



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS
MEETING March 5, 2013**

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



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

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

March 5, 2013 - REVISED

MAYOR
Ann Dassing

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

CALL TO ORDER

Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding

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

APPROVAL OF MINUTES

February 19, 2013

PUBLIC HEARING AND ADOPTION OF ORDINANCES

ORDINANCE# 1272-13: AN ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION GOVERNING VEHICLES AND TRAFFIC

ORDINANCE# 1273-13: AN ORDINANCE AMENDING CHAPTER 20, THE CHAPTER ESTABLISHING THE CODE OF ETHICS, 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.

- 3-72:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO SUBMIT THE ANNUAL RECYCLING TONNAGE REPORT TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
- 3-73:** 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 – Jamie Classic Cars/Anthony Tino
- 3-74:** AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Mount Saint Dominic Academy
- 3-75:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parent Faculty Association of Mt. St. Dominic Academy/ On Premise - Merchandise Raffle, April 27, 2013 – 6:00PM – 8:00PM



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

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

March 5, 2013 - REVISED

MAYOR
Ann Dassing

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

RESOLUTIONS - CONSENT AGENDA (continued)

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

- 3-76:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parent Faculty Association of Mt. St. Dominic Academy/ On Premise – Merchandise Raffle, June 3, 2013 – 7:30PM – 8:30PM
- 3-77:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – First Presbyterian Church at Caldwell/ On Premise – 50/50 Raffle, April 12, 2013 – 4:00PM – 10:00PM
- 3-78:** PULLED
- 3-79:** RESOLUTION ESTABLISHING THE SALARY OF THE MUNICIPAL COURT ADMINISTRATOR FOR THE BOROUGH OF CALDWELL EFFECTIVE MARCH 1, 2013
- 3-80:** RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO ADD AN ADDITIONAL SERGEANT WITHIN THE BOROUGH OF CALDWELL POLICE FORCE
- 3-81:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 5, 2013 FOR 2012/2013 BILLS IN THE TOTAL AMOUNT OF \$4,172,008.86
- 3-82:** AUTHORIZING THE APPOINTMENT OF PLANNING BOARD MEMBER – Peter N. Byrne

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 ADMINISTRATOR

Paul M. Carelli

Administrator Report – March 5, 2013

REPORT OF ATTORNEY

Gregory Mascera



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

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

March 5, 2013 - REVISED

MAYOR
Ann Dassing

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

OLD BUSINESS

1. Water Main Improvement Project – Updates
2. Pine Brook Flooding

NEW BUSINESS

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

OPEN PUBLIC MEETING

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

EXECUTIVE SESSION

Closed Session

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

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 3/1/2013 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 3/1/2013 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 19, 2013**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:09PM

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

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

ABSENT:

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

**APPROVAL OF MINUTES:
February 5, 2013**

Moved by Councilman Kelley seconded by Councilman Coyle. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 02/19/13.

PRESENTATION:

George Stafford – Highland Coalition / Water Protection and Planning

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

RESOLUTIONS – CONSENT AGENDA

2-60: RESOLUTION OF CONTINUING SUPPORT FOR THE GOALS AND PURPOSES OF THE 2004 HIGHLANDS WATER PROTECTION AND PLANNING ACT

2-61: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – First Presbyterian Church at Caldwell, On Premise - 50/50 Raffle, April 27, 2013 – 7:00PM – 10:00PM.

Moved by Councilman Coyle, seconded by Councilman Hauser. Discussions Ensued. On roll call, Councilman Durkin, Rodgers, O'Donnell, Kelley and Coyle voted in the affirmative. Councilman Hauser abstained. Resolutions approved 02/19/13.

2-62: 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

2-63: AUTHORIZING THE REFUND OF A STATE TAX COURT OF NEW JERSEY PAYABLE TO: McKirdy & Riskin, PA Attorneys At Law

2-64: RESOLUTION RELEASING CALDWELL PLAZA, INC. FROM THE OBLIGATION OF MAINTAINING A SITE IMPROVEMENT PERFORMANCE BOND

2-65: AMEND RESOLUTION 1-24 AUTHORIZING ADOPTION OF TEMPORARY BUDGET FOR THE YEAR 2013

2-66: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT FOR A TERM OF 3 YEARS AND AN ANNUAL LEASE PAYMENT AMOUNT NOT TO EXCEED \$10,900.

2-67: AUTHORIZING THE APPOINTMENT OF LEANNE O'HERN AS BOROUGH OF CALDWELL MUNICIPAL COURT ADMINISTRATOR EFFECTIVE MARCH 1, 2013

2-68: DISPOSAL OF OBSOLETE COMMUNITY CENTER FITNESS EQUIPMENT

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 19, 2013**

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2-69: AUTHORIZING THE BOROUGH ADMINISTRATOR TO HIRE ASHLEY McMILLION AS A TEMPORARY MUNICIPAL COURT ADMINISTRATIVE ASSISTANT AT A RATE OF \$15.00 PER HOUR AND 12 HOURS PER WEEK

CONSENT

Moved by Councilman Coyle, seconded by Councilman Hauser. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 02/19/13.

COUNCIL COMMITTEE REPORTS:

Councilman O'Donnell reported that they will be conducting interviews for promotions on March 16th for Police Officers. We have moved forward for the much needed cruiser for the Police Department. There will be further discussion about the Resolution concerning the Auxiliary Police force.

Councilman Hauser reported that the Library Board has concerns about emergency situation protocol. He reached out to Chief Bongiorno about coordinating plans not only for the Library but the Community Center and Borough Hall. We are looking to put together a comprehensive plan where needed. We are in the process of scheduling our joint recreation meeting that we have quarterly with West Caldwell. We will be discussing the balance of the Kiwanis Oval Maintenance fund as of yearend. Also, in regards to the Mignone matter he is happy to report that Mr. Mignone and other members that have been involved have agreed that in fact the appropriate resolution is that reimbursement for Mr. Mignone's for three months. He has met with Rob and was fine with the rules and procedures that are in place and wishes to join the Community Center.

Mayor Dassing reported that she has been spending all her free time dancing and her debut is Saturday 7PM at James Caldwell High School. The proceeds benefit the Caldwell/West Caldwell Education Foundation which has given over \$100,000 to the schools in the past five years.

REPORT OF ADMINISTRATOR:

Paul Carelli reported Leanne O'Hern was authorized to be appointed as the Court Administrator. Congratulations to her, she is a hard worker and does a good job, and I am happy that she will be our Court Administrator. He met with the Chief and they are going to start re-furbishing the dispatch area. They are going to use the flooring that was used in the fitness room to cover up the floor that is coming up. We are going to try and do an inexpensive upgrade to the room. We are putting in the Edmunds software and they are creating new links so when you post records they go to the various lines so we can do the General Ledger.

Mayor Dassing thanked the County for their help. There were some trees at Grover Cleveland Park that were dying and some of the residents that live at 105 Roseland Avenue contacted me because they were afraid that they were going to fall on their condo unit. The County came out, and Jim Jorgensen helped he was amazing, within a day the park guy was there and within two days the tree was taken down. The tree that was in question was actually rotted all the way through.

Paul Carelli reported West Caldwell contacted him about two houses that they would like to be connected to the water supply.

2-70: RESOLUTION AUTHORIZING TWO PROPERTIES IN WEST CALDWELL 151 BROOKSIDE AVENUE & 157 BROOKSIDE AVENUE TO CONNECT TO CALDWELL'S WATER SUPPLY SYTEM

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 02/19/13.

REPORT OF ATTORNEY:

Greg Mascera reported that Lisa O'Neill received a letter from Department of Administration and Finance of Essex County from Mark Acker dated February 11th. The County is looking for some clarification in regards to our Pilot Agreement. The only Pilot Agreement in Caldwell is the Marion Manor. The County is supposed to receive 5% of the annual service charge that is paid by Marion Manor. I attend to write a letter to Mr. Acker and inform him that we don't have

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 19, 2013**

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the agreement and I don't believe the County has a copy of the agreement either. Discussion Ensued.

OLD BUSINESS:

Water Main Improvement Project – updates

Councilman Coyle reported that Paul passed out the summary of where we are with the various water and road improvement projects that we have been discussing for two years now. Discussions Ensued.

2-71: AUTHORIZING THE BOROUGH ADMINISTRATOR TO SEND BIDS FOR WATER CAPITAL IMPROVEMENTS AND ALTERNATE PAVING FOR CEDARS ROAD, KNOLLWOOD TERRACE, GOULD PLACE AND OVERLOOK ROAD

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 02/19/13.

Correspondence from Paul Milani – Dumpster Permit Application/Ordinance for Consideration **Paul Carelli** asked the Council if they would like the attorney to draft something up to have for next meeting.

Video of Council Meetings – Update

Paul Carelli reported that he is meeting tomorrow morning with the Company that submitted the RFP the last time. He will report more at the next meeting.

NEW BUSINESS:

Mayor Dassing spoke to the Chief about an article she read that the Borough can get a box to accept prescription drugs it looks like a mailbox and it is free.

James Bongiorno responded that we can place it in the lobby but it will need a camera on it.

OPEN PUBLIC MEETING:

Ann Marchioni, Caldwell Environmental Commission, she thanked the Council for approving the Resolution for Highlands Water Protection. The Conservancy is having a 100 year celebration at the West Caldwell Public Library on March 3rd.

Bob Christensen, 3 Ravine Avenue, spoke about Idling and what the town has done to advice the residents of its danger to their health.

Mayor Dassing announced that she would like to Congratulate Maria Burak who is being honored by the Kiwanis Club for her service to the Community on Thursday, February 28th at the Hanover Manor.

On a motion made by Councilman Coyle and seconded by Councilman Rodgers, unanimously affirmed, the Council moved into Executive Session at 8:25PM.

Mayor Dassing 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. Greg Mascera responds that the Executive Session will be discussion of Sewer Plant Update and two Personnel issues and two law suits.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman O'Donnell, the Council Business Conference Meeting was opened to the public and the press at 8:51P.M.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – February 19, 2013**

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There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman O'Donnell, unanimously affirmed by all members present, the meeting was adjourned at 8:51P.M.

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1272-13

AN ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION GOVERNING VEHICLES AND TRAFFIC

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

That Chapter 230, Article III, Parking, Standing and Stopping, Section 18 of the Code of the Borough of Caldwell, New Jersey, "Regulations established; effect on statutory provisions; violations and penalties; terms defined" be amended as herein set forth:

Chapter 230, the Chapter governing Vehicles and Traffic is amended as follows:

1. **Amend Article III , Section 18B by deleting "\$50" and replacing it with "\$35" so that the minimum fine imposed shall not be less than \$35.**
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 5, 2013
DATE OF PUBLICATION: February 14, 2013
MOVED:
SECONDED:

DATE OF SECOND READING: March 5, 2013
DATE OF ADOPTION: March 5, 2013
MOVED:
SECONDED:

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser					Kelley				
O'Donnell					Rodgers				
Coyle					Durkin				

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# 1273-13

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

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

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

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

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

G. No local government officer or employee shall:

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

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

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

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

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

DATE OF FIRST READING: February 5, 2013
DATE OF PUBLICATION: February 14, 2013
MOVED:
SECONDED:

DATE OF SECOND READING: March 5, 2013
DATE OF ADOPTION: March 5, 2013
MOVED:
SECONDED:

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
O'Donnell						Rodgers				
Coyle						Durkin				

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: 3-72

Date of Adoption: March 5, 2013

TITLE:

AUTHORIZING THE BOROUGH ADMINISTRATOR TO SUBMIT THE ANNUAL RECYCLING TONNAGE REPORT TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the Borough Administrator to submit the annual recycling tonnage report to the New Jersey Department of Environmental Protection for the period of January 1, 2012 through December 31, 2012.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Dukin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-73

Date of Adoption: March 5, 2013

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 – Jamie Classic Cars/Anthony Tino

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 Jamie Classic Cars/Anthony Tino, 103 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						Kelley				
Coyle						Rodgers				
O’Donnell						Durkin				

Lisa O’Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-74

Date of Adoption: March 5, 2013

TITLE:

AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Mount Saint Dominic Academy

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

Mount Saint Dominic Academy
3 Ryerson Avenue
Caldwell, New Jersey 07006

Event to Be Held:

Doris M. Byrne Arts Center
Mount Saint Dominic Academy
3 Ryerson Avenue – 1st Floor Bishops' Dining Room
Caldwell, New Jersey 07006

April 27, 2013
6:00PM – 11:00PM

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-75

Date of Adoption: March 5, 2013

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Parent Faculty Association of Mt. St. Dominic Academy/ On Premise - Merchandise Raffle, April 27, 2013 – 6:00PM – 8:00PM.

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-1256 Parent Faculty Association of Mt. St. Dominic Academy
On Premise – Merchandise Raffle
April 27, 2013 - 6:00PM – 8:00PM

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						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-76

Date of Adoption: March 5, 2013

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Parent Faculty Association of Mt. St. Dominic Academy/ On Premise – Merchandise Raffle, June 3, 2013 – 7:30PM – 8:30PM.

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-1257 Parent Faculty Association of Mt. St. Dominic Academy
On Premise – Merchandise Raffle
June 3, 2013 – 7:30PM – 8:30PM

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						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-77

Date of Adoption: March 5, 2013

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – First Presbyterian Church at Caldwell/ On Premise – 50/50 Raffle, April 12, 2013 – 4:00PM – 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-1258 First Presbyterian Church at Caldwell
On Premise – 50/50 Raffle
April 12, 2013 – 4:00PM – 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

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-79

Date of Adoption: March 5, 2013

TITLE:

RESOLUTION ESTABLISHING THE SALARY OF THE MUNICIPAL COURT ADMINISTRATOR FOR THE BOROUGH OF CALDWELL EFFECTIVE MARCH 1, 2013

WHEREAS, Leanne O'Hern was appointed to the position of the Municipal Court Administrator in the Borough of Caldwell effective March 1, 2013; and

WHEREAS, the annual compensation range for this classification (Class E) and position has been designated between \$34,000-\$78,000 per year; and

WHEREAS, it is desired to amend the current salary of the Municipal Court Administrator; and

BE IT RESOLVED by the Council of the Borough of Caldwell, in the County of Essex, State of New Jersey, that they do hereby authorize the annual salary of the Municipal Court Administrator to be \$50,000 effective March 1, 2013.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

Municipal Court Career Opportunity

COURT: Municipal Court of Caldwell
MUNICIPALITY: Borough of Caldwell, New Jersey
VICINAGE: Essex
POSITION TITLE: Municipal Court Administrator
POSTING DATE: 12/06/2012
CLOSING DATE: 01/11/2013

JOB DESCRIPTION AND REQUIREMENTS

Overview and Duties:

The Caldwell Municipal Court is seeking Municipal Court Administrator. Under the direction of the Municipal Court Judge, the MCA will have administrative charge of court operations, supervise staff and perform quasi-judicial functions. Performs other related duties as required.

Experience:

Two (2) years or more experience in the administrative operations of a court, law office or government agency. New Jersey Municipal Court experience is preferred.

Education:

A High School Diploma or equivalent is required. Municipal Court Administrator Certification issued by the NJ Supreme Court, pursuant to NJSA 2B:12-11 is required. (see Important Notes).

Hours:

Court office hours are Monday through Friday, 8:30 AM to 4:30 PM. The court schedules court sessions on the 1st, 2nd and 4th Monday of each month beginning at 6:00 PM. The court may schedule additional special sessions as dictated by caseload needs.

Salary:

Salary range is \$45,000 - \$55,000 commensurate with experience. The work week is 35 hours. A Benefits package is included.

Important Notes:

1. If not certified or fully accredited, the successful candidate must earn conditional accreditation within six (6) months and full accreditation within three (3) years of appointment pursuant to R.1:41-3.
2. If not certified the successful candidate may only be appointed on an interim basis which may be renewed annually. The Interim MCA must become certified within three (3) years of appointment.
3. United States citizenship is not required but the selected candidate must be authorized to work in the
4. This posting was submitted by the local municipality and is not a State job posting.

Please send cover letter and resume to:

Paul M. Carelli

Borough Administrator

Borough of Caldwell

1 Provost Square Caldwell, NJ 07006

Or

Email - pcarelli@caldwell-nj.com

The Borough of Caldwell is an Equal Opportunity Employer



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-80

Date of Adoption: March 5, 2013

TITLE:

RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO ADD AN ADDITIONAL SERGEANT WITHIN THE BOROUGH OF CALDWELL POLICE FORCE

WHEREAS, Section 41-2 of the Code of the Borough of Caldwell provides that the “police department of the borough shall consist of a Chief of Police and such captains, lieutenants, sergeants, patrolmen and such other employees as shall, from time to time, be deemed necessary by the Mayor and the Borough Council to properly preserve peace and good order with the borough” and

WHEREAS, Section 41-14 of the Code of the Borough of Caldwell provides that the Chief of Police shall be responsible to the Police Committee and the Borough Council for the efficiency and management of the Police Department; and

WHEREAS, the police force has heretofore operated with five sergeants; and

WHEREAS, the Chief of Police has recommended to the Police Committee and the Borough Council that the Police Department will run more efficiently with an additional sergeant on the Police Force and has requested authorization to employ six sergeants within the police force; and

WHEREAS, the Police Committee has considered the Police Chief’s request and has recommended that the Borough Council adopt the recommendation

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

1. The organizational structure of the Police Department shall be modified so as to increase the number of sergeants from five sergeants to six sergeants beginning on the date of appointment of a sixth sergeant and continuing until such time as the organizational structure is otherwise modified by the Borough Council.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-81

Date of Adoption: March 5, 2013

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 5, 2013 FOR 2012/2013 BILLS IN THE TOTAL AMOUNT OF \$4,172,008.86

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

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

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

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

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-82

Date of Adoption: March 5, 2013

TITLE:

AUTHORIZING THE APPOINTMENT OF PLANNING BOARD MEMBER

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

Peter N. Byrne	Alternate #2	One-Year Term	Expires December 31, 2013
72 Westville Avenue			
Caldwell, NJ			

RECORD OF COUNCIL VOTE

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

<u>COUNCILMAN</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>	<u>COUNCILMAN</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
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Hauser					Kelley				
Coyle					Rodgers				
O'Donnell					Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor