



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
January 15, 2013**

Borough Hall Council Chambers
1 Provost Square
Caldwell, New Jersey 07006
7:00pm



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

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

January 15, 2013

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser – President / CCC
Thomas O'Donnell / Public Safety
John Coyle / Public Works
John Kelley / Community Relations
Frank Rodgers / Personnel
Edward Durkin Jr. / Finance

CALL TO ORDER

Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding

Roll Call
Statement of Compliance w/ Open Public Meetings Act
Pledge of Allegiance to the Flag

APPROVAL OF MINUTES

December 18, 2012
December 27, 2012 – Special Meeting
January 1, 2013 Organization Meeting

PUBLIC HEARING AND ADOPTION OF ORDINANCES

ORDINANCE# 1269-12: AN ORDINANCE AMENDING CHAPTER 20, THE CHAPTER ESTABLISHING THE CODE OF ETHICS, OF THE CODE OF THE BOROUGH OF CALDWELL

ORDINANCE# 1271-12: AN ORDINANCE AMENDING CHAPTER 37, THE CHAPTER GOVERNING PERSONNEL POLICIES, OF THE CODE OF THE BOROUGH OF CALDWELL

OPEN PUBLIC COMMENTS ON RESOLUTIONS

Members of the public are invited to comment at this time on any resolution.

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.

- 1-34:** AUTHORIZING THE EXECUTION OF MUNICIPAL INFORMATION FORM - COMMUNITY FORESTRY MANAGEMENT PLAN GUIDELINES
- 1-35:** AUTHORIZING APPOINTMENT OF DONALD O'CONNOR, ESQ. AS MUNICIPAL COURT JUDGE FOR THREE YEARS FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2015 AND UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED.
- 1-36:** AUTHORIZING THE CANCELLATION OF SMALL BALANCES ON TAX ACCOUNTS FOR THE YEAR ENDING 12/31/12
- 1-37:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00009 PAYABLE TO US BANK CUST-PROCAP 11, LLC.
- 1-38:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00018 PAYABLE TO ISAAC MORADI



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RESOLUTIONS - CONSENT AGENDA (continued)

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.

- 1-39: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00003 PAYABLE TO US BANK CUST-PROCAP 11, LLC
- 1-40: AUTHORIZING THE APPOINTMENT OF LIBRARY BOARD OF TRUSTEES – John J. Donovan
- 1-41: AUTHORIZING THE APPOINTMENT OF HISTORIC PRESERVATION COMMITTEE – Beverly W. Crisfasi
- 1-42: APPROVING A TOW OPERATOR'S LICENSE FOR AJACO TOWING, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-43: APPROVING A TOW OPERATOR'S LICENSE CAMP AUTO & TRUCK PARTS, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-44: APPROVING A TOW OPERATOR'S LICENSE CRIGER'S SERVICE, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-45: APPROVING A TOW OPERATOR'S LICENSE J&M TOWING IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 1-46: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Giblin Associates
- 1-47: AUTHORIZING THE APPOINTMENT OF TRAFFIC COMMITTEE MEMBER – Joseph Norton
- 1-48: RESOLUTION TO AMEND RESOLUTION 12-264 AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2012
- 1-49: DISPOSAL OF OBSOLETE POLICE DEPARTMENT VEHICLES
- 1-50: AUTHORIZING THE CHANGE OF STATUS FROM PROBATIONARY POLICE OFFICERS TO FULL POLICE OFFICERS IN THE CALDWELL POLICE DEPARTMENT FOR THE THREE OFFICERS HIRED JANUARY 1, 2012
- 1-51: RESOLUTION AUTHORIZING THE CALDWELL COMMUNITY CENTER TO EXTEND THE CURRENT CALDWELL FIRE DEPARTMENT VOLUNTEER DISCOUNT TO ACTIVE MEMBERS FOR THE CALENDAR YEAR 2013

COUNCIL COMMITTEE REPORTS

Borough Council Members

Members of the Borough Council may choose to report on their respective committees.



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REPORT OF MAYOR

Mayor Dassing

REPORT OF ADMINISTRATOR

Paul M. Carelli

Administrator Report – January 15, 2013

REPORT OF ATTORNEY

Gregory Mascera

OLD BUSINESS

1. Update of Caldwell Water Utility Projects and Timelines

NEW BUSINESS

Members of the Governing Body may choose to bring up new items at this time.

OPEN PUBLIC MEETING

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

EXECUTIVE SESSION

Closed Session

BE IT HEREBY RESOLVED in accordance with the provisions of N.J.S.A. 10:12 and 13, the public shall be excluded from the Executive Session of the Governing Body which is being held for the discussion of the following subject matters: 1. Pending or anticipated litigation or contract negotiation; 2. Personnel matters; 3. This Executive Session shall continue for an indefinite period of time and upon termination of the Executive Session, the Governing Body may choose to resume the public portion of the meeting. The discussion, which shall be conducted in closed session, shall be disclosed upon termination of litigation or contractual matter, upon resolution of the personnel matter with consent of said person or persons and as provided by N.J.S.A. 4-12 but in no case later than two (2) years from this date. These minutes shall be available as soon as the matter is resolved or not later than two years hence.

1. Contracts – Sewer Plant

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 1/11/2013 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 1/11/2013 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES -December 18, 2012**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:06PM

PRESENT: Mayor Dassing, Council President Hauser, Councilman Murray, O'Donnell, Coyle, Kelley and Rodgers

ALSO PRESENT: Lisa O'Neill, Deputy Clerk, and Paul Carelli, Borough Administrator and Gregory Mascera, Borough Attorney

ABSENT:

Adequate notice of this Council Business/Conference meeting was given on January 1, 2012. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2012. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2012. Notice was posted and all persons requesting notice were sent same.

APPROVAL OF MINUTES:

December 4, 2012

Moved by Councilman Hauser, seconded by Councilman Coyle. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 12/18/12.

OPEN PUBLIC COMMENTS ON RESOLUTION:

RESOLUTIONS- CONSENT AGENDA

12-256 : AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE- Trinity Academy HSA, Tricky Tray Raffle, January 25, 2013- 6:00PM -11:00PM. Snow Date- February 1, 2013 -6:00PM-11:00PM

12-257 : AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE- Trinity Academy HSA, 50/50 Raffle, January 25, 2013- 6:00PM -11:00PM. Snow Date- February 1, 2013 -6:00PM-11:00PM

12-258 : AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE- Hadassah Caldwell, Inc., March 12, 2013 -7:30PM- 10:00PM

12-259 : AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 18, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$2,385,539.03

12-260 : AUTHORIZING THE EMPLOYMENT OF NICHOLAS P. ADAMO, 76 LIBERTY AVENUE, BELLEVILLE, N.J. 07109 AS A PROBATIONARY POLICE OFFICER IN THE CALDWELL POLICE DEPARTMENT EFFECTIVE JANUARY 1, 2013 WITH AN ANNUAL BASE SALARY OF \$35,000 IN ACCORDANCE WITH THE CURRENT PBA CONTRACT

12-261 : AUTHORIZING THE AWARD OF A CONTRACT FOR FINANCIAL MANAGEMENT SERVICES TO BATTAGLIA ASSOCIATES LLC, 25 SANDALWOOD DRIVE, WARREN, N.J. 07059 EFFECTIVE DECEMBER 19, 2012 THROUGH JUNE 30, 2013

12-262 : RESOLUTION OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 FOR THE CLEARING AND REPAIR OF BOROUGH STREETS AND PROPERTY DAMAGED BY HURRICANE SANDY

BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES -December 18, 2012

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CONSENT

Moved by Councilman Coyle, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 12/18/12.

Councilman Rodgers reported that they were moving along with the employee evaluation and would be getting them to Council.

Councilman Murray reported that the police have been working hand and hand with our school officials. Parents were very appreciative of their presence and their response. On Saturday the Fire Department will be riding through town with Santa Clause handing out candy canes.

Councilman Hauser reported that the Library Board had two (2) seats open for residents interested who are interested in serving as a Board member. Ideally they are looking for someone who has a legal background, accounting background, marketing background or a technology background. The Library is doing a food donation in lieu offmes which they donate to the food pantry. He spoke about the employee incentive program and would like to get that on the calendar as soon as possible.

Councilman Kelley reported that he attended a Camp Wyanokee meeting and they have reviewed the budget. They have an interest in presenting this in 2013 to the Caldwell Council and giving an educational presentation. The meeting is tentatively scheduled for the 5th of February.

Mayor Dassing thanked the Kiwanis Club for participating in gifts for the needy. We had over 45 families which is almost double of what we had last year.

Mayor Dassing made a presentation to Councilman Murray thanking him for all his hard work and he will be missed. For those who would like a brief synopsis of Pete's time on Council he started out at the Public Safety Committee he really turned the Fire Department around. Pete is a former fireman himself a volunteer fireman I think it's in his blood it's in his family, your dad was police commissioner in East Rutherford and his passion was really there. As if that wasn't enough, he was on the Budget Committee with Councilman O'Donnell and we worked night and day combing through and with your notes that you were taking, Tom's tenacity we managed to introduce a zero percent budget and that was last year and I am very proud for that and you should be very proud as well. That is just two of the things that you have done and I know you spent endless hours here on the Rent Board and affected a positive change for the tenants in town and also involved with the Board of Ed the Library and pretty much sat on every committee and also was my President last year. Pete and I worked closely together with the Borough Administrator and I always think of you as my right hand even though you sit on my left. I want to congratulate you and I want to thank you very much for your service. Councilman Murray replied thank you so much.

REPORT OF ADMINISTRATOR:

Paul Carelli reported that we had a note sale this week. We have received three (3) bids and the low bid was PNC Bank at 1.25% for six months to help fund the water project. After the six (6) months we will reassess that note. The water main project is set to go in January weather permitting. The auditors have been here for the last three days working with some fmance year end budget type things. We will have transfers resolution for the fmal meeting of the year. The meeting will be Thursday, December 27th at 8:00am. The Re-organizational meeting is January 1st at noon in the Community Center. He authorized Broheimer to clean up Elm of the trees. I had a company come in to give a quote in fixing the heat in the Police Department.

REPORT OF ATTORNEY:

Greg Mascera reported on the Ingris 3 matter Davidson ruled in the Borough's favor that there was no OPRA violation. There are still two other Ingris matters that the JIFF Counsel is covering. I had a rather lengthy discussion with Mr. Ortiz in regards to the re-designation of the Bridge property the application has been submitted and the application has been reviewed and there are seven (7) supplemental items that we need to follow through on we have until January 17th. He is very confident that the Bridge will remain as a tenant and the food pantry as well. The Personette purchase is moving forward.

Greg expressed his appreciation to Councilman Murray; it has been my pleasure working together with him. The leadership he has shown to the Council and the Borough employees the various departments quite impressive. He has always had the interest of the Borough in mind and it's

COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES -December 18, 2012

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something that I saw and I hope that everyone else saw. Again it has been my pleasure working with Pete and I really appreciate him.

NEW BUSINESS:

Mayor Dassing reported that in this month's issue of the League of Municipalities there was an article about a company in Newark called City Log. They take trees that have been taken down by Municipalities and they re-use them. They make flooring, benches it's sort of like re-purposing of the tree. She ran into Hunter from Broheimer and he said that he was looking into it. It would be neat if the trees that come off the properties that we own can be re-purposed into benches or something. There was also another article on Solar that seems to be getting more palpable if you will. They had some pictures of solar panels in Secaucus in their municipal parking lots. It covers pretty much of their whole lot which would be great for our community center lot. Maybe for 2013 we look and explore and we can be more environmentally friendly.

OPEN PUBLIC MEETING:

James Jorgensen, Liaison for Essex County spoke about the Star ledger had an ad about an improvement to Grover Cleveland Park. I have been fortunate enough to be the liaison for the past two (2) years and it has been a privilege and a pleasure to serve with all of Council and especially with your formally be president and I have watched you engage with public and your interactions with the Mayor always quite honorably with good intentions of public trust. I wish you all the best and I am certain that you will always have positive things in your life as you have brought positive things to other lives.

Bob Colaizzo -7 Hatfield Street, I would like to thank Mr. Murray for many years of service to our town. Last summer I had a minor issue with parking and he successfully helped resolve that. I would also like to congratulate Mr. Durkin and Mr. Hauser and wish them well. Finally I would like to wish all of our Borough officials a Happy Holiday, Merry Christmas and Happy New Year. Mayor Dassing thanked Bob for his service on the Zoning Board and the Historic Commission you have really been a positive on both of those.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Murray, seconded by Councilman O'Donnell, unanimously affirmed by all members present, the meeting was adjourned at 7:45PM.

Prepared by: _____
Lisa O'Neill, Deputy Clerk

DATE

**BOROUGH OF CALDWELL
SPECIAL YEAR-END
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – December 27, 2012**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 8:07 AM

PRESENT: Mayor Dassing, Councilman Murray, O'Donnell, Coyle, and Rodgers

ALSO PRESENT: Paul Carelli, Borough Administrator and Gregory Mascera, Borough Attorney

ABSENT: Council President Hauser, Councilman Kelley
Lisa O'Neill, Deputy Clerk

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OPEN PUBLIC COMMENTS ON RESOLUTION:

RESOLUTIONS – CONSENT AGENDA

12-263: AUTHORIZING THE SUBMISSION OF THE ESSEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR THE YEAR 2013

12-264: RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2012

CONSENT

Moved by Councilman Coyle, seconded by Councilman Murray. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 12/27/12.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman O'Donnell, unanimously affirmed by all members present, the meeting was adjourned at 8:12AM.

Prepared by: _____
Lisa O'Neill, Deputy Clerk

DATE

BOROUGH OF CALDWELL
COUNCIL CONFERENCE/ BUSINESS MEETING
ORGANIZATION MEETING – January 1, 2013

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 12:04PM

PRESENT: Mayor Dassing, Council President Hauser, Councilman Coyle O'Donnell, Kelley, Rodgers and Durkin

ALSO PRESENT: Lisa O'Neill, Deputy Clerk, and Paul Carelli, Borough Administrator and Gregory Mascara, Borough Attorney

ABSENT:

Adequate notice of this Council Business/Conference meeting was given on January 1, 2013. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2013. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2013. Notice was posted and all persons requesting notice were sent same.

OATHS OF OFFICE

- **Councilman Richard Hauser by Nancy Hauser**
- **Councilman Edward Durkin, Jr. by Chris Durkin (Essex County Clerk)**

Councilman Hauser, First of all, I'd like to wish all of you here today a Healthy and Happy New Year!

I'd like to thank the residents of Caldwell for the opportunity to serve for another term as councilman. I'd also like to thank all of those individuals who were involved in the campaign efforts for Pete Murray and I.

I'd like to say a few words of thanks to my two time running mate and friend – Pete Murray. Without Pete, the past 3 years would not have been nearly as successful and rewarding as it has been. While some may say that work accomplished is the result of the entire governing body, ANYONE who is involved in ANY organization, know that there are certain individuals who are the drivers and doers.....Pete is a driver and doer. The list of accomplishments over the past 3 years are significant and I'm very proud to have been instrumental in those accomplishments working on those things that Pete and I said we would do over 3 years ago.

Those of you who have spoken with me over the past month or two are very aware of my deep disappointment that Pete was not selected to serve the town of Caldwell for another term. That being said, I wish Councilman Durkin well and I look forward to working with him over the next 3 years.

I am cautiously hopeful that the petty politics that has reared its ugly head once again over the past few months can be buried so that work of this council can be focused on the needs of our residents. We have seen how a group of individuals can accomplish many things and how healthy discussion while not always easy is useful. The other stuff is garbage and are the reasons that many good people don't get involved.

Lastly, I encourage the residents of Caldwell to become involved. It can be very rewarding and you can become part of a solution. There are so many opportunities to become involved in your community from coaching our youth, to our library board, town committees, food pantry and so many more areas.

Thank you and once again I wish you a Happy Healthy 2013.

Councilman Durkin Jr., thanked Chris Durkin who happens to be his cousin and was instrumental in having him be there today never to be once discussed not having me be here. We followed the game plan and we ran a high class campaign. Chris has a lot of expertise from his father Raymond and I just followed them in their footsteps and here I am today. I really want to thank my parents. They have been very instrumental, they have always been great parents and I am always proud to call them Mom and Dad. Any time I need them, they are there, good times and bad they are there. Mom and Dad I love

BOROUGH OF CALDWELL
COUNCIL CONFERENCE/ BUSINESS MEETING
ORGANIZATION MEETING – January 1, 2013

you guys very much. To my grandparents, yesterday we celebrated my Grandfather's 88 birthday. My Grandmother's health is not the greatest but she looks pretty dapper if you ask me. Thank you for coming and I know you would not have missed this.

I feel the same sentiments that Councilman Hauser said before about the petty politics that is one of the reasons that I ran. As a young guy people would ask "why did you get involved"? The first reason I got involved was because it looked like no one was going to get involved. I speak highly regards of the Gartland's they have won in the past so I just followed in their footsteps. They have always been gracious enough to allow me to their house to get their experience and their advice and get their insight. Thank you very, very much Mr. & Mrs. Gartland and for the Caldwell Democratic Party as well. I would like to also thank the Essex County Democratic Party they could have stepped aside and said Ed if you want to do this we want to see you do this on your own. I was never alone in this whole process. I like to thank the Caldwell Police Department for being her too and I look forward to working with you guys and the Caldwell Fire Department as well. Before I go I really want to thank Pete Murray for his three (3) years of service. I reached out to Pete and said you are a neighbor across from Bloomfield Ave. and I have high regards for you, you are a family guy let the politics go down and let the best man win and I am standing here today. I thank all the residents in Caldwell for voting for me and I don't take this roll lightly at all. I know it's going to be a full-time job and I am in it for the right reasons. I am doing this to pay tribute to my wonderful parents. Thank you very much!

CALL TO ORDER

- **Roll Call**
- **Statement of Compliance with Open Public Meeting Act**
- **Invocation (Monsignor Desmond)**
- **Pledge of Allegiance to the Flag**
- **Election of Council President**

Councilman O'Donnell made a motion to nominate Councilman Hauser as Council President, 2nd Councilman Coyle. No Discussion. On roll call, all present voted in the affirmative.

- **Oaths of Office – Caldwell Volunteer Fire Department**
 1. First Assistant Chief Anthony Greci
 2. Second Assistant Chief Gerard Greci
 3. Captain Thomas Haight
 4. Lieutenant Mark Guiliano
 5. Lieutenant Brian Hebrank
 6. Lieutenant Andrew Pollara
- **Oaths of Office – Caldwell Police Department**
 1. Probationary Patrolman Nicholas P. Adamo
- **Comments by Mayor Ann Dassing**

Good Afternoon everyone and thank you again for being here, I would like to recognize a few dignitary's that we have in the audience today. We have former Councilman John Taylor, former Caldwell Mayor Susan Gartland, County Clerk Chris Durkin, former Councilman Bob Davidson, County Freeholder Lenny Luciano, Rotary President Jonathan Barrett, and Assemblyman Tom Giblin.

Thank you, everyone, for attending the 2013 Caldwell re-organization meeting. For those who may be visitors to the Borough, I welcome you and wish you a pleasant stay.

Congratulations to our newest Police Officer Nicholas Adamo, and best wishes to our Volunteer Fire Department officers. It is my sincere hope that all of our emergency responders remain safe and healthy this year.

2012 was a year of many accomplishments and challenges, the least of which being Hurricane Sandy. But, true to form, our employees performed a yeoman's task day after day, restoring roads, helping residents who were without power and offering warmth and compassion to all who were in need.

BOROUGH OF CALDWELL
COUNCIL CONFERENCE/ BUSINESS MEETING
ORGANIZATION MEETING – January 1, 2013

Moving forward, I will be meeting with PSE&G to see how we can work together to address the power outages that exist in pockets in our neighborhoods.

I want to thank our emergency personnel, our fire department, first aid squad members, police and DPW departments and Health and Human Services department, who all work tirelessly for our behalf and to keep our roads open and passable.

In 2012, we concentrated on upgrading our infrastructure by taking on a water project that will give the Borough a second source of water in the event of a water main break. We also worked very diligently to see the completion of a 16 million dollar sewer treatment project, which will be finished early this year. Some roads were paved and this will continue in 2013.

The installation of e-ticketing systems in our police cars proved to be a worthwhile endeavor, increasing motor vehicle enforcement stops to over 4100 versus a little over 1000 last year. The Caldwell PD saw a decrease in total motor vehicle crashes from 345 in 2011 to 287 this year. The Chief believes that decrease is directly related to motor vehicle enforcement and the number of summonses issued and traffic enforcement details completed. I would like to say Thank you to our Police Chief, James Bongiorno, who has completed his first year and been an inspiring leader to our force.

The Finance Committee continued to employ the philosophy of a penny saved is a penny earned and put a plan in place to address our debt, while slicing unnecessary appropriations to achieve just over a 1% increase in local tax bills.

Our Community Center Committee saw a major renovation of the locker rooms, pool area, weight lifting and exercise equipment room, and exercise equipment room, and the creation of a brand new aerobics room. Thank you to the committee, the Borough Administrator and our Community Center Director for the countless hours spent on enhancing our center.

Our historic commission has been canvassing the town to identify structures of historic significance and they will eagerly share this information with us in the form of a comprehensive website, where residents can go find out information about their homes, if they are deemed historic.

The sign committee is putting the finishing touches on the ordinance, for the downtown merchants, to give clear, easy to understand guidelines to business owners erecting a sign in the business district.

The Borough engages in a contract to purchase the Personette Street property with Open Space Trust dollars and NJ State Green Acres funds, and that should be complete early in 2013. Additionally, the Open Space Committee surveyed our current properties and made suggestions for clean-up and maintenance activities.

One of my proudest moments this year came with the Legacy for Literacy event, which generated almost \$32,000 to support our Library. This event is the living testimony to what can be done by working together to effect a positive change. Thank you to my committee members who shared my vision and enthusiastically got involved in the cause. The Legacy for Literacy committee voted to hold the 2nd Legacy event on November 21, 2013 at Green Brook Country Club. Details will follow...

I want to take this opportunity to thank the over 80 volunteers who serve on the fire department, the first aid squad, and the Borough's Boards and commissions. Their volunteer hours are most appreciated and vital to the health and well-being of our Town.

I also wish to thank our hard working and dedicated employees and professionals for continuing to work as a team to create a better Caldwell.

In looking to 2013, we need to make solar energy a priority, as well as increasing shared services with other towns and the Board of Education. I am hoping we will have positive news about the 2.3 million dollar NJDOT streetscape grant that we applied for, to help us initiate a Complete Streets program. In addition, we will be implementing an emergency notification system for storm-related messages to residents. To that end, I would also like to see the installation of Caldwell local access TV, to bring our council meetings and special emergency announcements into your homes.

Once again, thank you for attending today, and I hope you have a happy and Healthy New Year!

2013 COUNCIL COMMITTEE APPOINTMENTS / LIAISONS

BOROUGH OF CALDWELL
COUNCIL CONFERENCE/ BUSINESS MEETING
ORGANIZATION MEETING – January 1, 2013

Council Committee	Chairman	Councilman	Areas of Responsibility
Community Center	Hauser	O'Donnell	Community Center
Finance	Durkin	Kelley	Finance / Budget / Banking / Administration / Capital Tax Collection / Annual Audit / Corrective Action Plan
Community Outreach	Kelley	Durkin	Downtown Organizations / Board of Education Economic Development / Municipal Alliance
Personnel / Health & Human Services	Rodgers	Coyle	Personnel Policies / Employee Handbook & Benefits Senior Citizens / Board of Health / Pension / Medical
Public Safety	O'Donnell	Rodgers	Police Department / Fire Department / OEM Municipal Court / Traffic Committee
Public Works / Utilities	Coyle	Hauser	Streets & Roads / Building & Grounds / Engineering / Utilities Construction / Sewer & Water / Environmental / Open Space

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

Board / Committee	Liaison
Advisory Council of Senior Citizens	Rodgers
Board of Education	Rodgers
Board of Health	Durkin
Camp Wyanokie	Kelley
Community Development	Coyle
Environmental Commission	Durkin
Library Board of Trustees	Hauser
Local Board of Assistance	Rodgers
Historic Commission	Dassing
Open Space / Environmental	O'Donnell
Planning Board	Coyle
Recreation	Hauser / Coyle
Rent Board	Kelley
Senior Citizen Transportation	Kelley
Sign Ordinance Committee	Dassing
Traffic Committee	O'Donnell
Tree Removal	Durkin

2013 BOARD AND COMMISSION APPOINTMENTS

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

Councilman John Coyle	Class III Member	term expiration 12/31/2013
Marguerite Kenney	Alternate #2	term expiration 12/31/2014
Mayor Ann Dassing	Class I Member	term expiration 12/31/2013
Ann Finnegan	Class IV Member	term expiration 12/31/2016
Ann E. Martin	Class IV Member	term expiration 12/31/2016

