

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – December 8, 2009**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:03P.M.

PRESENT: Councilman Lawshe, Slattery, Dassing, Curley, Norton,  
Brennan and Mayor Gartland

ALSO PRESENT: Borough Administrator, Maureen Ruane, Borough Attorney, Stuart  
Koenig, Esq.

ABSENT ON ROLL CALL:

Adequate notice of this Council Business/Conference meeting was given on January 15, 2009. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 15, 2009. Four official newspapers of the Borough were notified of this meeting by mail on January 15, 2009. Notice was posted and all persons requesting notice were sent same.

PRESENTATIONS: Proclamation for Bob Morsell, Caldwell Confectionery

INTRODUCTION OF ORDINANCES: 1200-09 Salary Ordinance

Moved by Councilman Slattery, seconded by Councilman Brennan. Discussion ensued. On roll call vote, all members present voted in the affirmative. Ordinance Introduced 12/08/09.

1201-09 Towing Ordinance

Moved by Councilman Slattery, seconded by Councilman Curley. Discussion ensued. On roll call vote, all members present voted in the affirmative. Ordinance Introduced 12/08/09.

PUBLIC HEARINGS: 2010 Community Development Grant – Oak Grove Road

RECEIVING OF BIDS: None

APPROVAL OF MINUTES: November 10, 2009 and November 24, 2009

Open Public Comment on Resolutions:

Peter Murray, 61 Arlington Avenue, 12-206 payment to West Caldwell can we offset what we owe them to offset what they owe us. Mayor Gartland responded that we have a written agreement with West Caldwell and they will pay us by the 31<sup>st</sup>. It sounds like retribution and I don't think that would be a good way to go. You need to make payment with the voucher that they submit. Various discussions ensued.

RESOLUTIONS:

12-203 Authorizing redemption of tax lien certificate #08-00006,  
Block 14, Lot 12.03, Harrison Street, Caldwell, NJ 07006,  
Ventures I, LLC

Moved by Councilman Slattery, seconded by Councilman Brennan. No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 12/08/09.

**BOROUGH OF CALDWELL, N.J.**  
**COUNCIL BUSINESS/CONFERENCE MEETING**  
**MINUTES – December 8, 2009**

2 of 4

12-204 Authorizing redemption of tax lien certificate #08-00004,  
Block 14, Lot 1, 80 Forest Avenue, Caldwell, NJ 07006,  
Ventures I, LLC

Moved by Councilman Slattery, seconded by Councilman  
Brennan. No Discussion. On roll call vote, all members  
present voted in the affirmative. Resolution adopted  
12/08/09.

12-205 Authorizing the issuing of license for raffle to Caldwell-West  
Caldwell Education Foundation, Off-Premise – Merchandise  
Raffle, March 14, 2010 at 7:00PM.

Moved by Councilman Slattery, seconded by Councilman  
Curley. No Discussion. On roll call vote, Councilman  
Lawshe, Slattery, Curley and Brenna affirmative.  
Councilman Dassing and Norton abstained. Resolution adopted  
12/08/09.

12-206 Authorizing payments of bills and the issuance of checks for  
the period through December 8, 2009 in the amount of  
\$2,318,445.54

A motion was made by Councilman Slattery, seconded by  
Councilman Brennan. Discussion Ensued. On roll call vote,  
all members present voted in the affirmative. Resolution  
adopted 12/08/09.

12-207 Authorizing the issuing of a special liquor permit to Trinity  
Academy HSA, 235 Bloomfield Avenue, Caldwell, NJ,  
January 22, 2010 or January 29, 2010 (Snow Date) 6:00PM –  
11:30PM.

A motion was made by Councilman Slattery, seconded by  
Councilman Brennan. No Discussion. On roll call vote,  
Councilman Lawshe, Slattery, Dassing, Curley and Brennan  
voted in the affirmative. Councilman Norton abstained.  
Resolution adopted 12/08/09.

OLD BUSINESS: None

REPORT OF COMMITTEE CHAIRMEN AND MEMBERS:

Councilman Lawshe – No Report

Councilman Slattery – Reported on the Caldwell Health Department. They are scheduling  
another H1N1 clinic on Wednesday, December 16<sup>th</sup> from 4:00 – 7:00PM upper level of the  
Caldwell Fire Department.

Councilman Dassing – Reported that the Giving Tree is at the Caldwell Community Center  
lobby. Tags are still available. There will be a Shared Services Committee meeting on  
December 15<sup>th</sup> at 8:00AM, we will be meeting with Essex Fells Mayor and Administrator.

Councilman Curley – Congratulated Chief Dombrowski and Detective Marta for there bust  
last Thursday with credit cards.

**BOROUGH OF CALDWELL, N.J.**  
**COUNCIL BUSINESS/CONFERENCE MEETING**  
**MINUTES – December 8, 2009**

3 of 4

Councilman Norton – Congratulated Chief Dombrowski and Detective Marta. Councilman Norton reported on the budget meeting that is scheduled for Monday, December 14<sup>th</sup> at 1:30, we will be going over revenues for 2009 and appropriations for 2009. The second half of the meeting will be devoted to the 2010 budget.

