

**BOROUGH OF CALDWELL, N.J.**  
**COUNCIL BUSINESS/CONFERENCE MEETING**  
**MINUTES – JUNE 9, 2009**

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 6:10 P.M. to discuss the 2009 Budget.

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

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

ABSENT: None

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.

Budget Recommendations presented by the Budget/Finance Committee

On a motion made by Councilman Brennan, seconded by Councilman Norton the Budget portion of the meeting was adjourned at 7:12 P.M.

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:20 P.M.

PRESENTATIONS: None

INTRODUCTION OF ORDINANCES: None

PUBLIC HEARINGS: None

RECEIVING OF BIDS: None

APPROVAL OF MINUTES: May 26, 2009

Approved by all members present upon a motion made by Councilman Slattery, seconded by Councilman Brennan the minutes were adopted June 9, 2009.

Mayor Gartland opened the meeting to the public at 7:21 P.M. for public comment on resolutions. Seeing no one from the public wishing to be heard Mayor Gartland closed the open public comment on resolutions at 7:21 P.M.

RESOLUTIONS:

6-100 Authorizing the issuing of a license for a street fair to Rotary Kiwanis Street Fair Committee, P.O. Box 186 Caldwell, New Jersey

Moved by Councilman Slattery, seconded by Councilman Norton. No Discussion. On roll call vote, Councilman Lawshe, Slattery, Curley, Norton and Brennan affirmative. Councilman Dassing abstained. Resolution adopted 6/9/09.

6-101 Authorizing the issuance of a license for raffle to Kiwanis Club of Caldwell-West Essex, off premise – 50/50 Raffle, October 4, 2008 – 11:30 A.M. – 5:00 P.M.

Moved by Councilman Slattery, seconded by Councilman Norton. No Discussion. On roll call vote, Councilman Lawshe, Slattery, Curley, Norton and Brennan affirmative. Councilman Dassing abstained. Resolution adopted 6/9/09.

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- 6-102 Authorizing the issuance of a special liquor permit to Kiwanis Club of Caldwell – West Essex, P.O. Box 447, Caldwell, New Jersey, Borough of Caldwell Municipal Parking Lot, Hanford Place, Caldwell, New Jersey, October 4, 2009 11:30 A.M. – 6:00 P.M.

Moved by Councilman Slattery, seconded by Councilman Norton.  
No Discussion. On roll call vote, Councilman Lawshe, Slattery, Curley, Norton and Brennan affirmative. Councilman Dassing abstained.  
Resolution adopted 6/9/09.

- 6-103 Authorizing the issuing of license for raffle to St. Aloysius Roman Catholic Church, Off-Premise – Merchandise Raffle, November 13, 2009 – 10:00 P.M.

Moved by Councilman Slattery, seconded by Councilman Brennan.  
No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

- 6-104 Authorizing the issuing of license for raffle to St. Aloysius Roman Catholic Church, Off- Premise – 50/50 Raffle, November 13, 2009 – 10:00 P.M.

Moved by Councilman Slattery, seconded by Councilman Brennan.  
No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

- 6-105 Authorizing the issuing of license for raffle to St. Aloysius Roman Catholic Church, On- Premise – 50/50 Raffle, November 13, 2009 – 8:00 P.M. – 10:00 P.M.

Moved by Councilman Slattery, seconded by Councilman Brennan.  
No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

- 6-106 Authorizing the issuing of license for raffle to St. Aloysius Roman Catholic Church, On-Premise – Tricky Tray, November 13, 2009 – 8:30 P.M. – 10:00 P.M.

Moved by Councilman Slattery, seconded by Councilman Brennan.  
No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

- 6-107 Authorizing the issuing of license for raffle to St. Aloysius Roman Catholic Church, Off- Premise – 50/50 Raffle, September 13, 2009 – 4:00 P.M.

Moved by Councilman Slattery, seconded by Councilman Brennan.  
No Discussion. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

- 6-108 Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Smull Avenue project.

Moved by Councilman Slattery, seconded by Councilman Curley.  
Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

- 6-109 Authorizing the release of the performance bond for the Congregation Agudath Israel

Moved by Councilman Slattery, seconded by Councilman Brennan.  
Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

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6-110 Authorizing a professional service agreement with Boswell Engineering for providing the preparation of construction plans and specifications and providing construction inspection for the Prospect Street, Highview Road and Hawthorne Road construction for a lump sum fee of \$19,500.00 for the design phase and \$36,000.00 for the construction phase.

Moved by Councilman Slattery, seconded by Councilman Brennan. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

6-111 Borough of Caldwell formally opposes Governor Corzine's plan to transfer money from the EMT Training Fund

Moved by Councilman Slattery, seconded by Councilman Curley. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

6-112 Authorizing the payment of bills and the issuance of checks for the period through December 31, 2008 in the total amount of \$534,450.85

Moved by Councilman Slattery, seconded by Councilman Brennan. Discussion ensued. On roll call vote, Councilman Lawshe, Dassing, Curley and Norton voted in the negative. Councilman Slattery and Brennan voted in the affirmative. Motion did not carry.

6-113 Authorizing the payment of the bills and the issuance of checks for the period through June 9, 2009 in the total amount of \$3,101,241.41

Moved by Councilman Curley, seconded by Councilman Slattery. Discussion ensued. On roll call vote, Councilman Lawshe, Dassing, and Norton voted in the negative. Councilman Slattery, Curley, Brennan and Mayor Gartland voted in the affirmative. Resolution adopted 6/9/09.

6-114 Authorizing an appeal of the decision of the West Caldwell Zoning Officer

Moved by Councilman Brennan, seconded by Councilman Slattery. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

6-115 Authorizing the Borough Attorney to file and process a capital improvement program Review before the West Caldwell Planning Board

Moved by Councilman Slattery, seconded by Councilman Brennan. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

6-116 Authorization to fill the vacancy of the previously established position of Director Of Finance/CMFO

Moved by Councilman Slattery, seconded by Councilman Brennan. Discussion ensued. On roll call vote, all members present voted in the affirmative. Resolution adopted 6/9/09.

**REPORT OF COMMITTEE CHAIRMEN AND MEMBERS:**

Councilman Lawshe – No report.

Councilman Slattery – Reported that the new location for the Food Pantry opened yesterday; it is at 14 Park Avenue on the first Floor. They are happily accepting donations on Monday at 2:00 PM to 4:00 PM and on Thursday from 10:00 AM to 12:00 PM. They really serve a great need in our area. On Friday, June 12, 2009 there will be a Walkability Study in Caldwell. The lunch program for the Senior Citizens at the Caldwell Community Center will now be conducted by the Essex County Program 4 days a week, Monday, Wednesday, Thursday and Friday. The cost of the lunch is \$1.75 per lunch. These are wonderful programs and are well attended by our seniors in Caldwell.

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Councilman Dassing – Reported that the Local Assistance Board is looking for volunteers to operate the food pantry. Anyone interested may contact Maria Burak at 973-403-4623.

Councilman Curley – Reported that Chief Dombrowski did a fantastic job yesterday and he made Caldwell proud.

Councilman Norton – Reported that at the Budget Portion of the meeting tonight the committee has put forth a few recommendations for the Council's review, hopefully we will be able to implement them prior to July 1, 2009. But we will have another Budget Meeting of the Committee prior to our next council meeting on June 23, 2009. Hopefully we will be able to reduce our spending right now to reductions of anywhere from \$125,000.00 to \$250,000.00 to the budget and then we will sit back and keep our fingers crossed for Extraordinary Aid.

Councilman Brennan – No report

Mayor Gartland – Reported on how proud she was of the professional manner of the Police Department. Mayor Gartland thanked the supporting towns that came to our aid. Some of the towns assisted us with top-notch technology. Thank you to our Police Department for a very difficult day but an extraordinary show of the professional department we have.

Report of Administrator: No report.

Report of Attorney: Stuart Koenig reported that he had two items for executive session one regarding the sewer issues and the other is to discuss potential litigation as a result of yesterday's occurrence.

New Business – None

OPEN MEETING: Mayor Gartland opened the meeting to the public at 8:38 PM. John Taylor, President of the West Essex First Aid Squad gave an update on the purchase of the new rescue truck and their fundraising efforts. John Taylor reported that as of this point they have ordered the truck. Carla Marras of 20 Wakefield Place questioned that the Council was thinking of hiring a CFO and a forensic auditor to come in. Carla Marras suggested that the council hire a new auditor since it seems like all the money he has made there is nothing to prove why he has made all this money. If I had been doing that would I not be fired my job? Maybe it is time to start looking into getting a new auditor that no one on the council knew. Mayor Gartland stated that she did not know the auditor when he was hired. Mr. Abaleo, Essex County Liaison, tomorrow there is a press conference in Glendale Park for the renovations that will start there. On Saturday, June 13<sup>th</sup> there is an open house at Kip's Castle and on Saturday, June 20<sup>th</sup> there will be a Summer Social at Brookdale Park in Montclair and 7<sup>th</sup> Annual Open House at the Essex County Turtle Back Zoo. Seeing no one else from the public wishing to be heard the Mayor closed the open public meeting at 8:47 PM.

On a motion made by Councilman Curley, and seconded by Councilman Slattery, unanimously affirmed, the Council moved into Executive Session in order to discuss a matter potential litigation and sewer matters. Said motion was unanimously approved and the Council went into Executive Session at 8:47 P.M.

The Executive Session was adjourned and upon motion by Councilman Brennan, seconded by Councilman Slattery the Council Business Conference Meeting was opened to the public and the press at 9:22 P.M. All those previously in attendance were present.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Brennan, seconded by Councilman Norton, unanimously affirmed by all members present, the meeting was adjourned at 9:22 PM.

Prepared by:

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Beth Bush Telepan  
Deputy Clerk

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Date