



***BOROUGH OF CALDWELL  
NEW JERSEY***



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**COUNCIL BUSINESS MEETING  
February 7, 2017**

Caldwell 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](http://www.caldwell-nj.com)  
February 7, 2017 / 7:00PM

MAYOR  
Ann Dassing

BOROUGH COUNCIL  
John Cascarano - President  
Richard Hauser  
Thomas O'Donnell  
Pasquale Capozzoli  
Kristian Brown  
Frank Rodgers

## 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

January 17, 2017

## PUBLIC HEARING AND ADOPTION OF ORDINANCE

- ORDINANCE #1324-17:** AN ORDINANCE AMENDING CHAPTER A270-1 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SCHEDULE OF FEES CHARGED BY THE BOROUGH, SO AS TO MODIFY THE AMOUNT OF FEES CHARGED FOR CERTAIN BOROUGH SERVICES
- ORDINANCE #1325-17:** AN ORDINANCE AMENDING CHAPTER 250 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE CHAPTER TITLED ZONING, BY DESIGNATING A CERTAIN PROPERTY IN THE BOROUGH OF CALDWELL AS AN HISTORIC LANDMARK PURSUANT TO CHAPTER 130 OF THE BOROUGH CODE
- ORDINANCE #1326-17:** AN ORDINANCE OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR THE VARIOUS WATER SYSTEM IMPROVEMENTS IN AND BY BOROUGH'S WATER UTILITY IN AND FOR THE BOROUGH, AND APPROPRIATING \$3,024,800 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$3,024,800 IN WATER UTILITY BONDS OR NOTES OF THE BOROUGH OF CALDWELL TO FINANCE THE SAME
- ORDINANCE #1327-17:** AN ORDINANCE AMENDING CHAPTER 182 BEING THE CHAPTER TITLED "RENT CONTROL" 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.*

2-55	RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH FORD MOTOR CREDIT FOR A TERM OF 3 YEARS AND AN ANNUAL LEASE PAYMENT OF \$11,663.06
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Council Chambers

1 Provost Square Caldwell, NJ

# Borough of Caldwell Council Business Meeting AGENDA

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**February 7, 2017 / 7:00PM**

MAYOR  
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Frank Rodgers

2-56	AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2021
2-57	AUTHORIZING THE APPOINTMENT OF Emilio Capozzoli AS A FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT
2-58	AUTHORIZING THE APPOINTMENT OF DANIEL M. BERGMAN AS A SUBSTITUTE CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT AN HOURLY RATE OF \$16.00 PER HOUR
2-59	AUTHORIZING THE APPOINTMENT OF PATRICIA A. BERGMAN AS A SUBSTITUTE CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT AN HOURLY RATE OF \$16.00 PER HOUR
2-60	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Hadassah Caldwell, Inc. – On Premise/ Merchandise Raffle, March 28, 2017 – 7:30PM – 10:00PM
2-61	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00007, Block 22, Lot 17
2-62	AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH FEBRUARY 7, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$3,496,846.60
2-63	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00013, Block 34, Lot 5.03
2-64	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00002, Block 6, Lot 7
2-65	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00026, Block 64, Lot 4.01
2-66	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00016, Block 41.01, Lot 19
2-67	AUTHORIZING A GRANT AGREEMENT BETWEEN THE BOROUGH OF CALDWELL AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT OF APPROXIMATELY \$2,000.00
2-68	AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO TOPOLOGY NJ, LLC TO AN AFFORDABLE HOUSING ASSESSMENT FOR THE BOROUGH OF CALDWELL FOR AN AMOUNT NOT TO EXCEED \$6,000
2-69	DISPOSAL OF OBSOLETE BOROUGH OF CALDWELL POLICE VEHICLES



Council Chambers

1 Provost Square Caldwell, NJ

# Borough of Caldwell Council Business Meeting AGENDA

Phone: (973) 226-6100

Website: [www.caldwell-nj.com](http://www.caldwell-nj.com)

February 7, 2017 / 7:00PM

MAYOR  
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BOROUGH COUNCIL  
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Kristian Brown  
Frank Rodgers

## COUNCIL COMMITTEE REPORTS

*Borough Council Members*

1. Councilman Hauser
2. Council President Cascarano

## REPORT OF MAYOR

*Mayor Dassing*

## REPORT OF BOROUGH ADMINISTRATOR

*Paul M. Carelli*

## REPORT OF BOROUGH ATTORNEY

*Greg Mascera*

## REPORT OF COUNTY LIAISON

*Patricia Keenan*

## 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.*

## 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 2/3/2017 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 2/3/2017 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – January 17, 2017**

**Page 1 of 4**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:00PM.

**PRESENT:** Mayor Dassing, Council President Cascarano, Councilman Capozzoli, Brown, and Rodgers

**ALSO PRESENT:** Deputy Clerk, Lisa O'Neill Borough Administrator, Paul Carelli & Borough Attorney, Greg Mascera

**ABSENT:** Councilman O'Donnell

**ABSENT AT ROLL CALL:** Councilman Hauser

Adequate notice of this Council Business/Conference meeting was given on January 1, 2016. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey. Official newspapers of the Borough were notified of this meeting by mail. Notice was posted and all persons requesting notice were sent same.

**PLEDGE OF ALLIGENCE**

**APPROVAL OF MINUTES:  
December 20, 2016**

Moved by Councilman Capozzoli, seconded by Council President Cascarano. No Discussion. On roll call, all voted in the affirmative. Minutes approved 01/17/17.

**January 3, 2017**

Moved by Council President Cascarano, seconded by Councilman Brown. No Discussion. On roll call, all voted in the affirmative. Minutes approved 01/17/17.

**PRESENTATION**

1. Historic Preservation Commission / Annual Report

Bob Kaplan discussed the Annual Report with the Mayor and Council.

Councilman Hauser arrived at 7:11PM

**INTRODUCTION OF ORDINANCE**

**ORDINANCE #1324-17:** AN ORDINANCE AMENDING CHAPTER A270-1 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SCHEDULE OF FEES CHARGED BY THE BOROUGH, SO AS TO MODIFY THE AMOUNT OF FEES CHARGED FOR CERTAIN BOROUGH SERVICES

Moved by Council President Cascarano, seconded by Councilman Brown . No Discussion. On Roll call, all voted in the affirmative. Ordinance introduced 01/17/17.

**ORDINANCE #1325-17:** AN ORDINANCE AMENDING CHAPTER 250 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE CHAPTER TITLED ZONING, BY DESIGNATING A CERTAIN PROPERTY IN THE BOROUGH OF CALDWELL AS AN HISTORIC LANDMARK PURSUANT TO CHAPTER 130 OF THE BOROUGH CODE

Moved by Councilman Brown, seconded by Councilman Capozzoli. No Discussion. On Roll call, all voted in the affirmative. Ordinance introduced 01/17/17.

**ORDINANCE #1326-17:** AN ORDINANCE OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR THE VARIOUS WATER SYSTEM IMPROVEMENTS IN AND BY BOROUGH'S WATER UTILITY IN AND FOR THE BOROUGH, AND APPROPRIATING \$3,024,800 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$3,024,800 IN WATER UTILITY BONDS OR NOTES OF THE BOROUGH OF CALDWELL TO FINANCE THE SAME

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – January 17, 2017**

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Moved by Council President Cascarano, seconded by Councilman Brown. No Discussion. On Roll call, all voted in the affirmative. Ordinance introduced 01/17/17.

**ORDINANCE #1327-17: AN ORDINANCE AMENDING CHAPTER 182 BEING THE CHAPTER TITLED “RENT CONTROL” OF THE CODE OF THE BOROUGH OF CALDWELL**

Moved by Council President Cascarano, seconded by Councilman Rodgers. No Discussion. On Roll call, Council President Cascarano, Councilman Capozzoli, Brown and Rodgers voted in the affirmative. Councilman Hauser voted in the negative. Ordinance introduced 01/17/17.

**OPEN PUBLIC COMMENTS ON RESOLUTIONS**

Moved by Council President Cascarano, seconded by Councilman Brown to open meeting to the Public.

**RESOLUTIONS – CONSENT AGENDA**

- 1-46:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO PROCEED WITH THE MAINTENANCE DEMOLITION AND EVALUATION BY MOTT MACDONALD OPERATING SERVICES TO SAND FILTER CELLS AT THE CALDWELL WASTEWATER TREATMENT PLANT FOR AN AMOUNT OF \$31,460
- 1-47:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE PROPOSALS FOR CLEANING SERVICES FOR THE CALDWELL COMMUNITY CENTER

**CONSENT**

Moved by Council President Cascarano, seconded by Councilman Capozzoli. No Discussion. On roll call, all voted in the affirmative. Resolutions approved 1/17/17.

- 1-48:** AUTHORIZING THE AWARD OF CONTRACT FOR THE COLLECTION AND/OR DISPOSAL OF SOLID WASTE CURBSIDE AND DUAL STREAM/CONTRACTOR OWNERSHIP RECYCLING SERVICES TO CALI CARTING INC. P.O. BOX 440, 450 BERGEN AVENUE, KEARNY, NEW JERSEY 07032 IN THE AMOUNT OF \$1,772,000 FOR ALTERNATIVE “C” AND \$48,000 FOR OPTION “C1” FOR A FIVE (5) YEAR CONTRACT FOR THE PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2021

Moved by Council President Cascarano, seconded by Councilman Capozzoli. Discussion Ensued. On roll call, Council President Cascarano, Councilman Capozzoli, Brown and Rodgers voted in the affirmative. Councilman Hauser voted in the Negative. Resolutions approved 1/17/17.

- 1-49:** AWARD OF CONTRACT TO WILLDAN ENERGY, 200 MIDDLESEX ESSEX TURNPIKE, SUITE 304, ISELIN, NJ 08830 AS THE BPU DIRECT INSTALL CONTRACTOR FOR ENERGY EFFICIENT MEASURES FOR VARIOUS BOROUGH FACILITIES IN THE AMOUNT OF \$37,516.05
- 1-50:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – HSA Trinity Academy – Off Premise/ Tricky Tray Raffle, January 27, 2017 – 6:00PM – 11:30PM, Snow Date February 3, 2017 – 6:00PM – 11:30PM
- 1-51:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – HSA Trinity Academy – Off Premise/ 50/50 Raffle, January 27, 2017 – 6:00PM – 11:30PM, Snow Date February 3, 2017 – 6:00PM – 11:30PM
- 1-52:** RESOLUTION SUPPORTING SCHOOL BOARD RECOGNITION MONTH IN NEW JERSEY JANUARY 2017
- 1-53:** RESOLUTION IN SUPPORT OF CLEAN WATER SUPPLIES
- 1-54:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH JANUARY 17, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$988,470.51

**CONSENT**

Moved by Council President Cascarano, seconded by Councilman Capozzoli. No Discussion. On roll call, all voted in the affirmative. Resolutions approved 1/17/17.

**COUNCIL COMMITTEE REPORTS:**

**Council President Cascarano** reported that the Board of Health will be having Rabies shots at the Fire House at the Roseland Avenue entrance from 1PM-2:30PM. Dogs must be on a leash and cats in a cage. Also, 2017 dog licenses will be available at this clinic.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – January 17, 2017**

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**REPORT OF MAYOR:**

**Mayor Dassing** reported that on Wednesday of last week there was a meeting in regards to the process of the Planning Board going through the re-examination of the Master plan. The committee met with the help of Peter Byrne who is a Planning Board member and is sort of the Project Manager who has done an incredible amount of work on this. There also was an affordable housing meeting with Greg Mascera, Mr. Trembulak, Mr. Cosgrove, Mr. Byrne and two gentlemen from Topology. After that meeting they met with the Open Space Committee, West Caldwell/Caldwell Recreation Director, and the Athletic Director at Caldwell University, Environmental Commission chair, Grover Cleveland Conservancy, Athletic Director from Trinity Academy and Adam Brewer, Administrator for West Caldwell to talk about Open space activities that exist in the Borough and recreation activities from the different entities. Also, other issues that we may be having surrounding traffic, parking, circulation, are the facilities adequate because what they want to do is incorporate a lot of the comments in the re-examination of the master plan as goals that we would look to do in the future once the re-examination is finished. It was very enlightening because we never have those different groups in the same room together. She thanked all the people that participated for their time. Thank you to Peter Byrne for getting everyone together and Krzysztof from Topology who ran the meeting.

**REPORT OF BOROUGH ADMINISTRATOR:**

**Paul Carelli reported:**

- They will begin demoing the sand filters which is funded from our Capital Improvement Fund.
- The CDBG grant has been submitted and everything is in order.
- He handed out the Tax Assessments for 2017 to the Mayor and Council. The average house hold in Caldwell is \$420,000.
- The Council received the water breakdown for their review.

**Councilman Hauser** asked Paul to contact Essex Fells and re-negotiate the 4% on the water.

**REPORT OF BOROUGH ATTORNEY:**

**Greg Mascera** reported that in regards of the affordable housing litigations they will be meeting with individuals from Landmark on January 31<sup>st</sup> to discuss some of the substance of that lawsuit as it relates to Lane Avenue and the other property that they own on Central Avenue. Some of the substances that the group which the Mayor had mentioned lead by Topology is to come up with affordable housing plan. There will have to be property designated within the Borough to accommodate affordable housing. Also, in regards to the Marian Manor they are hoping to come to a resolution of the contract issues that they have been working with in regards to what they will be paying in the future.

**OLD BUSINESS:**

**Mayor Dassing** and Council discussed the new street signs and the color it should be. After discussion they will have samples made.

There was discussion on possibly selling the old signs.

**Councilman Hauser** asked Paul to fix his problem with his emails. Paul suggested maybe creating a new email account.

**REPORT OF COUNTY LIAISON:**

**Patricia Keenan** reported the Essex County Deer Management Program will be conducted in South Mountain Reservation on January 17 and 19 and Hilltop Reservation on January 31 and February 2, 7 & 9. For more information you go check the County website.

**Mayor Dassing** reported that Space Farms sent the Mayor a proposal which they do for other towns in Essex County, for \$50.00 they will pick up a dead deer on your road and will take it away and if the meat is good they will give it to the food pantry. Discussion Ensued.

**OPEN PUBLIC MEETING:**

Moved by Councilman Hauser, seconded by Council President Cascarano to open meeting to the Public.

**Robert Kaplan, 51 Cleveland Road** asked about the Master Plan and he would like to be at the next Planning Board meeting.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
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**Page 4 of 4**

**Barbara Kaplan, 51 Cleveland Road** talked about the handicap spots on the deck that are icy and it needs to be resolved.

There being no additional business to be conducted a motion to adjourn the meeting was made by Council President Cascarano, seconded by Councilman Capozzoli unanimously affirmed by all members present, the meeting was adjourned at 8:06PM.

Prepared by: \_\_\_\_\_  
Lisa O'Neill, Deputy Borough Clerk

\_\_\_\_\_  
DATE



**BOROUGH OF CALDWELL  
NEW JERSEY**



**ORDINANCE# 1324-17**

**AN ORDINANCE AMENDING CHAPTER A270-1 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SCHEDULE OF FEES CHARGED BY THE BOROUGH, SO AS TO MODIFY THE AMOUNT OF FEES CHARGED FOR CERTAIN BOROUGH SERVICES**

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

That Chapter A270-1 of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

That pursuant to Chapter A270-1 of the Code of the Borough of Caldwell, the Schedule of Fees is hereby amended as follows:

**1. Chapter 242, Water**

**Replace existing with the following:**

Water, per 1000 gallons        \$ 7.45

- 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.

**NOTICE OF PUBLIC HEARING ON ORDINANCE**

Please take Notice that the foregoing ordinance was introduced at a meeting of the Council of the Borough of Caldwell on the 17th day of January, 2017 and passed on first reading; and the same was then ordered to be published according to law; and that such ordinance will be further considered for final passage at a meeting of the Council to be held at the Caldwell Municipal Building, 1 Provost Square, Caldwell, NJ on the 7th day of February, 2017 at seven o'clock p.m. prevailing time or as soon thereafter as the matter may be reached, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

BY ORDER OF THE COUNCIL

DATE OF FIRST READING:	January 17 2017	DATE OF SECOND READING:	February 7, 2017
DATE OF PUBLICATION:	January 26, 2017	DATE OF ADOPTION:	February 7, 2017
MOVED:		MOVED:	
SECONDED:		SECONDED:	

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

Cascarano					Capozzoli				
Hauser					Brown				
O'Donnell					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# 1325-17

### **AN ORDINANCE AMENDING CHAPTER 250 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE CHAPTER TITLED ZONING, BY DESIGNATING A CERTAIN PROPERTY IN THE BOROUGH OF CALDWELL AS AN HISTORIC LANDMARK PURSUANT TO CHAPTER 130 OF THE BOROUGH CODE**

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Chapter 130 of the Borough Code establishes an Historic Preservation Commission to serve the Borough by providing a method by which to locate and identify historical structures within the Borough of Caldwell; and

Ordinance section 130-8 provides, inter alia, that the Historic Preservation Commission shall have the authority to identify and recommend for historic designation buildings and structures of particular historic, cultural, scenic or architectural significance to the Borough; and

Ordinance section 130-8 provides that The Historic Preservation Commission may initiate the identification of a potential historic structure; and

Ordinance section 130-8 further provides that if the owner of a property determined by the Historic Preservation Commission to be worthy of historic designation consents in writing to such designation, then the Historic Preservation Commission shall forward its recommendation and the written consent of the such property owner to the Mayor and Council; and

Ordinance section 130-8 further provides that the Mayor and Council, upon receipt of a recommendation of the Historic Preservation Commission and the written consent of the property owner, may consider such property recommended to be designated as an historic structure to be classified as a historic structure; and

The Historic Preservation Commission has recommended that the building on the property identified on the Borough Tax Maps as Block 56, Lot 10.01, and more commonly known as the Caldwell Public Library having an address of 272 Bloomfield Avenue, Caldwell, New Jersey 07006 be designated as an historic structure; and

The Mayor and Council of the Borough of Caldwell, on behalf of the Borough of Caldwell, the owner of the Property identified on the Borough Tax Maps as Block 56, Lot 10.01, and more commonly known as the Caldwell Public Library having an address of 272 Bloomfield Avenue, Caldwell, New Jersey 07006, consented to the designation of the Caldwell Public Library as an historic structure by Resolution number #11-208 on November 22, 2016

BE IT ORDAINED by the Council of the Borough of Caldwell that Chapter 250 of the Code of the Borough of Caldwell, the Chapter titled Zoning is modified as herein set forth:

Chapter 250, the Chapter governing zoning is amended as follows:

I. Section 250-5, titled "Establishment of district; Official Zoning Map; district boundaries" is amended by adding subsection E to provide as follows:

E. The Zoning Map shall be amended from time to time to identify properties that have been designated as historical landmarks in accordance with Chapter 130 of the Borough Code. The properties shall also be identified as a footnote to the Schedule of Area, Yard and Building Requirements which is appended to Chapter 250.

II. The Schedule of Area, Yard and Building Requirements in amended by adding a footnote to provide: Block 56, Lot 10.01, within the B District, has been designated as an historical property and as such is regulated by the terms set forth in Chapter 130 of the Caldwell Code and shall be entitled to all of the protections and regulations established by said Chapter.



# BOROUGH OF CALDWELL NEW JERSEY



## NOTICE OF PUBLIC HEARING ON ORDINANCE

Please take Notice that the foregoing ordinance was introduced at a meeting of the Council of the Borough of Caldwell on the 17th day of January, 2017 and passed on first reading; and the same was then ordered to be published according to law; and that such ordinance will be further considered for final passage at a meeting of the Council to be held at the Caldwell Municipal Building, 1 Provost Square, Caldwell, NJ on the 7th day of February, 2017 at seven o'clock p.m. prevailing time or as soon thereafter as the matter may be reached, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

BY ORDER OF THE COUNCIL

DATE OF FIRST READING: January 17 2017  
DATE OF PUBLICATION: January 26, 2017  
MOVED:  
SECONDED:

DATE OF SECOND READING: February 7, 2017  
DATE OF ADOPTION: February 7, 2017  
MOVED:  
SECONDED:

## RECORD OF COUNCIL VOTE

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes   No   Absent   Abstain    COUNCILMAN    Yes   No   Absent   Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						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# 1326-17

**AN ORDINANCE OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR THE VARIOUS WATER SYSTEM IMPROVEMENTS IN AND BY BOROUGH'S WATER UTILITY IN AND FOR THE BOROUGH, AND APPROPRIATING \$3,024,800 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$3,024,800 IN WATER UTILITY BONDS OR NOTES OF THE BOROUGH OF CALDWELL TO FINANCE THE SAME**

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**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$3,024,800. Pursuant to the provisions of N.J.S.A. 40A:2-11(c), no down payment is required because the purpose is self-liquidating pursuant to N.J.S.A. 40A:2-45.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$3,024,800.00 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.

(a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is water system improvements in the Borough of Caldwell, including but not limited to replacement of 6 inch water mains within Personette Street and Orchard Square; replacement of 8 inch water mains, and related house services, within Washburn Place, Hanford Place, Lincoln Terrace, Bloomfield Avenue; replacement of water mains in Wakefield Place, Francis Place, Mountain Avenue, Kirkwood Place, Central Place; undertaking a system hydraulic study and leak detection devices for system monitoring, replacement of approximately 1,650 water meters and repair of leaks discovered in the distribution system, including as needed design, installation, inspection services, as further described in the Water System Capital Request for 2017 on file in the Office of the Borough and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.



## BOROUGH OF CALDWELL NEW JERSEY



Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 40.0 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,024,800.00, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

(f) The Borough reasonably expects to commence the acquisition of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Borough Council hereby covenants on behalf of the Borough to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.



**BOROUGH OF CALDWELL  
NEW JERSEY**



**NOTICE OF PUBLIC HEARING ON ORDINANCE**

Please take Notice that the foregoing ordinance was introduced at a meeting of the Council of the Borough of Caldwell on the 17th day of January, 2017 and passed on first reading; and the same was then ordered to be published according to law; and that such ordinance will be further considered for final passage at a meeting of the Council to be held at the Caldwell Municipal Building, 1 Provost Square, Caldwell, NJ on the 7th day of February, 2017 at seven o'clock p.m. prevailing time or as soon thereafter as the matter may be reached, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

BY ORDER OF THE COUNCIL

DATE OF FIRST READING: January 17 2017  
DATE OF PUBLICATION: January 26, 2017  
MOVED:  
SECONDED:

DATE OF SECOND READING: February 7, 2017  
DATE OF ADOPTION: February 7, 2017  
MOVED:  
SECONDED:

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

**COUNCILMAN** Yes No Absent Abstain **COUNCILMAN** Yes No Absent Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						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.

# 2017 WATER CAPITAL REQUEST

## 4 INCH WATER MAIN REPLACEMENTS

### Phase 1 - 2017

Washburn Place – Installation and inspection of 1,130 feet of 8 inch main, including the replacement of 35 house services. \$390,000.00

Hanford Place – Installation and inspection of 860 feet of 8 inch main, including the replacement of 19 house services. \$280,000.00

Lincoln Terrace – Installation and inspection of 550 feet of 8 inch main, including the replacement of 3 house services. \$125,000.00

Bloomfield Avenue – Installation of new 8 inch valves and fire hydrant. \$76,000.00

**Total** **\$871,000.00**

### Phase 2 – 2018 (Design, Bidding, Inspection & Construction)

Wakefield Place \$320,000.00

Francis Place \$300,000.00

Mountain Avenue \$215,000.00

Kirkwood Place \$145,000.00

Central Place \$260,000.00

**Total** **\$1,240,000.00**

**Water System Hydraulic Study** **\$38,800.00**

## WATER LOSS REDUCTION

Residential Water Meter Replacements – Replacement of 1,650 residential water meters. \$300,000.00

Water Distribution System Leak Survey – Deployment of data logging devices on water system mains (20 miles of pipe). analyze, record and documents all leaks found. \$10,000.00

System Repairs – Excavate and repair leaks found from leak survey and continue to upgrade distribution system.

\$50,000.00

**Total**

**\$360,000.00**

**GRAND TOTAL**

**\$2,509,800.00**

Prepared by- Bill Frint  
12/14/2016

**Amended 1/4/17 from Orchard Square Hydraulic Study**

Replacement of Personette Street and Orchard Square 6 inch mains

\$515,000.00

**AMENDED GRAND TOTAL**

**\$3,024,800.00**



**BOROUGH OF CALDWELL  
NEW JERSEY**



**ORDINANCE# 1327-17**

**AN ORDINANCE AMENDING CHAPTER 182 BEING THE CHAPTER TITLED "RENT CONTROL" OF THE CODE OF THE BOROUGH OF CALDWELL**

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

That Chapter 182 of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

**That Chapter 182, Section 5 of the Code of the Borough of Caldwell, the Section titled "Powers and duties of Board" is amended as follows:**

Delete at Section 182-5, Paragraph C, at the third line of said paragraph C, the following: "Where, in the opinion of the Board, an alleged violation may justify the imposition of a monetary penalty, the Board shall refer the matter to the appropriate officer or to the Borough Attorney, pursuant to § 182-18, to initiate an appropriate complaint in Municipal Court.",

Add to Section 182-5, new subpart H, as follows: "To impose monetary penalties or impose other relief as set forth in Section 182-18".

**That Chapter 182, Section 14, Paragraph D of the Code of the Borough of Caldwell , the Section titled Major Capital improvement/substantial service increase" is amended as follows:**

Replace at the second line of said paragraph D, "conversation" with "conversion".

**That Chapter 182, Section 18, Paragraph B of the Code of the Borough of Caldwell, the Section titled Violations and Penalties is amended as follows:**

Delete at Section 182-18 at the second line of said paragraph B, the following language: "as shall be designated by the Borough Council and Mayor".

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

**NOTICE OF PUBLIC HEARING ON ORDINANCE**

Please take Notice that the foregoing ordinance was introduced at a meeting of the Council of the Borough of Caldwell on the 17th day of January, 2017 and passed on first reading; and the same was then ordered to be published according to law; and that such ordinance will be further considered for final passage at a meeting of the Council to be held at the Caldwell Municipal Building, 1 Provost Square, Caldwell, NJ on the 7th day of February, 2017 at seven o'clock p.m. prevailing time or as soon thereafter as the matter may be reached, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

**BY ORDER OF THE COUNCIL**

DATE OF FIRST READING: January 17 2017      DATE OF SECOND READING: February 7, 2017  
DATE OF PUBLICATION: January 26, 2017      DATE OF ADOPTION: February 7, 2017  
MOVED:      MOVED:  
SECONDED:      SECONDED:

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain      COUNCILMAN Yes No Absent Abstain

Cascarano					Capozzoli				
Hauser					Brown				
O'Donnell					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: 2-55

Date of Adoption: February 7, 2017

**TITLE:**

**RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH FORD MOTOR CREDIT FOR A TERM OF 3 YEARS AND AN ANNUAL LEASE PAYMENT OF \$11,663.06**

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

**WHEREAS**, the Borough of Caldwell is seeking to lease a new police patrol vehicle for the Caldwell Police Department, and;

**WHEREAS**, the Borough of Caldwell received a quote from Winner Ford utilizing authorized New Jersey State Contract# 81332 / Contract T- 0106, and;

**WHEREAS**, the Borough of Caldwell has received a Lease/Purchase Proposal from Ford Motor Credit dated January 30, 2017, and;

**WHEREAS**, the 2017 Borough of Caldwell Municipal Budget has the required appropriation to enter into the lease agreement, and;

**WHEREAS**, the Ford Municipal lease finance plan requires no security deposit, has no prepayment penalty, no mileage penalty or hidden fees.

**BE IT RESOLVED** that the Borough Council of the Borough of Caldwell, New Jersey hereby authorizes the Borough Administrator to enter into a lease agreement with Ford Credit for a term of 3 years and an annual lease payment of \$11,663.06

**FURTHER BE IT RESOLVED** by the Borough Council of the Borough of Caldwell that the Borough Administrator is authorized to execute the necessary contacts and documents upon approval.

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-56

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2021**

**WHEREAS**, the Morris County Cooperative Pricing Council (“MCCPC”) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

**WHEREAS**, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

**WHEREAS**, the Borough of Caldwell desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency to renew its membership in the MCCPC for the period of October 1, 2016 through September 30, 2021.

**BE IT RESOLVED**, by the Borough of Caldwell, County of Essex, and State of New Jersey as follows:

1. The Mayor and Council of the Borough of Caldwell hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2016 pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for renewal of membership in the MCCPC for a five (5) year period from October 1, 2016 through September 30, 2021.
2. The Borough Administrator is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate Borough of Caldwell officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

**CERTIFICATION**

I, Lisa O’Neill, Deputy Clerk of the Borough of Caldwell, hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough of Caldwell at a duly convened meeting held on February 7, 2017.

\_\_\_\_\_  
Lisa O’Neill, Deputy Clerk

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O’Donnell						Rodgers				

\_\_\_\_\_  
Lisa O’Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor

**MORRIS COUNTY COOPERATIVE PRICING COUNCIL AGREEMENT**

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and between

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

("Contracting Unit")

and:

**MORRIS COUNTY COOPERATIVE PRICING COUNCIL, by the TOWNSHIP OF RANDOLPH**, a Municipal Corporation of the State of New Jersey 07869-3799, Acting as Lead Agency for the Morris County Cooperative Pricing Council.

("MCCPC")

**WITNESSETH:**

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes two or more contracting units to enter into a cooperative pricing agreement for the purchase of work, materials and supplies; and

**WHEREAS**, the MCCPC was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of education, and other public bodies located in the County of Morris and adjoining counties; and

**WHEREAS**, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

**WHEREAS**, the Contracting Unit is desirous of entering into said Agreement to join or renew membership in the MCCPC.

**NOW, THEREFORE, IN CONSIDERATION** of the promises and of the covenants, terms and conditions herein set forth, it is mutually agreed as follows:

1. The term of this Agreement shall be from **OCTOBER 1, 2016** to **SEPTEMBER 30, 2021**, subject to the approval of the Division of Local Government Services. Each Contracting Unit shall execute a separate, identical Agreement with the MCCPC establishing or renewing its membership with the MCCPC. All parties shall have approved the within Agreement by Ordinance or Resolution as appropriate. An executed Agreement and authorizing Ordinance or Resolution shall be submitted to the Lead Agency. Any party to this Agreement shall give written notice to the Lead Agency of its intention to terminate its participation in the MCCPC by August 31<sup>st</sup> of any year during the Agreement term. Said termination shall be effective on October 1<sup>st</sup> following said notice. The withdrawal of any member in the MCCPC shall not invalidate the Agreement.
2. The MCCPC shall be administered by the Lead Agency. The Lead Agency is hereby designated as Randolph Township. The Lead Agency shall prepare bid specifications, advertise for bids, receive and evaluate bids and award contracts pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
3. The Lead Agency shall have sufficient funds to enable it to administer the MCCPC.

It is agreed that each member shall pay to the Lead Agency an annual fee of One Thousand Two Hundred Fifty Dollars **(\$1,250.00)** as their estimated prorated share of the administrative expenses. **A DISCOUNT IN THE AMOUNT OF ONE HUNDRED FIFTY DOLLARS (\$150.00) SHALL BE APPLIED TO MEMBERS WHO SUBMIT THEIR PAYMENT EARLY.** A reduced fee of One Thousand One Hundred Dollars **(\$1,100.00)** can be submitted in lieu of the full fee if said payment is received by the Lead Agency within forty-five **(45) days** from the date of the invoice. The full fee is due to the Lead Agency within ninety **(90) days** from receipt of the invoice from the Lead Agency. Failure of any member to submit the annual fee to the Lead Agency within ninety (90) days of the date of the invoice shall result in the termination of membership.

The annual fee is for the administration of the MCCPC and does not cover fees associated with litigation costs.

Members may join or rejoin the MCCPC at any time for a prorated fee to be determined by the Lead Agency.

4. Each member of the MCCPC shall provide the Lead Agency with one contact person. The MCCPC shall provide the designated contact person for each member with all notices and correspondence related to the MCCPC.
5. The Lead Agency shall hold an annual meeting of the members to update the members on the MCCPC activities, provide a forum for the exchange of ideas and to address any concerns.

6. The work, materials or supplies to be bid by the MCCPC may include the following:

Contract	Description
#1	Motor Gasoline
#2	#2 Fuel Oil (Heating)
#3	Rock Salt & Liquid Calcium Chloride
#4	Snow Grits
#5	Paving Materials
#6	Road Resurfacing
#7	Drainage Pipe (Delivered)
#8	Anti-Freeze
#9	Crushed Stone, Gravel & Sand
#10	Lumber, Insulation, Hardware, Paint & Paint Supplies
#11	Motor Oils & Miscellaneous Lubricants
#12	#2 Ultra Low Sulfur Diesel Fuel
#13-A	Fire Equipment Services
#13-B	Fire Water Pumps on Motorized Fire Apparatus (Repair/Rebuilding/Preventive Maintenance Contract)
#14	Catch Basins & Manhole Castings
#15-A	Police Pursuit Vehicles
#15-B	Administrative Passenger Vehicles
#15-C	Utility Vehicles
#15-D	Service/Truck Bodies
#15-E	Hybrid Vehicles
#15-F	Cab/Chassis With Dump Bodies
#16	Office Supplies
#17	Water Treatment Chemicals
#18	Tree Removal, Trimming & Stump Grinding Services
#19	Concrete Blocks & Granite Curb Blocks
#20-A	Sporting Goods (Spring/Summer Sports)
#20-B	Sporting Goods (Fall/Winter Sports)
#21	Oil & Stone Treatment
#22	D.P.W. Uniforms/Work Shoes/Boots
#23	Police Uniforms & Equipment
#24	Bagged Cement & Poured Concrete
#25	Janitorial Supplies
#26	Beam Guide Rail & Safety Ends (Installed)
#27	Traffic Paint
#28	Traffic Sign Materials
#29	Pest Control Services (Buildings)
#30	Office Paper Supplies
#31	Calcium Chloride Bags
#33	Clay for Athletic Fields
#34	Tree Spraying
#35	Light Bulbs

#36	Traffic Striping on Roadways
#37	Traffic Signal Maintenance & Repairs
#38	Preventive Maintenance/Repair of Communications Equipment (Radios)
#39	Furnishing Trophies & Plaques
#40	Personal Protection Items & Equipment for Emergency Personnel
#41	Purchase of Communications Equipment (Radios), No Installation
#42	Landscaping Materials & Supplies
#43	Propane Gas
#44	Welding Supplies
#45	Septic Pumping/Sludge Removal & Disposal Services/ Pump Station Wet Well Pumping/Pump Station Bypass Pumping
#46	Preventive Maintenance & Repairs of Emergency Generators
#47	Water Meters/Data Recorders & Radio Frequency Meter Interface Units
#48	Equipment Parts for Turf Care
#49	Disposal/Recycling of Municipal Road Clean-Up Materials (Street Sweepings/Asphalt/Concrete/Soil/Dirt)
#50	Fire Department Uniforms (Purchase)
#51	Deer Carcass Removal & Disposal
#52	Fire Alarms, Sprinklers, Standpipe Systems, Fire Pumps (Preventive Maintenance Contract)
#53	Fencing Materials & Installation

Contracts may be added or deleted as determined by the Lead Agency to be in the best interests of the MCCPC.

7. During the preparation of the bid specifications, the Lead Agency shall solicit estimated quantities of materials desired from the members for those contracts where appropriate. Said estimated quantities shall be included in the bid specifications. The bid specifications shall clearly provide to all vendors that said estimated quantities are simply estimates and the actual quantity ordered may be more or less. Similarly, members may not rely upon the estimated quantity submitted but instead all orders are subject to availability by the vendor at the time the order is actually placed by the member. Pursuant to N.J.A.C. 5:34-7.12(a), a member of the MCCPC which has not submitted estimated quantities for a contract to the MCCPC prior to the advertisement for bids may participate in the resulting contract only with prior written approval of the MCCPC and the successful bidder.
  
8. The ordering of materials or services through the MCCPC contracts shall be the individual responsibility of each of the members and the vendor shall bill each of the members directly for the materials or services obtained by that member directly. Each of the members shall be liable only for materials and services ordered by and received by it, and none, by virtue of this Agreement, assures any additional liability. Additionally, the MCCPC and the Lead Agency are not liable for materials or services ordered by and received by the individual members.

9. All complaints and/or problems associated with contracts awarded through the MCCPC must be submitted in writing to the Lead Agency. To the extent possible given the limited jurisdiction of the MCCPC, the Lead Agency will attempt to resolve all issues on behalf of its members. Reporting of all issues is also required so that they can be taken into consideration for future contracts.
10. Nothing in this Agreement shall prevent any party from bidding, awarding and entering into contracts for the purchase of goods or services individually on its own behalf.
11. The purpose of the MCCPC is to cooperatively bid contracts in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., for the purchase of goods and services in an effort to obtain the most competitive prices for the public body members. The MCCPC and Randolph Township as Lead Agency do not accept liability for damages which relate to or arise out of the ordering of, purchasing of or payment for goods or services by members under the MCCPC contracts.
12. This Agreement shall be binding upon and inure to the benefit of the successors and Assigns of the respective parties hereto.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed by their authorized officers the day and year written below.

ATTEST:

\_\_\_\_\_  
(insert member agency)

\_\_\_\_\_  
(insert name)

\_\_\_\_\_  
(insert name)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

MORRIS COUNTY COOPERATIVE PRICING  
COUNCIL by TOWNSHIP OF RANDOLPH  
as Lead Agency

\_\_\_\_\_  
Jenny Lambert  
Secretary/MCCPC Coordinator

\_\_\_\_\_  
Stephen P. Mountain  
Township Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-57

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING THE APPOINTMENT OF Emilio Capozzoli AS A FIREFIGHTER  
IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT**

**BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of Emilio Capozzoli, 7 Parkway West, Caldwell, New Jersey as a firefighter in the Caldwell Volunteer Fire Department.

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-58

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING THE APPOINTMENT OF DANIEL M. BERGMAN AS A SUBSTITUTE CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT AN HOURLY RATE OF \$16.00 PER HOUR**

**BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of the following person as a substitute Crossing Guard effective immediately.

Daniel M. Bergman  
519 Bloomfield Avenue, Apt. 3U  
Caldwell, NJ 07006

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-59

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING THE APPOINTMENT OF PATRICIA M. BERGMAN AS A SUBSTITUTE CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT AN HOURLY RATE OF \$16.00 PER HOUR**

**BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of the following person as a substitute Crossing Guard effective immediately.

Patricia A. Bergman  
519 Bloomfield Avenue, Apt. 3U  
Caldwell, NJ 07006

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-60

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Hadassah Caldwell, Inc. – On Premise/ Merchandise Raffle, March 28, 2017 – 7:30PM – 10:00PM**

**BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, New Jersey that the following be and is hereby granted a raffle license in accordance with the application filed. Applicant and application has been approved by the Borough Council.

RA-1347 Hadassah Caldwell, Inc  
On Premise – Merchandise Raffle  
March 28, 2017 – 7:30PM – 10:00PM

**FURTHER BE IT RESOLVED** that the Clerk be and is hereby authorized to sign a statement of Findings and Determination granting said license and the Borough Clerk be and is hereby authorized to sign said license.

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-61

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00008, Block 23, Lot 11**

**WHEREAS**, at the Borough of Caldwell Tax Sale held on December 22, 2016, a lien was sold on Block 23, Lot 11 also known as 329 Bloomfield Avenue in Caldwell, NJ for delinquent Tax; and

**WHEREAS**, this lien, known as Tax Sale Certificate 16-00008, was sold to TRYSTONE CAPITAL, LLC; and

**WHEREAS**, the HOMEOWNERS BANK has effected redeemed the Certificate 16-00008 in the amount of \$1,603.00; and

**WHEREAS**, A premium was also paid of \$5,900.00 to be returned to lien holder; and

**NOW THEREFORE BE IT RESOLVED** that authorization is hereby given to issue a check in the amount of \$7,503.00 payable to TRYSTONE CAPITAL, LLC, NJ for the redemption of Tax Sale Certificate 16-00008

Certificate 16-00008

PRINCIPAL.....	\$	1,548.00
PREMIUM.....	\$	5,900.00
RECORDING FEE.....	\$	55.00
<b>TOTAL REDEMPTION.....</b>	<b>\$</b>	<b>7,503.00</b>

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-62

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH FEBRUARY 7, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$3,496,846.60**

**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 2016 and/or 2017 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

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-63

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00013, Block 34, Lot 5.03**

**WHEREAS**, at the Borough of Caldwell Tax Sale held on December 22, 2016, a lien was sold on Block 34, Lot 5.03 also known as 8 Francis Place in Caldwell, NJ for delinquent Water; and

**WHEREAS**, this lien, known as Tax Sale Certificate 16-00013, was sold to TRYSTONE CAPITAL ASSESTS, LLC; and

**WHEREAS**, the HOMEOWNERS BANK has effected redeemed the Certificate 16-00013 in the amount of \$181.39; and

**WHEREAS**, A premium was also paid of \$400.00 to be returned to lien holder; and

**NOW THEREFORE BE IT RESOLVED** that authorization is hereby given to issue a check in the amount of \$581.39 payable to TRYSTONE CAPITAL ASSESTS, LLC for the redemption of Tax Sale Certificate 16-00007

Certificate 16-00013

PRINCIPAL.....	\$	126.39
PREMIUM.....	\$	400.00
RECORDING FEE.....	\$	55.00
<b>TOTAL REDEMPTION.....</b>	<b>\$</b>	<b>581.39</b>

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

Cascarano					Capozzoli				
Hauser					Brown				
O'Donnell					Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



BOROUGH OF CALDWELL
NEW JERSEY



Resolution No: 2-64

Date of Adoption: February 7, 2017

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00002, Block 6, Lot 7

WHEREAS, at the Borough of Caldwell Tax Sale held on December 22, 2016, a lien was sold on Block 6, Lot 7 also known as 61 Elm Road in Caldwell, NJ for delinquent Tax; and

WHEREAS, this lien, known as Tax Sale Certificate 16-00002, was sold to US BANK CUST FOR TOWER DBW V1 TRUST; and

WHEREAS, the HOMEOWNERS BANK has effected redeemed the Certificate 16-00002 in the amount of \$2,891.57; and

WHEREAS, A premium was also paid of \$9,600.00 to be returned to lien holder; and

NOW THEREFORE BE IT RESOLVED that authorization is hereby given to issue a check in the amount of \$12,546.57 payable to US BANK CUST FOR TOWER DBW V1 TRUST for the redemption of Tax Sale Certificate 16-00002

Certificate 16-00002

Table with 2 columns: Description and Amount. Rows include PRINCIPAL, PREMIUM, RECORDING FEE, and TOTAL REDEMPTION.

RECORD OF COUNCIL VOTE

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Table with 10 columns for council members and their votes. Rows include Cascarano, Hauser, O'Donnell, Capozzoli, Brown, and Rodgers.

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-65

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00026, Block 64, Lot 4.01**

**WHEREAS**, at the Borough of Caldwell Tax Sale held on December 22, 2016, a lien was sold on Block 64, Lot 4.01 also known as 1 Seymour Street in Caldwell, NJ for delinquent Water; and

**WHEREAS**, this lien, known as Tax Sale Certificate 16-00026, was sold to TRYSTONE CAPITAL ASSESTS, LLC; and

**WHEREAS**, the HOMEOWNERS BANK has effected redeemed the Certificate 16-00026 in the amount of \$355.59; and

**WHEREAS**, A premium was also paid of \$1000.00 to be returned to lien holder; and

**NOW THEREFORE BE IT RESOLVED** that authorization is hereby given to issue a check in the amount of \$1,410.59 payable to TRYSTONE CAPITAL ASSESTS, LLC for the redemption of Tax Sale Certificate 16-00026

Certificate 16-00026

PRINCIPAL.....	\$	355.59
PREMIUM.....	\$	1,000.00
RECORDING FEE.....	\$	55.00
<b>TOTAL REDEMPTION.....</b>	<b>\$</b>	<b>1,410.59</b>

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
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: 2-66

Date of Adoption: February 7, 2017

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00016, Block 41.01, Lot 19

WHEREAS, at the Borough of Caldwell Tax Sale held on December 22, 2016, a lien was sold on Block 41.01, Lot 19 also known as 39 Prospect Street in Caldwell, NJ for delinquent Water; and

WHEREAS, this lien, known as Tax Sale Certificate 16-00016, was sold to CCE HOLDINGS, LLC; and

WHEREAS, the HOMEOWNERS BANK has effected redeemed the Certificate 16-00016 in the amount of \$1,349.48; and

WHEREAS, A premium was also paid of \$8,200.00 to be returned to lien holder; and

NOW THEREFORE BE IT RESOLVED that authorization is hereby given to issue a check in the amount of \$9,549.48 payable to CCE HOLDINGS, LLC for the redemption of Tax Sale Certificate 16-00016

Certificate 16-00016

Table with 2 columns: Description and Amount. Rows include PRINCIPAL (\$1,294.48), PREMIUM (\$8,200.00), RECORDING FEE (\$55.00), and TOTAL REDEMPTION (\$9,549.48).

RECORD OF COUNCIL VOTE

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Table for recording council votes with columns for Councilman Name and Yes/No/Absent/Abstain, and rows for Cascarano, Hauser, O'Donnell, Capozzoli, Brown, and Rodgers.

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-67

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING A GRANT AGREEMENT BETWEEN THE BOROUGH OF CALDWELL AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT OF APPROXIMATELY \$2,000.00**

**WHEREAS**, the Borough Council of the Borough of Caldwell desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$2,000.00 to fund the following project:

2017 Green Communities Grant  
Community Forestry Management Plan

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Caldwell, New Jersey, that Paul Carelli or the successor to the office of Borough Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$2000.00 and not more than \$2,000.00, and (c) to execute  any amendments thereto  any amendments thereto which do not increase the Grantee's obligations.

\*The authorizes Borough of Caldwell and hereby agrees to match 50.0% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).\*

The Grantee agrees to comply with all applicable federal, state, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-68

Date of Adoption: February 7, 2017

**TITLE:**

**AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO TOPOLOGY NJ, LLC TO AN AFFORDABLE HOUSING ASSESSMENT FOR THE BOROUGH OF CALDWELL FOR AN AMOUNT NOT TO EXCEED \$6,000**

**WHEREAS,** the Borough has determined that there is a need to hire a consulting firm to provide an affordable housing assessment for the Borough of Caldwell; and

**WHEREAS,** the proposal has been reviewed and approved by the Borough of Caldwell Planning Board, and;

**WHEREAS,** it is the desire of the Borough Council of the Borough of Caldwell, New Jersey to award a contract to Topology NJ, LLC, 60 Union Street #1, Newark, N.J. 07105, and;

**WHEREAS,** Topology NJ, LLC has agreed to provide these professional services for fee not to exceed \$6,000.00, and;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Caldwell that they do hereby award a contract to Topology NJ, LLC and authorize the agreement herein to be approved and executed by the Borough Administrator.

**CERTIFICATION OF AVAILABLE FUNDS**

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of Caldwell, have ascertained that there are available sufficient uncommitted funds in the line item specified below to award the contract specified in the above resolution, in the amount specified below. I further certify that I will encumber these finds upon the passage of this resolution.

<u>7-01-21-180-299</u>	<u>PLANNING BOARD MISCELLANEOUS</u>	<u>\$6,000.00</u>
Line Item	Description	Amount

\_\_\_\_\_  
Christopher Battaglia, CFMO Date

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano					Capozzoli				
Hauser					Brown				
O'Donnell					Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor

**Lisa O'Neill**

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**From:** Peter Byrne <pnbyrne@gmail.com>  
**Sent:** Friday, February 03, 2017 2:06 PM  
**To:** Lisa O'Neill  
**Subject:** Vacant Land Analysis Scope & Budget  
**Attachments:** Caldwell\_Vacant Land Analysis Scope.docx

Lisa -Attached for the council's review and consideration is the estimate for the vacant land analysis. This additional effort is critical to the success of our affordable housing solution and determination efforts.

Please note that the attached contains the scope of work for this effort and an estimate in terms of time and dollars.

Given the unknown factors associated with this effort however, we are seeking approval for a not to exceed budget of \$6,000.00.

Regards, Peter Byrne

## **Borough of Caldwell**

### **Vacant Land Analysis Scope of Work**

A Vacant Land Analysis is an appendix to the Fair Share Housing Plan that will be reviewed by counsel and the Court to effectively reduce the Borough's prospective need obligation. This analysis would define the Borough's realistic development potential (RDP) based on the amount of developable vacant land within its municipal boundaries, with the remainder of the prospective need for the Borough classified as unmet need. Unmet need would not need to be fulfilled by the Borough under the housing plan, and the only effective requirement based on the Court review would be for that plan to meet the Borough's RDP.

#### **I. WHY USE THE RDP?**

In urban centers, older municipalities and densely settled areas the RDP is typically much lower than the prospective need allocated at the municipal level. Caldwell's cumulative prospective need under the most recent Kinsey numbers from May 2016 is 195 new affordable units – if that obligation is met with inclusionary development, assuming a 20% affordable set aside, which is the standard set aside for Vacant Land Analyses, the Borough would need to accommodate 975 units of new development. An assessment of buildable vacant parcels in the Borough is likely to yield an RDP well under that number, with 20% of those units set aside as affordable. This may be a starting point for negotiations with the Fair Share Housing Coalition (FSHC), but will show a far more accurate representation of the number of units that could feasibly be developed in the Borough through inclusionary development.

#### **II. SCOPE OF ANALYSIS**

Vacant Land Analyses are based on MOD IV tax data from the State, which is used to determine which parcels are classified as vacant. Each vacant parcel is mapped and verified that the classification of "vacant" is accurate based on google earth imagery. Once an inventory of vacant parcels has been compiled and mapped, the following will be used to exclude undevelopable parcels:

1. Preserved open space and land used for public purposes which may be classified as vacant according to State tax data will be excluded.

2. Waterbodies and wetlands as defined by the NJDEP will be excluded from the developable area of each lot.
3. Flood Hazard Areas as defined by the most recent FEMA Flood Insurance Rate Maps will be excluded from the buildable area for each lot.
4. Steep slopes in excess of 15% based on the FEMA New Jersey Flood Mitigation Lidar will be excluded from the buildable area calculated for each parcel.

Once the environmentally sensitive areas as defined above are excluded from the buildable area of vacant land in the Borough, each of the remaining sites will be referenced against the State Register of historic places to exclude any places of historic or architectural significance. The remaining properties will be assessed for yield based on the presumptive COAH density of 6 units per acres or density under the prevailing zoning or redevelopment plan, and only those parcels that could potentially yield five or more units will be included in the final assessment of realistic development potential.

### III. DELIVERABLES AND TIMEFRAME

Topology will produce a series of maps of each property defining the constraints on those sites that reduce the potential yield, with a total number of potential units and affordable units. These maps will be included in a written report that describes the methodology and assumptions of the study, data used in the analysis, current status of the housing plan and the total area of developable land on the parcels that can accommodate 5 or more units following the analysis described above.

<b>Estimated Work Hours:</b>	35 hours
<b>Blended Hourly Rate:</b>	\$150/hour
<b>Estimated Final Cost:</b>	\$5,250



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 2-69

Date of Adoption: February 7, 2017

**TITLE:**

**DISPOSAL OF OBSOLETE BOROUGH OF CALDWELL POLICE VEHICLES**

**WHEREAS**, the Borough Administrator has advised the Borough Council that there is an obsolete Borough Of Caldwell 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 Borough of Caldwell 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 Borough of Caldwell vehicle referenced by the Borough Administrator is no longer needed for public use by the Borough and shall be disposed of according to the manner as prescribed by law.

VEHICLE / EQUIPMENT	DEPARTMENT	VIN# / ASSET TAG#
2004 Ford Expedition	Police Department	1FMFU16L54LB84339
2006 Dodge Durango	Police Department	1D4HB38N66F138777

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes   No   Absent   Abstain    COUNCILMAN    Yes   No   Absent   Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor