



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS
MEETING March 4, 2014**

Caldwell Community Center
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

March 4, 2014 / 7:00PM

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser - President
Thomas O'Donnell
John Kelley
Frank Rodgers
Edward Durkin
Pasquale Capozzoli

CALL TO ORDER

Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding

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

APPROVAL OF MINUTES

February 18, 2014

PRESENTATIONS

1. Grover Cleveland Middle School Ecology Club

INTRODUCTION OF ORDINANCE

ORDINANCE# 1287-14: AMENDMENT TO BOROUGH OF CALDWELL FIRE PREVENTION ORDINANCE
(To be distributed at the Meeting)

PUBLIC HEARING AND ADOPTION OF ORDINANCES

ORDINANCE# 1284-14: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 41 ENTITLED "POLICE DEPARTMENT," OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF CALDWELL, NEW JERSEY," IN ORDER TO ESTABLISH A POLICE AUXILIARY UNIT AND TO PRESCRIBE APPROPRIATE TERMS, CONDITIONS AND REGULATIONS ASSOCIATED THEREWITH..

ORDINANCE# 1285-14: AN ORDINANCE AMENDING CHAPTER 182 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION GOVERNING REGISTRATION AND INSPECTION OF APARTMENT UNITS

ORDINANCE# 1286-14: AN ORDINANCE ADDING SECTIONS 1, 2 AND 3 OF CHAPTER 131 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE CHAPTER TITLED "HOUSING" GOVERNING REGISTRATION AND INSPECTION OF APARTMENT UNITS

OPEN PUBLIC COMMENTS ON RESOLUTIONS

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



Council Chambers
1 Provost Square Caldwell, NJ

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RESOLUTIONS - CONSENT AGENDA

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

3-71	AUTHORIZING THE LIEN REDEMPTION OF TAX LIEN CERTIFICATE #13-00010 BLOCK 36.01, LOT 16.09
3-72	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell-West Caldwell Lacrosse Club, Inc./ Off Premise – 50/50 Raffle, June 25, 2014 – 7:00PM.
3-73	AUTHORIZING ISSUANCE OF ONE (7) TAXICAB LICENSES TO Caldwell Taxi, Inc., 570 Bloomfield Avenue, Bloomfield, NJ 07003. APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS
3-74	AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – Al Emmel Auto Body, LLC., 95 Bloomfield Avenue, Caldwell, NJ – Charles Jencarelli
3-75	AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – RC Auto Sales, 7 Park Avenue, Caldwell, NJ – Michael Conley
3-76	AUTHORIZING ISSUANCE OF A LICENSE TO OPERATE ELECTRONIC, MECHANICAL AND OTHER TYPES OF AMUSEMENT DEVICES; FOR Starz, Inc. t/a Ringside Pub APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS

COUNCIL COMMITTEE REPORTS

Borough Council Members

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

REPORT OF MAYOR

Mayor Dassing

REPORT OF BOROUGH ADMINISTRATOR

Paul M. Carelli

REPORT OF ATTORNEY

Gregory Mascera



Council Chambers
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REPORT OF POLICE CHIEF

Chief James H. Bongiorno, CPD

REPORT OF ESSEX COUNTY LIASSON

James Jude Jorgensen, QPA

OLD BUSINESS

NEW BUSINESS

1. Borough Hall Building Repairs

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

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 3/3/2014 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 3/3/2014 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 18, 2014**

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: Council President Hauser, Councilman O'Donnell, Kelley, Rodgers, Durkin and Capozzoli

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

ABSENT: Mayor Dassing

Adequate notice of this Council Business/Conference meeting was given on January 1, 2014. 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.

APPROVAL OF MINUTES:

February 4, 2014

Moved by Councilman Kelley, seconded by Councilman Capozzoli. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 02/18/14.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

Moved by Councilman Kelley, seconded by Councilman Capozzoli to open to the Public for Consent Agenda

RESOLUTIONS – CONSENT AGENDA

- 2-64:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH FEBRUARY 18, 2014 FOR 2013/2014 BILLS IN THE TOTAL AMOUNT OF \$4,199,935.13
- 2-65:** RESOLUTION AUTHORIZING REPAYMENT OF WATER BILLS PAID IN ERROR
- 2-66:** DISPOSAL OF OBSOLETE POLICE DEPARTMENT VEHICLES
- 2-67:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00011, Block 29, Lot 36
- 2-68:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00020 BLOCK 58.01, LOT 1
- 2-69:** RESOLUTION AMENDING RESOLUTION #12-290 CORRECTING THE ANNUAL SALARY OF JOSEPH DEBELLIS AS A CROSSING GUARD IN THE BOROUGH OF CALDWELL FOR THE 2013-2014 SCHOOL YEAR AT AN ANNUAL RATE OF \$5,200.00

CONSENT

Moved by Councilman Kelley, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 02/18/14.

COUNCIL COMMITTEE REPORTS:

Councilman Durkin reported on the hard work of the DPW and how they have put forth in the past major storms. He has received a lot of compliments from residents but on the flip side there are a lot of worried merchants asking about the snow removal on Bloomfield Avenue. We have used outside Contractors before and we need to do this again. He had a meeting with Council President Hauser and West Caldwell and they talked about sharing service possibly merging services and Councilman Hladik has offered some services in the way of equipment to help us truck the snow and possibly use placing at the West Caldwell pool and or Sewer plant.

Councilman Capozzoli reported that he too has received calls about the snow removal and he would like to know what our options are.

Councilman O'Donnell reported that the Senior Valentine's Day lunch has been cancelled. The St. Patrick's Day lunch will be on March 13th. Maria Burak advised that three families that were affected by

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 18, 2014**

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the Gould fire, two families have found housing the one family is still living in a hotel. There will be a budget meeting on Tuesday at 6PM.

Councilman Kelley reported that he would like to honor our DPW in the March meeting we have some incredible leadership, Mario, and we have some incredible men providing valuable services to the citizens of this town.

Councilman Rodgers reported on the Board of Health and he asked the chief if the auxiliary police can help with the dog census. They also asked if the Board of Health help in updating the website and get access to it. They have received complaint letters in regards to the bathrooms at the Community Center as a health issue. Paul responded that there is an RFP for cleaning services and a person will be there 8-11 or 8-12 everyday and then a cleaning crew at night from 7-10 which is three people. It's approximately 84 hours a week. The proposals are due back on March 4th.

Council President Hauser reported that he attended a shared service meeting with West Caldwell and they discussed a number of different opportunities for different services. The Environmental Commission had their committee meeting and they discussed at their meeting the theme for the contest this year. He also attended a joint meeting with West Caldwell on the recreation programs and discussed the field at EVS and putting some funds into a matching program. There was discussion on the stairway to heaven as it has been tagged creating a path from Caldwell College parking lot to this facility. We discussed trying to get some advertising going for the field and the nature of this meeting was to have the respective Borough Administrators involved in identifying a marketing company that will help to do that to get those dollars rolling and create additional revenue.

REPORT OF ADMINISTRATOR:

Paul Carelli reported on the progress of the ADA Ramp. They are expected to be done by the end of the month.

He has advertised for the wheelchair lift and will be opened on February 25th.

Cleaning Services for the Community Center will be due on March 4th.

Discussion Ensued on the cleaning services between Council.

Chris has completed the capital ordinances review and for the next meeting we should have some proposal of what we would like to cancel and we have about \$585,000 that can be canceled and can start fresh. He will comply a new list for each department for the Council.

He will be scheduling meetings with the department heads.

Monday there will be training with Edmunds for automating the requisition process.

He will be meeting with a resident on the complaint that was against a Community Center employee.

REPORT OF POLICE CHIEF:

James Bongiorno reminded the residents of our ordinance of clearing sidewalks twelve (12) hours after the snow fall ends. Private plow contractors cannot plow the snow from a driveway or a parking lot into our roadway they are creating problems for our DPW workers. On snow covered roadways there is no parking until the roads are cleared. Streets are narrow so please use caution with view obstruction people backing out of their driveways so please proceed with caution. PSE&G has taken care of the lighting in the Smull parking lot.

NEW BUSINESS:

Discussion on removal of snow from Bloomfield Avenue and parking lots.

2-70: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO CONTRACT THE REMOVAL THE REMOVAL OF SNOW AS THE COUNCIL DETERMINED THERE IS AN EMERGENCY AND THIS CAN BE AWARDED AS A NO BID EMERGENCY CONTRACT FOR AN AMOUNT NOT TO EXCEED \$25,000

Moved by Councilman O'Donnell, 2nd Councilman Durkin. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 02/18/14.

OPEN PUBLIC MEETING:

Moved by Councilman Hauser, seconded by Councilman Capozzoli to Open Public Meeting.

Barbara Bueckner, 7 Park Lane she asked when the new cleaning service would be starting. She feels that the management be accountable to check on the firm.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 18, 2014**

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Jeff Lawshe, 40 Crane Street he has concerns on the plowing that is done by private contractors and who is monitoring when they are putting the snow on his property. Discussions Ensued.

Bob Colaizzo, he wanted to publically thank Officer Robert Adams and Officer Marinaro for helping him get unstuck from a parking space. They stayed with me and helped him get his car out of the parking space.

On a motion made by Councilman Durkin and seconded by Councilman Rodgers, unanimously affirmed, the Council moved into Executive Session at 8:09PM.

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

The Executive Session was adjourned and upon a motion by Councilman Durkin seconded by Councilman Rodgers, the Council Business Conference Meeting was opened to the public and the press at 8:47PM

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Kelley, seconded by Councilman Rodgers, unanimously affirmed by all members present, the meeting was adjourned at 8:47P.M.

Prepared by: _____
Lisa O'Neill, Deputy Borough Clerk

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1284-14

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 41 ENTITLED “POLICE DEPARTMENT,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF CALDWELL, NEW JERSEY,” IN ORDER TO ESTABLISH A POLICE AUXILIARY UNIT AND TO PRESCRIBE APPROPRIATE TERMS, CONDITIONS AND REGULATIONS ASSOCIATED THEREWITH..

WHEREAS, the Borough Council (the “ Council”) of the Borough of Caldwell, New Jersey, wishes to create a Police Auxiliary Unit within the Borough and to prescribe appropriate terms, conditions and regulations associated therewith, in accordance with the provisions of the “Special Law Enforcement Officers’ Act,” N.J.S.A. 40A:14-146.8, et seq.; and

WHEREAS, in connection therewith, the Council wishes to amend certain provisions contained within Chapter 41 of the Borough Code relating to the Borough’s Police Department as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Caldwell, in the County of Essex and State of New Jersey, that Chapter 41 of the “Revised General Ordinances of the Borough of Caldwell, New Jersey” is hereby amended and supplemented as follows:

Section 41-42 Auxiliary Police - Establishment

In cooperation with the New Jersey State Police Office of Emergency Management, and pursuant to this article, the Borough of Caldwell in the County of Essex has established an auxiliary police unit. The Caldwell Auxiliary Police Unit will be as prescribed by the Annotated Statutes of New Jersey, Appendix A., Chapter 9 (National Defense Title) and other related orders and directives of the State Director of Emergency Management, or the Governor of New Jersey, and the State Civil Defense Act (Chapter 251, P.L. 1942, as amended). As prescribed by these statutes, auxiliary police shall be used, under direct supervision of the chief of police, only during a properly declared state of local emergency or disaster,” and during periods of bona fide training in preparation for such occurrences, as approved by the Mayor in cooperation with the municipal emergency management coordinator.

Sec. 41-43 Appointment

The Council as it deems necessary from time to time may appoint auxiliary police officers sufficient to perform the duties and responsibilities for such officers prescribed by the Annotated Statutes of New Jersey, Appendix A., Chapter 9 (National Defense Title) and other related orders and directives of the State Director of Emergency Management, or the Governor of New Jersey, and the State Civil Defense Act (Chapter 251, P.L. 1942, as amended).)

DATE OF FIRST READING: February 4, 2014
DATE OF PUBLICATION: February 13, 2014
MOVED:
SECONDED:

DATE OF SECOND READING: March 4, 2014
DATE OF ADOPTION: March 4, 2014
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					Rodgers				
O'Donnell					Durkin				
Kelley					Capozzoli				

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# 1285-14

**AN ORDINANCE AMENDING CHAPTER 182 OF THE CODE OF THE BOROUGH OF CALDWELL,
BEING THE SECTION GOVERNING REGISTRATION AND INSPECTION OF APARTMENT UNITS**

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

That Chapter 182, Sections 7 and 8 of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

Chapter 182, the Chapter governing Rent Control and Rental Units, hereby is amended as follows:

Repeal Chapter 182 Section 7

Repeal Chapter 182 Section 8

-
2. All Ordinances and/or Resolutions 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: February 4, 2014
DATE OF PUBLICATION: February 13, 2014
MOVED:
SECONDED:

DATE OF SECOND READING: March 4, 2014
DATE OF ADOPTION: March 4, 2014
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						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

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# 1286-14

AN ORDINANCE ADDING SECTIONS 1, 2 AND 3 OF CHAPTER 131 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE CHAPTER TITLED "HOUSING" GOVERNING REGISTRATION AND INSPECTION OF APARTMENT UNITS

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

That Chapter 131, of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

Chapter 131, the Chapter governing Housing, hereby is amended as follows:

Add new Section 1 the following definitions:

Chapter 131, Section 1

Definitions.

Unless the context clearly indicates a different meaning, the following words or phrases, when used in this article, shall have the following meaning:

AGENT

The individual or individuals designated by the owner as the person(s) authorized by the owner to perform any duty imposed upon the owner of this article. The term does not necessarily mean a licensed real estate broker or salesman of the State of New Jersey, as those terms are defined by N.J.S.A. 45:15-3; however, such term may include a licensed real estate broker or salesman of the State of New Jersey if such person designated by the owner as his agent is so licensed.

APARTMENT or DWELLING

Any apartment, cottage, bungalow, any room or rooms in a rooming/boarding house or other dwelling unit, consisting of one or more rooms occupying all or part of a floor in a building, whether designed with or without housekeeping facilities for dwelling purposes and notwithstanding whether the apartment be designed for residence, for office or the operation of any industry or business or for any other type of independent use. Each unit shall contain no more than one kitchen or cooking facility.

DWELLING UNIT

Any room or rooms or suite or apartment, including any room or rooms in a room/boarding house, whether furnished or unfurnished, which is occupied or intended, arranged or designed to be occupied for sleeping or dwelling purposes by one or more persons, including but not limited to the owner thereof or any of his servants, agents or employees, and shall include all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with use or occupancy thereof.

LICENSE

The license issued by the Borough Clerk or designee attesting that the rental unit has been properly registered in accordance with this article.

LICENSEE

The person to whom the license is issued pursuant to this article. The term "licensee" includes within its definition the term agent, where applicable.

OWNER

Any person or group of persons, firm, corporation or officer thereof, partnership, association or trust who owns, operates, exercises control over or is in charge of a rental facility.

OWNER-OCCUPIED

A portion of a rental facility, dwelling, commercial unit or dwelling unit shall be considered owner-occupied if the owner makes his primary residence therein. A person may have only one primary residence in the Borough.

PERSON

An individual, firm, corporation, partnership, association, trust or other legal entity, or any combination thereof.

RENTAL FACILITY



BOROUGH OF CALDWELL NEW JERSEY



Every building, group of buildings or a portion thereof consisting of less than three dwelling units and has sleeping facilities for less than 25 occupants, kept, used, maintained, advertised or held out to be a place where living accommodations are supplied, whether furnished or unfurnished.

RENTAL UNIT

A dwelling unit which is available by lease, rental or otherwise, to persons other than the owner. Rental unit shall not include that portion of a rental facility or dwelling unit that is owner-occupied.

RENT or RENTED

Occupied by any person or persons other than the owner, regardless or whether there is a written or oral agreement and regardless of whether the owner receives consideration for the occupancy.

TENANCY

Occupancy of the unit by one or more tenants.

TENANT

Occupant in a unit other than the owner.

Add new Section 2, the following:

Section 2.

131-2.01 Registration forms; filing; contests.

Without in any way intending to infringe upon the requirements of N.J.S.A. 46:8-28, all rental units shall be registered and licensed as provided herein. Every owner shall file with the Borough Clerk or designee of the Borough of Caldwell a registration form for each unit contained within a building or structure, which shall include the following information:

A. The name and address of the record owner or owners of the premises and the record owner or owners of the rental business, if not the same persons. In the case of a partnership, the name and addresses of all general partners shall be provided, together with the telephone numbers for each of such individuals where such individual may be reached both during the day and evening hours.

B. If the address of any record owner is not located in Caldwell or in Essex County, the name and address of a person who resides in Essex County and who is authorized to accept notices from a tenant and to issue receipts therefore and to accept service of process on behalf of the record owner.

C. The name and address of the agent of the premises, if any.

D. The name and address, including the dwelling unit number, of the superintendent, janitor, custodian or other individual employed by the owner or agent to provide regular maintenance service, if any.

E. The name, address and telephone number of an individual representative of the owner or agent or the owner, if domiciled in Caldwell County, who may be reached or contacted at any time in the event of emergency affecting the premises or any unit of dwelling space therein, including such emergencies as the failure of any essential service or system, and who has the authority to make emergency decisions concerning the building and any repair thereto or expenditure in connection therewith.

F. The name and address of every holder of a recorded mortgage on the premises.

G. If fuel oil is used to heat the building, the name and address of the fuel oil dealer servicing the building and the grade of the fuel oil used.

H. As to each rental unit, a specification of the exact number of sleeping rooms contained in the rental unit. In order to satisfy the requirement of this provision, an owner shall submit a floor plan, which shall become part of the application and which shall be attached to the registration form when filed by the Borough Clerk or designee.

I. The names, age and gender of each tenant who is to occupy the dwelling unit.

J. Such other information as may be prescribed by the Borough of Caldwell.

K. The Borough Clerk or designee shall index and file the registration forms. In doing so, The Borough Clerk or designee shall follow the mandates of N.J.S.A. 46:8-28.1, as amended, so that the filing of the registration form



BOROUGH OF CALDWELL NEW JERSEY



will simultaneously satisfy the registration requirements of N.J.S.A. 46:8-28 to the extent that it applies to the property being registered, and will also satisfy the registration requirements of this article. The owner shall post the certificate of inspection or license.

131-2.02 **Registration form; amendments; filling.**

Every person required to file a registration form pursuant to this article shall file an amended registration form within 20 days after any change in the information to be included thereon. No fee required for the filling of an amendment, except where the ownership of the premises is changed.

131-2.03 **Date of Registration**

Each rental unit shall be registered yearly and with each change of occupancy. The license term shall commence on August 1 of each year and shall be valid for a calendar year, at which time it shall expire and a new registration shall be required. All rental units must file an initial registration which shall be submitted on or before August 1, 2010.

131-2.04 **Periodic inspections.**

A. Each rental unit that is part of a rental facility that contains 19 or less rental units shall be inspected at least once per year.

B. Such inspections shall be performed by the Construction Code Official or by his designee, and inspections made by persons or an agency other than the duly authorized and appointed person, persons or agency of the Borough of Caldwell shall not be used as a valid substitute.

C. Such inspection shall be for the purpose of determining zoning ordinance compliance, and to the extent applicable, to determine if the property complies with the Property Maintenance Code, BOCA Maintenance Code and Housing Code and/or Uniform Fire Safety Act.

D. Unsatisfactory inspection. In the event that the inspection(s) of a rental unit does not result in a satisfactory inspection, such property shall not thereafter be registered, nor shall a license issue, and the owner of the property or his agent shall not lease or rent such property, nor shall any tenant occupy the property, until the necessary corrections have been made so as to bring the property and rental unit into compliance with the applicable code, and the property is thereafter subsequently inspected, registered and licensed. In the event that the property is occupied when such conditions are discovered, all such corrections shall be made within 30 days, and, if not made within that time period, the owner shall be deemed in violation of this article, and, every day that the violation continues shall constitute a separate and distinct violation, subject to the penalty provisions of section 131-7.14 herein. The owner shall be permitted to apply for extension of time to make repairs or corrections so as to comply with this article, for good cause shown, and such extension may be granted, provided that such extension shall not exceed 30 days.

131-2.05 **Access for inspections; repairs.**

A. The inspection officers are hereby authorized to make inspections to determine the condition of rental facilities, rental units and rooming/boarding houses in order that they may promote the purposes of this article to safeguard the health, safety and welfare of the occupants of rental facilities, rental units and rooming/boarding houses and of the general public. For the purposes of making such inspections, the inspecting officers are hereby authorized to enter, examine and survey rental facilities, rental units and rooming/boarding houses at all reasonable times. The owner or occupant of every rental facility, rental unit and rooming/boarding house shall give the inspecting officer free access to the rental facility, rental unit and rooming/boarding house at all reasonable times for the purpose of such inspections, examinations and surveys.

B. Every occupant shall give the owner of the rental facility, rental unit and rooming/boarding house access to any part of such rental facility, rental unit and rooming/boarding house at all reasonable times for the purpose of making such repairs or alternations, as are necessary, to effect compliance with the provisions of this article or any lawful order issued pursuant thereto.

C. Complaints. Within 10 days of receipt of a complaint alleging a reported violation of this article, an inspecting officer shall conduct an inspection as hereinbefore provided.

131-2.06 **Prohibitions on occupancy.**

No person shall hereafter occupy any rental unit, nor shall the owner permit occupancy of any rental unit within the Borough of Caldwell, which is not registered and licensed in accordance with this article.

131-2.07 **License.**

Upon the filing of a completed registration form and payment of the prescribed fee, the owner shall be entitled to the issuance of a license commencing on the date of issuance and expiring on December 31 of the calendar year. A registration form shall be required for each rental unit, and a license shall issue to the owner for each rental unit, if more than one rental unit is contained in the property.

131-2.08 **Fees.**

At the time of the filling of the registration form, and prior to the issuance of a license, the owner or agent of the owner must pay a fee in accordance with the following:



BOROUGH OF CALDWELL NEW JERSEY



A. An annual registration fee as follows:

- (1) \$30 per unit.

B. A re-inspection fee as follows:

- (1) First re-inspection, no charge.
- (2) Second re-inspection, \$25 per unit.
- (3) Any additional re-inspection, \$50 per unit.

C. If the owner of the property is a senior citizen who resides in a unit of the property and rents out the remaining unit and would otherwise qualify under the State of New Jersey property tax deduction under N.J.S.A. 54:4-8.41, there shall be no fee.

D. If the owner of the property is registered as 501(c)3 corporation, and thus considered tax exempt by the IRS, or have similar tax exempt status from the State of New Jersey and file annual returns if they are incorporated, there shall be no fee.

E. If any fee is not paid within 30 days of its due date, a late fee surcharge of \$30 will be assessed, per month or part of month, up to three months. A failure to pay the initial fee and any late fee shall be deemed a violation of this article.

F. A failure to pay any fee as required by this article shall be deemed a violation of this chapter.

131-2.09 **Providing registration form to occupants and tenants.**

Every owner shall provide each occupant or tenant occupying a rental unit with a copy of the registration form required by this article. This particular provision shall not apply to any hotel, motel or guesthouse registered with the State of New Jersey, pursuant to the Hotel and Multiple Dwelling Act, as defined in N.J.S.A. 55:13A-3. This provision may be complied with by posting a copy of the registration certificate in conspicuous place within the rental unit(s).

131-2.10 **Maximum number of occupants; posting.**

A. The maximum number of occupants, as determined by the Construction Code Official, shall be posted in each rental unit. It shall be unlawful for any person, including the owner, agent, tenant or registered tenant, to allow a greater number of persons than the posted maximum number of occupants to sleep in or occupy overnight the rental unit for a period exceeding five consecutive days or for more than 29 days within any 360 day period. Any person violating this provision shall be subject to the penalty provisions of section 131-2.14 herein.

B. Only those occupant's whose names are on file with the Borough of Caldwell, as required in this article, may reside in the licensed premises. It shall be unlawful for any other person to reside in said premises, and any owner, agent, tenant or registered tenant allowing a non-registered party to reside in said premises shall be in violation of this section and shall be subject to the penalty provisions of section 131-2.14 herein.

131-2.11

Taxes and other municipal charges; payment precondition for registration and license.

No rental unit may be registered and no license shall issue for a property containing a rental unit unless all municipal taxes, water and sewer charges and any other municipal assessments are paid on a current basis.

131-2.12 **Occupant(s) standards.**

A. Occupants. Only those occupants whose names are on file with the Borough Clerk, as provided in this article, may reside in the licensed premises. It shall be unlawful for any other person to reside in said premises, and this provision may be enforced against the landlord, tenant or other person residing in said premises.

B. Nuisance prohibited. No rental facility shall be conducted in a manner which shall result in any unreasonable disturbance or disruption to the surrounding properties and property owners or the public in general, such that it shall constitute a nuisance, as defined in the ordinances of the Borough of Caldwell.

C. Compliance with other laws. The maintenance of all rental facilities and the conduct engaged in upon the premises by occupants and their guests shall at all times be in full compliance with all applicable ordinances and regulations of the Borough of Caldwell and with all applicable state and federal laws.

D. Penalties. Any landlord, tenant or other person violating the provisions of this section shall be subject to the penalty provisions of § 131-2.14 of this article.

131-2.13 **Revocation of license; procedure.**

A. Grounds. In addition to any other penalty prescribed herein, an owner may be subject to the revocation or suspension of the license issued hereunder upon the happening of one or more of the following:



BOROUGH OF CALDWELL NEW JERSEY



- (1) Conviction of a violation of this article in the Municipal Court or any other court of competent jurisdiction.
- (2) Determination of a violation of this article at a hearing held pursuant to Subsection B herein.
- (3) Continuously renting the unit or units to tenants who are convicted of a violation of the Borough's Noise Ordinance.
- (4) Continuously permitting the rental unit to be occupied by more than the maximum number of occupants as defined in this article.
- (5) Maintaining the rental unit or units or the property in which the rental unit is a part in a dangerous condition likely to result in injury to person or property.

B. Procedure; written complaint; notice; hearing.

(1) A complaint seeking the revocation or suspension of a license may be filed by any one or more of the following: Chief of Police, Construction Code Official, the Zoning Enforcement Officer or any other persons or office authorized to file such a complaint. Such complaint shall be in writing and filed with the Borough Clerk or designee. The complaint shall be specific and shall be sufficient to apprise the licensee of the charges so as to permit the licensee to present a defense. The individual(s) filing the complaint may do so on the basis of information and belief, and need not rely on personal information.

(2) Upon the filing of such written complaint, the Borough Clerk or designee shall immediately inform the Governing Body, and a date for a hearing shall be scheduled, which shall not be sooner than 10 nor more than 30 days thereafter. The Borough Clerk or designee shall forward a copy of the complaint and a notice, as to the date of the hearing, to the licensee and the agent, if any, at the address indicated on the registration form. Service upon the agent shall be sufficient.

(3) The hearing required by this section shall be held before the Governing Body. Following the hearing, a decision shall be rendered dismissing the complaint, revoking or suspending the license or determining that the license shall not be renewed or reissued for one or more subsequent license years.

(4) A stenographic transcript shall be made of the hearing. All witnesses shall be sworn prior to testifying. The strict rules of evidence shall not apply, and the evidential rules and burden of proof shall be that which generally controls administrative hearings.

(5) The Borough Attorney or a designee shall appear and prosecute on behalf of the complainant in all hearings conducted pursuant to this section.

C. Defenses. It shall be a defense to any proceeding for the revocation, suspension or other disciplinary action involving a rental license by demonstrating that the owner has taken appropriate action and has made a good faith effort to abate the conditions or circumstances giving rise to the revocation proceeding, including but not limited to the institution of legal action against the tenant(s), occupant(s) or guests for recovery of the premises, eviction of the tenant(s) or otherwise.

131-2.14 **Violations and penalties.**

A. Any person violating or failing to comply with any provision of this section shall, upon conviction thereof, be punished by a fine of no less than \$100 and no more than \$1,250. In addition to the fine, such person may be sentenced to imprisonment not to exceed 90 days, or by community service of not more than 90 days, or any combination of imprisonment and community service, in the discretion of the Municipal Court Judge. The continuation of any such violation for each successive day shall constitute a separate punishable offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided herein for each separate offense.

B. Despite anything contained herein, in the event that a violation order is not promptly complied with, the Construction Code Official may institute an appropriate action or proceeding at law or equity to exact the penalty provided or may request the legal representative to proceed at law or in equity against the persons responsible for the violation for the following purposes:

- (1) to restrain, correct or remove the violation or refrain from any further execution of work;
- (2) to restrain or correct the erection, installation or alteration of each structure;
- (3) to require the removal of work in violation; or
- (4) to prevent the occupation or use of the structure or part thereof which was erected, constructed, installed or altered in violation of, or not in compliance with, the provisions of this Code or in violation of a plan or specification under which an approval, permit or certificate was issued

Add new Section 3 the following

131-3.01 **Inspection Upon Vacancy**

All buildings, structures and units thereof comprised of 20 or more residential units that are leased or rented, regardless of the term, for living or sleeping purposes shall be inspected by the Code Official on every initial



BOROUGH OF CALDWELL NEW JERSEY



occupancy or change of occupancy after the effective date of this article, but there shall not be more than one such inspection biannually of any apartment or units thereof. All buildings, structures and units thereof which are leased or rented, and not currently occupied at the time this article takes effect, shall be considered an initial occupancy and shall be subject to the inspection provisions hereof.

131-3.02 **Construction Code Compliance**

All buildings, structures and units thereof which are inspected pursuant to this Chapter shall comply in all respects with the requirements of Borough ordinances and the applicable provisions of the New Jersey Uniform Construction Code and the provisions of N.J.S.A. 55:13A-1 et seq. and 55:13B-1 et seq.

131-3.03 **Duty to Notify Construction Code Official**

The owner, rental agent or manager of all buildings and structures and units thereof which are subject to inspection pursuant to this article shall be responsible for notifying, in writing, the Code Official that such premises are leased or rented or being offered to be leased or rented so that an inspection or re-inspection may be made.

131-3.04 **Posting of Certificate**

Upon completion of an inspection of the premises and the same being determined by the Code Official to comply with this article, a rental certificate of occupancy shall be issued. A copy of the certificate shall be posted by the owner, rental agent or manager of the inspected property in each separate leased or rented unit. No tenant shall occupy any building, structure or any units thereof until a rental certificate of occupancy has been issued.

131-3.05 **Notice of Violation; Re-inspection**

In the event that the Code Official determines, after an inspection, that the premises in question are in violation of this article or of any other governing section of the Borough Code, the Code Official shall notify, in writing, the owner, rental agent or manager of the violations noted. Upon correction of the violations, the owner, rental agent or manager shall notify, in writing, the Code Official that the corrections have been made so that a re-inspection of the property may occur. If upon re-inspection of the property, the Code Official determines that previous violations have not been corrected or that new violations exist, then the Code Official shall, again in writing, notify the owner, rental agent or manager of the inspected property of the violations, and this process shall continue until all violations have been corrected.

131-3.06 **Proper Notice**

Notice shall be deemed to be properly served upon such owner if a copy thereof is delivered to the owner, rental agent or manager personally; or by leaving the notice at the usual place of abode in the presence of someone in the family of suitable age and discretion who shall be informed of the contents thereof; or by certified or registered mail addressed to the owner at the last known address with return receipt requested; or, if the certified or registered letter is returned with receipt showing that it has not been delivered, by posting a copy thereof in a conspicuous place in or about the structure affected by such notice;

131-3.07 **Right to Further Inspection**

If, subsequent to the issuance of a rental certificate of occupancy, the Code Official learns or becomes aware of violations of any governing section of the Borough Code, an inspection shall be made of the subject premises. If violations exist, notification in writing shall be given to the owner, rental agent or manager, and said person shall have 10 days from service of the notice to correct all deficiencies noted therein. In the event that the same have not been corrected within 10 days, then the rental certificate of occupancy may be revoked by the Construction Code Official by mailing a notice of revocation by certified mail to the owner, rental agent or manager and to the tenant or tenants, and the premises shall be vacated.

131-3.08 **Violations; Penalties**

A. Any person violating or failing to comply with any provision of this section shall, upon conviction thereof, be punished by a fine of no less than \$100 and no more than \$1,250. In addition to the fine, such person may be sentenced to imprisonment not to exceed 90 days, or by community service of not more than 90 days, or any combination of imprisonment and community service, in the discretion of the Municipal Court Judge. The continuation of any such violation for each successive day shall constitute a separate punishable offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided herein for each separate offense.

B. Despite anything contained herein, in the event that a violation order is not complied with promptly, the Code Official may institute an appropriate action or proceeding at law or equity to exact the penalty provided or may request the legal representative to proceed at law or in equity against the persons responsible for the violation for the following purposes:

- (1) to restrain, correct or remove the violation or refrain from any further execution of work;
- (2) to restrain or correct the erection, installation or alteration of each structure;



BOROUGH OF CALDWELL NEW JERSEY



- (3) to require the removal of work in violation; or
- (4) to prevent the occupation or use of the structure or part thereof which was erected, constructed, installed or altered in violation of, or not in compliance with, the provisions of this Code or in violation of a plan or specification under which an approval, permit or certificate was issued.

131-3.09 **Cost of Relocation Assistance**

In addition to any other fine or penalty imposed by this Chapter, if an Owner fails to comply with any provision of this Chapter, and a tenant is required to relocate, or if the Borough subsequently is required to relocate a tenant from a rental unit, the owner will be liable for all of the costs of the tenant's relocation and shall further be liable, and shall reimburse the Borough, for any payment the Borough makes to relocate the tenant under any applicable laws and regulations.

2. All Ordinances and/or Resolutions 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: February 4, 2014
DATE OF PUBLICATION: February 13, 2014
MOVED:
SECONDED:

DATE OF SECOND READING: March 4, 2014
DATE OF ADOPTION: March 4, 2014
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						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

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: 3-71

Date of Adoption: March 4, 2014

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF TAX LIEN CERTIFICATE #13-00010 BLOCK 36.01, LOT 16.09

WHEREAS, at the Borough of Caldwell Tax Sale held on December 27, 2013, a lien was sold on Block 36.01, Lot 16.09 also known as 47 ESPY ROAD, UNIT 16A in Caldwell, NJ for delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00010, was sold to US BANK CUST-PROCAPATAL 11, LLC. at a Premium \$3200.00; and

WHEREAS, the HOMEOWNER has redeemed the Certificate 13-00010 in the amount of \$1161.04; and

NOW THEREFORE BE IT RESOLVED that authorization is hereby given to issue a check in the amount of \$4,361.04 payable to US BANK CUST-PROCAPITAL 11, LLC., for the redemption of Tax Sale Certificate 13-00010

Certificate 13-00010

PRINCIPAL.....	\$ 1,109.04
RECORDING FEES.....	\$ 52.00
PREMIUM.....	\$ <u>3,200.00</u>
 TOTAL REDEMPTION.....	 \$ 4,361.04

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-72

Date of Adoption: March 4, 2014

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell-West Caldwell Lacrosse Club, Inc./ Off Premise – 50/50 Raffle, June 25, 2014 – 7:00PM.

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-1282 Caldwell-West Caldwell Lacrosse Club, Inc.
Off Premise – 50/50 Raffle
June 25, 2014 – 7:00PM

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

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-73

Date of Adoption: March 4, 2014

TITLE:

AUTHORIZING ISSUANCE OF ONE (7) TAXICAB LICENSES TO Caldwell Taxi, Inc., 570 Bloomfield Avenue, Bloomfield, NJ 07003. APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they have no objections to the issuance of one (7) Taxicab Licenses to Caldwell Taxi, Inc., 570 Bloomfield Avenue, Caldwell, New Jersey 07003 from March 5, 2014 through March 31, 2015. Applicant and application have been approved by the appropriate municipal departments

1999 Lincoln Town Car	1LNHM82W4XY616931
1999 Lincoln Town Car	1LNHM81WXXY640264
2002 Mercedes Benz	WDBNG75T12A291163
2003 Lincoln Town Car	1LNHM81W83Y630309
2004 Mercury Marquis	2MEFM74WX4X611892
2005 Lincoln Town Car	1LNHM82WX5Y602111
2006 Ford Econoline	1FMRE11L86DA99610

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-74

Date of Adoption: March 4, 2014

TITLE:

AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK’S OFFICE – Al Emmel Auto Body, LLC., 95 Bloomfield Avenue, Caldwell, NJ – Charles Jencarelli

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby approve the application for issuance of a motor vehicle lot license to Al Emmel Auto Body, LLC., Charles Jencarelli, 95 Bloomfield Avenue, Caldwell, New Jersey in accordance with the application filed. Applicant and application has been investigated and approved by the Police Department, Construction Department and the Borough Clerk’s office.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 3-75

Date of Adoption: March 4, 2014

TITLE:

AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK’S OFFICE – RC Auto Sales, 7 Park Avenue, Caldwell, NJ – Michael Conley

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby approve the application for issuance of a motor vehicle lot license to RC Auto Sales, Michael Conley, 7 Park Avenue, Caldwell, New Jersey in accordance with the application filed. Applicant and application has been investigated and approved by the Police Department, Construction Department and the Borough Clerk’s office.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-76

Date of Adoption: March 4, 2014

TITLE:

AUTHORIZING ISSUANCE OF A LICENSE TO OPERATE ELECTRONIC, MECHANICAL AND OTHER TYPES OF AMUSEMENT DEVICES; FOR Starz, Inc. t/a Ringside Pub APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS

WHEREAS, the Borough of Caldwell has received an application for licenses to operate electronic, mechanical and other types of amusement devices from the Ringside Pub for the following devices;

3 Pool Tables

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they have no objections to the issuance of an Amusement License to the Ringside Pub from March 5, 2014 through March 31, 2015.

Applicant and application have been approved by the appropriate municipal departments.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor