

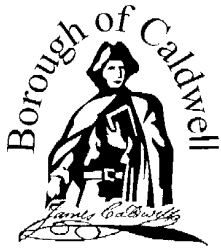


***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
March 15, 2016**

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

March 15, 2016 / 6:00PM

MAYOR
Ann Dassing

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

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. Personnel – Caldwell Community Center – Director Interviews

APPROVAL OF MINUTES

March 1, 2016

PRESENTATION

- 1. Claudine Pascale / Library Presentation

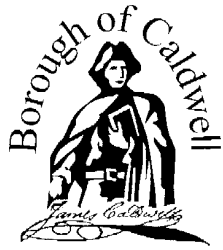
OPEN PUBLIC COMMENTS ON RESOLUTIONS

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.

3-78	AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – ROTARY –KIWANIS CALDWELL STREET FAIR, INC.
3-79	AUTHORIZING THE APPOINTMENT OF ZONING BOARD OF ADJUSTMENT MEMBERS
3-80	AUTHORIZING THE ISSUANCE OF A PERMIT FOR PEDDLER LICENSE OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – Said Elsayed
3-81	AUTHORIZING THE LIEN REDEMPTION OF TAX LIEN CERTIFICATE #14-00009, Block 12 Lot 3.01



Council Chambers

1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

Phone: (973) 226-6100

Website: www.caldwell-nj.com

March 15, 2016 / 6:00PM

MAYOR
Ann Dassing

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

3-82	RESOLUTION AUTHORIZING 2016 APPROPRIATION RESERVE TRANSFERS
3-83	RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 65 LOT 2, 80 BLOOMFIELD AVENUE, CALDWELL, DUE TO TAX COURT JUDGEMENT 2014 & 2015 TAX BOARD JUDGEMENT
3-84	AUTHORIZING THE LIEN REDEMPTION OF TAX LIEN CERTIFICATE #15-00008, Block 38 Lot 2.06
3-85	AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 56 LOT 6, 48 ROSELAND AVENUE, CALDWELL, NJ 07006, DUE TO TAX COURT JUDGEMENT. 2015 STATE TAX BOARD JUDGEMENT
3-86	AUTHORIZING THE APPOINTMENT OF Joseph Shvartsman FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT
3-87	AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 15, 2016 FOR 2016 BILLS IN THE AMOUNT OF \$739,401.37
3-88	RESOLUTION AUTHORIZING A ONE YEAR EXTENSION OF EXISTING CONTRACT WITH JAMES R. HAAS LANDSCAPE SPECTRUM LLC, 128 HILLSIDE AVENUE, WEST CALDWELL, NJ 07006 FOR LAWN MAINTENANCE SERVICES IN THE BOROUGH OF CALDWELL

COUNCIL COMMITTEE REPORTS

Borough Council Members

1. Councilman Hauser
2. Councilman Brown
3. Councilman Rodgers

REPORT OF MAYOR

Mayor Dassing

REPORT OF BOROUGH ADMINISTRATOR

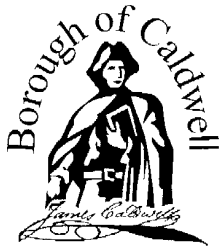
Paul M. Carelli

NEW BUSINESS

1. Ordinance Review – Special Improvement District

REPORT OF BOROUGH ATTORNEY

Greg 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 15, 2016 / 6:00PM

MAYOR
Ann Dassing

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

REPORT OF POLICE CHIEF

Chief James Bongiorno

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. Personnel – Community Center Director Position

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 03/11/2016 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 03/11/2016 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 1, 2016**

Page 1 of 3

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 Capozzoli, Councilman Hauser, O'Donnell, Brown, Cascarano and Rodgers

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

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:
February 16, 2016**

Moved by Councilman Cascarano, seconded by Council President Capozzoli. No Discussion. On roll call, all voted in the affirmative. Minutes approved 03/01/16.

PRESENTATION:

1. Stuart Koperweis / Special Improvement District

INTRODUCTION TO ORDINANCE:

ORDINANCE #1318-16: CAPITAL ORDINANCE OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NJ AUTHORIZING PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CALDWELL, APPROPRIATING THEREFOR THE SUM OF \$100,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND

Moved by Councilman Brown, seconded by Councilman Cascarano. No Discussion. On roll call, all voted in the affirmative. Ordinance Introduced 03/01/16.

PUBLIC HEARING AND ADOPTION OF ORDINANCE:

ORDINANCE #1317-16: AN ORDINANCE CREATING CHAPTER 195 OF THE BOROUGH OF CALDWELL TO PROHIBIT SMOKING ON PROPERTY OWNED BY THE BOROUGH OF CALDWELL

Moved by Council President Capozzoli, seconded by Councilman Cascarano. Discussions Ensued. On roll call, all voted in the affirmative. Councilman O'Donnell abstained. Ordinance Adoption 03/01/16.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

Moved by Councilman O'Donnell, seconded by Councilman Cascarano to open to the Public for Consent Agenda

RESOLUTIONS – CONSENT AGENDA

3-70: RESOLUTION AUTHORIZING THE PARTICIPATION IN THE LOCAL GOVERNMENT ENERGY AUDIT (LGEA) PROGRAM

3-71: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – CALDWELL PUBLIC LIBRARY FOUNDATION

3-72: AUTHORIZING THE LIEN REDEMPTION OF TAX LIEN CERTIFICATE #15-00006, Block 26 Lot 15

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 1, 2016**

Page 2 of 3

- 3-73:** RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 35, LOT 10, 33 RAVINE AVENUE, CALDWELL
- 3-74:** STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION
- 3-75:** AUTHORIZING THE APPOINTMENT OF LIBRARY BOARD OF TRUSTEE
- 3-76:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 1, 2016 FOR 2016 BILLS IN THE TOTAL AMOUNT OF \$2,231,929.96

CONSENT

Moved by Councilman O'Donnell, seconded by Councilman Cascarano. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/01/16.

REPORT OF MAYOR:

Mayor Dassing reported that she met with John Linson who is town arborist and there is a grant opportunity of twenty grants at \$30,000.00 each available from the State of New Jersey. Mr. Linson feels we have a lot of the grant in place we know which trees need to come down and were we need to plant new trees, we are a tree city and there is a list of positive aspects that we can include in the grant application. He would be happy to write it for us but we would need to add a resolution.

- 3-77:** AUTHORIZING TO ENABLE JOHN LINSON TO WRITE A GRANT FOR THE BOROUGH OF CALDWELL FOR TREE PLANTING

Moved by Councilman Brown, seconded by Councilman Cascarano. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/01/16.

Mayor Dassing thanked Patricia and the County for fixing the catch basin on Roseland Avenue. Also, Councilman Brown has informed her that the County was also here filling pot holes on Westville Avenue.

REPORT OF BOROUGH ADMINISTRATOR

Paul Carelli reported on the following:

- Chris and Paul are reviewing all the RFP's for banking services and they hope to have a recommendation for the next meeting.
- They discussed an RFP for lawn maintenance and some items have been added. It will be updated and hopefully advertised by Friday.
- The sewer plant clarifier is under way the contracts have been signed and they started that work. He is waiting on a detail schedule from Greg Seaman.
- They are getting ready to start the rest of the downstairs.
- The ordinance introduction tonight will set the stage for funding of the rehabilitation of one of the sand filters at the sewer plant. Hatch Mott who is operating the plant will be doing one sand filter and the price is \$72,000.00.
- On March 15th we will be having an Electricity auction. The contract expired yesterday and now we are month to month.
- Greg and Paul have met with Mike Samone from Crew Engineers to discuss the project on Hatfield and Elm that is behind schedule. Greg sent a letter to Your Way Construction outlying our proposal going forward we expressed our concern and gave them a time line starting April 1st and ending April 23rd.
- The Borough has received a check from North Caldwell for a sewer payment that was held in escrow for six (6) years \$60,858.00.

NEW BUSINESS:

1. Borough Street Signs

After discussion the Administrator will send out the current design to the Council by email.

OLD BUSINESS:

Channel 35

Councilman Hauser asked about Channel 35 and Paul responded that he was able to put something up today and with some training it will be up shortly.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 1, 2016**

Page 3 of 3

Councilman Hauser reported that in regards to the Community Center Director they have started interviewing and they will be interviewing again on Thursday evening and then the intent is to have the top two or three come back for the Governing Body to interview.

REPORT OF BOROUGH ATTORNEY:

Greg Mascera reported that the EVS agreement will be finalized next meeting.

REPORT OF ESSEX COUNTY LIASSON

Patricia Keenan reported that through the Essex County Division of Community Health Services and the Health Department, the NJ Department of Health has agreed to provide a Right to Know Train the Trainer course in accordance with the Act to those County and Municipal Employees responsible for Right to Know training in their perspective jurisdictions. This training is at no cost and consists of three seven hour sessions March 15th, March 22nd, March 29th, April 19th, April 26th and May 3rd.

The Essex County Cherry Blossom 10K Run on April 10th in Branch Brook Park. She is still waiting for a response from the County for a meeting about the light.

OPEN PUBLIC MEETING:

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

Paul Hamilton, The Progress he was assigned to take a 2016 head shot of the Council.

Barbara Solomon, 16 Klimback Court, West Caldwell she had questions on the master plan and the re-examination report.

Jim Neil, 11 Hillcrest Avenue he feels hiring a Community Center Director sooner than later is very important.

On a motion made by Councilman Hauser and seconded by Council President Capozzoli, unanimously affirmed, the Council moved into Executive Session at 8:38P.M.

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. The Executive Session will be contract action with Caldwell University.

The Executive Session was adjourned and upon a motion by Councilman Brown seconded by Council Cascarano, the Council Business Conference Meeting was opened to the public and the press at 9:18P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Cascarano, seconded by Councilman Brown unanimously affirmed by all members present, the meeting was adjourned at 9:18M.

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-78

Date of Adoption: March 15, 2016

TITLE:

AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – ROTARY –KIWANIS CALDWELL STREET FAIR, INC.

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:

Rotary-Kiwanis Caldwell Street Fair, Inc.
P.O. Box 186
Caldwell, New Jersey 07006

Event to Be Held:

Borough of Caldwell Municipal Parking Lot
Hanford Place
Caldwell, New Jersey 07006

October 2, 2016
11:30AM – 6:00PM

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-79

Date of Adoption: March 15, 2016

TITLE:

AUTHORIZING THE APPOINTMENT OF ZONING BOARD OF ADJUSTMENT MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Zoning Board 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

Ryan San George

Member

Expires December 31, 2019

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-80

Date of Adoption: March 9, 2016

TITLE:

AUTHORIZING THE ISSUANCE OF A PERMIT FOR PEDDLER LICENSE OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK’S OFFICE – Said Elsayed

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby approve the application for issuance of an peddler license permit to Said Elsayed, 1084 Main Street, Paterson, NJ 07503 in accordance with the application filed. Applicant and application has been investigated and approved by the Police 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

Capozzoli						Brown				
Hauser						Cascarano				
O’Donnell						Rodgers				

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-81

Date of Adoption: March 15, 2016

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF TAX LIEN CERTIFICATE #14-00009, Block 12 Lot 3.01

WHEREAS, at the Borough of Caldwell Tax Sale held on December 18, 2014, a lien was sold on Block 12, Lot 3.01 also known as 48 Hillside Avenue in Caldwell, NJ for delinquent water/tax; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00009, was sold to D1SOFTBAL at a premium \$10,000.00 ; and

WHEREAS, the HOMEOWNERS BANK has effected redeemed the Certificate 14-00009 in the amount of \$26,845.07; and

NOW THEREFORE BE IT RESOLVED that authorization is hereby given to issue a check in the amount of \$36,845.07 payable to D1SOFTBALL for the redemption of Tax Sale Certificate 14-00009

Certificate 14-00009

PRINCIPAL.....	\$ 26,793.07
PREMIUM.....	\$ 10,000.00
RECORDING FEES.....	\$ <u>52.00</u>
 TOTAL REDEMPTION.....	 \$ 36,845.07

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

BOROUGH OF CALDWELL

1 PROVOST SQUARE
 CALDWELL, NJ 07006
 TEL (973)403-4632 FAX (973)226-6102

REQUISITION	
NO.	R6-00239

S H I P T O	IDA RENNE TAX COLLECTION 1 PROVOST SQUARE CALDWELL, NJ 07006
	V E N D O R

ORDER DATE: 03/07/16
 DELIVERY DATE:
 STATE CONTRACT:
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	14-00009 REDEMPTION	T-11-55-286-009	26,793.0700	26,793.07
1.00	14-00009 RECORDING FEES	T-11-55-286-010	52.0000	52.00
1.00	14-00009 PREMIUM	T-11-55-286-008	10,000.0000	10,000.00
			TOTAL	36,845.07

REQUESTING DEPARTMENT

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-82

Date of Adoption: March 15, 2016

TITLE:

RESOLUTION AUTHORIZING 2016 APPROPRIATION RESERVE TRANSFERS

WHEREAS, various 2015 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfers between the 2015 Budget in the last two months of 2015; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the closed of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Caldwell, in the County of Essex, State of New Jersey, (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$22,860.00 be made between the 2016 Budget Appropriation Reserves as follows:

FROM

Solid Waste Collection O/E	\$ 20,000.00
Streets and Roads Maintenance O/E	\$ 2,860.00
	\$ 22,860.00

TO

Special Events O/E	\$ 310.00
Financial Administration O/E	\$ 16,150.00
Collection of Taxes O/E	\$ 250.00
Legal O/E	\$ 450.00
Buildings & Grounds O/E	\$ 400.00
Municipal Library O/E	\$ 1,600.00
Street Lighting	\$ 3,700.00
	\$ 22,860.00

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-83

Date of Adoption: March 15, 2016

TITLE:

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 65 LOT 2, 80 BLOOMFIELD AVENUE, CALDWELL, DUE TO TAX COURT JUDGEMENT 2014 & 2015 TAX BOARD JUDGEMENT

WHEREAS, it has been determined by the Tax Collector that the Owners are entitled to a REFUND due to a Tax Court Judgement for 2014 & 2015; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Tax Collector is hereby authorized to adjust off the following tax amounts.

ADDITIONAL MONEY DUE

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REFUND AMOUNT</u>
B65, L2	M & R MCKIRDY & RISKIN, PA COUNSELLORS AT LAW 136 South Street, P.O. Box 2379 Morristown, NJ 07962-2379	1,202.41

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

BOROUGH OF CALDWELL
 1 PROVOST SQUARE
 CALDWELL, NJ 07006
 TEL (973)403-4632 FAX (973)226-6102

REQUISITION	
NO.	R6-00253

SHIP TO	IDA RENNE TAX COLLECTION 1 PROVOST SQUARE CALDWELL, NJ 07006
VENDOR	VENDOR #: 03454 MCKIRDY & RISKIN, PA 136 SOUTH STREET PO BOX 2379 MORRISTOWN, NJ 07962-2379

ORDER DATE: 03/09/16
 DELIVERY DATE:
 STATE CONTRACT:
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	ST. TAX APPEAL 14/15 BK 65 L 2	6-01-55-270-000	1,202.4100	1,202.41
			TOTAL	1,202.41

Add to
 Reg. R6-00253

REQUESTING DEPARTMENT

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-84

Date of Adoption: March 15, 2016

TITLE:

**AUTHORIZING THE LIEN REDEMPTION OF TAX LIEN CERTIFICATE #15-00008, Block 38
Lot 2.06**

WHEREAS, at the Borough of Caldwell Tax Sale held on December 23, 2015, a lien was sold on Block 38, Lot 2.06 also known as 16 Westover Avenue in Caldwell, NJ for delinquent tax; and

WHEREAS, this lien, known as Tax Sale Certificate 15-00008, was sold to C & E Tax Lien Fund 1; and

WHEREAS, the HOMEOWNERS BANK has effected redeemed the Certificate 15-00008 in the amount of \$9,564.99; and

WITH A PREMIUM AMOUNT OF \$30,000.00 TO ALSO BE RETURNED TO THE LIEN HOLDER.

NOW THEREFORE BE IT RESOLVED that authorization is hereby given to issue a check in the amount of \$39,564.99 payable to C & E TAX LIEN FUND 1 for the redemption of Tax Sale Certificate 15-00008

Certificate 15-00008

PRINCIPAL.....	\$ 9,509.99
PREMIUM.....	\$ 30,000.00
RECORDING FEES.....	\$ 55.00
TOTAL REDEMPTION.....	\$ 39,564.99

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli						Brown				
Hauser						Cascarano				
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: 3-85

Date of Adoption: March 15, 2016

TITLE:

AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 56 LOT 6, 48 ROSELAND AVENUE, CALDWELL, NJ 07006, DUE TO TAX COURT JUDGEMENT. 2015 STATE TAX BOARD JUDGEMENT

WHEREAS, it has been determined by the Tax Collector that the Owners are entitled to a REFUND due to a **Tax Court Judgement** for 2015; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Tax Collector is hereby authorized to adjust off the following tax amounts.

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REFUND AMOUNT</u>
B56, L6	Howard B. Goldberg Attorney Trust Acct. c/o 48 Roseland Avenue, LLC. 33 Clinton Road West Caldwell, NJ 07006	\$3,924.48

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

TAX COURT OF NEW JERSEY
COUNTY: Essex
DOCKET NO. 004764-2015

48 ROSELAND AVENUE, LLC

Plaintiff(s),

v

CALDWELL BOR.

Defendant(s).

CIVIL ACTION
JUDGMENT

The parties having agreed upon a settlement, the assessment shall be as set forth below:

Block: 56
Lot: 6
Street Address: 48 Roseland Avenue
Year: 2015

Original Assessment

TAX COURT JUDGMENT

Land: \$ 600,000.00
Improvements: \$ 955,300.00
Total: \$1,555,300.00

600,000.00
1,107,000.00

1,707,000.00

The parties having agreed that there has been no change in value or municipal-wide revaluation or reassessment adopted for the tax year(s) 2016 (Freeze Act year(s)), the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year.

44,160.09

/s/ Cheryl A. Ryan, Clerk/Administrator
Tax Court of New Jersey

Entered: 2/26/2016

Attorney for Plaintiff: Howard B Goldberg Esq
Attorney for Defendant: Gregory Mascera Esq

2015
Judgment
924-48

2.587
40,235.62

HOWARD B. GOLDBERG

Attorney at Law
33 Clinton Road
West Caldwell, New Jersey 07006

Tel. No. (973) 227-6100
Fax No. (973) 227-6394

E-mail: howardbgoldberg@yahoo.com

February 29, 2016

Ida Mae Renne, C.T.C.
TAX COLLECTOR, CALDWELL BOROUGH
Municipal Building
One Provost Square
Caldwell, New Jersey 07006

Re: **48 Roseland Avenue, LLC v. Caldwell Township**
Block 56, Lot 6
48 Roseland Avenue
Docket No.: 004764-2015

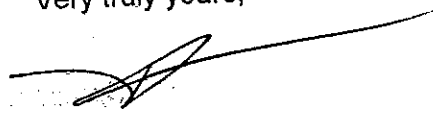
Dear Ms. Renne,

Enclosed please find copy of Tax Court Judgment in the above captioned-matter.

Please forward the tax refund to the undersigned, made payable to same, pursuant to the Stipulation of Settlement terms.

Thank you.

Very truly yours,



Howard B. Goldberg

HBG/IF
Enclosures



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-86

Date of Adoption: March 15, 2016

TITLE:

**AUTHORIZING THE APPOINTMENT OF Joseph Shvartsman 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 Joseph Shvartsman, 14 Midvale Avenue, 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

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-87

Date of Adoption: March 15, 2016

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 15, 2016 FOR 2016 BILLS IN THE TOTAL AMOUNT OF \$739,401.37

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 2015 and/or 2016 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

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-88

Date of Adoption: March 15, 2016

TITLE:

RESOLUTION AUTHORIZING A ONE YEAR EXTENSION OF EXISTING CONTRACT WITH JAMES R. HAAS LANDSCAPE SPECTRUM LLC, 128 HILLSIDE AVENUE, WEST CALDWELL, NJ 07006 FOR LAWN MAINTENANCE SERVICES IN THE BOROUGH OF CALDWELL

WHEREAS, on April 7, 2015 the Borough Council of the Borough of Caldwell awarded a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 to provide Lawn Maintenance Services to the Borough of Caldwell; and

WHEREAS, the term of the contract was one year with the authorization to extend the contract 2 times as approved by the Mayor and Council of the Borough of Caldwell; and

WHEREAS, the initial term of the contract was from April 7, 2015 to April 6, 2016; and

WHEREAS, the Borough Administrator is recommending the first one year extension of the contract with James R. Haas Landscape Spectrum LLC; and

WHEREAS, pursuant to 40A: 11-15 (45), the Borough will extend its existing contract for an additional one (1) year with James R. Haas Landscape Spectrum LLC for an annual amount of:

April 7, 2016 – April 6, 2017: \$18,930.00 Base / \$8,370 Addendum; and

WHEREAS, the Chief Financial Officer has certified that funding is available pursuant to N.J.A.C. 5:30-5.4.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, in the County of Essex, State of New Jersey, that it authorizes the Borough Administrator to extend the contract James R. Haas Landscape Spectrum LLC for one year effective April 7, 2016 through April 6, 2017.

BE IT FURTHER 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

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

Borough of Caldwell

Lawn Maintenance Addendums

1. Complete the list of properties to include: Ryerson, Smull lot, Kiwanis Oval, Back of Westville lot, Small Curb on Brookside.
2. Blow down Municipal Lots 3 Times per year. Lots included are: Hanford, Parsons, Kaplan, Cook, Smull and lower parking deck level. (Notices to be sent to permit holders that lot will need to be as empty as possible on dates of clean up)
3. Blow down sidewalks on bloomfield avenue every other week from April through November.
4. Prune Shrubs at: Kiwanis Oval, Provost, The town Green, Library, Smull lot and Park Ave property.
5. Include Island on Academy



The James R Haas Landscape Spectrum
 128 Hillside Avenue
 West Caldwell, NJ 07006 US
 jameshaas13@hotmail.com
<http://landscapespectrum.com>

Estimate

ADDRESS
Borough of Caldwell 1 Provost Square Caldwell, NJ 07006

ESTIMATE #	DATE	
1056	03/10/2016	

ACTIVITY	QTY	RATE	AMOUNT
Lawn Maintenance Lawn Maintenance for 2016 as per 2015 Bid	1	18,930.00	18,930.00T
Miscellaneous Additional properties- Ryerson, Smull lot, Kiwanis Oval, Westville back lot, and Brookside Curb. Brookside Curb will be absorbed into Gould Curb so no charge extra for that. 18 maintenance stops per property per year.	72	45.00	3,240.00T
Miscellaneous Blowing of Municipal lots: Hanford, Parsons, Kaplan, Cook, Smull and lower parking deck. 3 times per year. Roughly 20 hours to complete	50	45.00	2,250.00T
Miscellaneous Bloomfield Avenue Sidewalk Blowing every other week	15	150.00	2,250.00T
Miscellaneous Prune Shrubs: Kiwanis Oval, Provost, Green, Library, Smull lot, 14 Park Ave	14	45.00	630.00T
Miscellaneous Island on Academy road will be adopted by The James R. Haas Landscape Spectrum and maintained free of charge.	1	0.00	0.00T

SUBTOTAL	27,300.00
TAX (0%)	0.00
TOTAL	\$27,300.00

Accepted By

Accepted Date