Moved by Councilman Kelley, seconded by Councilman Coyle. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

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

Bruce Stieve	Member	term expiration 12/31/2016
Robert Colaizzo	Member	term expiration 12/31/2016
David Piperno	Member	term expiration 12/31/2016
Dawn R. SanFilippo	Member	term expiration 12/31/2016
Mary Donovan	Member	term expiration 12/31/2016
Marc Orlandino	Member	term expiration 12/31/2016
Douglas Piazza	Alternate #1	term expiration 12/31/2014
James Vere	Alternate #2	term expiration 12/31/2013

Moved by Councilman Kelley, seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

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

BOROUGH OF CALDWELL
COUNCIL CONFERENCE/ BUSINESS MEETING
ORGANIZATION MEETING – January 1, 2013

Councilman Richard Hauser Council Representative term expiration 12/31/2013
Cindy Kellenberger Designee /Supt of Schools term expiration 12/31/2013
Wendy Callaghan Member term expiration 12/31/2016

Moved by Councilman Kelley, seconded by Councilman Coyle. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

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

Councilman Edward Durkin Council Representative term expiration 12/31/2013
William Edge Member term expiration 12/31/2015
Betty Sullivan Member term expiration 12/31/2015

Moved by Councilman Hauser, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

- **Resolution 1-5: Local Assistance Board - Mayor, Consent of the Council**

Maria Burak One-Year Term term expiration 12/31/2013
Councilman Frank Rodgers Council Representative term expiration 12/31/2013

Moved by Councilman Coyle, seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

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

Suzanne Pemrick Member term expiration 12/31/2015
Councilman John Kelley Council Representative term expiration 12/31/2013

Moved by Councilman O'Donnell, seconded by Councilman Coyle. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

- **Resolution 1-7: Environmental Commission - Appointment by Mayor**
[One of the members must be a member of the Planning Board]

Councilman Edward Durkin Council Representative term expiration 12/31/2013
Ann Marchioni Member term expiration 12/31/2015
Robert Edelstein Alternate term expiration 12/31/2015

Moved by Councilman Rodgers, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

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

Mr. Paul M. Carelli Borough Administrator term expiration 12/31/2013
Councilman Tom O'Donnell Council Representative term expiration 12/31/2013
Ann Finnegan Planning Board Member term expiration 12/31/2016
John Cascarano Resident term expiration 12/31/2016

Moved by Councilman Rodgers, seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

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

David Cowell Class C Member term expiration 12/31/2016

Moved by Councilman Hauser, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

2013 ANNUAL APPOINTMENTS

- **Mayor's Advisory Council on Senior Citizens - Appointment by Mayor.**

Mary Beth Kane
Mr. Henderson Cole
Mr. Thomas J. Gartland
Mr. Stanley C. Bestys
Mr. John Castano
Maria Burak

BOROUGH OF CALDWELL
COUNCIL CONFERENCE/ BUSINESS MEETING
ORGANIZATION MEETING – January 1, 2013

Councilman Frank Rodgers, Council Representative

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

Marie Lanfrank
Councilman Frank Rodgers, Council Representative

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

Councilman John Kelley, 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 John Kelley, Council Representative

CONSENT

Moved by Councilman Rodgers, seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

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

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

Moved by Councilman Kelley, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

2013 ANNUAL PROFESSIONAL APPOINTMENTS

- **Resolution 1-10: Municipal Attorney**
Gregory Mascera, Esq.

Moved by Councilman Coyle, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

- **Resolution 1-11: Borough Prosecutor:**
Joseph DeFuria, Esq.

Moved by Councilman Coyle, seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

- **Resolution 1-12: Public Defender:**
James Pomaco, Esq.

BOROUGH OF CALDWELL
COUNCIL CONFERENCE/ BUSINESS MEETING
ORGANIZATION MEETING – January 1, 2013

Moved by Councilman Hauser, seconded by Councilman Coyle. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

- **Resolution 1-13: Licensed Water Operator**
William Frint

Moved by Councilman Hauser, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

- **Resolution 1-14: Licensed Sewer Operator**
Sewer Director
Regulatory Compliance Representative
Greg Seaman

Moved by Councilman Coyle, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

- **Resolution 1-15: Municipal Zoning Officer**
Paul Milani

Moved by Councilman Coyle, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

- **Resolution 1-16: Rent Board Attorney**
Joan Pransky, Esq.

Moved by Councilman Kelley, seconded by Councilman Coyle. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

- **Resolution 1-17: Borough Auditors**
Nisivoccia and Company

Moved by Councilman Kelley, seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

- **Resolution 1-18: Borough Bond Counsel**
McManimon & Scotland LLC

Moved by Councilman Hauser, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

OPEN PUBLIC COMMENTS ON RESOLUTION:

RESOLUTIONS- CONSENT AGENDA

Resolution 1-19: Authorizing Appointment of Committee Members for the Community Development Block Grant Program for the Year 2013

Resolution 1-20: Authorizing the Appointment of the Caldwell Volunteer Fire Dept Officers for 2013

Resolution 1-21: Designating Official Holidays in Year 2013

Resolution 1-22: Designating the Official Depositories of the Borough for the Year 2013

Resolution 1-23: Authorizing Annual Schedule of Regular Council Business Meetings for the Year 2013

Resolution 1-24: Authorizing Adoption of Temporary Budget for the Year 2013

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 2013

Resolution 1-28: Authorizing Appointment of Idamae Renne as the Tax Collector for the

BOROUGH OF CALDWELL
COUNCIL CONFERENCE/ BUSINESS MEETING
ORGANIZATION MEETING – January 1, 2013

Borough of Caldwell for a four year term commencing January 1, 2013 and expiring December 31, 2016.

Resolution 1-29: Resolution Adopting the Cash Management Plan of the Borough of Caldwell For 2013

Resolution 1-30: Authorizing Adoption of the 2013 Debt Service Requirements

Resolution 1-31: Resolution Appointing Anthony Greci as the Emergency Management Coordinator for the Borough of Caldwell for a three year term commencing January 1, 2013 and expiring December 31, 2015

Resolution 1-32: Authorizing Appointment of Glenn Beckmeyer, P.E. as Municipal Engineer for the Borough of Caldwell for a three year term commencing January 1, 2013 and expiring December 31, 2015

CONSENT

Moved by Councilman Rodgers, seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 01/01/13.

Resolution 1-33: Authorizing payment of bills and the issuance of checks for the period through December 31, 2012 for 2012 bills in the total amount of \$746,174.58

Moved by Councilman Rodgers, seconded by Councilman Hauser. No Discussion. On roll call, Councilman Rodgers, O'Donnell, Hauser, Kelley and Coyle voted in the affirmative. Councilman Durkin abstained. Resolutions approved 01/01/13

Open Meeting – Public Comment.

Benediction by Dr. Rick Sommers (First Presbyterian Church)

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Hauser, seconded by Councilman Coyle, unanimously affirmed by all members present, the meeting was adjourned at 12:50PM.

Prepared by: _____
Lisa O'Neill, Deputy Clerk

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1269-12

AN ORDINANCE AMENDING CHAPTER 20, THE CHAPTER ESTABLISH THE CODE OF ETHICS, OF THE CODE OF THE BOROUGH OF CALDWELL

BE IT ORDAINED by the Council of the Borough of Caldwell as follows:

That Chapter 20 of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

That Chapter 20, Section 3, of the Code of the Borough of Caldwell, the Section titled "Standards of Conduct" is hereby amended as follows:

1. That existing subsection G be deleted and replaced as follows:

G. No local government officer or employee shall:

(i) use, or allow to be used, his or her public office or employment or any information, not generally available to the members of the public, which he or she receives or acquires in the course of and by reason of his or her office or employment, for the purpose of securing financial gain for himself or herself, any member of his or her immediate family or any business organization with which he or she is associated;

(ii) use Borough real property and/or personal property for private or political use;

2. All Ordinances of the Borough of Caldwell which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

DATE OF FIRST READING: December 4, 2012
DATE OF PUBLICATION: December 7, 2012
MOVED:
SECONDED:

DATE OF SECOND READING: January 15, 2013
DATE OF ADOPTION: January 15, 2013
MOVED:
SECONDED:

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1271-12

**AN ORDINANCE AMENDING CHAPTER 37, THE CHAPTER GOVERNING PERSONNEL
POLICIES, OF THE CODE OF THE BOROUGH OF CALDWELL**

BE IT ORDAINED by the Council of the Borough of Caldwell as follows:

That Chapter 37 of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

That Chapter 37, Section 3, of the Code of the Borough of Caldwell, the Section titled "Employment Practices" is hereby amended as follows:

1. That existing subsection 3E be amended by adding the phrase "and by the Department Head to whom the employee will report" after "Administrator" at the conclusion of the first sentence. The amended Subsection E shall now read as follows:

All applications received by the Administrator shall be reviewed by the Administrator and, if applicable, by the Department Head to whom the employee will report. Those applicants who appear to be most qualified shall be interviewed by the Administrator. During the interview, the applicant shall be apprised of the borough's personnel policies, terms and conditions of employment, duties of the position, benefits and other appropriate information.

2. That existing subsection 3H be deleted and replaced with the following:

The Administrator shall have the authority to, and shall, fill a vacant position after having considered all of the applicants in the manner set forth in this section. Despite the foregoing, the Mayor and Council, and not the Administrator, shall act to fill a vacant or new position for a Department Head after having received and considered the recommendation of the Administrator.

2. All Ordinances of the Borough of Caldwell which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

DATE OF FIRST READING: December 4, 2012 DATE OF SECOND READING: January 15, 2013
 DATE OF PUBLICATION: December 7, 2012 DATE OF ADOPTION: January 15, 2013
 MOVED:
 SECONDED:

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-34

Date of Adoption: January 15, 2013

TITLE:

**AUTHORIZING THE EXECUTION OF MUNICIPAL INFORMATION FORM -
COMMUNITY FORESTRY MANAGEMENT PLAN GUIDELINES**

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that authorization be and is given to the Mayor and Municipal Clerk to execute and submit the Borough of Caldwell's third Five Year Community Forestry Management Plan for the plan duration of 2013-2017

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

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: 1-35

Date of Adoption: January 15, 2013

TITLE:

AUTHORIZING APPOINTMENT OF DONALD O’CONNOR, ESQ. AS MUNICIPAL COURT JUDGE FOR THREE YEARS FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2015 AND UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED.

BE IT RESOLVED that Donald O’Connor, Esq. be and is hereby appointed as Municipal Court Judge, as provided by law, for the term of three years from January 1, 2013 to December 31, 2015 and until his successor is appointed and qualified, and subject to agreements to be approved and signed at a salary of \$25,000.00 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						Kelley				
Coyle						Rodgers				
O’Donnell						Durkin				

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: 1-37

Date of Adoption: January 15, 2013

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00009 PAYABLE TO US BANK CUST-PROCAP 11, LLC.

WHEREAS, it has been determined by the Borough Tax Collector that the taxpayers has redeemed the Lien on the property listed at 35 Francis Place, Caldwell, NJ; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Chief Financial Officer is hereby authorized to refund the following lien redemption;

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REDEMPTION AMOUNT</u>
Block 35 Lot 16	US Bank Cust-Procap 11, LLC. 50 South 16 th Street, Suite 1950 Philadelphia, PA 19102	\$363.52
		PREM \$100.00
		<hr/>
	TOTAL	\$463.52

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-38

Date of Adoption: January 15, 2013

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00018 PAYABLE TO ISAAC MORADI

WHEREAS, it has been determined by the Borough Tax Collector that the taxpayers has redeemed the Lien on the property listed at 105 Roseland Avenue, Unit 1304, Caldwell, NJ; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Chief Financial Officer is hereby authorized to refund the following lien redemption;

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REDEMPTION AMOUNT</u>
Block 54 Lot 6.1304	Isaac Moradi 520 Elm Street Kearny, NJ 07032	\$148.43

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-39

Date of Adoption: January 15, 2013

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00003 PAYABLE TO US BANK CUST-PROCAP 11, LLC

WHEREAS, it has been determined by the Borough Tax Collector that the taxpayers has redeemed the Lien on the property listed at 105 Roseland Avenue, Unit 1304, Caldwell, NJ; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Chief Financial Officer is hereby authorized to refund the following lien redemption;

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REDEMPTION AMOUNT</u>
Block 14 Lot 4.02	US Bank Cust-Procap 11, LLC. 50 South 16 th Street, Suite 1950 Philadelphia, PA 19102	\$451.92

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-40

Date of Adoption: January 15, 2013

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

John J. Donovan

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						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

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: 1-41

Date of Adoption: January 15, 2013

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:

Beverly W. Crisfasi

Class B 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						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

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: 1-42

Date of Adoption: January 15, 2013

TITLE:

APPROVING A TOW OPERATOR’S LICENSE FOR AJACO TOWING, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

WHEREAS, Chapter 231 of the Borough Ordinances titled “Towing and Storage of Vehicles” sets forth the means and manner by which tow operators shall be qualified to conduct business as licensees (known as “Towing Operators”) within the Borough; and

WHEREAS, AJACO Towing Inc., has submitted an application pursuant to section 231-5 of the Borough Ordinances to be designated as a Towing Operator; and

WHEREAS, the Chief of Police has determined that AJACO Towing, Inc. has fulfilled the application requirements set forth in Chapter 231-5 and as further set forth in Chapter 231; and

WHEREAS, the Chief of Police has recommended to the Mayor and Borough Council that AJACO Towing, Inc. be designated as a Towing Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

That the Mayor and Borough Council do hereby authorize AJACO Towing, Inc. as a Towing Operator pursuant to Borough Ordinance 231-4, effective upon passage of this Resolution and ending on December 31, 2013.

BE IT FURTHER RESOLVED, that the Borough Municipal Clerk and the Borough Attorney and all municipal officials are hereby authorized to take such action as is necessary to implement the purposes of the resolution, that a copy of the resolution certified by the Borough Clerk..

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-43

Date of Adoption: January 15, 2013

TITLE:

APPROVING A TOW OPERATOR’S LICENSE CAMP AUTO & TRUCK PARTS, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

WHEREAS, Chapter 231 of the Borough Ordinances titled “Towing and Storage of Vehicles” sets forth the means and manner by which tow operators shall be qualified to conduct business as licensees (known as “Towing Operators”) within the Borough; and

WHEREAS, Camp Auto & Truck Parts, Inc., has submitted an application pursuant to section 231-5 of the Borough Ordinances to be designated as a Towing Operator; and

WHEREAS, the Chief of Police has determined that Camp Auto Truck & Parts, Inc. has fulfilled the application requirements set forth in Chapter 231-5 and as further set forth in Chapter 231; and

WHEREAS, the Chief of Police has recommended to the Mayor and Borough Council that Camp Auto & Truck Parts, Inc. be designated as a Towing Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

That the Mayor and Borough Council do hereby authorize Camp Auto & Truck Parts, Inc. as a Towing Operator pursuant to Borough Ordinance 231-4, effective upon passage of this Resolution and ending on December 31, 2013.

BE IT FURTHER RESOLVED, that the Borough Municipal Clerk and the Borough Attorney and all municipal officials are hereby authorized to take such action as is necessary to implement the purposes of the resolution, that a copy of the resolution certified by the Borough Clerk..

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-44

Date of Adoption: January 15, 2013

TITLE:

APPROVING A TOW OPERATOR’S LICENSE CRIGER’S SERVICE, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

WHEREAS, Chapter 231 of the Borough Ordinances titled “Towing and Storage of Vehicles” sets forth the means and manner by which tow operators shall be qualified to conduct business as licensees (known as “Towing Operators”) within the Borough; and

WHEREAS, Criger’s Service, Inc., has submitted an application pursuant to section 231-5 of the Borough Ordinances to be designated as a Towing Operator; and

WHEREAS, the Chief of Police has determined that Criger’s Service, Inc. has fulfilled the application requirements set forth in Chapter 231-5 and as further set forth in Chapter 231; and

WHEREAS, the Chief of Police has recommended to the Mayor and Borough Council that Criger’s Service, Inc. be designated as a Towing Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

That the Mayor and Borough Council do hereby authorize Criger’s Service, Inc. as a Towing Operator pursuant to Borough Ordinance 231-4, effective upon passage of this Resolution and ending on December 31, 2013.

BE IT FURTHER RESOLVED, that the Borough Municipal Clerk and the Borough Attorney and all municipal officials are hereby authorized to take such action as is necessary to implement the purposes of the resolution, that a copy of the resolution certified by the Borough Clerk..

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O’Donnell						Durkin				

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-45

Date of Adoption: January 15, 2013

TITLE:

**APPROVING A TOW OPERATOR’S LICENSE J&M TOWING IN ACCORDANCE WITH
THE PROVISIONS OF BOROUGH ORDINANCE 1201-09**

WHEREAS, Chapter 231 of the Borough Ordinances titled “Towing and Storage of Vehicles” sets forth the means and manner by which tow operators shall be qualified to conduct business as licensees (known as “Towing Operators”) within the Borough; and

WHEREAS, J&M Towing, has submitted an application pursuant to section 231-5 of the Borough Ordinances to be designated as a Towing Operator; and

WHEREAS, the Chief of Police has determined that J&M Towing, Inc. has fulfilled the application requirements set forth in Chapter 231-5 and as further set forth in Chapter 231; and

WHEREAS, the Chief of Police has recommended to the Mayor and Borough Council that J&M Towing be designated as a Towing Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

That the Mayor and Borough Council do hereby authorize J&M Towing as a Towing Operator pursuant to Borough Ordinance 231-4, effective upon passage of this Resolution and ending on December 31, 2013.

BE IT FURTHER RESOLVED, that the Borough Municipal Clerk and the Borough Attorney and all municipal officials are hereby authorized to take such action as is necessary to implement the purposes of the resolution, that a copy of the resolution certified by the Borough Clerk..

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O’Donnell						Durkin				

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-46

Date of Adoption: January 15, 2013

TITLE:

AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Giblin Associates

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that the Borough Council be an is hereby authorized and directed to certify that the Mayor and Council have no objection to the granting of a Special Liquor permit to offer alcoholic beverages at a special social affair to be conducted by the following:

Giblin Associates
11 Fairfield Place
P.O. Box 27
West Caldwell, NJ 07006

Event to Be Held:

Caldwell College
120 Bloomfield Avenue
Caldwell, New Jersey 07006

February 17, 2013
4:30PM – 9:30PM

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-47

Date of Adoption: January 15, 2013

TITLE:

AUTHORIZING THE APPOINTMENT OF TRAFFIC COMMITTEE MEMBER

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Traffic 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 Traffic Committee Member:

Joseph Norton

Member

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						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

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: 1-48

Date of Adoption: January 15, 2013

TITLE:

**RESOLUTION TO AMEND RESOLUTION 12-264 AUTHORIZING BUDGET TRANSFERS
FOR CALENDAR YEAR 2012**

WHEREAS, certain appropriations were required and provided for during the calendar year 2012 and will require additional sums for expenditures to the end of 2012; and

WHEREAS, other appropriations reflect that balances do exist as of the end of the year 2012; and

WHEREAS, it is provided per N.J.S.A. 40A:4-58 that municipalities may make transfers from appropriations having excesses to those requiring additional sums.

WHEREAS, on December 27, 2012, this board adopted Resolution 12-264 authorizing budget transfers for calendar year 2012.

WHEREAS, the Borough desires to amend Resolution 12-264 authorizing budget transfers for calendar year 2012.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Caldwell that the list of transfers herein and below be and they are authorized to be made upon records of appropriations in the keeping of the Finance Director as per the amounts listed herein and below, provided this resolution is adopted by not less than 2/3 vote of the full membership of the Governing Body as required by Statute.

<u>GENERAL APPROPRIATIONS</u>		FROM	TO
<u>Within "CAPS"</u>			
Elections			
2-01-20-125-103	Other Expenses		\$ 500.00
Collection of Taxes			
2-01-20-145-036	Other Expenses		\$ 1,000.00
Tax Assessment Administration			
2-01-20-150-106	Other Expenses		\$ 1,600.00
Shade Tree			
2-01-26-313-113	Other Expenses		\$ 10,500.00
Electricity			
2-01-31-430-000	Other Expenses		\$ 9,000.00
Gasoline			
2-01-31-460-000	Other Expenses		\$ 8,000.00
Telephone			
2-01-31-440-075	Other Expenses		\$ 11,000.00
Division on Aging and Preventive Health			
2-01-41-704-301	Other Expenses		\$ -
Social Security			
2-01-31-455-144			\$ 25,000.00
Special Events			
2-01-20-121-103	Other Expenses	\$ 4,000.00	
Financial Administration			
2-01-20-130-010	Salary and Wages	\$ 14,000.00	
Police Department			
2-01-25-240-051	Other Expenses	\$ 3,000.00	
2-01-25-240-154	Other Expenses	\$ 5,000.00	
2-01-25-240-010	Salary and Wages	\$ 21,850.00	
Public Health Services			
2-01-27-330-201	Other Expenses	\$ 15,000.00	
Public Safety Functions			
2-01-25-240-010	Salary and Wages	\$ 3,750.00	

(H-1) TOTAL GENERAL APPROPRIATIONS FOR			
<u>MUNICIPAL PURPOSES WITHIN "CAPS"</u>		\$ 66,600.00	\$ 66,600.00
<u>GENERAL APPROPRIATIONS</u>		FROM	TO
<u>Excluded from "CAPS"</u>			
Sewerage Treatment			
2-01-31-455-144	Other Expenses		\$ 31,000.00
Community Center			
2-01-28-372-010	Salary and Wages	\$ 31,000.00	
TOTAL OPERATIONS - EXCLUDED FROM CAPS		\$ 31,000.00	\$ 31,000.00
<u>APPROPRIATIONS FOR WATER UTILITY</u>		FROM	TO
-			
DCRP			
2-05-55-501-539			\$ 1,000.00
Operating			
2-05-55-500-510	Salary and Wages	\$ 1,000.00	
TOTAL WATER UTILITY APPROPRIATIONS		\$ 1,000.00	\$ 1,000.00

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

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-49

Date of Adoption: January 15, 2013

TITLE:

DISPOSAL OF OBSOLETE POLICE DEPARTMENT VEHICLES

WHEREAS, the Public Safety Committee has advised the Borough Council that there are obsolete Police Department vehicles that are no longer needed for public use; and

WHEREAS, N.J.S.A. 40A:11-36 authorizes the disposition of personal property not needed for public use without public sale when the fair market value of the property is less than \$3,750.00; and

WHEREAS, the Police Department vehicles being disposed of below, have a value of less than \$3,750.00; and

WHEREAS, it is in the best interest of the Borough of Caldwell to dispose of said equipment.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell that the obsolete Police Department vehicles referenced by the Public Safety Committee are no longer needed for public use by the Borough and shall be disposed of according to the manner as prescribed by law.

VEHICLE	VIN# NUMBER
2003 Ford Crown Victoria	2FAFP 71W13 X1939 49
1983 Chevy Van (Parking Enforce)	1GCCM 15E8H B1227 46

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-50

Date of Adoption: January 15, 2013

TITLE:

AUTHORIZING THE CHANGE OF STATUS FROM PROBATIONARY POLICE OFFICERS TO FULL POLICE OFFICERS IN THE CALDWELL POLICE DEPARTMENT FOR THE THREE OFFICERS HIRED ON JANUARY 1, 2012

WHEREAS, the Borough Council of the Borough of Caldwell, New Jersey authorized the employment of Probationary Police Officers in the Caldwell Police Department effective January 1, 2012; and

WHEREAS, the Probationary Police Officers have successfully completed their first year of service and have shown complete competence to effectively perform their duties and responsibilities as sworn officers; and

WHEREAS, the one year probationary period expired on December 31, 2012; and

WHEREAS, Police Chief James Bongiorno has recommended the probationary status be removed from the following officers and they be granted full police privileges in the Caldwell Police Department.

Officer Michael Kraynanski
Officer Justin Misano
Officer Justin Rizzo

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the change of status from Probationary Police Officers to full Police Officers in the Caldwell Police Department.

BE IT FURTHER RESOLVED that the change of status is effective January 1, 2013.

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-51

Date of Adoption: January 15, 2013

TITLE:

RESOLUTION AUTHORIZING THE CALDWELL COMMUNITY CENTER TO EXTEND THE CURRENT CALDWELL FIRE DEPARTMENT VOLUNTEER DISCOUNT TO ACTIVE MEMBERS FOR THE CALENDAR YEAR 2013

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the Caldwell Community Center to extend the current Caldwell Fire Department volunteer discount to active members for the calendar year 2013.

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