

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – January 12, 2010**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:08 P.M.

PRESENT: Mayor Gartland, Councilman Murray, Hauser, Dassing, Slattery, and Norton

ALSO PRESENT: Borough Administrator, Maureen Ruane, Borough Attorney, Greg Mascera, Esq., Deputy Clerk, Beth Bush Telepan

ABSENT: Councilman Lawshe absent on 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.

On a motion made by Councilman Murray, and seconded by Councilman Norton, unanimously affirmed, the Council moved to the Community Center in order to present a Proclamation and Key to the City to the Amazing Kreskin and Certificates of Appreciation to the Junior Chiefs C Varsity Team and Cheerleaders. Said motion was unanimously approved and the Council went over to the Community Center at 7:10 P.M

The council Business meeting of the Borough Council of the Borough of Caldwell was called back to order in the Council Chambers at 8:11 P.M.

PRESENT: Mayor Gartland, Councilman Murray, Hauser, Dassing, Slattery, Norton and Lawshe

Mayor Gartland thanked everyone for their patience. It was a wonderful presentation for The Amazing Kreskin and all of the young people from the Junior Chiefs C Team.

INTRODUCTION OF ORDINANCES: None

PUBLIC HEARINGS: None

RECEIVING OF BIDS: None

APPROVAL OF MINUTES: January 1, 2010 (Recessed Meeting)
Moved by Councilman Norton, seconded by Councilman Dassing, On roll call vote, Councilman Murray and Councilman Hauser abstained. Councilman Norton, Slattery, Dassing and Lawshe voted in the affirmative. Minutes adopted January 12, 2010.

January 1, 2010 (Reorganization Meeting)
Moved by Councilman Norton, seconded by Councilman Dassing, On roll call vote, Councilman Murray, Hauser, Dassing, Slattery, Norton and Lawshe voted in the affirmative. Minutes adopted January 12, 2010.

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Open Public Comment on Resolutions: The Mayor opened the public comment on resolutions at 8:15 P.M. Seeing no one from the public wishing to be heard the Mayor closed the Open Public Comment on Resolutions.

RESOLUTIONS:

1-24 PULLED

1-25 PULLED

1-26 Authorizing redemption of tax lien certificate #09-00007, Block 27, Lot 25, 27 Hanford Place, Caldwell, New Jersey 07006, Gladstein, Mitchell A.

Moved by Councilman Lawshe, seconded by Councilman Murray. No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 01/12/10.

1-27 Authorizing the payment of bills and the issuance of checks for the period through January 12, 2010 in the total amount of \$1,649,076.29

Moved by Councilman Slattery, seconded by Councilman Norton. Discussion Ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 01/12/10.

OLD BUSINESS:

REPORT OF COMMITTEE CHAIRMEN AND MEMBERS:

Councilman Murray - Reported that this Friday will be the first DPW meeting with Mario Bifalco, Director of DPW. Councilman Murray reported that he will set a date with Maureen Ruane, Ann Dassing and Rich Hauser for a Technology Committee Meeting. Hopefully that will be set up in the next week or so. Councilman Murray stated he will have a number of items to discuss at the meeting.

Councilman Dassing – Requested that the Council meet on a date before the next council meeting or next Tuesday night to discuss goals and objectives for 2010. The council should all meet and get on the same page and prioritize to bring the town forward for 2010. Councilman Hauser stated conceptually looking to work cohesively as one unit it would be great if we had one, two, three major goals that we are looking to accomplish during the course of the year, through the various committees and they all understand at the end of the year that these are the main goals rather than trying to do 15 or 20 things and not getting as much accomplished. Councilman Slattery suggested we start an hour earlier for our next meeting. The Council consented to start the meeting on the January 26th at 6:00 P.M. Councilman Dassing reported that the Community Center Committee met this evening with Jim Nolan, Theresa Camilleri, Mayor Gartland, Councilman Norton and Maureen Ruane. The items discussed were future marketing strategies. Possibly seeking other media vehicles to advertise the Community Center. The Committee will be meeting again next week. Councilman Dassing reported that hopefully the Shared Services Committee will be meeting at the end

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of this month. We will be inviting all local municipalities who are interested in talking about and acting upon shared services.

Councilman Slattery – Reported about the Senior Advisory meeting. The senior's group provides lunch for the Senior Citizen's Wednesday through Friday. The county had taken over the Thursday lunch at a reduce cost. They have now taken that back because the attendance was poor. They will be funding to a certain degree on some of the supplies that are needed and the Community Center will now be offering cooking sessions on Thursday for the Seniors. This program will begin in February Anyone who would like additional information can contact Maria Burak at 973-403-4623. There is a new program "Move Today" which is on Wednesdays. This program is geared toward helping seniors learn and perform exercises that help with balance, walking up and down stairs and things like that. Every other Friday is Feel Good Friday. The next topic is helping someone prepare for surgery. The Live Grant which is the grant that we are sharing with Parsippany, it's a Federal Grant of significant dollars. It was a very long process for us to be approved for. Our Community qualified because we have a vibrant downtown and the Caldwell Downtown Alliance and all the criteria that they established. They have donated a Wii for the Seniors. Regarding the Board of Health sent the Council a letter on December 9th regarding the deer over population and they have not gotten a response. Maureen can you please re-send this letter to the Council so that our new Councilmen can have this as well. The main reason that the Board of Health is involved is because of the health issues due to Lyme disease we have a significantly higher rate in our area. The last thing is there will be a free Rabbi's clinic on Saturday, January 16th 1:00pm – 2:30pm at the Caldwell Fire House. Also, your 2010 licenses can be purchased at that time.

Councilman Norton - Reported that the budget committee has had continued success moving forward in 2010 as we had in 2009 with planning and putting together meetings with purpose. We will be discussing throughout the year ways to reduce our costs but also this year since we have the ability to address the revenue side of our budget we have been working aggressively with the Construction Department with the Police Department on ways to increase our revenue. During these difficult times the most important thing to keep our eye on is keeping our taxes at a minimum. Our goal for 2010 is a zero tax increase. We are diligently working both avenues the revenue side as well as the expense side to achieve that goal. Tonight we do have some policy issues that we will be discussing in closed session which will be a jump start to that ultimate goal of a zero tax increase for 2010. There are certain things that are in our control as a budget committee and there are certain things that are out of our control as a budget committee but we are going to bring as many recommendations that we can to the entire council for review again both on revenue and expense side. We have another budget meeting set for Tuesday the 19th if there are any suggestions from any other Council members that are not on the budget committee prior to that meeting if they could forward those on to the Borough Administrator for consideration and discussion during that budget meeting. I have had conversations with Councilman Murray from the technology standpoint there seems to be an opportunity to save significant amount of money for 2010. By the end of tonight hopefully we will have in place a change in the policy and procedures that will have a positive effect for the tax payer of the Borough of Caldwell.

Councilman Lawshe - Reported that this Friday will be our first Police committee meeting with Chief Dombrowski, Councilman Murray, Councilman Dassing and myself. We are going to meet with Kurt, we have come up with a list of positive things that we would like to discuss going forward in 2010. We will also be

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meeting with Tony Greci and then we will be sitting down with the DPW. Councilman Lawshe wanted clarification on what is going on with the Kiwanis Oval, Councilman Lawshe is a member of the Kiwanis Oval Committee. Maureen Ruane responded that there will be a meeting tomorrow with input from Caldwell College, the recreation director, the administrator from West Caldwell. Councilman Lawshe reported that they should have something for the council at the next meeting. Councilman Lawshe asked if the new Police Car was on the road. Councilman Lawshe announced that they will be clamping down on speeding on Bloomfield Avenue, it is a revenue issue but more importantly, it is a safety issue.

Mayor Gartland, Reported that she would like to thank Mario and the DPW and Police for handling the snow and ice. You have done an amazing job and we are definitely number one in this area on handling the snow and ice conditions. Our Library was selling calendars and note cards and did a wonderful job selling those which is a fundraiser for the Library foundation. Calendars are still available at the library. We had a meeting regarding our Town Green last night. There were a variety of different people there representing different organizations. They have an interest in seeing our green is useful as well as maintained in a beautiful manner. The Library, Karen Lembo and the board president Bernie McGovern were part of it also. As we move forward we will have someone who has done an improvement to the Morristown green to have a discussion with us. They have done a major improvement and it has become an historical and useful area and I think we can also do that for Caldwell without ruining the history of it. Mayor Gartland thanked all of the individuals who attended the meeting.

REPORT OF ADMINISTRATOR/CLERK - Ms. Ruane, Responded that the only thing she has is to ask Council if she can put a resolution on for the performance bond from the K. Hovnanian site which was certified by Mr. Marucci. Mr. Mascera responded that he reviewed the memorandum from Mr. Marucci and the bond can and should be released. Mayor Gartland responded that will be on the agenda in two weeks.

REPORT OF ATTORNEY - Mr. Mascera reported that he has spent the last week familiarizing myself with on going business. I have started to prioritize those matters and we will be speaking of some in executive session tonight. Maureen has been very helpful.

OPEN PUBLIC PORTION – Mayor Gartland opened the public portion of the meeting at 8:40 P.M. Mr. Abbaleo, Liason for Essex County, the county will be having its State of County address on February 3rd at the Hospice Center at 7:00PM. The County Executive wanted me to give you a personal invitation. Philip and Rose DiGavero, 59 Park Terrace North, Caldwell, had complaints about the paving that was done on Park Terrace North. Since they paved the road they are getting water in their basement. We are concerned about where the snow is going to be put when the house next door is finished. Mr. Mascera responded that the Mr. Marucci did reach out for the contractor and the new engineer will be meeting the contractor at the site on Thursday. There is a problem with the curb the curb is not high enough. The contractor has agreed to reappear at the site to discuss the problem and tentatively repair the problem that is the cause of the contractor. Mr. DiGavero also had concerns about where the snow will be put. Now they are putting the snow in front of the drain on the lower side of our house. Ms. Ruane responded that she will be discussing that with the new engineer on Thursday. Mayor Gartland stated that when we get a report back from the engineer we will contact Mr. and Mrs. DiGavero. Bruce Betros, 15 Gladding Road wanted to know what the status was on the Faloni Property and what the next steps are. Attorney Greg Mascera

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responded that that is one of the issues to be discussed in Executive Session this evening. Attorney Greg Mascera indicated that the property owners are ready to close, we are not convinced yet that the property owner has performed all the prerequisite conditions under the contract. Mr. Betros wanted to know if that was communicated to Mr. Faloni. Mr. Mascera reported that his predecessor has, there has been correspondence between Mr. Faloni and Mr. Koenig it is ongoing. Carla Marras of Wakefield Place, congratulated the two new Councilmen. Ms. Marras reported that she received a phone call from a neighbor regarding the Caldwell Community Center. Her neighbor has two children in the swimming program and would like to put a third one in. However after calling the Community Center and leaving a message she had not received a call for two days, I don't know where she called and I can't tell you but she did call and mention it to me and all she said was they want to make money why don't they call you back. Mayor Gartland suggested that Ms. Marras give her neighbor Ms. Ruane's phone number. Ms. Marras also reported that Mario Bifalco of the DPW has done a fantastic job. Ms. Marras addressed Councilman Lawshe and told him that Chief Dombrowski has been doing a wonderful job with the speeding on her street. Ms. Marras reported that Chief Dombrowski told her that he never wants a resident of Caldwell to fear for their property or fear for themselves. I want to thank him personally and he is doing a great job. Hilda Moore of 23 Personnette Street reported that she was having a problem with Code Enforcement, she feels she is being harassed. Ms. Moore reported that she parked in her front yard and she was told she could not park there. She wanted to know if this portion of the ticket could be waived. She would like code enforcement to leave her alone. Ms. Moore also complained about speeding on her street. Ms. Moore stated that Cooks Lane is an accident ready to happen. Councilman Norton responded that the Traffic Committee last year was looking at quite a few different spots in the Borough. These traffic concerns will be addressed aggressively in 2010. Ms. Moore wanted to know if the Caldwell Community Center was available for rental. Mayor Gartland said at this point it is not available for rental except for Birthday Parties. Ms. Moore wanted to know if anything can be done about the stair lift she stated you always have to ask for assistance from the Police to get people with disability upstairs. Ms. Moore wanted to know if we could install an elevator. Ms. Moore also thanked Chief Dombrowski because he is a policeman for all people. Seeing no one else from the public wishing to be heard the Mayor closed the open public portion of the meeting at 9:02.

NEW BUSINESS: Councilman Hauser said he was in possession of three resumes from accounting firms and he wanted to know how to go about the process of interviewing. Mayor Gartland asked whether the Personnel Committee will handle the interview or will the whole Council interview. Ms. Ruane said in the past the Personnel Committee did the initial interviews and brought the selected firms to the whole Council. Mayor Gartland requested that the personnel committee meet as soon as possible and to list it on the agenda for the next meeting. Councilman Hauser also reported that there is an awful lot of documentation that he has been receiving in the last couple of weeks, in particular the bill paying list. Councilman Hauser asked if our computer system had a read only capability so that the Councilman can go in and look at the purchase order. Ms. Ruane responded that she would check with the computer company. Councilman Slattery reported that we talked about updating our ordinances regarding fees and wanted to know if we were doing that soon. Ms. Ruane responded that Mr. Mascera is reviewing the ordinance. Councilman Norton requested that he attend the next Department Head Meeting on January 21, 2010.

Mayor Gartland 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

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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. On a motion made by Councilman Slattery, and seconded by Councilman Murray, unanimously affirmed, the Council moved into Executive Session 9:14 P.M.

The Executive Session was adjourned and upon a motion by Councilman Norton, seconded by Councilman Lawshe, the Council Business Conference Meeting was opened to the public and the press at 11:23 P.M.

Councilman Norton made a motion to notify Horizon Blue Cross and Blue Shield of New Jersey that the Borough will be terminating it's coverage February 1, 2010 and that the Borough will enlist the services of Fairview Insurance to enroll all Borough Employees who were previously enrolled with Horizon Blue Cross and Blue Shield of New Jersey with Oxford and with Bollinger as the prescription carrier all other changes to the plan will be made as per the memo prepared by Ryan Graham dated 12, 2010. Councilman Lawshe seconded the motion. Councilman Slattery said she will be voting no on this because she does not think this is the proper thing to do at this time. Councilman Murray, Hauser, Dassing, Norton and Lawshe voted in the affirmative, Councilman Slattery voted in the negative.

Mayor Gartland 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. On a motion made by Councilman Murray, and seconded by Councilman Hauser, unanimously affirmed, the Council moved back into Executive Session 11:28 P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Norton, seconded by Councilman Lawshe, unanimously affirmed by all members present, the meeting was adjourned at 12:22 A.M.

Prepared by: _____
Beth Bush Telepan
Deputy Clerk

_____ Date