



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
March 20, 2012**

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 - Revised

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

March 20, 2012

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser – President
Peter Murray
John Coyle
Thomas O'Donnell
John Kelley
Frank Rodgers

CALL TO ORDER

Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding

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

APPROVAL OF MINUTES

March 6, 2012

DEPARTMENT HEAD PRESENTATIONS

Caldwell Public Library – Adele Puccio / Library Director

Caldwell Community Center – Rob Paterson / Director

INTRODUCTION ORDINANCES

SUPPLEMENTAL DEBT STATEMENT – March 21, 2012

ORDINANCE 1245-12: BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$175,000 FOR WATER SYSTEM IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$175,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

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 ISSUANCE OF ONE (5) TAXICAB LICENSES TO Caldwell Taxi, Inc., 570 Bloomfield Avenue, Bloomfield, NJ 07003. APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS

3-79: 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 H. Elsayed



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RESOLUTIONS - CONSENT AGENDA (continued)

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

- 3-80:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Friends of the American Cancer Society of New Jersey/ On Premise – Merchandise Raffle / April 24, 2012 – 4:00PM – 9:30PM – Drawing at 9:30PM
- 3-81:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Friends of the American Cancer Society of New Jersey/ On Premise – 50/50 Raffle / April 24, 2012 – 4:00PM – 9:30PM – Drawing at 9:30PM
- 3-82:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell West Caldwell Education Foundation/ On Premise – Tricky Tray Raffle / April 22, 2012 – 4:00PM – 7:00PM
- 3-83:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell West Caldwell Education Foundation/ On Premise – 50/50 Raffle / April 22, 2012 – 4:00PM – 7:00PM
- 3-84:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00020 PAYABLE TO ISAAC MORADI
- 3-85:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 20, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$789,068.81
- 3-86:** RESOLUTION AUTHORIZING CANCELLATION OF CURRENT EMERGENCY APPROPRIATIONS FOR THE 2011 STORM EMERGENCY
- 3-87:** RESOLUTION OF SUPPORT FROM LOCAL GOVERNING BODY AUTHORIZING THE APPLICATION FOR THE 404 HAZARD MITIGATION GRANT PROGRAM PERTAINING TO THE FEDERAL DISASTER DECLARATION FEMA # 4048-DR-NJ, OCTOBER 2011 HALLOWEEN SNOWSTORM

PUBLIC WORKS / UTILITIES

Councilman Coyle

Liaison: Open Space / Environmental / Tree Removal

COMMUNITY CENTER

Councilman O'Donnell

Liaison: Planning Board / Local Board of Assistance / Senior Advisory Board

FINANCE

Council President Hauser

Liaison: Library Board of Trustees / Recreation



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PUBLIC SAFETY

Councilman Murray

Liaison: Rent Board / Traffic Committee

PERSONNEL / HEALTH AND HUMAN SERVICES

Councilman Rodgers

Liaison: Board of Health / Senior Citizens Transportation

COMMUNITY OUTREACH

Councilman Kelley

Liaison: Board of Education / Community Development / Camp Wyanokie

REPORT OF MAYOR

Mayor Dassing

REPORT OF ADMINISTRATOR

Paul M. Carelli

1. Administrator Report Spreadsheet – March 20, 2012

REPORT OF ATTORNEY

Gregory Mascera

OLD BUSINESS

1. Capital Project Discussion – project update.
2. Parking Initiatives Update

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



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA - Revised

Phone: (973) 226-6100
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March 20, 2012

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser – President
Peter Murray
John Coyle
Thomas O'Donnell
John Kelley
Frank Rodgers

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. 14 Park Avenue
2. 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 3/16/2012 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 3/16/2012 in compliance with P. L. 1975, c 213

Lisa O'Neill, Acting Borough Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 6, 2012**

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

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

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

ABSENT: Councilman Kelley

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

Mayor Dassing extended her condolences to Councilman Kelley and his family on the passing of his Dad. John is still in Houston and our prayers and thoughts are with him.

APPROVAL OF MINUTES:

February 21, 2012

Moved by Councilman Coyle, seconded by Councilman Murray. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 03/06/12.

PRESENTATION:

Caldwell Public Safety Parking Initiatives

OPEN PUBLIC MEETING:

Marie Lanfrank, 14 Cleveland Street – she asked the question about the Farmers Market and how will this affect the Smull Avenue parking.

Jack Shakoor, Jack's Food Town – spoke about the three hour parking instead of the two hours. He feels that two hours is enough. He suggested the permit parking near Gould should be eliminated and leave Brookside open for permits.

Donna Filkin, - spoke to a number of people about using the Smull lot and they are concerned about the safety in that lot. She requested more prominent and consistent signage.

June Cowell, 29 Brookside Avenue – spoke about the use of private parking lots. She asked about a reduced fee for any employees.

