer Fire Department he can't say more about this crew, what they do for us as volunteers putting themselves in harm's way. They are a professional group and an asset to this town. He hopes that everyone in town will continue to support our fire department.

The Police Department as well does a great job keeping us safe. Chief Bongiorno is very responsive to emails and phone calls. He looks into everything that is brought to his attention and responds in a quick manner obviously not just to what is going on in town but when the Council and himself ask. He appreciates all his work as well as the rest of the department.

Obviously Mayor Dassing and the current Council regardless of the party we have done a lot of great things and he really hopes that it continues. We are here to benefit the town it is not about parties it's about representing the people in town and doing what's best for them. He is proud to say that in three years that's what he has felt that he has done and his time that he put in was well worth it.

Finally, he would like to thank his wife Karen, his son Spencer and my daughter Cassidy who let me come up here the first and third Tuesdays to meetings and sharing me with the Borough. Their support has been outstanding.

On that note he thanks everyone and wishes a Happy Holiday and a great 2018.

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Councilman Capozzoli reported that he had met with Mark Guiliano, Fire Official last week and his office conducted a total of 91 Life Hazard Inspections, 260 Non-Life Hazard Inspections, 91 Home Sales, 62 Fire Permits issued and a total of 224 complaints or follow up inspections. The Fire Official position was created to enhance fire safety and on a whole Mark and his office is doing a great job. He would also like to thank Chief Bongiorno and the Police Department for hosting “Coffee with a Cop” and the Community Center. Anytime that the community gets to interact with the Police Department and in this case Santa Clause and make sure you thank Santa Clause for us.

Council President Cascarano:

I wanted to take the moment to address you all as colleagues at my last official meeting.

I’m not quite sure where I got the inspiration for public service. My parents each independently arrived on American soil a half century ago, both from rural, largely impoverished post-war Southern Italy. Needless to say, I don’t exactly come from American Camelot lineage.

Yet, I had the opportunity that my parents didn’t, and pursued higher education. Like many civic minded curious young people, I decided to go to law school. In my career since, I have worked in the judiciary; have worked as a Assistant County Prosecutor; and as a lawyer to the Legislature, the Governor’s Office, and the largest transportation authority in the state. While in private practice, I always worked at firms that did municipal representation.

The common theme in my career was a desire to be involved in public service. And that is exactly what I took into this job.

The climate that we presently live in, unfortunately, can be described oftentimes as toxic. I understand why people have so little faith in the process, and believe so little of what they read and hear. Especially considering that at each and every level of government, we see new examples every day, where people will say anything about anyone and anything, true or not, misleading or straightforward, for their own personal political gain.

Nevertheless, I can say without equivocation that the past three years have been a privilege and honor. A big reason for that are my colleagues, who I’d like to thank.

First and foremost, Councilman Kris Brown is the consummate townie, as I like to say. Everyone knows and loves him, because he puts in the work in the community nobody else wants to do. I’ve seen him toil away as soccer club president, with little gratitude or accolades, in the same way he did on council and as a member of the environmental commission.

With Kris, I had the good fortune of running with Mayor Ann Dassing three years ago. Your institutional knowledge, integrity, and grace were an example for me as I navigated the path towards running and ultimately serving in Caldwell. I thank you for your service, as the rest of the Borough should. Above all, you are a great neighbor.

Councilman Pat Capozzoli is the best friend that anybody on this dais could possibly have. Whether you’re dealing with borough business, or having a problem or issue at home -- he’s always the first one to reach out and offer to lend a hand. He carries that into his professional life in Caldwell, and draws on his public safety experience to the benefit of the Borough.

Councilman Rich Hauser is the conscious of the governing body. At times when it’s easy to get caught up in the minutiae of the procedural process, Rich is always prepared with questions and healthy skepticism.

Councilman Tom O’Donnell -- what can I say? You may be biggest reason that I sit here in this chair today. Tom was often the “majority whip” as I would joke. Quick to listen to your ideas, and quicker to execute on them.

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And finally, Frank Rodgers and I ran on opposing tickets three years ago. He joined us back on the dais a year later, and I have to say, Frank, you've been nothing short of a true professional and gentleman.

Kris; Ann; Pat; Rich; Tom; and Frank -- it was a pleasure and truly an honor working with each and everyone one of you. Together we've done a lot of great things -- from continuing upgrades to the water system after nearly a decade of neglect, executing green, energy efficient initiatives, and increasing services, all while keeping taxes and spending flat, and growing our surplus. We've been able to do all this by finding creative ways to save money, such as restructuring the operation of the sewer plant, and saving literally millions over the past few years. All of these initiatives took a lot of work by a great team of servants.

I'd also like to acknowledge Paul Carelli, our Borough Administrator, for your hard work. I mentioned earlier the value of institutional knowledge. Your own personal experience in local government has been an asset.

Greg Mascera shares the same profession that I do. Over the past three years I've grown to know and appreciate your professionalism and intellect both to the legal profession, and to the Borough.

Chief James Bongiorno serves the community with integrity, and embodies the axiom "to serve and protect." I can say without hesitation that our well-being is in good hands with Chief and the rest of the Caldwell Police Department, who's members each deserve their own recognition.

Bob Colaizzo is a brilliant technician, and a committed citizen. Bob shows up every week and has one of the hardest jobs in Caldwell -- making each of us up here look good. We're all grateful, and I hope everyone else recognizes that.

Lisa O'Neill is the glue that keeps this all together. Lisa, thank you for all of your hard work, and always going above and beyond -- even when we all know you don't have to. Your dedication to Caldwell is an example to us all.

While too many to name, I'd like to recognize all of the volunteers that make the Borough run so seamlessly. Most people don't realize what it takes to run a town of any size. If we had to rely solely on professionals, it would make the costs of repairing a shoddily built parking deck look cheap. Instead we have active citizens willing to put in the time and effort towards running Caldwell in accordance with State and Judicial mandates, efficiently, and safely.

Perhaps most important, are the members of the Caldwell Volunteer Fire Department. Day in, day out, whenever there's a dispatch, they answer.

Most of the time, the calls are minor -- because their hard work and quick responses make them minor, and minimize damage. I've always said, the CVFD are like the seatbelt of Caldwell. We take seatbelts for granted because each time we enter our cars, we strap ourselves in, knowing that we'll be safe.

Each day I know that my family will be as safe as possible with the fine men and women who are on duty. Kudos to you. Know that the members who sit here today before you, truly appreciate you.

Finally, I'd like to thank my family. My wife Andrea put up with so much over the past three years. Many don't realize the amount of work that goes into governing, but it is a lot, for meager reward -- nobody does this for the money. It took a lot of time away from our family, and from our daughter Aria, who I know loves watching these meetings. If you're watching, I love you both, and I hope you're excited -- now every week can be taco Tuesday.

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And with that, I thank the members of the community for allowing me the privilege of serving you the past three years. I thank my colleagues for the honor of serving with you. Merry Christmas to you, Happy New Year, and God bless us all.

Mayor Dassing presented Council President Cascarano and Councilman Brown with maps of the Borough.

Councilman O'Donnell would like to recognize Council President Cascarano and Councilman Brown it has been an absolute pleasure and honor working with you two gentlemen. You are leaving the Borough better than you found it and you need to be proud of your contributions.

REPORT OF MAYOR:

Mayor Dassing wished everyone Happy Holidays. Once again she did meet with a couple of interested residents that are interested in forming an animal shelter. We are adding to the list and the list is growing with regard to interest and we hope to have a lunch time meeting on January 17th and she would like to invite other towns in the area and any town that is west of and including Cedar Grove. Essex County does not have an animal shelter; Fairfield sends their animals to Newark which is a 10 day kill shelter.

REPORT OF BOROUGH ADMINISTRATOR:

Paul Carelli reported:

- We are currently finalizing our year end numbers making sure that all our accounts receivables are paid and he has been working with the CFO to get that done.
- The transfer resolution was completed.
- On January 1st we will be transitioning the Community Center into the new Community Pass software. This will give us the opportunity to do a lot more with the financing and track how things are done.
- He met with Theresa and Chris to go over how we are going to stream line our Edmunds budget.
- He will be starting on the Re-org meeting this week.
- Councilman O'Donnell stated that he has seen a lot of people come and go and he has had the privilege of working with about 20 Council people since he has been here and none that are better than John and Kris and he will miss them and you are decent men and you always had the best interest of the Borough. He wishes them both well and said come by and see us.
- Paul wished everyone a Merry Christmas and a Happy Holiday and a Happy New Year.

REPORT OF ATTORNEY:

Greg Mascera reported that he is pleased to report that we are finally getting a chance for Chief Bongiorno to defend some of the actions that have been brought against him. The first issue that was brought against him which has to do with Lt. Geary which he was charged with insubordination, there was an administrative hearing and the administrative officer found that the Lt. Geary was guilty of insubordination which he was charged. Lt. Geary filled an appeal in Superior Court and that first part of that appeal was heard and the opinion was issued in favor of Chief Bongorno. It is not disposed of the entire case but it is an important aspect of the case. Part of the allegations were that the Chief did not follow proper procedure in how he handled the suspension of Lt. Geary and the court found that the Chief indeed charged Lt. Geary under the proper law and that the proper procedures were followed.

For the past three years he has had the opportunity to get to know John and Kris and as Paul stated they are very wonderful young men. Their futures with their family are ahead of them and in his view they did everything that they could to better Caldwell.

Mayor Dassing asked about the affordable housing and Greg responded that we are still at a stalemate with Lane Avenue and with regard to the other, he wanted to bring up in Executive Session for a potential settlement.

REPORT OF ESSEX COUNTY LIAISON:

Patricia Keenan wished the Mayor and Council Happy Holidays.

Councilman Hauser asked for an understanding why on county streets, for example, Westville Avenue, residents are required to bag their leaves and as well on Roseland Avenue. In Essex Fells the leaves are put out into the street. Patricia responded that she will follow up.

REPORT OF POLICE CHIEF:

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James Bongiorno thanked Council President Cascarano and Councilman Brown for their never ending support for the PD and their service to the Borough of Caldwell. It was an honor working with both of you and I have learned a lot from you too. Thank you and I wish you luck in the future. Thank you to everyone that attended “Coffee with a Cop” event it was great. We collected an incredible amount of toys and the whole toy drive collected was over 200 toys for children in need. A special thank you to Calandra’s for supplying all the pastries and cookies. Chief Bongiorno would like to remind our residents that there is no parking on snow covered roadways. Also, please lock your vehicles at night because we have had unlocked vehicles being entered, some property taken and also vehicles stolen. The Chief wished everyone Happy Holidays and Happy New Year.

Councilman O’Donnell asked about the parking meters that are bagged with no parking on Hanford where we had the construction and the merchants are asking that we remove them since there is no construction going on. Chief Bongiorno responded that they just finished today and they will be removed tonight.

Mayor Dassing asked about the brick work on the Avenue and we were going to test the block with the DPW crew and either replace or fix it and Paul said he will speak to Mario about this.

OPEN PUBLIC MEETING:

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

Bob Colaizzo, 7 Hatfield Street, thanked Council President Cascarano and Councilman Brown for everything they have done for our town.

Hilda Moore, 23 Personette Street, the landscapers are blowing leaves and climbing over the fence onto her property and she has asked them to stop. She wants the tree in front of her house taken down and the roots are picking up her sidewalk. Greg Mascera responded that the ordinance states that the homeowners are responsible for their sidewalks in front of their homes. There is still speeding on her street. She also asked that a garbage can be put in the park because they are using her garbage can.

On a motion made by Councilman Brown, seconded by Councilman Capozzoli unanimously affirmed, the Council moved into Executive Session at 7:46P.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 Landmark Litigation’s in regard to Smull Avenue property and the contract between Caldwell, West Caldwell and Caldwell University in regards to the use of the Oval.

The Executive Session was adjourned and upon a motion by Councilman O’Donnell seconded by Councilman Brown, the Council Business Conference Meeting was opened to the public and the press at 8:32PM.

There being no additional business to be conducted a motion to adjourn the meeting was made by Council President Cascarano, seconded by Councilman Brown unanimously affirmed by all members present, the meeting was adjourned at 8:32PM.

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Prepared by: _____
Lisa O'Neill, Deputy Borough Clerk

DATE