

**BOROUGH OF CALDWELL  
SPECIAL COUNCIL BUSINESS/CONFERENCE  
MEETING  
MINUTES – December 30, 2010**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 9:09A.M.

**PRESENT:** Councilman Murray, Hauser, Dassing, Norton  
**ALSO PRESENT:** Borough Administrator, Paul Carelli, Acting Borough Clerk, Lisa O’Neil and Borough Attorney, Greg Mascera, Esq.

**ABSENT:** Mayor Garland  
Councilman Piazza and Councilman Slattery absent at Roll Call

Adequate notice of this Council Business/Conference meeting was given on January 1, 2010. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2010. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2010. Notice was posted and all persons requesting notice were sent same.

**Councilman Piazza arrived at 9:10AM**

**Councilman Slattery arrived at 10:11AM**

**RESOLUTIONS**

**12-260 - RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2010**

Moved by Councilman Hauser, seconded by Councilman Norton. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted on 12/30/10

**12-261 - AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXECUTE AN AGREEMENT BETWEEN FAIRVIEW INSURANCE AND THE BOROUGH OF CALDWELL FOR PROFESSIONAL RISK MANAGEMENT SERVICES JANUARY 1, 2011 THROUGH DECEMBER 31, 2013**

Moved by Councilman Hauser, seconded by Councilman Norton. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted on 12/30/10

**12-262 – RESOLUTION APPOINTING PAUL M. CARELLI AS COMMISSIONER AND MARGARET CHERONE ALTERNATE FUND COMMISSIONER FOR THE GARDEN STATE JOINT INSURANCE FUND**

Moved by Councilman Hauser, seconded by Councilman Norton. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted on 12/30/10

**12-263 - RESOLUTION TO REJOIN THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND AND AUTHORIZE THE BOROUGH ADMINISTRATOR TO EXECUTE THE INDEMNITY AND TRUST AGREEMENT**

Moved by Councilman Hauser, seconded by Councilman Norton. Discussions Ensued. On roll call, all members present voted in the affirmative. Resolution adopted on 12/30/10

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**12-264** - AN EMERGENCY APPROPRIATION OF \$31,250 TO FUND A PORTION OF THE DOWN PAYMENT IN CONNECTION WITH BOND ORDINANCE #1207-10, FINALLY ADOPTED APRIL 27, 2010 PROVIDING FOR IMPROVEMENTS TO THE KIWANIS OVAL IN PROVOST SQUARE

Moved by Councilman Hauser, seconded by Councilman Norton. Discussions Ensued.

On roll call, all members present voted in the affirmative. Resolution adopted on 12/30/10

**12-265** - AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 30, 2010 FOR 2010 BILLS IN THE TOTAL AMOUNT OF \$564,210.29

Moved by Councilman Hauser, seconded by Councilman Norton. Discussions Ensued.

On roll call, all members present voted in the affirmative. Resolution adopted on 12/30/10

**12-266** - RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO RENEW A LEASE AGREEMENT WITH ATLANTIC TOMORROWS OFFICE AND DE LAGE LANDEN FINANCIAL SERVICES FOR (8) MULTI-FUNCTION FAX/SCANNER/COPIERS UNDER GSA CONTRACT# GS-03F-0085U FOR A MONTHLY LEASE PAYMENT OF \$1,856 AND A TERM OF 60 MONTHS

Moved by Councilman Hauser, seconded by Councilman Norton. Discussions Ensued.

On roll call, all members present voted in the affirmative. Resolution adopted on 12/30/10

**REVENUE & EXPENSE REPORT:**

**Marge Cherone, CFO** explained and answered questions about the expense and revenue report.

**OLD BUSINESS**

West Caldwell 4-Way Stop Sign Request – Ravine / Westover

Paul Carelli gave an update on the 4-way stop sign and he said that West Caldwell's

Governing body would like to move forward and put the 4-way stop sign on

Ravine/Westover and they would like to know what our intentions were.

Also, West Caldwell has requested from the Borough to put up a sign from the County curve ahead on Central Avenue. Councilman Piazza asked if the sign was a blinking solar panel sign. He said that putting a sign on someone's property is not a good idea.

Councilman Dassing asked for the administrator to reach out to West Caldwell and find out exactly where they would be putting this sign.

Paul Carelli reported that the Fire Chief, Tony Greci had reached out to him about the clothing bins. Greg Mascera, Borough Administrator responded that State law clearly states that we can only accept \$25.00. He is not comfortable knowing what he knows now that legally it is not a permissible arrangement. The maximum allowed is \$25.00 a year so I am not sure were the Company that is proposing to make this arrangement with the Fire Department or the Borough has the authority that they rely upon to pay \$100.00. Paul Carelli, Borough Administrator responded that he will let the Chief know that it is not legally permissible under our current law.

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Councilman Slattery reported that the Council needs to memorialize the Re-organizational meeting on the first of January. It needs to be addressed if it is going to be on the 4<sup>th</sup>.

**12-267 – RESOLUTION AUTHORIZING THE RE-ORGANIZATIONAL MEETING FOR 2011 WILL TAKE PLACE ON JANUARY 4, 2011.**

Moved by Councilman Slattery, seconded by Councilman Piazza. Discussions Ensued.

On roll call, Councilman Hauser, Dassing, Slattery, Norton and Piazza voted in the affirmative. Councilman Murray and Norton were absent on roll call. Resolution adopted on 12/30/10

Paul Carelli, Borough Administrator reported that Tony Grenci, Fire Chief reached out to him about purchasing his Capital items. We did pass a Capital ordinance for some equipment for the fire department. He has been requesting some capital items for many years. One item was a generator and one was a compressor. I spoke to Marge and that capital money was appropriated and available. Councilman Murray responded that he sat down with the Chief and asked him to give a two to three year plan and as of this date we have not seen it. Various Discussions Ensued.

**OPEN PUBIC PORTION:**

Council President Ann 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. Greg Mascera responds that the Executive Session will be discussion of shared services recreation agreement between Caldwell/West Caldwell Recreation Department, PBA negotiations, Faloni litigation, shared service agreement with Roseland.

On a motion made by Councilman Slattery, and seconded by Councilman Norton unanimously affirmed, the Council moved into Executive Session at 11:50A.M

The Executive Session was adjourned and upon a motion by Councilman Norton, seconded by Councilman Piazza the Council Business Conference Meeting was opened to the public and the press at 1:00P.M.

**12-268 – WHEREAS, THE BOROUGH OF ROSELAND HAS THE NEED TO UTILIZE THE SERVICES OF THE BOROUGH OF CALDWELL CONSTRUCTIONS CODE OFFICIAL AND THE CONSTRUCTION CODE SUB-OFFICIALS AND WHEREAS THE BOROUGH OF CALDWELL WISHES TO PROVIDE SUCH SERVICES TO THE BOROUGH OF ROSELAND BE IT RESOLVED, THAT THE BOROUGH OF CALDWELL WILL PROVIDE SUCH SERVICES IN ACCORDANCE WITH THE TERMS OF THE AGREEMENT ATTACHED HERE TO. WHEREAS, THIS RESOLUTION WILL BE MODIFIED BY FORMAL WRITTEN RESOLUTION AS EXECUTED BY THE CLERK AND THE ADMINISTRATOR.**

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Moved by Councilman Norton seconded by Councilman Piazza. No Discussion. On roll call, Councilman Murray, Hauser, Dassing, Norton and Piazza voted in the affirmative. Councilman Slattery was absent on roll call. Resolution adopted on 12/30/10.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Murray, seconded by Councilman Norton, unanimously affirmed by all members present, the meeting was adjourned at 1:02P.M.

Prepared by: \_\_\_\_\_  
Lisa O'Neil, Acting Borough Clerk

\_\_\_\_\_ Date