



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
April 3, 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

April 3, 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 20, 2012

DEPARTMENT HEAD PRESENTATIONS

Caldwell Department of Public Works – Mario BiFalco / Superintendent

INTRODUCTION OF ORDINANCE

ORDINANCE 1246-12: ORDINANCE OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY PROVIDING 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

PUBLIC HEARING AND ADOPTION OF ORDINANCE

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.

- 4-89:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 3, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$
- 4-90:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO SUBMIT THE ANNUAL RECYCLING TONNAGE REPORT TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2011



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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.

- 4-91: RESOLUTION APPOINTING PAUL M. CARELLI AS FUND COMMISSIONER AND JAMES BONGIORNO ALTERNATE FUND COMMISSIONER FOR THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND
- 4-92: 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 – Bob Hofmann, the Towne Scoop
- 4-93: AUTHORIZING THE APPLICATION BY THE CALDWELL TENANTS ASSOCIATION FOR USE OF THE FIRE HOUSE MEETING ROOM IN THE BOROUGH OF CALDWELL FIRE HOUSE FOR THEIR GENERAL MEETINGS
- 4-94: AUTHORIZING ISSUANCE OF A LICENSE TO OPERATE ELECTRONIC, MECHANICAL AND OTHER TYPES OF AMUSEMENT DEVICES; FOR Starz, Inc. t/a Ringside Pub APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS
- 4-95: AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – Al Emmel Auto Body, LLC.
- 4-96: AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – RC Auto Sales
- 4-97: RESOLUTION AUTHORIZING THE BROOKSIDE AVENUE / RUNNYMEDE ROAD INTECONNECTION IMPROVEMENT AGREEMENT WITH THE TOWNSHIP OF WEST CALDWELL AND THE BOROUGH OF ESSEX FELS

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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Richard Hauser – President
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Thomas O'Donnell
John Kelley
Frank Rodgers

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 – April 3, 2012

REPORT OF ATTORNEY

Gregory Mascera

OLD BUSINESS

1. Paving Status of Gladding Road, Cherry Lane & Oak Ridge Road
2. Water /Road Improvement Projects – Capital Plan 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

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MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser – President
Peter Murray
John Coyle
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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. Personnel
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 3/30/2012 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 3/30/2012 in compliance with P. L. 1975, c 213

Lisa O'Neill, Acting Borough Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 20, 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, Kelley and Rodgers

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

ABSENT:

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.

APPROVAL OF MINUTES:

March 6, 2012

Moved by Councilman Coyle, seconded by Councilman Murray. No Discussion. On roll call, Councilman Hauser, Murray, Coyle, O'Donnell and Rodgers voted in the affirmative. Councilman Kelley abstained. Minutes approved 03/20/12.

PRESENTATION:

Caldwell Public Library – Adele Puccio/Library Director

Caldwell Community Center – Rob Paterson/Director

Colin Corliss gave a presentation on his Eagle Scout Project which is to make a platform for the Library book drops and beautify the surrounding area and making a sign.

INTRODUCTION OF 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

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced 03/20/12.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

RESOLUTIONS – CONSENT AGENDA

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

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 20, 2012**

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- 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 DIASTER DECLARATION FEMA #4048-DR-NJ, OCTOBER 2011 HALLOWEEN SNOWSTORM

CONSENT

Moved by Councilman Hauser, seconded by Councilman Murray. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 03/20/12.

Councilman Coyle – reported that he met with the Finance Committee last week and presented the budgets for sewer utility, water utility and they should have the DPW budget proposal for fiscal year 2012.

Councilman Hauser – reported that the Finance Committee is still having meetings. He stopped by and noticed that the netting is up and the College played their first game.

Councilman Murray – reported that there was a fire on Parkway East apartments and it was an aerosol can that caught on fire from a candle and the woman who lived there was brought to hospital with significant burns.

Councilman Rodgers – reported that the Board of Health met and the key topic was their website. The Personnel committee met and we should have the performance document ready for the Borough Administrator.

Mayor Dassing – thanked the police, fireman and first aid squad who responded so quickly to the fire this morning. We are very lucky to have such a dedicated community of volunteers and staff people who know what to do when something like this happens. The Mayor has tickets for the Taste of Caldwell and the tickets are \$50 for three hours of none stop eating, drinking and greeting event. This is a fund raiser for the Caldwell West Caldwell Education Foundation that supports our schools.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 20, 2012**

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REPORT OF ADMINISTRATOR:

Paul Carelli – reported that he handed out the Administrator report and he highlighted some items. He is still waiting to hear back about the flags on the Green. In the next two weeks we will be changing our email. He has received two quotes for upgrading the phone system. There are options for leasing. He thanked the Mayor for the blue prints on the Community Center. The Engineer and the traffic officer went out to Brookside to verify the placement on where the signs would actually go. Two quotes were received for the Hanford Lot for the retaining wall repair. One was \$6,800 and the other one was for \$6,300. We advertised for Auxiliary Police and I have received four resumes to date.

OLD BUSINESS:

Parking Initiatives Update

Councilman Murray spoke about the calls that were coming in for overnight parking. It comes down to 10 or 11,000 per year. Between 90 and 95 percent of the people calling are coming in from six different streets. Discussions Ensued.

Ava Mead, 25 Prospect Street – spoke about the parking issue at the Middle School.

Pasquale Capozzoli, Parkway West – he asked if you start at four when you start giving we start taking.

Robin Basta, Washburn Place – spoke about most of the houses on the street are two and three family homes. It seems like you are dealing with just the apartments.

Maria Castilano, Westover Avenue, spoke about the cars parked in front of her house.

Lewis Gallop, Smull Avenue, spoke about not putting the parking meters back on Smull Avenue.

John Womelsdorf, 18 Hanford Place – he asked if there will still be a courtesy for homeowners who have quests over to extend the parking in front of their house.

Robert Mead, 25 Prospect Street – spoke about the parking and why has it become an issue now. The apartments are over occupied and has anyone addressed them.

Steve Kramer, Washburn Place - spoke about the apartments and how it is not the town's responsibility to provide a convenience of parking if the landlords do not.

Rich Basta, 21 Washburn Place – he thanked everyone for identifying the problem and trying to find a solution. The problem here is we are way too lenient.

Sue Poling, 19 Hanford Place – spoke about not putting parking meters in front of her residential home.

Carol Ginefra, Arlington Avenue – spoke about how she always found other ways to park her cars rather than put them in the street over night for years.

Rich Heun, 14 Parkway East – he is encouraged about all the hard work that has gone into this. He suggested that the town give back the cul-de-sac to the apartments and let them use it for Parking.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
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Donna Longo, Espy Road – spoke about how she doesn't find an issue with over night parking on her street.

Margaret Kopel, Washburn Place – spoke about the spill over of parking that comes from the bars.

Karla Marris, Wakefield Place – spoke about going to apartment owners to build decks so they can get their cars in.

Greg Mascara, reported that parking variances are granted by the Planning or Zoning Board. The Council makes the ordinances and the Planning and Zoning Board are authorized under the law to grant variances under the ordinances. The Governing Body is also authorized to give directives to the Planning Board and Zoning Board. The Governing Body, if they wish, can give to the Boards that parking in Caldwell is at a premium. Discussions Ensued.

Capital Project Discussion – project update:

Paul Carelli, spoke about the capital project sheet that he handed out. He took requests that everyone gave him and made a list to see where they would be funded. Councilman Hauser spoke about the substantial gap that needs to be made up. One of the big ticket items is the additional debt that we have to cover this year. There is a possibility that roughly a 150,000 may come in from a FEMA grant but there is no documentation and we can not anticipate it so it's an expense in this year's budget. Discussions Ensued.

3-88: RESOLUTION AUTHROIZING THE BOROUGH ADMINISTRATOR TO PREPARE A BOND ORDINANCE FOR THE CANCELLATION OF \$115,000 BOND AUTHROIZATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES AND TO TRANSFER THE \$115,00 IN BOND PROCEEDS TO THE BOROUGH GENERAL CAPITAL FUND.

Moved by Councilman Hauser, seconded by Councilman Kelley. Discussions Ensued. On roll call, Councilman Hauser, Kelley and Rodgers voted in the affirmative. Councilman Murray, O'Donnell and Coyle voted in the negative. Mayor Dassing voted in the affirmative. Resolution approved 03/20/12.

NEW BUSINESS:

Discussion on the Recycling Contract.

On a motion made by Councilman Coyle and seconded by Councilman O'Donnell, unanimously affirmed, the Council moved into Executive Session at 10:30PM.

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 and West Caldwell Dispatch.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – March 20, 2012**

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

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman Rodgers, unanimously affirmed by all members present, the meeting was adjourned at 10:55P.M.

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1246-12

ORDINANCE OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY PROVIDING 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 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. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that certain bond authorizations in the aggregate amount of \$115,000 provided for in the various bond ordinances listed below are no longer needed for the purposes referenced therein. The Borough of Caldwell, in the County of Essex, New Jersey (the "Borough") desires, therefore, to cancel the following bond authorizations:

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Cancelled</u>
1170-06	Various capital projects, finally adopted August 15, 2006.	\$53,777.91
1185-08	Various capital projects, finally adopted February 26, 2008.	\$61,222.09

Section 2. The aggregate amount of \$115,000, all of which represents funded debt authorizations in the bond ordinances listed in the above referenced chart and made available pursuant to N.J.S.A. 40A:2-39, is hereby cancelled and transferred to the Borough General Capital Fund to pay outstanding debt obligations and/or for future capital projects.

Section 3. 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 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.



**BOROUGH OF CALDWELL
NEW JERSEY**



BY ORDER OF THE COUNCIL

Lisa O'Neill
Acting Municipal Clerk

DATE OF FIRST READING: April 3, 2012
DATE OF PUBLICATION: April 5, 2012
MOVED:
SECONDED:

DATE OF SECOND READING: May 1, 2012
DATE OF ADOPTION: May 1, 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: 4-89

Date of Adoption: April 3, 2012

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 3, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$2,529,755.75

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

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-90

Date of Adoption: April 3, 2012

TITLE:

AUTHORIZING THE BOROUGH ADMINISTRATOR TO SUBMIT THE ANNUAL RECYCLING TONNAGE REPORT TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the Borough Administrator to submit the annual recycling tonnage report to the New Jersey Department of Environmental Protection for the period of January 1, 2011 through December 31, 2011.

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: 4-91

Date of Adoption: April 3, 2012

TITLE:

RESOLUTION APPOINTING PAUL M. CARELLI AS FUND COMMISSIONER AND JAMES BONGIORNO ALTERNATE FUND COMMISSIONER FOR THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Borough of Caldwell is a member of the Garden State Municipal Joint Insurance Fund; and

WHEREAS, it is required for the Borough of Caldwell to have representation on the Board of Commissioners for Fund year January 1, 2012 to December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of April, 2012 by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey that:

1. Paul M. Carelli is hereby appointed as Fund Commissioner representing the Borough of Caldwell on the Garden State Municipal Joint Insurance Fund Board of Commissioners.
2. Police Chief James Bongiorno is hereby appointed as Alternate Fund Commissioner representing the Borough of Caldwell on the Garden State Municipal Joint Insurance Fund Board of Commissioners.

I do hereby certify that the foregoing is a true copy of a resolution passed by the Borough Council of the Borough of Caldwell at a meeting held on the 3rd day of April 2012.

Lisa O'Neill
Acting Borough Clerk

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: 4-92

Date of Adoption: April 3, 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 – Bob Hofmann, the Towne Scoop.

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 Bob Hofmann, The Towne Scoop, 542B Bloomfield Avenue, Verona, 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: 4-93

Date of Adoption: April 3, 2012

TITLE:

AUTHORIZING THE APPLICATION BY THE CALDWELL TENANTS ASSOCIATION FOR USE OF THE FIRE HOUSE MEETING ROOM IN THE BOROUGH OF CALDWELL FIRE HOUSE FOR THEIR GENERAL MEETINGS

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby approve the application for use of the fire house meeting room in the Borough of Caldwell Fire House for their General Meetings of the Caldwell Tenants Association

Monday, April 23, 2012 – 7:30PM – 9:00PM
Monday, September 24, 2012 – 7:30PM – 9:00PM
Monday, November 19, 2012 – 7:30PM – 9:00PM

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: 4-94

Date of Adoption: April 3, 2012

TITLE:

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

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

2 Pool Tables

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they have no objections to the issuance of an Amusement License to the Ringside Pub from April 3, 2012 through April 3, 2013.

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-95

Date of Adoption: April 3, 2012

TITLE:

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

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-96

Date of Adoption: April 3, 2012

TITLE:

AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – RC Auto Sales

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-97

Date of Adoption: April 3, 2012

TITLE:

RESOLUTION AUTHORIZING THE BROOKSIDE AVENUE / RUNNYMEDE ROAD INTECONNECTION IMPROVEMENT AGREEMENT WITH THE TOWNSHIP OF WEST CALDWELL AND THE BOROUGH OF ESSEX FELLS

WHEREAS, West Caldwell, Caldwell and Essex Fells previously have entered into various agreements relating to water supply which have benefited each municipality; and

WHEREAS, the proposed Brookside Avenue/Runnymede Road Water Main Interconnection in Essex Fells would serve as a primary water supply source to Caldwell and as an emergency supply to West Caldwell from the Essex Fells water system; and

WHEREAS, it is proposed that Caldwell construct, own and maintain a water main to be connected to the West Caldwell water main near the intersection of Brookside Avenue and Runnymede Road, in Essex Fells, to direct water supplied by Essex Fells to the Caldwell water system; and

WHEREAS, to reliably direct the water supplied in emergencies to West Caldwell by Essex Fells, the valve which currently is used to direct water to West Caldwell must be repaired or replaced, and such valve shall be the property of West Caldwell and shall be paid for and maintained by West Caldwell; and

WHEREAS, West Caldwell, Caldwell and Essex Fells each have determined that the benefits to each municipality from the proposed Interconnection Projects described above justify the creation of this attached agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell that the Borough Administrator is hereby authorized to sign the aforesaid Brookside/Runnymede Road Interconnection Improvement Agreement with the Township of West Caldwell and Borough of Essex Fells.

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