Mayor Gartland – Vero Amici has given a donation to the Local Assistance Board which is dealt with and handled by Maria Burak. I would like to thank Vinnie Christopher and the entire organization for their generous donation. The New Jersey State League of Municipalities runs a session every year for newly elected and re-elected or experienced Council people and elected officials. It is an excellent course and anyone wishing to go we are members. I obtained a copy of the plain language guide to New Jersey's executive branch of ethics standards it was just revised this November. Mayor Gartland requested that Stuart Koenig, Esq. take a look at it and maybe it should go out to the Council people and the newly elected Council and those who serve on the boards.

REPORT OF ADMINISTRATOR/CLERK: None

REPORT OF ATTORNEY: Stuart Koenig, Esq. reported that he gave the council an update on the acquisition of the Faloni property.

Councilman Norton – Requested that the Council go into Executive Session to discuss the Faloni property.

NEW BUSINESS:

Councilman Curley – Questioned if we need to advertise for board positions. Ms. Ruane responds that there is a change and we need to set something up on the internet. Councilman Curley questioned if it is as advertising. Ms. Ruane responded that it would be giving the public notice of what the boards are. There is an actual form that they can fill out on what boards they would like to be on. Various Discussions Ensued.

Councilman Norton – Reported that he would like to make a motion to start advertising for open positions for 2010. We have positions that could be open for 2010 for the Borough of Caldwell from the Borough Administrator, CFO, Borough Clerk, Borough Engineer, Borough Prosecutor, Bond Council, and Council for Litigation Special Projects, License Sewer Operator, Municipal Attorney, Municipal Auditor, Municipal Court Judge, Municipal Zoning Officer, Planning Board Attorney, Public Defender and Rent Board Attorney. Various Discussions Ensued. Councilman Norton reported he would like to make a motion to advertise for the following open positions for the Borough of Caldwell. We would also encourage current personnel to interview for these positions as well. Borough Administrator/CFO, Borough Clerk, Borough Engineer, Borough Prosecutor, Bond Council, and Council for Litigation Special Projects, License Sewer Operator, Municipal Attorney, Municipal Auditor, Municipal Court Judge, Municipal Zoning Officer, Planning Board Attorney, Public Defender and Rent Board Attorney. Councilman Dassing seconded, the motion on roll call, Councilman Lawshe, voted yes, Councilman Slattery voted no, Councilman Dassing voted yes, Councilman Curley voted no, Councilman Norton voted yes, Councilman Brennan voted no, Mayor Gartland voted no. Mayor Gartland asked to list on the Agenda of the 22<sup>nd</sup> and should be listed as a Resolution with positions listed clearly. Various Discussions Ensued.

OPEN PUBLIC PORTION:

**BOROUGH OF CALDWELL, N.J.**  
**COUNCIL BUSINESS/CONFERENCE MEETING**  
**MINUTES – December 8, 2009**

4 of 4

Bob Morsell, Ravine Avenue, questioned about televising meetings since there are so many elderly residents that are unable to get to a meeting. Mayor Gartland responded that we had two presentations on this and we would certainly like to move in that direction.

Councilman Norton responded that he has been talking to students at Caldwell College to possibly do an internship. Mr. Palmiero, 13 Elizabeth Street, had questions about Agudath and what is going to be done with the cars coming out the wrong way. Mr. Palmiero reported about an accident that occurred there. Councilman Lawshe responded that he lives next door to Mr. Palmiero and it's getting to be a serious problem. There are neighbors that are not here but they have been taking down license plates. I have seven license plates myself. It is not just the parishioners going out it is the UPS truck, and Fed Ex truck and today it was a beverage truck. Someone is going to get hurt we have to discuss this. The incident that took place the other day we had the Fire Trucks there and police cars. Something needs to get done, obviously the sign that says "Do Not Enter" I guess people cannot read. I have asked for a speed trap on Elizabeth and I have yet to see a police car. Chief Dombrowski responded that we do have records on your request and I will email them to you tomorrow. Councilman Norton asked if these are issues that the Traffic Committee could get involved in. Mayor Gartland responded that it is private property. Councilman Slattery questioned about the egress and the ingress. Mayor Gartland responded there was a reason for it because the egress and ingress off of Elizabeth was to well traveled and to much egress and ingress to come both ways. It needs to be followed. Councilman Brennan questioned if summonses can be issued. Chief Dombrowski responded he does not know because it is private property. Councilman Brennan requested that a policeman be stationed there to hand out tickets every time someone comes out. Councilman Dassing questioned Mr. Palmiero if there was a specific time of day this occurs. Mr. Palmiero responded that it is everyday except Saturdays. Councilman Lawshe responded that the signs are definitely not working. Councilman Dassing responded that maybe we can give out a \$1 for everyone that goes out the right way. Councilman Slattery questioned who is going to fund that. Councilman Lawshe responded do you think the synagogue is going to do that, I don't think so.

On a motion made by Councilman Norton, and seconded by Councilman Slattery, unanimously affirmed, the Council moved into Executive Session in order to discuss the Land Acquisition and Personnel. Said motion was unanimously approved and the Council went into Executive Session on 8:06 PM.

The Executive Session was adjourned and upon motion by Councilman Dassing, seconded by Councilman Norton the Council Business Meeting was opened to the public and the press at 9:57 PM. All those previously in attendance were present.

Councilman Dassing asked the question on procedure, if the professional appointments do not get appointed what happens will that person be held over. Stuart Koenig responded that he will give the Council a memo on procedures based on the vote tonight.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Curley, seconded by Councilman Slattery, unanimously affirmed by all members present, the meeting was adjourned at 9:59PM.

Prepared by:

\_\_\_\_\_  
Maureen Ruane  
Clerk

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Date