Tom, Roseland Avenue – asked if it is still possible if Caldwell residents are able to get a day and night parking permit.

Deb Sloan, Somewhere in Time – asked about the part-time permits. She asked if the lot on Smull will it be for all the employees to park now.

Ryan Dorchak, Clover Leaf Tavern – he spoke about the signage being hidden and feels it is important to have free standing signage.

Karla Marris, Wakefield Place – asked the Chief how this will be enforced when the Police Department is so busy. She suggested that the corner parking on Westover Avenue be moved up since you can't see when you are making that turn.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 6, 2012**

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Suzanne Pemrick, Vice President of Tenants Association – she asked how much a tenant will need to pay for parking.

David Cowell, 29 Brookside Avenue – he stated that the problem will not be solved in this ordinance unless we look at the Planning and Zoning Boards, remind them that if they don't hold to parking provisions under the ordinances it will just make the problem worse very quickly.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

RESOLUTIONS – CONSENT AGENDA

- 3-68:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00005 PAYABLE TO ROBERT PALMISANO
- 3-69:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00015 PAYABLE TO ROBERT PALMISANO
- 3-70:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00019 PAYABLE TO ROBERT PALMISANO
- 3-71:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00012 C&E PARTNERS
- 3-72:** APPROVING A TOW OPERATOR'S LICENSE FOR CAMP AUTO & TRUCK PARTS, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
- 3-73:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 10-00008 ROBERT PALMISANO
- 3-74:** AUTHORIZING A GRANT AGREEMENT BETWEEN THE BOROUGH OF CALDWELL AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT OF APPROXIMATELY \$3,000.00
- 3-75:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 6, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$1,871,703.10
- 3-76:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE FOR VOLUNTEER AUXILIARY POLICE OFFICER
- 3-77:** DISPOSAL OF OBSOLETE FIRE DEPARTMENT VEHICLES

CONSENT

Moved by Councilman Murray, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 02/21/12.

Councilman Coyle – reported that he met on the 27th to discuss in details the budgets for the water utility, sewer utility and for a number of projects that are planned for this year, the Streets that will be tied into the water main upgrade.

Councilman O'Donnell – reported that the Attorney General's Office will be at the Community Center to discuss how we can protect our residents against fraud and breakfast will be served. At the senior center there will be a St. Patrick's Day lunch on the 15th of March and the cost is \$8.00. There will be a presentation on the 20th given by Mr. Paterson on the Community Center.

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**BOROUGH OF CALDWELL
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Council President Hauser – reported that the Library Board would like to move ahead with the Eagle Scout Project. The request from Council was to ask for a drawing or sketch of the project. The Budget and Finance committee has been put on hold this week. He asked to please take a look at what we can do on a big scale to impact some of the large debt that we have to cover over the next seven (7) years.

Councilman Murray – reported that he had a meeting with the Fire Chief, Gary Garamella. The Police Department has done another great job with the numbers. Detective Palatucci has spent a lot of time putting together the Merchant watch program and to date no one has taken affect to it. I would like to compliment the chief on the people that have trained our new police officers. Councilman Murray gave an update on numbers in January there was a 77% increase over 795 violations written over January 2011 and in February 116% increase over the prior February 2011.

Councilman Rodgers - spoke about his first senior transportation meeting. The personnel committee met and spoke about performance reports.

Mayor Dassing – reported that from our Board of Education liaison she has a highlight report on the Board of Education meeting that happened last night. The budget increase was .55% well under the 2% cap translates to approximately \$966,000.00. The average increase over three years was \$140,507.00. The public hearing on the budget is scheduled for March 26th at Harrison School. The Board will vote on the tax levy then and no need for public vote on the budget since it is under the 2% cap. The Mayor attended along with her historic commission members for a full day workshop at Drew University in regards to the formation of the Historic Commission. On Thursday night she will be attending the Bronze Shield award dinner along with two of my female officers. They are honoring the Police Chief of Newark who is also a woman.

REPORT OF ADMINISTATOR:

Paul Carelli, Councilman Kelley asked that I let the Mayor and Council know that he appreciated the flowers that were sent for his Father. Paul handed out a list of projects for the Council. He spoke about the Netting and it should be installed by the end of this week beginning of next. The Masonic Lodge has purchased flags and would like to do a flag rasing on April 14th in honor of one of their members who is a veteran. In regards to the Community Center projects cameras will be installed. The request from the Committee was to relocate offices in the Community Center. Discussions Ensued.

OLD BUSINESS:

Capital Re-appropriation Status

Paul and Marge looked at some of the ordinances that were funded to see the status of the projects. We did a survey at the time with Council to see which projects they thought were important or probably we wouldn't do. Some of these ordinances are dated back to 2006. Discussions Ensued.

Gladding Road Update

The date Mr. Carelli received for paving on Gladding Road was the week of April 16th

The Mayor asked if the fence and pod ordinance could be put on the next Council meeting.

OPEN PUBLIC MEETING:

Suzanne Pemrick, Vice President of Tenants Association – asked if there are statistics on the number of single family homes in town that are no longer owner occupied. She asked if there has been an increase.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
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James Jorgensen, Essex County Liaison, reported on the Cherry Blossom Festival which will have six different events.

Marie Lanfrank – thanked everyone who came out to the Dancing with the Stars it was a great success. The Foundation raised over \$10,000.00. The Taste of Caldwell will be on April 22nd at Caldwell College.

On a motion made by Councilman Murray and seconded by Councilman Hauser, unanimously affirmed, the Council moved into Executive Session at 9:37PM.

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 14 Park Avenue.

The Executive Session was adjourned and upon a motion by Councilman Murray, seconded by Councilman Coyle, the Council Business Conference Meeting was opened to the public and the press at 10:12P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Murray, seconded by Councilman Coyle, unanimously affirmed by all members present, the meeting was adjourned at 10:12P.M.

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

DATE



BOROUGH OF CALDWELL NEW JERSEY



ORDINANCE# 1245-12

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$175,000 FOR WATER SYSTEM IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$175,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$175,000, such sum being in addition to the \$180,000 appropriated therefor by bond ordinance #1198-09 of the Borough, finally adopted August 25, 2009 ("Bond Ordinance #1198-09"). No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$175,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is water system improvements in the Borough, including Brookside Avenue interconnection, GIS Water System Map Upgrade, hydrant replacement and system improvements, all as more particularly described in the plans and specifications on file with the Borough, which plans and specifications are hereby approved, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$355,000, including the \$180,000 bonds or notes authorized by Bond Ordinance #1198-09 and the \$175,000 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$355,000, including the \$180,000 appropriated by Bond Ordinance #1198-09 and the \$175,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes



BOROUGH OF CALDWELL NEW JERSEY



from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$175,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$65,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$15,000 was estimated for these items of expense in Bond Ordinance #1198-09 of the Borough and an additional \$50,000 is estimated therefor herein.

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

Section 7. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.



**BOROUGH OF CALDWELL
NEW JERSEY**



Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

BY ORDER OF THE COUNCIL

Lisa O'Neill
Acting Municipal Clerk

DATE OF FIRST READING: March 20, 2012
DATE OF PUBLICATION: March 20, 2012
MOVED:
SECONDED:

DATE OF SECOND READING: April 3, 2012
DATE OF ADOPTION: April 3, 2012
MOVED:
SECONDED:

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

| | | | | | | | | | |
|--------|--|--|--|--|-----------|--|--|--|--|
| Hauser | | | | | O'Donnell | | | | |
| Murray | | | | | Kelley | | | | |
| Coyle | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough 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: 3-78

Date of Adoption: March 20, 2012

TITLE:

AUTHORIZING ISSUANCE OF ONE (5) 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 (5) Taxicab Licenses to Caldwell Taxi, Inc., 570 Bloomfield Avenue, Caldwell, New Jersey 07003 from March 21, 2012 through March 31, 2013. Applicant and application have been approved by the appropriate municipal departments

| | |
|-----------------------|-------------------|
| 2002 Mercedes Benz | WDBNG75J12A291163 |
| 2001 Lincoln Town Car | 1LNHM82W61Y727908 |
| 1999 Lincoln Town Car | 1LNHM18WXXY640264 |
| 1998 Lincoln Town Car | 1LNFM82W2WY726754 |
| 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 | | | | | O'Donnell | | | | |
| Murray | | | | | Kelley | | | | |
| Coyle | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-79

Date of Adoption: March 15, 2012

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 H. 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 H. Elsayed, 1084 Main Street, Apt. 1, Paterson, NJ 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

| | | | | | | | | | | |
|--------|--|--|--|--|--|-----------|--|--|--|--|
| Hauser | | | | | | O'Donnell | | | | |
| Murray | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-82

Date of Adoption: March 20, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Caldwell West Caldwell Education Foundation/ On Premise – Tricky Tray Raffle / April 22, 2012 – 4:00PM – 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-1234 Caldwell West Caldwell Education Foundation
On Premise – Tricky Tray Raffle
April 22, 2012 – 4:00PM – 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

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| Hauser | | | | | | O'Donnell | | | | |
| Murray | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-81

Date of Adoption: March 20, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Friends of the American Cancer Society of New Jersey/ On Premise – 50/50 Raffle / April 24, 2012 – 4:00PM – 9:30PM – Drawing at 9:30PM

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-1233 Friends of the American Cancer Society of New Jersey
On Premise – 50/50 Raffle
April 24, 2012 – 4:00PM – 9:30PM
Drawing at 9:30PM

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

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| Hauser | | | | | | O'Donnell | | | | |
| Murray | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-82

Date of Adoption: March 20, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Caldwell West Caldwell Education Foundation/ On Premise – Tricky Tray Raffle / April 22, 2012 – 4:00PM – 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-1234 Caldwell West Caldwell Education Foundation
On Premise – Tricky Tray Raffle
April 22, 2012 – 4:00PM – 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

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| Hauser | | | | | | O'Donnell | | | | |
| Murray | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-83

Date of Adoption: March 20, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Caldwell West Caldwell Education Foundation/ On Premise – 50/50 Raffle / April 22, 2012 – 4:00PM – 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-1235 Caldwell West Caldwell Education Foundation
On Premise – 50/50 Raffle
April 22, 2012 – 4:00PM – 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

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| Hauser | | | | | | O'Donnell | | | | |
| Murray | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-84

Date of Adoption: March 20, 2012

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00020 PAYABLE TO ISAAC MORADI

WHEREAS, it has been determined by the Borough Tax Collector that the taxpayers bank has redeemed the Lien on the property listed at 1 Seymour Street, Caldwell, NJ; and

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

| <u>BLOCK & LOT</u> | <u>RECIPIENT</u> | <u>REDEMPTION AMOUNT</u> |
|------------------------|--|--------------------------|
| Block 64 Lot 4.01 | Isaac Moradi 520 Elm Street Kearny, NJ 07032 | \$128.22 |
| | | _____ |
| | TOTAL | \$128.22 |

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

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| Hauser | | | | | | O'Donnell | | | | |
| Murray | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-85

Date of Adoption: March 20, 2012

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 20, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$789,068.81

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 2011 and/or 2012 appropriation for said purpose;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell that the, Borough Administrator and Assistant Treasurer 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

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| Hauser | | | | | | O'Donnell | | | | |
| Murray | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-86

Date of Adoption: March 20, 2012

TITLE:

**RESOLUTION AUTHORIZING CANCELLATION OF CURRENT EMERGENCY
APPROPRIATIONS FOR THE 2011 STORM EMERGENCY**

WHEREAS, the Borough of Caldwell's current fund emergency appropriation balance remains unexpended:

2011 Storm Emergency \$87,400

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance will not have to be raised in the 2012 budget.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Borough Council hereby authorizes the Chief Financial Officer to cancel the unexpended balance of the Current Fund so listed above.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

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| Hauser | | | | | | O'Donnell | | | | |
| Murray | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-87

Date of Adoption: March 20, 2012

TITLE:

RESOLUTION OF SUPPORT FROM LOCAL GOVERNING BODY AUTHORIZING THE APPLICATION FOR THE 404 HAZARD MITIGATION GRANT PROGRAM PERTAINING TO THE FEDERAL DISASTER DECLARATION FEMA # 4048-DR-NJ, OCTOBER 2011 HALLOWEEN SNOWSTORM

WHEREAS, the **2011 Halloween Snowstorm** resulted in Presidential Disaster Declaration DR-4048, which allowed for New Jersey to receive federally funded Hazard Mitigation funds; and

WHEREAS, the HMGP funding is administered by the State of New Jersey on behalf of a local government that applies for funding; and

WHEREAS, the Borough of Caldwell seeks to submit a *Letter of Intent* for consideration of funding for the recovery costs resulting from the **October 2011 Halloween Snowstorm, which shall be filed no later than March 30, 2012** with the State of New Jersey Hazard Mitigation Team; and

WHEREAS, the Borough of Caldwell, as a conduit for its individual property owners so affected by the disaster, will include in its application the opportunity to seek funding for eligible projects of individual property owners.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Caldwell, State of New Jersey, authorizes the submission of the aforementioned Hazard Mitigation Grant Program application; and,

BE IT FURTHER RESOLVED, that the Borough Administrator is authorized on behalf of the Borough Council of the Borough of Caldwell to prepare and submit documents and serve as the contact between the Borough of Caldwell and the State of New Jersey Hazard Mitigation Team.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

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| Hauser | | | | | O'Donnell | | | | |
| Murray | | | | | Kelley | | | | |
| Coyle | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 3-88

Date of Adoption: March 20, 2012

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO PREPARE A BOND ORDINANCE FOR THE CANCELLATION OF \$115,000 BOND AUTHORIZATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES AND TO TRANSFER THE \$115,000 IN BOND PROCEEDS TO THE BOROUGH GENERAL CAPITAL FUND.

BE IT RESOLVED that the Borough Council of the Borough of Caldwell authorizes the Borough Administrator to prepare a Bond Ordinance for the cancellation of \$115,000 bond authorizations not needed for their original purposes and to transfer the \$115,000 in bond proceeds to the borough's General Capital Fund.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

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| Hauser | | | | | | O'Donnell | | | | |
| Murray | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor