



***BOROUGH OF CALDWELL
NEW JERSEY***



**ORGANIZATION MEETING
January 4, 2014**

Caldwell Community Center
1 Provost Square
Caldwell, New Jersey 07006
4:00pm



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

ORGANIZATION AGENDA

Phone: (973) 226-6100
Website: www.caldwell-nj.com

January 4, 2014 / 4:00PM / Caldwell Community Center

MAYOR
Ann Dassing

BOROUGH COUNCIL

Richard Hauser
Thomas O'Donnell
John Kelley
Frank Rodgers
Edward Durkin
Pat Capozzoli

OATHS OF OFFICE

- Councilman Thomas O'Donnell
- Councilman Pasquale Capozzoli

CALL TO ORDER

Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding

- Roll Call
- Statement of Compliance w/ Open Public Meetings Act
- Invocation
- Pledge of Allegiance to the Flag
- Election of Council President
- Oaths of Office - Caldwell Volunteer Fire Department
 1. Chief Gary Garamella
 2. First Assistant Chief Anthony Greci
 3. Second Assistant Chief Andrew Pollara
 4. Captain Brian Hebrank
 5. Lieutenant Glenn Snider
 6. Lieutenant Louis Biscuiti
 7. Lieutenant Mark Guiliano

COMMENTS BY MAYOR DASSING

- Honorable Ann Dassing, Mayor of the Borough of Caldwell



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2014 COUNCIL COMMITTEE APPOINTMENTS / LIAISONS

Council Committee	Chairman	Councilman	Areas of Responsibility
Community Center	Rodgers	O'Donnell	Community Center
Finance	O'Donnell	Capozzoli	Finance / Budget / Banking / Administration / Capital Tax Collection / Annual Audit / Corrective Action Plan
Shared Service (Senior Trans)	Hauser	Durkin	Shared Services / Senior Transportation Board of Ed - West Caldwell Shared Service Committee
Personnel	Kelley	Rodgers	Personnel Policies / Employee Handbook & Benefits Pension / Medical
Public Safety	Capozzoli	Hauser	Police Department / Fire Department /OEM Municipal Court / Traffic Committee
Public Works / Utilities	Durkin	Kelley	Streets & Roads / Building & Grounds / Engineering / Utilities

Note: Mayor Dassing is the 3rd member of each committee.

Board / Committee	Liaison
Board of Education	Capozzoli
Board of Health	Kelley
Camp Wyanokie	Durkin
Environmental Commission	Hauser
Library Board of Trustees	Rodgers
Human Services	O'Donnell
Historic Commission	O'Donnell
Open Space	Rodgers
Planning Board	Durkin
Recreation	Hauser Capozzoli
Rent Board	Kelley
Downtown	Capozzoli O'Donnell



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2014 BOARD AND COMMISSION APPOINTMENTS

• **Resolution 1-1: Planning Board - Appointment by Mayor**

Councilman Edward Durkin, Jr.	Class III Member	term expiration 12/31/2014
Mayor Ann Dassing	Class I Member	term expiration 12/31/2014
Sally Santiago	Alternate #2	term expiration 12/31/2014
Kenneth Mihalik	Class IV Member	term expiration 12/31/2017

• **Resolution 1-2: Zoning Board of Adjustment - Mayor, Consent of the Council**

B.J. Kurus	Member	term expiration 12/31/2017
Douglas Piazza	Member	term expiration 12/31/2017
James Vere	Alternate #1	term expiration 12/31/2015

• **Resolution 1-3: Library Board of Trustees - Mayor, Consent of the Council**

Councilman Frank Rodgers	Council Representative	term expiration 12/31/2014
Lauren Crispino	Designee /Supt of Schools	term expiration 12/31/2014
Edith LaChac	Member	term expiration 12/31/2017
Ruth E. Jaffe	Member	term expiration 12/31/2017
Jane Bestys	Member	term expiration 12/31/2017

• **Resolution 1-4: Board of Health - Mayor, Consent of the Council**

Councilman John Kelley	Council Representative	term expiration 12/31/2014
Margaret Norton	Member	term expiration 12/31/2016
Annmarie Snedeker	Member	term expiration 12/31/2016
Maryann Rivera	Member	term expiration 12/31/2016

• **Resolution 1-5: Human Services - Mayor, Consent of the Council**

Councilman Tom O'Donnell	Council Representative	term expiration 12/31/2014
Maria Burak	Coordinator	term expiration 12/31/2014

• **Resolution 1-6: Rent Review Board - Mayor, Consent of the Council**

Councilman John Kelley	Council Representative	term expiration 12/31/2014
Frank R. Galante	Member	term expiration 12/31/2016



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2014 BOARD AND COMMISSION APPOINTMENTS (continued)

- **Resolution 1-7: Environmental Commission - Appointment by Mayor**

[One of the members must be a member of the Planning Board]

Councilman Richard Hauser	Council Representative	term expiration 12/31/2014
Kristian Brown	Member	term expiration 12/31/2016
Phoebe J. Epstein	Alternate	term expiration 12/31/2016
Joe Santaiti	Alternate	term expiration 12/31/2016

- **Resolution 1-8: Open Space Trust Committee - Mayor, Consent of the Council**

Mr. Paul M. Carelli	Borough Administrator	term expiration 12/31/2014
Councilman Frank Rodgers	Council Representative	term expiration 12/31/2014

- **Resolution 1-9: Historic Preservation Committee - Mayor, Consent of the Council**

Robert Kaplan	Class C Member	term expiration 12/31/2017
James Vere		term expiration 12/31/2017
Councilman Tom O'Donnell		term expiration 12/31/2014

2014 ANNUAL APPOINTMENTS

- **Mayor's Advisory Council on Human Services - Appointment by Mayor.**

Mary Beth Kane	June Cowell
Mr. Henderson Cole	Sandra Norgren
Mr. Thomas J. Gartland	Marsha Fricke
Mr. Stanley C. Bestys	Maureen D'Aloia
Mr. John Castano	Santa Rock
Maria Burak	

Councilman Tom O'Donnell, Council Representative

- **Board of Education - Appointment by Mayor.**

Councilman Pasquale Capozzoli, Council Representative



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2014 ANNUAL APPOINTMENTS (continued)

- **Camp Wyanokie - Appointment by Mayor.**

Councilman Edward Durkin, Council Representative

- **Official Borough Photographers - Appointment by Mayor.**

Mr. Louis J. Ginefra
Ms. Janet Markman

- **Borough Arborist - Appointment by Mayor.**

Mr. John Linson

- **New Jersey Council Motion Picture Development - Appointment by Mayor.**

Ms. Lisa O'Neill

- **Liaison to the Grover Cleveland Birthplace - Appointment by Mayor.**

Dr. David Cowell

- **Senior Citizen Transportation Committee - Mayor, Consent of the Council.**

Mr. Greg Cowell
Mr. Peter Pirrello
Councilman Richard Hauser, Council Representative

- **Tree Removal Committee - Mayor, Consent of the Council.**

Mr. Edward Broheimer (Tree Expert)
Mr. Donald Neil Aharrah (Environmental Commission)
Mr. Paul M. Carelli, (Borough Administrator)
Councilman Edward Durkin, Council Representative



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2013 ANNUAL PROFESSIONAL APPOINTMENTS

- **Resolution 1-10: Municipal Attorney**
Gregory Mascera, Esq.
- **Resolution 1-11: Borough Prosecutor:**
Joseph DeFuria, Esq.
- **Resolution 1-12: Public Defender:**
James Pomaco, Esq.
- **Resolution 1-13: Qualified Purchasing Agent**
Francine T. Paserchia
- **Resolution 1-14: Licensed Sewer Operator**
Sewer Director
Regulatory Compliance Representative
Greg Seaman
- **Resolution 1-15: Municipal Zoning Officer**
Paul Milani
- **Resolution 1-16: Rent Board Attorney**
Joan Pransky, Esq.
- **Resolution 1-17: Borough Auditors**
Nisivoccia and Company
- **Resolution 1-18: Borough Bond Counsel**
McManimon & Scotland LLC



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RESOLUTIONS - Consent Agenda

All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.

- Resolution 1-19: Authorizing Appointment of Committee Members for the Community Development Block Grant Program for the Year 2014
- Resolution 1-20 : Authorizing the Appointment of the Caldwell Volunteer Fire Dept Officers for 2014
- Resolution 1-21: Designating Official Holidays in Year 2014
- Resolution 1-22: Designating the Official Depositories of the Borough for the Year 2014
- Resolution 1-23: Authorizing Annual Schedule of Regular Council Business Meetings for the Year 2014
- Resolution 1-24: Authorizing Adoption of Temporary Budget for the Year 2014
- Resolution 1-25: Authorizing Interest for Non-Payment of Taxes or Assessments
- Resolution 1-26: Designating Official Newspapers of the Borough of Caldwell
- Resolution 1-27: Designating Times Dates and Conduct of Meetings for the Year 2014
- Resolution 1-28: Authorizing payment of bills and the issuance of checks for the period through December 31, 2013 for 2013 bills in the total amount of \$1,389,477.42
- Resolution 1-29: Authorizing Appointment Of Designee To Serve On The Essex County Solid Waste Advisory Council
- Resolution 1-30: Resolution Adopting the Cash Management Plan of the Borough of Caldwell For 2014
- Resolution 1-31: Authorizing Adoption of the 2014 Debt Service Requirements



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OPEN PUBLIC MEETING

Members of the public are invited to comment at this time on any issues, whether or not on the agenda

ADJOURNMENT

Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda. This agenda was prepared as of 01/02/2014 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 01/02/2014 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Thomas O' Donnell** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **COUNCILMAN** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **4th**

DAY OF **January, 2014**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Pasquale Capozzoli** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **COUNCILMAN** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **4th**

DAY OF **January, 2014**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Gary Garamella** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **CHIEF** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **4th**

DAY OF **January, 2014**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Anthony Grenci** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **ASSISTANT CHIEF** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **4th**

DAY OF **January, 2014**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Andrew Pollara** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **2nd ASSISTANT CHIEF** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **4th**

DAY OF **January, 2014**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Brian Hebrank** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **CAPTAIN** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **4th**

DAY OF **January, 2014**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Louis Bisciotti** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **LIEUTENANT** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **4th**

DAY OF **January, 2014**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Mark Guiliano** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **LIEUTENANT** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **4th**

DAY OF **January, 2014**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **H. Glenn Snider** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **LIEUTENANT** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **4th**

DAY OF **January, 2014**

N.J. Statutes 41:1-1 and 41:1-3 as amended

Borough of Caldwell
2014 Council Committees / Board Liaisons

Council Committee	Chairman	Councilman	Areas of Responsibility
Community Center	Rodgers	O'Donnell	Community Center
Finance	O'Donnell	Capozzoli	Finance / Budget / Banking / Administration / Capital Tax Collection / Annual Audit / Corrective Action Plan
Shared Service (Senior Trans)	Hauser	Durkin	Shared Services / Senior Transportation Board of Ed - West Caldwell Shared Service Committee
Personnel	Kelley	Rodgers	Personnel Policies / Employee Handbook & Benefits Pension / Medical
Public Safety	Capozzoli	Hauser	Police Department / Fire Department /OEM Municipal Court / Traffic Committee
Public Works / Utilities	Durkin	Kelley	Streets & Roads / Building & Grounds / Engineering / Utilities Construction / Sewer & Water

Note: Mayor Dassing is the 3rd member of each committee.

Board / Committee	Liaison
Board of Education	Capozzoli
Board of Health	Kelley
Camp Wyanokie	Durkin
Environmental Commission	Hauser
Library Board of Trustees	Rodgers
Human Services	O'Donnell
Historic Commission	O'Donnell
Open Space	Rodgers
Planning Board	Durkin
Recreation	Hauser Capozzoli
Rent Board	Kelley
Downtown	Capozzoli O'Donnell



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-1

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF PLANNING BOARD MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Planning Board for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Planning Board Members

Councilman Durkin	Class III Member	One-Year Term	Expires December 31, 2014
Mayor Ann Dassing	Class I Member	One-Year Term	Expires December 31, 2014
Sally Santiago	Alternate #2	One-Year Term	Expires December 31, 2014
Kenneth Mihalik	Class IV Member	Four-Year Term	Expires December 31, 2017

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.



BOROUGH OF CALDWELL NEW JERSEY



PLANNING BOARD MEMBER ROSTER 2014

FOUR-YEAR TERMS

NAME	TERM EXPIRES
Mayor Ann Dassing Class I Member	12/31/2014
Nathan Gardner Chair – Class IV Member	12/31/2015 Certified 07/2008
Ann Finnegan Vice Chair – Class IV Member	12/31/2016 Certified 02/2008
Kenneth Mihalik Secretary - Class IV Member	12/31/2017 Certified 02/2008
Ann E. Martin Class IV Member	12/31/2016 Certified 06/2009
Phil Kinzel Class IV Member	12/31/2016 Certified 02/2008
Councilman Durkin	12/31/2014

TWO-YEAR TERM (ALTERNATE #1)

NAME	TERM EXPIRES
Sally Santiago	12/31/2015

ONE-YEAR TERM (ALTERNATE #2)

NAME	TERM EXPIRES
Peter N. Byrne	12/31/2014



BOROUGH OF CALDWELL NEW JERSEY



PLANNING BOARD MEMBER ROSTER 2013

PROFESSIONALS

NAME	TERM EXPIRES
Anthony Marucci Planning Engineer	12/31/2013
Alan Trembulak, Esq. Planning Attorney	12/31/2013



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-2

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF ZONING BOARD OF ADJUSTMENT MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Zoning Board of Adjustment for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Zoning Board of Adjustment Members:

B.J. Kurus	Member	December 31, 2017
Douglas Piazza	Member	December 31, 2017
James Vere	Alternate #1 Member	December 31, 2015

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

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BOROUGH OF CALDWELL NEW JERSEY



ZONING BOARD OF ADJUSTMENT MEMBER ROSTER 2014

FOUR-YEAR TERMS

NAME	TERM EXPIRES
Bruce Stieve Chair	12/31/2016
Robert Colaizzo Vice-Chair	12/31/2016
Mary Donovan Secretary	12/31/2016
David Piperno	12/31/2016
Dawn R. SanFilippo	12/31/2016
B.J. Kurus	12/31/2017
Marc Orlandino	12/31/2016

TWO-YEAR TERM (ALTERNATE #1)

NAME	TERM EXPIRES
Douglas Piazza	12/31/2015



BOROUGH OF CALDWELL NEW JERSEY



ONE-YEAR TERM (ALTERNATE #2)

NAME	TERM EXPIRES
James Vere	12/31/2014

PROFESSIONALS

NAME	TERM EXPIRES
Anthony Marucci Zoning Engineer	12/31/2013
Elizabeth Durkin, Esq. Zoning Attorney	12/31/2013



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-3

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF LIBRARY BOARD OF TRUSTEES

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Library Board of Trustees for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Library Board of Trustees

Lauren Crispino	Designee for the Superintendent of Schools One-Year Term	Expires December 31, 2014
Councilman Rodgers	Council Representative One-Year Term	Expires December 31, 2014
Edith LaChac	Member	Expires December 31, 2017
Ruth E. Jaffe	Member	Expires December 31, 2017
Jane Bestys	Member	Expires December 31, 2017

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.



BOROUGH OF CALDWELL NEW JERSEY



LIBRARY BOARD OF TRUSTEES MEMBER ROSTER 2014

NAME	TERM EXPIRES
Nancy Caplan President	12/31/2015
ClaireBeth Nogay Treasurer	12/31/2014
Edith LaChac	12/31/2017
Jane Bestys	12/31/2017
Christine Corliss	12/31/2014
Ruth E. Jaffe	12/31/2017
Wendy Callaghan	12/31/2016
Councilman Rodgers	12/31/2014
Lauren Crispino Representing Superintendent of Schools	12/31/2014
Adele Puccio	n/a



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-4

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF BOARD OF HEALTH MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Board of Health for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Board of Health Members:

Councilman Capozzoli	Council Representative	Expires December 31, 2014
Margaret Norton	Member	Expires December 31, 2016
Annmarie Snedeker		Expires December 31, 2016
Maryann Rivera		Expires December 31, 2016

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



BOARD OF HEALTH MEMBER ROSTER 2014

NAME	TERM EXPIRES
Betty Sullivan President	12/31/2015
Maryann Rivera	12/31/2014
Maria Burak Secretary	n/a
Rhonda DeStefano Vice President	12/31/2014
Ann Christensen	12/31/2014
Councilman John Kelley	12/31/2014
Margaret Norton	12/31/2014
Annmarie Snedeker	12/31/2014
Karen Lore Health Director	
Sanitarians	
Nurses	



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-5

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF HUMAN SERVICES MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Human Services Board for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Human Services Board Members:

Councilman Thomas O'Donnell Council Representative Expires December 31, 2014
One-Year Term

Maria Burak Coordinator/Secretary Expires December 31, 2014

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-6

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF RENT REVIEW BOARD MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Rent Review Board for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Rent Review Board Members:

Councilman Kelley	Council Representative	Expires December 31, 2014
Frank R. Galante	Member	Expires December 31, 2016

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



RENT REVIEW BOARD MEMBER ROSTER 2014

NAME	TERM EXPIRES
Suzanne Pemrick Tenant Member	12/31/2015
Frank Ianuale Tenant Alternate	12/31/2016
Nancy Busby Landlord Member	12/31/2014
Frank R. Galante Landlord Member	12/31/2016
Robert Christensen Homeowner Member	12/31/2015
Joan Pransky	12/31/2014
Councilman Kelley	12/31/2014



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-7

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF ENVIRONMENTAL COMMISSION MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Environmental Commission for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Environmental Commission Members:

Councilman Hauser	Council Representative	Expires December 31, 2014
Kristian Brown	Resident	Expires December 31, 2016
Phoebe J. Epstein	Alternate	Expires December 31, 2016
Joe Santaiti	Alternate	Expires December 31, 2016

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



ENVIRONMENTAL COMMISSION MEMBER ROSTER 2014

THREE-YEAR TERMS

NAME	TERM EXPIRES
Douglas Piazza BA Designee	12/31/2015
Ann Marchioni	12/31/2015
Ann E. Martin Planning Board Member	12/31/2014
Richard Hauser Councilman	12/31/2014
Donald Neil Aharrah Resident	12/31/20114
Mr. Kristian Brown Resident	13/31/2016
Marguerite Kenney Resident	12/31/2014

(ALTERNATES)

NAME	TERM EXPIRES
Robert Edelstein	12/31/2015



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-8

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF OPEN SPACE COMMITTEE MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Open Space Committee for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Open Space Committee Members:

Paul M. Carelli	Borough Administrator	Expires December 31, 2014
Councilman Rodgers	Council Representative	Expires December 31, 2014

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN	Yes	No	Absent	Abstain	COUNCILMAN	Yes	No	Absent	Abstain
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Hauser					Rodgers				
O'Donnell					Durkin				
Kelley					Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



OPEN SPACE COMMITTEE MEMBER ROSTER 2014

FOUR-YEAR TERMS

NAME	TERM EXPIRES
Douglas Piazza Environmental Commission Member	12/31/2015
Ann Finnegan Planning Board Member	12/31/2016
Paul M. Carelli Borough Administrator	12/31/2014
Frank Rodgers Councilman	12/31/2014
John Cascarano Resident	12/31/2016
David Layton Resident	12/31/2015
David Prescott Resident	12/31/2015



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-9

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF HISTORIC PRESERVATION COMMITTEE

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Historic Preservation Committee for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Historic Preservation Committee:

Robert Kaplan	Class C Member	Expires December 31, 2017
James Vere		Expires December 31, 2017
Councilman O'Donnell		Expires December 31, 2014

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



HISTORIC PRESERVATION COMMITTEE 2014

NAME	TERM EXPIRES
Richard Basta - Chairman Class A Member	12/31/2015
David Cowell Class C Member	12/31/2016
Robert S. Kaplan Class C Member	12/31/2017
Beverly W. Crisfasi – Vice Chairwoman Class B Member	12/31/2016
Robert Colaizzo - Secretary Class C Member	12/31/2014
Councilman O'Donnell	12/31/2014
James Vere	12/31/2017



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-10

Date of Adoption: January 4, 2014

TITLE:

**AUTHORIZING APPOINTMENT OF GREGORY MASCERA, ESQ. AS MUNICIPAL
ATTORNEY FOR THE YEAR 2014**

WHEREAS, the Borough of Caldwell has a need to acquire the services of a Municipal Attorney pursuant to the provisions of N.J.S.A. 40A:9-139 ; and

WHEREAS, the Borough Treasurer has determined has determined that the value of the services will exceed \$17,500; and

WHEREAS, the term of this contract shall be one (1) year; and

WHEREAS, the aforesaid contract shall be granted as a professional services contract exempt from public bidding pursuant to Local Public Contracts Law N.J.S.A. 40A:11-5(1) (a) (i), et seq.

WHEREAS, Gregory Mascera, Esq. has indicated he will provide the services of Municipal Attorney for a retainer of \$60,000.00 + plus an additional hourly fee of \$125.00 for non-retainer services hour; and

WHEREAS, Gregory Mascera, Esq. will complete and submit a Business Entity Disclosure Certification which certifies that neither he nor the firm of Bannon, Rawding, McDonald & Mascera has made any reportable contributions to a candidate or candidate committee in the Borough of Caldwell in the previous one-year, and that this contract will prohibit him and the law firm of Bannon, Rawding, McDonald & Mascera from making any reportable contributions through the term of the contract; and

WHEREAS, the Borough Treasurer has certified that funds are available pursuant to N.J.A.C. 5:30-5.4; and

NOW THEREFORE BE IT RESOLVED that the Borough of Caldwell does hereby appoint Gregory Mascera, Esq. as the Municipal Attorney for a term to end December 31, 2014, subject to preparation and entry into a professional services contract consistent with this resolution;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that the Local Public Contracts Law N.J.S.A. 40A:11-5(1) (a) (i), et seq. requires that the resolution authorizing the award of Contracts for Professional Services without competitive bids must be publicly advertised.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-11

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING APPOINTMENT OF JOSEPH DEFURIA, ESQ. AS MUNICIPAL PROSECUTOR FOR THE YEAR 2014

BE IT RESOLVED that Joseph DeFuria, Esq. be and is hereby appointed as Municipal Prosecutor for the term of one year from January 1, 2014 to December 31, 2014 and until his successor is appointed and qualified, and subject to agreements to be approved and signed at a salary of \$10,000.00.

A copy of this resolution and signed retainer agreement will be on file in the Office of the Clerk and will be available for public inspection.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-12

Date of Adoption: January 4, 2014

TITLE:

**AUTHORIZING APPOINTMENT OF JAMES V. POMACO, ESQ. AS PUBLIC DEFENDER
FOR THE YEAR 2014**

BE IT RESOLVED that James Pomaco, Jr., Esq. be and is hereby appointed as Public Defender for the term of one year from January 1, 2014 to December 31, 2014 and until his successor is appointed and qualified, and subject to agreements to be approved and signed at a salary of \$4,050.00 per annum.

A copy of this resolution and signed retainer agreement will be on file in the Office of the Clerk and will be available for public inspection.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-13

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF FRANCINE T. PASERCHIA AS THE QUALIFIED PURCHASING AGENT OF THE BOROUGH OF CALDWELL AT AN ANNUAL STIPEND OF \$4,000 EFFECTIVE JANUARY 1, 2014

WHEREAS, the Governing Body has determined that there is a need to fill the position of Qualified Purchasing Agent; and

WHEREAS, the appointment of the position of Qualified Purchasing Agent is by the Mayor with the advice and consent of the Council; and

WHEREAS, the Mayor wishes to authorize the appointment of Francine T. Paserchia as the Qualified Purchasing Agent; and

WHEREAS, Francine T. Paserchia has agreed to serve as the Qualified Purchasing Agent of the Borough of Caldwell.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Caldwell hereby appoint Francine T. Paserchia as the Qualified Purchasing Agent with a stipend of \$4,000 per year effective January 1, 2014.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-14

Date of Adoption: January 4, 2014

TITLE:

**AUTHORIZING APPOINTMENT OF GREGORY SEAMAN AS THE SEWER DIRECTOR,
REGULATORY COMPLIANCE REPRESENTATIVE AND LICENSED SEWER OPERATOR
FOR THE YEAR 2014**

WHEREAS, the Borough of Caldwell desires to appoint and employ a Sewer Director and a Licensed Sewer Operator to oversee the operation of the Wastewater Treatment Plant and the Sanitary Sewer Collection System on behalf of the Borough; and

WHEREAS, N.J.S.A. 40A:11-5, provides for the awarding of a professional service contract upon resolution without public bidding; and

WHEREAS, pursuant to N.J.S.A. 40A:6-5, the appointment of the position of the Borough Sewer Director is made by the Mayor, with the advice and consent of the council; and

WHEREAS, the Mayor of the Borough of Caldwell has nominated, and the Council has consented to the appointment of Gregory Seaman as the Sewer Director, Regulatory Compliance Representative, and the Licensed Sewer Operator; and

WHEREAS, Gregory Seaman holds a Masters Degree in Public Administration, is licensed by the New Jersey Department of Environmental Protection as a S-4 Public Wastewater Treatment Professional and a, C-4 Collection Systems Professional, has 25 years experience in wastewater Management, 2` years of which is in a supervisory/management area; and

WHEREAS, the Mayor wishes to appoint Gregory Seaman as the Municipal Sewer Director, Regulatory Compliance Representative, and as the Licensed Sewer Operator; and

WHEREAS, Gregory Seaman is qualified to serve as the Licensed Sewer Operator, Regulatory Compliance Representative, and as the Municipal Sewer Director; and

WHEREAS, the parties desire to set forth in writing their agreement with reference to the compensation and duties of the Sewer Director, Regulatory Compliance Representative, and as the Licensed Sewer Operator;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Caldwell that:

A. Gregory Seaman is hereby appointed to the position of Sewer Director, Regulatory Compliance Representative, and Licensed Sewer Operator for 2014 at an annual salary of \$36,000,

B. Gregory Seaman's duties and responsibilities as the Sewer Director shall be as follows:

1. Staff professional – department head level
2. Point of contact for all matters concerning the administration of the sewer utility and of the storm water program.
3. Appraise and evaluate on a continuing basis the adequacy and efficiency of the operation and maintenance of the Sewer Utility of the Borough of Caldwell, its treatment plant, collection system, and capacity assurance program.
4. Develop policy and budget recommendations to the Mayor, Council, and Administrator.
5. Direct and coordinate activities of the Sewer Contractual Operator and Consultants retained by the Sewer Utility.
6. Serve as the Regulatory Compliance representative for the Borough regarding matters relating to the operation and maintenance of the Sewer Utility.
7. Serve as the Borough's representative in matters relating to the Sewer Utility in interactions with municipal officials in host and user communities, governmental agencies, and the public.



BOROUGH OF CALDWELL NEW JERSEY



C. Gregory Seaman's typical tasks shall be as follows:

I. WASTEWATER TREATMENT PLANT

1. Regular inspection of equipment, facilities and activities.
2. Observe the work of the Treatment Plant contractual operator engaged in the operation and maintenance of the wastewater treatment plant to assure compliance with the provisions of the Agreement for Operation of the Wastewater Treatment Plant and to report his findings to the Mayor, Council and Administrator.
3. Consult with the Contractual Operator about current treatment practices, improvements or upgrades to the treatment process, and permit requirements, and make recommendations for adjustment of treatment processing methods to improve plant efficiency.
4. Gather information to analyze plan efficiency and the opportunity for improvement of treatment facilities through the acquisition and installation of equipment, and by utilizing improved techniques and processes, and to make such recommendations to the Mayor, Council, and Administrator.
5. Review all proposals submitted by the Contract Operator and Consultants, and to make recommendations to the Mayor, Council, and Administrator about such proposals.
6. Review the plant maintenance program undertaken by the Contact Operator, and to report to the Mayor, Council, and Administrator as to the efficiency of the program, and to make recommendations for improvements.
7. Receive and review reports on plant operations submitted by the Contract Operator to the Mayor, Council, Administrator, and regulatory agencies.
8. Research, prepare and analyze techniques and alternatives with related costs for chemical usage, sludge treatment and disposal, energy usage, to assure utilization of the most cost effective methods available.
9. Assure that the Contract Operator is functioning in compliance with regulatory agencies, by reviewing regulatory reports, reports on permit compliance and by addressing any violations of any such regulations.
10. Act as Borough representative in the Wastewater Treatment Plant expansion and upgrade project.

II. SEWER COLLECTION SYSTEM LICENSED OPERATOR

1. Ensure compliance with regulatory agencies.
2. Prepare and implement a strategic plan for collection system maintenance and repair.
3. In conjunction with the Borough Engineer, review construction plans and specifications for NJDEP and code compliance, municipal standards, policies and sound engineering principles.
4. Supervise and review designs submitted by consultants.
5. Provide technical information relating to the collection system to the Mayor, Council, Administrator, staff, consultants, contractors, and the general public.
6. Review and direct the response to residential complaints, and to recommend and initiate appropriate corrective action.
7. In conjunction with the provisions of the Treatment Plant Operations and Maintenance Agreement, administer the strategic plan for capacity assurance, and to identify and review alternatives associated with implementation of new procedures.
8. Interact with User Communities to determine the appropriate number of equivalent connections to be certified annually by resolution for each municipality. Determine annually the amount of flow appropriate to one equivalent connection.
9. Investigate and review current and potential user tariffs and makes recommendations for development of new fee ordinances.
10. Review applications for sewer service and to makes recommendations to the Mayor, Council and Administrator for additions, corrections, denials or approvals based on the application and available capacity



BOROUGH OF CALDWELL NEW JERSEY



- D. In addition to the duties, tasks and responsibilities set forth above, Gregory Seaman shall from time to time be required to perform services outside of the scope of the service set forth herein, including but not limited to preparation of the Operation and Maintenance Manual, and involvement in the creation of new user agreements with user municipalities. Gregory Seaman will be compensated for such services through separate agreements with the Mayor and Council.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser							Rodgers				
O'Donnell							Durkin				
Kelley							Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-15

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING APPOINTMENT OF PAUL MILANI AS MUNICIPAL ZONING OFFICER FOR THE YEAR 2014

BE IT RESOLVED THAT Paul Milani be and is hereby appointed as Municipal Zoning Officer for the term from January 1, 2014 to December 31, 2014 and until his successor is appointed and qualified, and subject to agreements to be approved and signed at a salary of \$6,000.00 per annum.

Pursuant to N.J.S.A. 40A:11-5(1) (a) (i), this appointment and the professional services to be rendered thereunder are exempt from the public bidding requirements of the Local Public Contracts Law. Said services shall include the duties as outlined by law and directed by the Mayor and Council.

A copy of this resolution and signed retainer agreement will be on file in the Office of the Clerk and will be available for public inspection.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-16

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING APPOINTMENT OF JOAN PRANSKY, ESQ. AS RENT BOARD ATTORNEY FOR THE YEAR 2014

BE IT RESOLVED that Joan Pransky, Esq. be and is hereby appointed as Rent Board Attorney, as provided by law, for the term of one year from January 1, 2014 to December 31, 2014 and until her successor is appointed and qualified, and subject to agreements to be approved and signed at a salary of \$2,000.00.

Pursuant to N.J.S.A. 40A:11-5(1) (a) (i), this appointment and the professional services to be rendered thereunder are exempt from the public bidding requirements of the Local Public Contracts Law. Said service shall include the duties as outlined by law and directed by the Mayor and Council.

A copy of this resolution and signed retainer agreement will be on file in the Office of the Clerk and will be available for public inspection.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-17

Date of Adoption: January 4, 2014

TITLE:

**AUTHORIZING THE APPOINTMENT OF NISIVOCIA AND COMPANY AS THE
BOROUGH AUDITORS FOR THE YEAR 2014**

WHEREAS, the Borough of Caldwell has a need to acquire the services of a Borough Auditor as pursuant to the provisions of N.J.S.A. 40A: 5-4 et seq.; and

WHEREAS, the Borough Treasurer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Nisivoccia and Company indicates that they will provide the services of Borough Auditor for a not to exceed price of \$31,835 per annum for preparation of the 2013 Annual Audit, \$7,960 for preparation of the 2013 Annual Debt Statement and 2013 Annual Financial Statement, and \$10,090 per annum for technical assistance and advice on the 2014 budget and preparation of the state budget form; and

WHEREAS, Nisivoccia and Company has completed and submitted a Business Entity Disclosure Certification which certifies that Nisivoccia and Company has not made any reportable contributions to a political or candidate committee in the Borough of Caldwell in the previous one-year, and that the contract will prohibit Nisivoccia and Company from making any reportable contributions through the term of the contract; and

WHEREAS, the Borough Treasurer has certified that funds are available pursuant to N.J.A.C. 5:30-5.4

NOW THEREFORE BE IT RESOLVED that the Borough of Caldwell authorizes Mayor Ann Dassing to enter into a contract with Nisivoccia and Company as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that the Local Public Contracts Law N.J.S.A. 40A:11-5(1), et seq. requires that the resolution authorizing the award of Contracts for Professional Services without competitive bids must be publicly advertised;

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-18

Date of Adoption: January 4, 2014

TITLE:

**AUTHORIZING THE APPOINTMENT OF MCMANIMON & SCOTLAND, L.L.C AS THE
BOROUGH BOND COUNSEL FIRM FOR THE YEAR 2014**

WHEREAS, there exists a need for specialized legal services in connection with the authorization and the issuance of bonds or notes of the Borough of Caldwell (the "Borough") in the County of Essex, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community; and

WHEREAS, such special legal services can be provided only by a recognized Bond Counsel firm, and the law firm of McManimon & Scotland, L.L.C., Newark, New Jersey is so recognized by the financial community; and

WHEREAS, the Borough solicited proposals for bond counsel services in a competitive process in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and applicable regulations promulgated thereunder; now, therefore,

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CALDWELL, AS FOLLOWS:

1. The law firm of McManimon & Scotland, L.L.C., Newark, New Jersey is hereby retained to provide the specialized legal services necessary in connection with the authorization and the issuance of bonds or notes by the Borough in accordance with an Agreement submitted to the Borough (the "Contract").
2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough.
4. A notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in The Progress.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-19

Date of Adoption: January 1, 2014

TITLE:

AUTHORIZING APPOINTMENT OF COMMITTEE MEMBERS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE YEAR 2014

BE IT RESOLVED on the recommendation of Mayor Ann Dassing that the Borough Administrator, Paul M. Carelli and Councilman Edward Durkin be appointed as members of the Community Development Block Grant program for the year 2014, effective January 1, 2014, representing the Borough of Caldwell.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-20

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING THE APPOINTMENT OF THE CALDWELL VOLUNTEER FIRE DEPARTMENT OFFICERS FOR YEAR 2014

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following officers to the Caldwell Volunteer Fire Department for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Caldwell Volunteer Fire Department officers:

Chief Gary Garamella	One-Year Term	Expires December 31, 2014
First Assistant Chief Anthony Greci	One-Year Term	Expires December 31, 2014
Second Assistant Chief Andrew Pollara	One-Year Term	Expires December 31, 2014
Captain Brian Hebrank	One-Year Term	Expires December 31, 2014
Lieutenant Glenn Snider	One-Year Term	Expires December 31, 2014
Lieutenant Louis Biscuit	One-Year Term	Expires December 31, 2014
Lieutenant Mark Guiliano	One-Year Term	Expires December 31, 2014

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-21

Date of Adoption: January 4, 2014

TITLE:

DESIGNATING OFFICIAL HOLIDAYS IN YEAR 2014

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the following be and are hereby established as official holidays in 2014:

<u>HOLIDAY</u>	<u>TO BE OBSERVED ON:</u>
New Year's Day (Observed)	Wednesday – January 1
Martin Luther King, Jr. Day	Monday - January 20
President's Day	Monday - February 17
Good Friday	Friday - April 18
Memorial Day	Monday - May 26
Independence Day	Friday - July 4
Labor Day	Monday - September 1
Veteran's Day	Tuesday - November 11
Thanksgiving Day	Thursday - November 27
Day after Thanksgiving	Friday - November 28
Christmas Day	Thursday - December 25
Day after Christmas	Friday – December 26

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-22

Date of Adoption: January 4, 2014

TITLE:

DESIGNATING THE OFFICIAL DEPOSITORIES OF THE BOROUGH FOR THE YEAR 2014

BE IT RESOLVED that the following banking institutions be and are hereby designated official depositories of the Borough of Caldwell for the period of one year ending December 31, 2014.

PNC, 423 Bloomfield Avenue, Caldwell, NJ

Wells Fargo Bank, 333 Bloomfield Avenue, Caldwell, NJ

Bankers Trust Company- Cash Management Fund
P. O. Box 480, Jersey City, NJ

Kearny Federal Savings, 417 Bloomfield Avenue, Caldwell, NJ

Valley National Bank, 15 Roseland Avenue, Caldwell, NJ

Sovereign Bank, 378 Bloomfield Avenue, Caldwell, NJ

MBIA, 120 Wood Avenue South, Suite 300, Iselin, NJ 08830

Lakeland State Bank, 49 Bloomfield Avenue, Caldwell, NJ

J.P. Morgan Chase, 695 Rt 46 West, Suite 101, Fairfield, NJ, 07004

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-23

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING ANNUAL SCHEDULE OF REGULAR COUNCIL BUSINESS/CONFERENCE MEETINGS FOR THE YEAR 2014

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, N. J. that during the year 2014, Council Business/Conference meetings will be held on the first and third Tuesday of each month at 7:00 P.M. in the Council Conference Room, Second Floor, Municipal Building, One Provost Square, Caldwell, N. J.; and

When any of the first or third Tuesdays shall fall on a holiday, the meeting scheduled for said Tuesday shall be held on the next available day at 7:00 P.M.; and

FURTHER BE IT RESOLVED that the order of business to be observed at said Council Business/Conference Meetings: Call to Order, Roll Call, Statement of Compliance with Open Public Meetings Act, Pledge of Allegiance to the Flag, Presentations, Introduction of Ordinances, Public Hearings, Receiving of Bids, Approval of Minutes, Open Public Comment on Resolutions, Resolutions, Old Business, Report of Council Committee Chairmen and Members, Report of Mayor, Report of Administrator/Clerk, Report of Attorney, New Business, Open Meeting, Executive Session (if any) and Adjournment; and

FURTHER BE IT RESOLVED that "Roberts Rules of Order" be established in conducting all meetings of said Borough Council and that the agenda for all Council meetings be posted on the bulletin board on the first floor of the Borough Hall, One Provost Sq., Caldwell, NJ in accordance with Public Law 1975, Chapter 214 and that at all Council meetings, final action may be taken on all matters of business coming before the Council.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-24

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING ADOPTION OF TEMPORARY BUDGET FOR THE YEAR 2014

WHEREAS, Section 40A:4-19 of the Revised Statutes of the Local Budget Law provides that, where any contracts, commitments or payments are to be made prior to the adoption the 2014 Budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, N.J.S. 40A:4-19 provides for the total of appropriations so made shall not exceed 26.25% of total appropriations of the preceding budget year (2013); and

WHEREAS, the date of this Resolution is within the first thirty days of January 2014; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Caldwell, County of Essex, that the attached schedule of Temporary Budget Appropriations for 2013 is hereby adopted as the Temporary Current, Water Utility and Sewer Utility Budgets of the Borough of Caldwell for 2013 and that a certified copy of this Resolution be transmitted to the Finance Office for their records.

CURRENT FUND		
ADMINISTRATION & EXECUTIVE S&W		\$ 24,251.13
ADMINISTRATION & EXECUTIVE O/E		\$ 21,446.18
MAYOR AND COUNCIL S&W		\$ 2,887.50
MAYOR & COUNCIL O/E		\$ 656.25
MUNICIPAL CLERK S&W		\$ 5,013.16
MUNICIPAL CLERK O/E		\$ 393.75
SPECIAL EVENTS O/E		\$ 1,050.00
ELECTIONS O/E		\$ 918.75
FINANCIAL ADMINISTRATION S&W		\$ 12,107.81
FINANCIAL ADMINISTRATION O/E		\$ 15,239.44
AUDIT FEES O/E		\$ 6,168.75
COLLECTION OF TAXES S&W		\$ 8,032.50
COLLECTION OF TAXES O/E		\$ 1,890.00
TAX ASSESSMENT/ADMIN. S&W		\$ 6,813.98
TAX ASSESSMENT/ADMIN. O/E		\$ 1,575.00
LEGAL O/E		\$ 13,466.25
ENGINEERING SERVICES O/E		\$ 6,300.00
PLANNING BOARD O/E		\$ 893.29
ZONING BOARD OF ADJUSTMENT O/E		\$ 893.29
UNIFORM CONSTRUCTION CODE S&W		\$ 30,467.85
UNIFORM CONSTRUCTION CODE O/E		\$ 2,073.75
RENT REVIEW BOARD O/E		\$ 525.00
WORKMAN'S COMP/OTHER (SHARED)		\$ 48,396.55
NJ INTERGOVT INSUR ASSESSMENT		\$ 4,838.10
EMPLOYEE HEALTH INSURANCE O/E		\$ 301,944.85
POLICE DEPARTMENT S&W		\$ 524,521.87
POLICE DEPARTMENT O/E		\$ 70,665.07
PARKING METER MAINTENANCE O/E		\$ 859.69
OFFICE OF EMERG MANAGEMENT O/E		\$ 224.44
FIRST AID CONTRIBUTIONS		\$ 1,706.57
FIRE DEPARTMENT O/E		\$ 10,859.63
PROSECUTOR/DEFURIA		\$ 2,625.00
STREET & ROADS MAINTENANCE S&W		\$ 80,330.03
STREET & ROADS MAINTENANCE O/E		\$ 10,237.50



BOROUGH OF CALDWELL NEW JERSEY



RECYCLING O/E		\$ 11,230.54
SOLID WASTE COLLECTION O/E		\$ 151,777.76
BUILDINGS & GROUNDS O/E		\$ 15,684.38
SHADE TREE O/E		\$ 9,371.25
VEHICLE REPAIR / MAINTENANCE		\$ 14,568.75
SNOW REMOVAL S&W		\$ 1,312.50
SNOW REMOVAL O/E		\$ 4,593.75
PUBLIC HEALTH SERVICES S&W		\$ 8,178.36
PUBLIC HEALTH SERVICES O/E		\$ 17,553.90
ENVIRONMENTAL COMMISSION O/E		\$ 315.00
ANIMAL CONTROL SERVICES O/E		\$ 4,202.10
SENIOR CITIZEN TRANS. S&W		\$ 12,898.73
SENIOR CITIZENS TRANS O/E		\$ 9,347.08
RECREATION SERVICES & PROGRAMS		\$ 105,679.88
CALDWELL COMMUNITY CENTER S&W		\$ 257,965.60
CALDWELL COMMUNITY CENTER O/E		\$ 133,457.55
MUNICIPAL LIBRARY S&W		\$ 58,932.56
MUNICIPAL LIBRARY O/E		\$ 51,481.93
ELECTRIC		\$ 19,293.75
STREET LIGHTING		\$ 36,750.00
TELEPHONE		\$ 15,015.00
SEWERAGE TREATMENT		\$ 282,234.20
VERONA SEWER LINES		\$ 7,350.00
GASOLINE		\$ 21,656.25
SOCIAL SECURITY/MEDICARE		\$ 33,862.50
DCRP		\$ 813.75
INTERLOCAL W.CALDWELL WELFARE		\$ 2,100.00
MUNICIPAL COURT S&W		\$ 32,189.45
MUNICIPAL COURT O/E		\$ 3,860.31
PUBLIC DEFENDER O/E		\$ 1,063.13
	CURRENT FUND TOTAL	\$ 2,545,012.84
SEWER OPERATING		
SEWER UTILITY S&W		\$ 102,272.13
SEWER UTILITY O/E		\$ 862,057.98
	SEWER OPERATING TOTAL	\$ 964,330.12
WATER OPERATING		
WATER UTILITY S&W		\$ 66,670.47
WATER UTILITY O/E		\$ 293,355.03
	WATER OPERATING TOTAL	\$ 360,025.50



BOROUGH OF CALDWELL NEW JERSEY



RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-25

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING INTEREST FOR NON-PAYMENT OF TAXES OR ASSESSMENTS

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ pursuant to R.S. 54:4-67, as amended and supplemented, that the rate of interest to be charged for the non-payment of taxes or assessments on or after the date when they become delinquent shall be as follows:

1. No interest shall be charged if payment of any installment so due is made within ten (10) days of the date the same shall be payable; and
2. Upon expiration of the ten (10) day period as aforesaid, the rate of interest shall be eight (8) percent on the first \$1,500.00 of the delinquency and eighteen (18) percent thereafter on any amount in excess of \$1,500; and
3. A penalty shall be charged to a taxpayer with a delinquency in excess of \$10,000 who fails to pay that delinquency prior to the end of the calendar year in the amount of 6% of the delinquency.

FURTHER, BE IT RESOLVED that

4. Any water or sewer account remaining unpaid after due date on each billing shall be subject to a penalty of ten (10) percent of the unpaid balance.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-26

Date of Adoption: January 4, 2014

TITLE:

**DESIGNATING OFFICIAL NEWSPAPERS OF THE BOROUGH OF CALDWELL
FOR YEAR 2014**

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the following newspapers be and are hereby designated the official newspapers of the Borough of Caldwell for one year ending December 31, 2014:

The Progress, Star Ledger Newspaper.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-27

Date of Adoption: January 4, 2014

TITLE:

DESIGNATING TIMES, DATES AND CONDUCT OF MEETINGS FOR THE YEAR 2014

Pursuant to Paragraph 13 of Public Law 1975, Chapter 231 (Open Public Meetings Act), effective January 1, 2014, the Mayor and Borough Council of the Borough of Caldwell, N. J., will conduct council business/conference meetings as set forth below.

All council business/conference meetings will begin at 7:00 P.M., unless otherwise specified. All meetings will be conducted on Tuesday evenings unless otherwise specified by this or special notice.

	<u>BUSINESS/CONFERENCE</u>	<u>BUSINESS/CONFERENCE</u>
January	4 Organizational Meeting	21
February	4	18
March	4	18
April	1	15
May	6	20
June	5 (Thursday)	17
July	1	15
August	5	19
September	2	16
October	7	21
November	6 (Thursday)	18
December	2	16

Committee meetings, where no quorum of the Council is present, may be closed to the public at the discretion of the Committee.

Final action may be taken on all matters listed on or added to the agenda or to come before the Council at any and all meetings of the Borough Council.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-28

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 31, 2013 FOR 2013 BILLS IN THE TOTAL AMOUNT OF \$1,389,477.42

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that,

WHEREAS, certain bills which are contained on the bills list which is annexed hereto and incorporated herein have been submitted to the Borough of Caldwell for payment, and;

WHEREAS, pursuant to N.J.S.A. 40A:5:16, it has been certified to the governing body that the goods or services for which said bills were submitted have been received by or rendered to the Borough of Caldwell, and;

WHEREAS, the Director of Finance of the Borough of Caldwell has certified to the governing body that there are funds legally appropriated and available in the current operating budget for the payment of said bills and that the said payment will not result in the disbursement of public monies or in the encumbering of same in excess of the 2012 and/or 2013 appropriation for said purpose;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell that the, Borough Administrator and Deputy Clerk be and are hereby authorized to sign checks in payment of the bills set forth in the annexed schedule.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-29

Date of Adoption: January 4, 2014

TITLE:

**AUTHORIZING APPOINTMENT OF DESIGNEE TO SERVE ON THE ESSEX COUNTY
SOLID WASTE ADVISORY COUNCIL**

BE IT RESOLVED that the Mayor and the Borough Council of the Borough of Caldwell appoint Mario Bifalco, Director of Public Works as the Mayor's voting designee and John Hamer, Foreman of Public Works as the Mayor's alternate voting designee to serve on the Essex County Solid Waste Advisory Council for a period of 2 (two years) or until the appointment and qualification of their successors, effective January 1, 2014.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-30

Date of Adoption: January 4, 2014

TITLE:

RESOLUTION ADOPTING THE CASH MANAGEMENT PLAN OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX FOR 2014

WHEREAS, Chapter 148 P.L. 1997 requires the Chief Financial Officer to prepare a Cash Management Plan; and

WHEREAS, this Plan should also be in compliance with N.J.S.A. 40A:5-1 et seq.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the attached Cash Management Plan shall serve as the Plan for the calendar year 2014 for the Borough of Caldwell.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

CASH MANAGEMENT PLAN OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX

STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set for the basis of deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Borough of Caldwell, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and Permitted Investments will be done to insure the safety, liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

DEFINITIONS

"Arbitrage" refers to the rules and regulations governing the issuance of bonds or notes and the reinvestment of the proceeds at a higher yield. These regulations are promulgated by the Internal Revenue Service, Regulation 1.103.

"Certificate of Eligibility" is the certification issued by the New Jersey Department of Banking and Insurance, Division of Banking that a Public Depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, "GUDPA".

"GUDPA" (Governmental Unit Deposit Protection Act) requires a bank that accepts public funds to be a public depository. A "Public Depository" is defined as a state bank, a national bank, a savings bank or association which is located in the State of New Jersey, the deposits of which are insured by the Federal Deposit Insurance Corporation ("FDIC"), and which received or holds public funds on deposit. A local unit may make deposits in, or purchase certificates of deposit from banks which are located in New Jersey and which meet the requirements of the "GUDPA". Public funds in excess of the "FDIC" insured amounts (\$250,000) are protected by "GUDPA".

"FDIC" (Federal Deposit Insurance Corporation) in an independent US agency that protects against the loss of deposits in an FDIC-insured bank or savings association, in the event of its failure. The standard maximum deposit insurance amount of \$250,000 is in effect through December 31, 2013.

"The New Jersey Cash Management Fund", authorized pursuant to N.J.S.A. 52- 18A-90.4 to establish, maintain and operate, with the approval of the State Investment Council and the State Treasurer, a common trust fund known as the State of New Jersey - Cash Management Fund (the "Fund"). The Fund is authorized to accept deposits from all Local Units of government. According to the enabling legislation, monies of Local Units deposited in the Fund must be invested in obligations and bonds that meet the investment requirements of the statute. These obligations include, among other things, evidences of indebtedness of U.S. corporations. These obligations are less secure than those permitted to Local Units under the Act. Thus, the Fund is riskier than direct investments in federal securities or GUDPA protected deposits by Local Units.

IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough.

Current Fund
Trust Fund
Animal Control Fund
General Capital Fund
Water Utility Operating Fund
Water Utility Capital Fund
Sewer Utility Operating Fund
Sewer Utility Capital Fund
Public Assistance Fund
Community Development Block Grant Account
Payroll Account
Payroll Deduction Account
Caldwell Community Center Account

The Plan is not intended to cover the deposits and/or investments of the following funds and accounts of the Borough.

1. Petty Cash Funds
2. Deposit, retainage, or amounts posted by way of bond, held by the Borough for such things as faithful performance, if the Borough would be required by law to pay back any interest earned to the provider of the deposit, except where the Borough is required by law or court decision to invest the fund.

3. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of counsel states that the earning of (full) interest would result in the bonds or notes being classified as an arbitrage (not Federally Tax Exempt) issue pursuant to federal regulations. To the extent that some interest is allowable, it shall be deposited at the best obtainable rate.

DESIGNATION OF OFFICIALS OF THE BOROUGH OF CALDWELL AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS

The Chief Financial Officer/Treasurer of the Borough, (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan and shall thereafter be relieved of any liability for loss of such moneys due to insolvency or closing of any depository designated by, or the decrease in value of any investment authorized, by the Cash Management Plan.

DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as Depositories for the deposit of all public funds referred to in the Plan (as authorized by Borough Council resolution on January 1, 2013), including any certificates of Deposit, which are not otherwise invested in "Permitted Investments" as provided for in this Plan.

PNC Bank
Kearny Federal Savings
Valley National Bank
Sovereign Bank
Lakeland State Bank
JPMorgan Chase Bank
New Jersey Cash Management Fund
MBIA **

(** provider of financial guarantee insurance, if applicable)

AUTHORIZED INVESTMENTS

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following "Permitted Investments"

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury Bills, Notes and Bonds.
2. Government Money Market Mutual Funds that comply with N.J.S.A. 40A:5-1 5.1 (e).

3. Any Obligations that a Federal Agency or a Federal Instrumentality has issued in accordance with an Act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located.
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
6. Local Government Investment Pools, in compliance with the "Administrative Procedure Act", P.L. 1968, c.410 (c.52:14B-1 et seq.).
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C.52:18A-90.4).
8. Agreements for the repurchase of fully collateralized securities if:
 - a) The underlying securities are permitted investments pursuant to paragraphs "1" and "3" of this subsection a;
 - b) The custody of collateral is transferred to a third party;
 - c) The maturity of the agreement is not more than 30 days;
 - d) The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c. 236 (c.17:9- 41); and
 - e) A master repurchase agreement providing for the custody and security of collateral is executed.

There are no approved security broker/dealers. In the event that such a security broker/dealer should be approved during the year, the registered principal of said brokerage firm so approved shall be provided with and sign an acknowledgement that they have seen and reviewed the Cash Management Plan of the Borough of Caldwell.

SAFEKEEPING CUSTODY PAYMENT

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of Caldwell, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Borough of Caldwell or by a third party custodian prior to or upon the release of the Borough of Caldwell's funds.

REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section IV hereof shall supply to the Governing Body of the Borough of Caldwell a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- a) A summary of all investments made or redeemed for the month, including the name of the financial institution.
- b) A listing of any and all financial institutions holding the Borough of Caldwell funds.
- c) The class or type of securities purchased or funds deposited.
- d) Income earned on deposits and investments
- e) Market value of investments and disclosure as to how the value was determined, if applicable, at the end of the immediately preceding month.
- f) A listing of accounts or deposits that do not earn interest.
- g) The fees incurred to undertake such Deposits or Permitted Investments.
- h) Any other pertinent information which may be deemed reasonable from time to time by the Governing Body of the Borough of Caldwell.

TERM OF PLAN

This Plan shall be in effect from January 1, 2014 to December 31, 2014. Attached to this Plan is the resolution of the Governing Body of the Borough of Caldwell approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Borough, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received a copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

DESIGNATION OF DEPOSITORIES

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official referenced to in Section IV above.

MISCELLANEOUS

Any official involved with the selection of depositories, investments, broker/ dealers shall disclose any material business or personal relationship to the Borough of Caldwell's Administrator and to the Local Finance Board, or Local Ethics Board as applicable.

Any official who, in the course of his or her duties, deposits or invests in accordance with this Plan shall be relieved of any liability for loss.

Submitted by:

Chris Battaglia, Chief Financial Officer

Date



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-31

Date of Adoption: January 4, 2014

TITLE:

AUTHORIZING ADOPTION OF THE 2014 DEBT SERVICE REQUIREMENTS

WHEREAS, N.J.S. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than the last ten day of the preceding fiscal year; and

WHEREAS, the date of this resolution is subsequent to that date; and

WHEREAS, principal and interest will be due on various dates from January 1, 2014 to December 31, 2014, inclusive, on sundry bonds issued and outstanding.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, in the County of Essex, State of New Jersey that the following appropriations be made to cover the period from January 1, 2014 to December 31, 2014 inclusive:

DEBT SERVICE – BOROUGH OF CALDWELL

Payment of Bonds \$910,000.00
Interest on Bonds \$394,373.25

DEBT SERVICE – WATER UTILITY

Payment of Bonds \$115,000.00
Interest on Bonds \$38,650.00

DEBT SERVICE – SEWER UTILITY

Payment of Bonds \$798,048.50
Interest on Bonds \$294,978.20

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
O'Donnell						Rodgers				
Coyle						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor