



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS
MEETING April 2, 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

April 2, 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

March 19, 2013

PRESENTATION

1. James Caldwell High School & Grover Cleveland Middle School students - Climate Change
2. Fire Department

INTRODUCTION OF ORDINANCES

Supplemental Debt Statement – May 2, 2013

ORDINANCE# 1276-13: BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$570,050 FOR VARIOUS WATER MAIN IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$570,050 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.

- 4-105:** AUTHORIZING ISSUANCE OF ONE (1) TAXICAB LICENSES TO CYC, Inc., 60 Roseland Avenue, Caldwell, NJ 07006. APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS
- 4-106:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00005 PAYABLE TO MTAG SERV. CUST FOR ATCF 11 NJ
- 4-107:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00011 PAYABLE TO US BANK CUST-PROCAP 11, LLC.
- 4-108:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00019 PAYABLE TO US BANK CUST-PROCAP 11, LLC.



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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.

- 4-109: RESOLUTION AUTHORIZING 2013 APPROPRIATION RESERVE TRANSFERS
- 4-110: RESOLUTION TO AMEND RESOLUTION 1-48 AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2012
- 4-111: AUTHORIZING THE APPOINTMENT OF KEVIN HERSH AS A CROSSING GUARD IN THE BOROUGH OF CALDWELL FOR THE 2012-2013 SCHOOL YEAR AT AN ANNUAL RATE OF \$5,720.00 EFFECTIVE MARCH 12, 2013
- 4-112: AUTHORIZING THE HIRING OF PART-TIME PERSONNEL IN THE CALDWELL COMMUNITY CENTER

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 – April 2, 2013

REPORT OF ATTORNEY

Gregory Mascera

OLD BUSINESS

- 1. Water Main Improvement Project – Update

NEW BUSINESS

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



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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 3/31/2013 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 3/31/2013 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

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

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

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:
March 5, 2013**

Moved by Councilman Coyle seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 03/19/13.

PRESENTATION:

1. Mr. Greg Courtright - Fundraising events for Cystic Fibrosis
2. Ann Marchioni – Caldwell Environmental Commission

INTRODUCTION OF ORDINANCE:

ORDINANCE#1275-13: - PULLED

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

RESOLUTIONS – CONSENT AGENDA

Discussion on Parking issues and suggestions

- 3-85:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00008 PAYABLE TO ISAAC MORADI
- 3-86:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00012 PAYABLE TO ISAAC MORADI
- 3-87:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00022 PAYABLE TO MTAG SERV. CUST FOR ATCF 11 NJ
- 3-88:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00013 PAYABLE TO MTAG SERV. CUST FOR ATCF 11 NJ
- 3-89:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00007 PAYABLE TO RIDGEBACK VENTURES, LLC.
- 3-90:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00015 PAYABLE TO ISAAC MORADI
- 3-91:** 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.
- 3-92:** 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
- 3-93:** AUTHORIZING THE ISSUANCE OF A PERMIT FOR PEDDLER LICENSE OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
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BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – Said H. Elsayed

- 3-94:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Volunteer Fire Company of Borough of Caldwell/ Off Premise – Merchandise Raffle, August 3, 2013 – 4:00PM – 10:00PM
- 3-95:** RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION Block 28.02, Lot 14.03 - 242 Passaic Avenue, West Caldwell, NJ to WROBEL HOME BUILDERS, LLC.
- 3-96:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MARCH 19, 2013 FOR 2012/2013 BILLS IN THE TOTAL AMOUNT OF \$1,522,792.35
- 3-97:** RESOLUTION SUPPORTING SUSTAINABLE STATE FUNDING FOR PRESERVATION AND STEWARDSHIP OF OPEN SPACE, PARKS, FARMLAND AND HISTORIC SITES IN NEW JERSEY
- 3-98:** Pulled.
- 3-99:** RESOLUTION AUTHORIZING PARKING FREE SATURDAYS ONCE A MONTH FOR ALL PARKING METER ZONES IN THE BOROUGH OF CALDWELL
- 3-100:** RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: ESSEX COUNTY WASTEWATER MANAGEMENT PLAN, NORTHEAST WATER QUALITY MANAGEMENT PLAN (WQMP)
- 3-101:** RESOLUTION SUPPORTING PSE&G'S ENERGY STRONG PROGRAM

CONSENT

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/19/13.

COUNCIL COMMITTEE REPORTS:

Councilman Durkin, reported that the Finance Committee has been meeting and are about 90% complete and will have a lot to report in two weeks. The Health Department would like everyone to know that the Borough website has information about the services of the Health Department and a calendar that they can access.

Councilman Rodgers, reported that the he has a personnel issue which will be discussed in executive session.

Councilman O'Donnell, reported that the Fire Department will be doing a presentation at the next meeting. There is a program that they are looking to adopt it is where they will go and survey the town to identify the elderly people or people who need assistance. If there is ever a fire at that location they will know where within the structure these people reside. There was a successful round of interviews on Saturday for promotions we were impressed with each and every one of the candidates. They were all qualified and in executive the Chief will be speaking to us about those interviews.

Councilman Hauser, reported that the Community Center Committee met on March 11th and we spent quite a bit of time around the Policies and Procedures. Everyone has received a draft and I haven't received any feedback on that and if you have feedback please get it to us so we can wrap this up. We also spent some time on the Budget for the Community Center.

Councilman Kelley, reported that he attended the Caldwell Merchants Association meeting and that's where he met Greg Courtright and he thanked him for coming and presenting the information regarding the Cystic Fibrosis foundation fundraisers. One of the topics was in regards to Street cleaning and he spoke to Mario and the one thing he made very clear today was that the merchants cannot sweep their sidewalks and throw the dirt at the curb. The building owner, tenant or business has an obligation to maintain the sidewalk and keep it clean and deposit their trash into their receptacle. Mario indicated that the sweeper will be Tuesday and Fridays as

**BOROUGH OF CALDWELL
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it has in the past. The trash receptacles along the Avenue are overflowing and no one is taking care of it. Mario shared with me that there are people on the Avenue using those receptacles as their daily, weekly trash container. Some of those people are the tenants that live along Bloomfield Avenue and potentially some are the merchants who may be using these receptacles. This comes back to enforcement and we need to work with enforcement on how we effectively get that accomplished so that building owner, the landlord, the merchants, the tenants understand that they cannot use the receptacles for their garbage. Another idea is having a hot line for the merchants for communication. He spoke about signage and this can provide good direction and good information on where to park, not just on the Avenue but behind the stores. Black Maria will be at Caldwell Flowerland on April 20th. Art on the Avenue is on June 1st and this year there will be an artist painting on the Avenue. Discussion on Parking meters and enforcement.

Councilman Coyle reported that he attended a Planning Board meeting on March 12th with the Mayor to review a proposal from the Corner Butcher Block located at 5 Park Avenue. They are looking to relocate their property to the front of property on Bloomfield Avenue. The plans were unanimously approved.

Councilman Hauser spoke about a shared service of the sweeping of the streets.

Mayor Dassing reported that she attended the Caldwell Fire Department dinner and it was a terrific evening. Thank you to them for their services and their families for parting with them during severe weather like Hurricane Sandy. In reference to 14 Park Avenue the Bridge Building, I did hear from the Federal Government and we have a preliminary approval so we should be hearing from them in early April. The Mayor attended a shared service meeting with Councilman Hauser and Paul Carelli in West Caldwell there were Mayors from Roseland, Fairfield, Essex Fells, North Caldwell and West Caldwell there as well as Council members and Business Administrators. It was a very positive meeting and very encouraging seeing so many people there. I thank Mayor Tempesta for putting that together. The Mayor has identified a possible grant source for the Pine Brook in addition to the FEMA Mitigation grants which we will discuss in Old Business. I asked our DPW Director to get pricing to repair the sprinkler system on the common known as the green. There are interested merchants and interested residents to refurbish the common make it more attractive and inviting. The first day is April 6th for free parking. The Mayor was very impressed with all the officers that were interviewed for the promotions.

REPORT OF ADMINISTRATOR:

Paul Carelli, reported that Mario and FEMA representatives have been working on projects and he reported at the last meeting that one project was already signed off and that was for \$118,000 and since then we are up to over \$210,000 grants that were signed off by FEMA. The FEMA Representative will be putting in an application for the replacement of the awing outside of the Community Center. **Councilman Kelley** asked if Paul mentioned the video equipment in Council Chambers, is that waiting for the budget or can we move forward. Paul responded that we are waiting for the Budget. The Company came back and took a look at it again and the quote is almost \$29,000 not including the installation which can be another \$4000 and the grant was for \$25,000.

OLD BUSINESS:

Water Main Improvement Project – Update

Paul Carell distributed information to Council on the added portion to show a schedule of the incremented cost that was already approved. Brookside Avenue will be done within the 60 day time frame. Bids will be opened on the 26th for the rest of the water work and we will have the actual pricing for that. Discussion Ensued.

Pine Brook Flooding – Update

Paul Carelli reported that he met with Anthony Grenco and they spoke to the State Police and learned that there are FEMA Mitigation grants available for fixing generators and other things of that nature reoccurring issues that you have. We drafted two applications, a letter of intent that went to the County. One was for \$128,000 for generator and the Pine Brook was an estimate. We took the cost of what Mr. Flynn had spent on stabilizing a portion of his bank and it was in the neighborhood of \$50,000 and so many feet. Basically Glenn, Town Engineer, extrapolated that number and put a grant application in for 4.2 million dollars. **Mayor Dassing** responded that we were able to include the report from the Army Corps of Engineers with the grant. In addition to the Army Corps of Engineers I had Duberry out here the following year to look at the area behind the Parkside Gardens and they in fact concurred that the brook banks are being

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undermined and the apartment is sliding in that direction. Hopefully this will help us to rise to the top of the pile when it comes to funding.

Senior Transportation – Executive Session

Councilman Hauser asked the question to Paul Carelli about what is going on with the Employee Incentive Plan. We have the CFO in place which was one of the issues. Discussion was in putting together a meeting with the employees. In reference to the budget is the intent this year to incorporate the committee chairs to present the budgets to the budget committee which has been done for the past two years or is there a different process this year? **Councilman Durkin** responded that he would prefer that they are. **Councilman Hauser** asked what is the goal, what is the objective not being part of the committee for the first time in a few years. **Councilman Durkin** responded that once they have all the information from the department heads we will take all that and put it into the new budget. **Councilman Hauser** responded that we had a goal last year and the year before and not being a part of it this year and he is curious what the goal is. **Paul Carelli** responded that after Thursday's meeting the Finance Committee will have a lot more information to share. Discussions Ensued.

NEW BUSINESS:

OPEN PUBLIC MEETING:

Amy Piazza, 24 Erwin Place, she thanked the Mayor and a few Councilman for attending the last meeting and for passing the free parking one day a month. The merchants are looking for more help for a long term solution for the problems of parking. She discussed the issue with the trash and shoveling. The merchants would like the help of the Council to enforce keeping a clean downtown. Discussions Ensued.

Ann Marchioni, 85 Brookside Avenue, asked the question if Cedars Road is included in the bids. She invited the Council on April 3rd, at 7PM, Essex County Environmental in Roseland is having a presentation on Complete Streets.

Jim Jorgensen, liaison of Essex County, Glenn Beckmeyer is welcome to contact Sanje to set up an appointment to talk to him about the stop light. He asked for the chief to send him the paperwork for the Bus stop. There was an issue about a sign that was flipped up and he asked if it was fixed. Councilman Hauser responded that yes it was fixed and thank you. Councilman Coyle had contacted Mr. Jorgensen in regards of the maintenance of the trees that are planted along Bloomfield Avenue the little squares with the soil on them. He did find out that was originally done by the Borough with West Caldwell. I gave a suggestion to maybe approach it as a beautification or a competitive contractor would be maintaining and beautifying and watering the plants and using it as advertisement.

On a motion made by Councilman Hauser and seconded by Councilman Coyle, unanimously affirmed, the Council moved into Executive Session at **7:59PM**.

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. Mayor Dassing responds that the Executive Session will be discussion of status of Police Promotions, shared service senior transportation, personnel matter and Ingris litigation.

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 **9:03P.M.**

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3-102: RESOLUTION AUTHORIZING THE PROMOTION OF POLICE OFFICERS WITHIN THE BOROUGH OF CALDWELL POLICE FORCE

Moved by Councilman Hauser, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/19/13.

3-103: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO PROCESS AN INVOLUNTARY DISABILITY RETIREMENT APPLICATION

Moved by Councilman Kelley, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/19/13.

3-104: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO NEGOTIATE A TWO YEAR AGREEMENT WITH THE TOWNSHIP OF WEST CALDWELL AND THE BOROUGH OF ROSELAND FOR THE SENIOR TRANSPORTATION PROGRAM

Moved by Councilman Kelley, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 03/19/13.

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 **9:07P.M.**

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1276-13

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$570,050 FOR VARIOUS WATER MAIN IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$570,050 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 of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Caldwell, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$570,050, such sum being in addition to the \$975,000 appropriated therefor by bond ordinance #1249-12 of the Borough, finally adopted May 15, 2012 ("Bond Ordinance #1249-12"). 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 bond 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 \$570,050 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 various water main improvements to Brookside Avenue, Cedars Road, Knollwood Terrace, Gould Place and Overlook Road, including all work and materials necessary therefor and incidental thereto, as described in bond ordinance #1249-12 of the Borough, finally adopted May 15, 2012.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$1,545,050, including the \$975,000 bonds or notes authorized by Bond Ordinance #1249-12 and the \$570,050 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$1,545,050, including the \$975,000 appropriated by Bond Ordinance #1249-12 and the \$570,050 appropriated herein.



BOROUGH OF CALDWELL NEW JERSEY



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

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



BOROUGH OF CALDWELL NEW JERSEY



(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 \$570,050, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$148,000 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, which amends the \$195,000 estimated for these items of expense in the original Bond Ordinance #1249-12.

(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 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.

Section 8. Any grant moneys received for the purpose described in Section 3 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



**BOROUGH OF CALDWELL
NEW JERSEY**



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.

DATE OF FIRST READING: April 2, 2013 DATE OF SECOND READING: May 7, 2013
DATE OF PUBLICATION: April 11, 2013 DATE OF ADOPTION: May 7, 2013
MOVED: MOVED:
SECONDED: SECONDED:

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

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: 4-105

Date of Adoption: April 2, 2013

TITLE:

AUTHORIZING ISSUANCE OF ONE (1) TAXICAB LICENSES TO CYC, Inc., 60 Roseland Avenue, Caldwell, NJ 07006. 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 April 2, 2013 through March 31, 2014. Applicant and application have been approved by the appropriate municipal departments

1998 Ford Taurus

1FAFP52S3WA101687

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: 4-106

Date of Adoption: April 2, 2013

TITLE:

**AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00005 PAYABLE TO MTAG
SERV. CUST FOR ATCF 11 NJ**

WHEREAS, it has been determined by the Borough Tax Collector that the homeowners Bank has redeemed the (Water Lien on the property listed at 15 Kirkwood Place, 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 lien redemption;

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REDEMPTION AMOUNT</u>
Block 17 Lot 6	MTAG Serv. Cust for ATCF, 11 NJ, LLC. P.O. Box 54292 New Orleans, LA 70154-4292	\$4,152.23
		PREMIUM <u>\$3,000.00</u>
		\$7,152.23

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

Mar. 20. 2013 2:28PM

No. 0765 P. 3

March 20, 2013
02:32 PM

BOROUGH OF CALDWELL
Lien Redemption Work Sheet

1010259198

Page No: 1

Certificate: 12-00005
Prop Loc: 15 KIRKWOOD PLACE

Owner: GATES, JAMES W. & AUDREY M.
Address: 15 KIRKWOOD PLACE
CALDWELL, NJ 07006

Type of Lien: Outside
Interest Rate: 0.00

Apr 2: N
Premium: 3,000.00

Block/Lot/Qual: 17. 6.
Sale Date: 12/20/12

Holder Name: MTAG SERV.CUST FOR ATCF 11 NJ
Address: LLC
PO BOX 54292
NEW ORLEANS, LA 70154-4292

Holder Id: 00042

Redemption Calculation Date: 04/16/13
Include Current Charges: N

TAX SALE CERTIFICATE:

Balance Type	Principal	Interest	Total
Tax	1,962.85	27.67	1,990.52
		Cost: 64.81	
		Total Certificate:	2,055.33
#Days: 116 Per Diem: 0.000000		Int on Cert:	0.00
		Redemption Penalty (2.00 %):	41.11
		Total:	2,096.44

SUBSEQUENT CHARGES:

Balance Type	Year Prd	Date	Prin/Penalty	Interest Rate	Per Diem	#Days	Interest	Total
Tax	2013	1 02/28/13	1,956.83	18.00	0.978415	48	46.96	2,003.79
		Total:	1,956.83				46.96	2,003.79

BALANCE TYPE SUMMARY:

	Certificate Total & Subseq. Prin/Penalty	Interest	Total
Certificate Tax	1,990.52	0.00	1,990.52
Subseq Tax	1,956.83	46.96	2,003.79
Total Tax	3,947.35	46.96	3,994.31
Certificate Cost	64.81	0.00	64.81

LIEN REDEMPTION:

Principal: 4,012.16
 Redemption Penalty (2.00 %): 41.11
 Interest: 46.96
 Recording Fees: 52.00
 TOTAL REDEMPTION: 4,152.23
 Total Per Diem: 0.978415

Handwritten calculation:
 4152.23
 + 3000 Prem.

 7152.23



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-107

Date of Adoption: April 2, 2013

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00011 PAYABLE TO US BANK CUST-PROCAP 11, LLC.

WHEREAS, it has been determined by the Borough Tax Collector that the homeowners Bank has redeemed the (Water Lien on the property listed at 39 Prospect 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 lien redemption;

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REDEMPTION AMOUNT</u>
Block 41.01 Lot 19	US Bank Cust-Procap 11, LLC. 50 South 16 th St Suite 1950 Philadelphia, PA 19102	\$ 868.25
		PREMIUM <u>\$ 100.00</u>
		\$ 968.25

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

March 7, 2013
10:25 AM

BOROUGH OF CALDWELL
Lien Redemption Work Sheet

Certificate: 12-00011
Prop Loc: 39 PROSPECT STREET

Owner: MONTANEZ, EDGAR & ANNA
Address: 39 PROSPECT STREET
CALDWELL, NJ 07006

Type of Lien: Outside
Interest Rate: 0.00
Apr 2: N
Premium: 100.00

Block/Lot/Qual: 41.01 19.
Sale Date: 12/20/12
Redemption Calculation Date: 04/02/13
Include Current Charges: N

Holder Name: US BANK CUST-PROCAPITAL 11,LLC
Address: U.S. BANK TLSG
50 SOUTH 16TH ST. SUITE 1950
PHILADELPHIA, PA 19102

Holder Id: 00033

TAX SALE CERTIFICATE:

Balance Type	Principal	Interest	Total
Water	468.89	67.90	536.79
		Cost: 40.00	
		Total Certificate:	576.79
#Days: 102 Per Diem:	0.000000	Int on Cert:	0.00
		Redemption Penalty (2.00 %):	11.54
		Total:	588.33

SUBSEQUENT CHARGES:

Balance Type	Year Prd	Date	Prin/Penalty	Interest Rate	Per Diem	#Days	Interest	Total
Water	2012	4 02/20/13	225.81	8.00	0.050180	42	2.11	227.92
		Total:	225.81				2.11	227.92

BALANCE TYPE SUMMARY:

	Certificate Total & Subseq. Prin/Penalty	Interest	Total
Certificate Water	536.79	0.00	536.79
Subseq Water	225.81	2.11	227.92
Total Water	762.60	2.11	764.71
Certificate Cost		40.00	40.00

LIEN REDEMPTION:

Principal: 802.60
 Redemption Penalty (2.00 %): 11.54
 Interest: 2.11
 Recording Fees: 52.00
 TOTAL REDEMPTION: 868.25

Total Per Diem: 0.050180

Redemption + 100 - Prem = 968.25



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-108

Date of Adoption: April 2, 2013

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 12-00019 PAYABLE TO US BANK CUST-PROCAP 11, LLC.

WHEREAS, it has been determined by the Borough Tax Collector that the homeowners Bank has redeemed the (Water Lien on the property listed at 12 Parkway West, 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 lien redemption;

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REDEMPTION AMOUNT</u>
Block 57.01 Lot 1.08	US Bank Cust-Procap 11, LLC. 50 South 16 th St Suite 1950 Philadelphia, PA 19102	\$ 429.40
		PREMIUM <u>\$ 100.00</u>
		\$ 529.40

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: 4-109

Date of Adoption: April 2, 2013

TITLE:

RESOLUTION AUTHORIZING 2013 APPROPRIATION RESERVE TRANSFERS

WHEREAS, N.J.S.A. 40A:4-59 provides for transfers from appropriation reserves with an excess over and above the amount deemed to be necessary to fulfill such purpose, to any appropriation reserve for the immediately preceding fiscal year deemed to be insufficient; and

WHEREAS, various bills have been presented for payment which were not recorded at the time of transfers between 2012 Budget Appropriations in the last two months of 2012;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Caldwell that the list of transfers herein and below be and they are authorized to be made upon records of appropriations in the keeping of the Finance Director as per the amounts listed herein and below, provided this resolution is adopted by not less than 2/3 vote of the full membership of the Governing Body as required by Statute.

		FROM	TO
<u>GENERAL APPROPRIATIONS</u>			
<u>Within "CAPS"</u>			
Snow Removal			
2-01-26-771-020	Other Expenses	\$ 2,120.00	
Fire Department			
2-01-25-265-020	Other Expenses		\$ 20.00
Electric			
2-01-31-430-020	Salary and Wages		\$ 1,600.00
Telephone			
2-01-31-440-020	Other Expenses		\$ 500.00
TOTAL OPERATIONS		\$ 2,120.00	\$ 2,120.00

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, 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: 4-110

Date of Adoption: April 2, 2013

TITLE:

RESOLUTION TO AMEND RESOLUTION 1-48 AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2012

WHEREAS, certain appropriations were required and provided for during the calendar year 2012 and will require additional sums for expenditures to the end of 2012; and

WHEREAS, other appropriations reflect that balances do exist as of the end of the year 2012; and

WHEREAS, it is provided per N.J.S.A. 40A:4-58 that municipalities may make transfers from appropriations having excesses to those requiring additional sums.

WHEREAS, on January 15, 2013, this board adopted Resolution 1-48 authorizing budget transfers for calendar year 2012.

WHEREAS, the Borough desires to amend Resolution 1-48 authorizing budget transfers for calendar year 2012.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Caldwell that the list of transfers herein and below be and they are authorized to be made upon records of appropriations in the keeping of the Finance Director as per the amounts listed herein and below, provided this resolution is adopted by not less than 2/3 vote of the full membership of the Governing Body as required by Statute.

		FROM	TO
<u>GENERAL APPROPRIATIONS</u>			
<u>Within "CAPS"</u>			
Municipal Clerk			
2-01-20-120-020	Other Expenses	\$ 2,500.00	
Solid Waste			
2-01-26-305-020	Other Expenses	\$ 18,000.00	
Public Safety Functions			
2-01-25-240-010	Salary and Wages	\$ 10,500.00	
<u>GENERAL APPROPRIATIONS</u>			
<u>Excluded from "CAPS"</u>			
Sewerage Treatment			
2-01-31-455-144	Other Expenses	\$ 31,000.00	\$ 31,000.00
Community Center			
2-01-28-372-010	Salary and Wages		\$ 31,000.00
TOTAL OPERATIONS		\$ 62,000.00	\$ 62,000.00

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, 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: 4-111

Date of Adoption: April 2, 2013

TITLE:

AUTHORIZING THE APPOINTMENT OF KEVIN HERSH AS A CROSSING GUARD IN THE BOROUGH OF CALDWELL FOR THE 2012-2013 SCHOOL YEAR AT AN ANNUAL RATE OF \$5,720.00 EFFECTIVE MARCH 12, 2013

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of the following person as a Crossing Guard for the 2012-2013 school year.

Kevin Hersh
22 Leycraft Lane
Caldwell, NJ 07006

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

Caldwell Borough

Police Department - Crossing Guards Payroll Information

Regular Crossing Guards

<u>Year</u>	<u>Annual Pay</u>	<u>Per Pay Period</u>	<u>Hourly Rate</u>
1st Year	\$5,200.00	\$200.00	\$10.00
2nd Year	\$5,720.00	\$220.00	\$11.00
3rd Year	\$6,240.00	\$240.00	\$12.00
4th Year	\$6,760.00	\$260.00	\$13.00
5th Year	\$7,280.00	\$280.00	\$14.00
Over	\$7,800.00	\$300.00	\$15.00

Extended Crossing Guards

1st Year	\$5,720.00	\$220.00	\$11.00
2nd Year	\$6,240.00	\$240.00	\$12.00
3rd Year	\$6,760.00	\$260.00	\$13.00
4th Year	\$7,280.00	\$280.00	\$14.00
5th Year	\$7,800.00	\$300.00	\$15.00
Over	\$8,320.00	\$320.00	\$16.00

Note - Extended School Crossing covers Catholic Schools.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-111

Date of Adoption: April 2, 2013

TITLE:

**AUTHORIZING THE HIRING OF PART-TIME PERSONNEL IN THE CALDWELL
COMMUNITY CENTER**

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the hiring of the following part-time employees for the Caldwell Community Center effective March 1, 2013.

- | | | |
|---|-------------------|-----------------------|
| 1. Brian McGuire
16 Thumont Road
Caldwell, NJ 07006 | Front Desk | Rate: \$7.50 per hour |
| 2. Aulon Auziri
525 Bloomfield Avenue Apt 2F
Caldwell, NJ 07006 | Fitness Attendant | Rate: \$7.50 per hour |
| 3. Kyle DiBrita
39 Fairfield Avenue
West Caldwell, NJ 07006 | Fitness Attendant | Rate: \$7.50 per hour |

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