



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS
MEETING April 16, 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 16, 2013

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

April 2, 2013

PRESENTATION

1. Relay for Life – Allison Lopreato / Director – Special Events
2. Project Main Street – Caldwell Beautification Day

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.

- 4-113:** 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 – Linda Hofmann, The Towne Scoop
- 4-114:** 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 – North Jersey Collision, Phil Innarella
- 4-115:** 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 – C&G Auto Tech, Inc., Kirk Marcou
- 4-116:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell Downtown Alliance/ Off Premise – 50/50 Raffle, June 13, 2013 – 6:30PM



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

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

April 16, 2013

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

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.

- 4-117: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Grover Cleveland Park Conservancy/ Off Premise – 50/50 Raffle, September 21, 2013 – 1:00PM – 4:00PM
- 4-118: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – First Presbyterian Church at Caldwell
- 4-119: AUTHORIZING THE APPOINTMENT OF Carmine P. Saldutto, Jr. AS A FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT
- 4-120: AUTHORIZING THE APPOINTMENT OF Conor P. Cunningham AS A FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT
- 4-121: AUTHORIZING THE APPOINTMENT OF Charles J. Minetti, Jr., AS A FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT
- 4-122: RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION Block 33, Lot 4 – 7 Eisenhower Parkway, Roseland, NJ to DW Smith Associates, LLC.
- 4-123: RESOLUTION ADOPTING A FLEXIBLE SPENDING PLAN
- 4-124: AUTHORIZING THE REFUND OF OVERPAYMENT OF 2013 TAXES FOR BLOCK 54 LOT 2.50, FOR 63 ROSELAND AVENUE, CALDWELL, NJ
- 4-125: RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
- 4-126: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 16, 2013 FOR 2012/2013 BILLS IN THE TOTAL AMOUNT OF \$5,604,250.96

COUNCIL COMMITTEE REPORTS

Borough Council Members

Members of the Borough Council may choose to report on their respective committees.

REPORT OF MAYOR

Mayor Dassing



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

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

April 16, 2013

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

REPORT OF ADMINISTRATOR

Paul M. Carelli

Administrator Report – April 16, 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.

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 4/12/2013 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 4/12/2013 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – April 2, 2013**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at **7:07PM**

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 19, 2013**

Moved by Councilman Coyle seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 04/02/13.

PRESENTATION:

James Caldwell High School & Grover Cleveland Middle School students – Climate Change

INTRODUCTION OF ORDINANCE:

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

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 04/02/13.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

RESOLUTIONS – CONSENT AGENDA

Discussion on Parking issues and suggestions

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.

4-109: RESOLUTION AUTHORIZING 2013 APPROPRIATION RESERVE TRANSFERS

4-110: RESOLUTION TO AMEND RESOLUTION 1-48 AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2012

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – April 2, 2013**

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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

CONSENT

Moved by Councilman Hauser, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 04/02/13.

COUNCIL COMMITTEE REPORTS:

Councilman Durkin reported that the Finance Committee will be meeting at 7:30am on Saturday to go over the Budget and is hoping to introduce at the next Council meeting. He commended the students from JCHS on their presentation. The Environmental Commission is having an Earth Day/Arbor Day 2013 Contest slogan that Ann Marchioni came up with is TREES ARE TERRIFIC! For students in Caldwell and the Caldwell-West Caldwell School District grades K-2, 3-5 & 6-8, 9-12, College & Residents. All entries must be received by Friday, April 26th at the Caldwell Borough Hall before 4:30PM or Saturday, April 27th at the Caldwell Public Library between 9am & noon. The winners will be announced at Tree Day, May 4th and prizes will be awarded May 7 at the Council Meeting.

Councilman Hauser reported that in regards to recreation there was a joint meeting with West Caldwell. One of the things that were discussed is West Caldwell passed a resolution for 1.3 million dollars to upgrade a number of fields. We agreed to an idea in concept to contribute towards capital improvements on an annual basis. They have approached us with opportunities to help maintain the field. What West Caldwell has chosen not to do is ask us to help finance the renovations that they have done in the past year including this 1.3 million dollars but what they have asked is for us to consider giving them \$25,000 a year this being the first year as a token towards the 1.3 million dollars that they are setting aside. He would strongly suggest that we consider incorporating this into the budget discussions. One of the large things that they are doing is putting lighting on Memorial Park. We went over the dollars that have received to date towards the Kiwanis Oval Maintenance fund things are moving as anticipated with the exception of advertising dollars there have been no advertising fees received from the College or on behalf of either West Caldwell or Caldwell. Part of the agreement with Caldwell College is we would get 50% of the revenue proceeds from the advertising for signs and things of that nature. There are a number of new programs that have been put in place which are very well received by the kids and adults. **Councilman Hauser** read a letter from West Caldwell in regards to the Memorial Day Parade and they ask for any nominations for Grand Marshall for this year's parade please pass on to the committee. We continue to meet and discuss the Community Center and finalize the policies and procedures document which was given to Greg. **Greg Mascera** responded that the policies and procedures are complete and the specific rules in regards to each part of the facilities I have not reviewed yet he will need to sit down with Rob. **Councilman Hauser** responded just to make this clear to the public while some of the things in there are new or are added essentially is a culmination of a lot things already in place and we are trying to blend it into one document. **Greg Mascera** responded that there should be a resolution once it is finalized essentially adopting the procedures and rules and regulations and replacing to the extent that this would supersede any.

Councilman Kelley asked the question, if the \$25,000 a year was in the Budget part of the agreement that you signed. **Councilman Hauser** responded no, the agreement talked about was, if they came to us looking for us to help finance a project then we would present to the Council and we would vote on it, if it was something we needed to finance, which this is not, then it would need to go through a voting process. They just asked as a good will gesture is to put down \$25,000 towards the 1.3 million dollars. **Councilman Kelley** asked if that would change next year. **Councilman Hauser** responded that they were hoping that we would continue to do that for several years. **Paul Carelli** responded that there is a line item for the share service agreement and he said we would just add another line under that for \$25,000. Discussions Ensued. **Councilman Kelley** spoke about the Senior Transportation and he was unable to attend the meeting but Maria did share with him the meeting notes. Paul responded that he is waiting for the final answer from Greg and then the agreement will be going out. Councilman Kelley spoke about the bus reports and they are consistent with the calculations that Paul came up with and the agreement that you put forth. Camp Wyanokie has a meeting that will be in conflict with the Caldwell Merchants association meeting so I will probably have to defer to Councilman Durkin

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – April 2, 2013**

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and Mayor Dassing. He should have updates on both of those at the next Council Meeting. On April 17th at the Caldwell Library, Dick Cummings is Grover Cleveland Park Conservancy Historian and he will be speaking on the history of Grover Cleveland Park. In addition the Grover Cleveland Park Conservancy holds a volunteer event to help clean up the Grover Cleveland Park this year's event is on Saturday, April 20th from 9am – noon.

Mayor Dassing reported that the first Library Gala meeting is on Friday at 8:30am at Jersey Mac's for anyone interested in coming she will buy breakfast. The fundraiser will be held on Thursday, November 20th at the Green Brook Country Club at 6:30pm. The Mayor attended meet the Mayor's breakfast at Crane's Mill on Saturday and the President of PSE&G was there talking about the energy strong program. We passed a resolution for that and he thanked Caldwell for their support. There were twenty Mayors who attended from Essex County and Eastern Morris County. She met with a Solar Company along with Paul Carelli and they have two manufacturing sites in the nation where they manufacture solar panels in Federal prisons. They will be taking a look at our Community Center, Sewer plant and potentially the Community Center Parking Deck to put panels up. They may have some investors that will help with cost. They also have solar panel bus stops that motion sensor lights that only come on when someone is in bus stops. It will have Wi-Fi ability and a screen that is connected with amber alert and we can put information about community events. They fund and maintain the sites and is all powered by the sun. She will be attending the Complete Streets seminar at the County and will be bringing the information there to have the bus stops all along Bloomfield Avenue.

REPORT OF ADMINISTRATOR:

Paul Carelli, reported that they are progressing with our budget preparation for 2013. We have started to utilize the Edmunds software to its fullest capacity. When we finalize our budget documents that will be distributed to the Council and you will see a lot more detail this year. We are just about completed with our bank recs which will be automated through Edmunds and Chris will be able to issue reports each month. The payroll is now incorporated on the bill list. There will be a sewer board meeting at 6:00pm on April 16th before the Council meeting. We will be having a meeting on April 24th at 1:00PM for the Borough Employees to roll out the employee incentive plan.

OLD BUSINESS:

Water Main Improvement Project – Update

Paul Carell reported that the project on Brookside Avenue is well under way and making good progress. We did introduce the Supplement Bond ordinance which will fund the remainder of the project which is the Cedars. The bids were opened and I will forward that to Council. The bids were almost a \$100,000 less than Crews estimate. The next step is to adopt the ordinance on May 7th and award the contract the same night. Discussions Ensued.

NEW BUSINESS:

OPEN PUBLIC MEETING:

Tom Kelly, 48 Roseland Avenue spoke about the balls still coming from the field into the parking lot. He has a problem not having access to the rest rooms at the Community Center. He has a problem with Roseland Avenue and the traffic is backing up at least a half mile.

Ann Marchioni, 85 Brookside Avenue she thanked the Council for entertaining the students from the Middle School. Ms. Kinkle has done an exceptional job throughout her years as a teacher at the Middle School. She spoke about the tree contest.

Kimberly DeOlivera, The Progress she introduced herself and she will be attending the meetings.

On a motion made by Councilman O'Donnell and seconded by Councilman Hauser, unanimously affirmed, the Council moved into Executive Session at 8:18PM.

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

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – April 2, 2013**

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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 litigation matters of Gleason and potential litigation of Ms. Cherone.

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 8:31P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman Hauser, unanimously affirmed by all members present, the meeting was adjourned at 8:31P.M.

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-113

Date of Adoption: April 16, 2013

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 – Linda 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 Linda Hofmann, The Towne Scoop, 17 Forest 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

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

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-114

Date of Adoption: April 16, 2013

TITLE:

AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK’S OFFICE – North Jersey Collision, Phil Innarella

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 North Jersey Collision, 139 Roseland 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

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| Hauser | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O’Donnell | | | | | | Durkin | | | | |

Lisa O’Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-115

Date of Adoption: April 16, 2013

TITLE:

AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK’S OFFICE – C&G Auto Tech, Inc., Kirk Marcou

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 C&G Auto Tech, Inc., Kirk Marcou, 57 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

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| Hauser | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O’Donnell | | | | | | Durkin | | | | |

Lisa O’Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-116

Date of Adoption: April 16, 2013

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Caldwell Downtown Alliance/ Off Premise – 50/50 Raffle, June 13, 2013 – 6:30PM.

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-1260 Caldwell Downtown Alliance
Off Premise – 50/50 Raffle
June 13, 2013 – 6:30PM

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 | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O'Donnell | | | | | | Durkin | | | | |

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-117

Date of Adoption: April 16, 2013

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Grover Cleveland Park Conservancy/ Off Premise – 50/50 Raffle, September 21, 2013 – 1:00PM – 4:00PM.

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-1261 Grover Cleveland Park Conservancy
Off Premise – 50/50 Raffle
September 21, 2013 – 1:00PM – 4:00PM

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 | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O'Donnell | | | | | | Durkin | | | | |

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-118

Date of Adoption: April 16, 2013

TITLE:

AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – First Presbyterian Church at Caldwell

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

First Presbyterian Church at Caldwell
326 Bloomfield Avenue
Caldwell, NJ 07006

Event to Be Held:

First Presbyterian Church at Caldwell
326 Bloomfield Avenue
Caldwell, New Jersey 07006

April 27, 2013
7:00PM – 10:00PM

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 | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O'Donnell | | | | | | Durkin | | | | |

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-119

Date of Adoption: April 16, 2013

TITLE:

**AUTHORIZING THE APPOINTMENT OF Carmine P. Saldutto, Jr. AS A FIREFIGHTER
IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT**

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of Carmine P. Saldutto, Jr., 24 Oak Grove Road, Caldwell, New Jersey as a firefighter in the Caldwell Volunteer Fire Department effective immediately.

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 | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O'Donnell | | | | | | Durkin | | | | |

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-120

Date of Adoption: April 16, 2013

TITLE:

**AUTHORIZING THE APPOINTMENT OF Conor P. Cunningham AS A FIREFIGHTER
IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT**

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of Conor P. Cunningham, 155 Roseland Avenue, Caldwell, New Jersey as a firefighter in the Caldwell Volunteer Fire Department effective immediately.

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 | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O'Donnell | | | | | | Durkin | | | | |

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-121

Date of Adoption: April 16, 2013

TITLE:

**AUTHORIZING THE APPOINTMENT OF Charles J. Minetti, Jr., AS A FIREFIGHTER
IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT**

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of Charles J. Minetti, Jr., 91 Roseland Avenue, Caldwell, New Jersey as a firefighter in the Caldwell Volunteer Fire Department effective immediately.

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 | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O'Donnell | | | | | | Durkin | | | | |

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-122

Date of Adoption: April 16, 2013

TITLE:

**RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION Block 33,
Lot 4 – 7 Eisenhower Parkway, Roseland, NJ to DW Smith Associates, LLC.**

WHEREAS, DW Smith Associates, LLC., (“Applicant”) requires approval from the Borough of Caldwell Sewer Utility for a SANITARY SEWER INCREASE IN FLOW to service property known as B33, Lot 4; and

WHEREAS, the project is more specifically known as 7 Eisenhower Parkway, Roseland, New Jersey; and

WHEREAS, the applicant is proposing 1 new equivalent dwelling units; and

WHEREAS, the connection fee for this project is calculated as follows: 1 EDU x \$3600/EDU = \$3,600.00

WHEREAS, the Sewer Utility Director recommends approval in accordance with the Authority’s Rules and Regulations and payment of the above referenced connection fees;

NOW THEREFORE BE IT RESOLVED by the Borough of Caldwell that the Sewer Director be and hereby approves this application, in accordance with the recommendations.

BE IT FURTHER RESOLVED that this approval is further subject to compliance by the Applicant with the Rules and Regulations of the Borough of Caldwell Sewer Utility and other applicable regulatory agencies.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE BOROUGH OF CALDWELL, ESSEX COUNTY, NEW JERSEY, AT A REGULAR MEETING HELD ON April 16, 2013.

Lisa O’Neill, Deputy Clerk

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 | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O’Donnell | | | | | | Durkin | | | | |

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-123

Date of Adoption: April 16, 2013

TITLE:

RESOLUTION ADOPTING A FLEXIBLE SPENDING PLAN

WHEREAS, the Borough of Caldwell wishes to offer all eligible employees the flexible protection of individual insurance plans; and

WHEREAS, Chapter 78, P.L. 2011, the pension and Health Benefit Reform Law, requires local government employers to offer Section 125 plans to their employees.

WHEREAS, Section 125 of the Internal Revenue Service Code contains provisions whereby employers can provide their employees with a flexible spending plan for certain insurance premiums, unreimbursed medical expense and child or dependent care to be furnished with pretax income; and

WHEREAS, Choice Strategies, a voluntary benefits company specializing in supplemental insurance, can provide assurance that employees will receive individual consultation and enrollment information from consultants of Choice Strategies on an ongoing basis, and all servicing will be handled by same.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the attached Flexible Spending Plan is hereby adopted.

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 | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O'Donnell | | | | | | Durkin | | | | |

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-124

Date of Adoption: April 16, 2013

TITLE:

AUTHORIZING THE REFUND OF OVERPAYMENT OF 2013 TAXES FOR BLOCK 54 LOT 2.50, FOR 63 ROSELAND AVENUE, CALDWELL, NJ

WHEREAS, it has been determined by the Borough Tax Collector that the homeowners bank is entitled to a refund due to them sending us the check for the first quarter 2013 and so did the refinance company paid twice.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Tax Collector is hereby authorized to refund the following tax payment

| <u>BLOCK & LOT</u> | <u>RECIPIENT</u> | <u>REFUND AMOUNT</u> |
|------------------------|--|----------------------|
| Block 54 Lot 2.50 | CitiMortgage, Inc. Tax Dept/Mail Code: 1009 P.O. Box 1001 Hagerstown, MD 21749-9601 | \$1,026.38 |

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 | | | | | | Kelley | | | | |
| Coyle | | | | | | Rodgers | | | | |
| O'Donnell | | | | | | Durkin | | | | |

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-125

Date of Adoption: April 16, 2013

TITLE:

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS, it is necessary to provide an additional appropriation in the Calendar Year 2013 temporary budget to make available the money necessary for the continuance of Borough services during the temporary budget period, and

WHEREAS, no adequate provision has been made in the Calendar Year 2013 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose mentioned above, and

WHEREAS, the total temporary budget resolutions adopted in Calendar Year 2013 pursuant to the provisions of N.J.S.A. 40A:4-19,20, including this resolution, totals \$10,056,870.13 for approximately six (6) months of operations plus debt service and pension payments.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ (not less than two thirds of all members thereof affirmatively concurring) that, in accordance with the aforementioned statutes, an emergency appropriation which is to be provided for in the 2013 Municipal Budget is hereby created for:

| ACCOUNT | FROM | TO |
|-----------------------------------|---------------|-----------------|
| Administration & Executive S&W | \$ 14,302.00 | \$ 29,851.79 |
| Administration & Executive O/E | \$ 20,737.00 | \$ 41,474.00 |
| Mayor And Council S&W | \$ 2,599.00 | \$ 10,129.25 |
| Mayor & Council O/E | \$ 409.00 | \$ 818.00 |
| Municipal Clerk S&W | \$ 6,665.00 | \$ 11,997.31 |
| Municipal Clerk O/E | \$ 26.00 | \$ 52.00 |
| Elections O/E | \$ 790.00 | \$ 1,580.00 |
| Financial Administration S&W | \$ 11,301.00 | \$ 21,120.00 |
| Financial Administration O/E | \$ 28,500.00 | \$ 57,000.00 |
| Audit Fees O/E | \$ 5,727.00 | \$ 20,000.00 |
| Collection Of Taxes S&W | \$ 12,009.00 | \$ 20,736.82 |
| Collection Of Taxes O/E | \$ 1,480.00 | \$ 2,960.00 |
| Tax Assessment/Admin S&W | \$ 8,143.00 | \$ 15,003.95 |
| Tax Assessment/Admin O/E | \$ 997.00 | \$ 1,994.00 |
| Legal O/E | \$ 6,254.00 | \$ 40,000.00 |
| Engineering Services O/E | \$ 6,000.00 | \$ 15,000.00 |
| Planning Board O/E | \$ 849.00 | \$ 2,850.00 |
| Zoning Board Of Adjustment O/E | \$ 790.00 | \$ 2,950.00 |
| Uniform Construction Code S&W | \$ 29,831.00 | \$ 44,793.58 |
| Uniform Construction Code O/E | \$ 1,785.00 | \$ 3,570.00 |
| Rent Review Board O/E | \$ 525.00 | \$ 2,000.00 |
| Workman'S Comp/Other (Shared) O/E | \$ 48,210.00 | \$ 102,000.00 |
| Nj Intergovt Insur Assessment O/E | \$ 4,838.00 | \$ 9,676.00 |
| Employee Health Insurance O/E | \$ 281,277.00 | \$ 750,000.00 |
| Police Department S&W | \$ 529,383.00 | \$ 1,021,487.48 |
| Police Department O/E | \$ 72,000.00 | \$ 144,000.00 |
| Parking Meter Maintenance O/E | \$ 232.00 | \$ 464.00 |
| Office Of Emerg Management O/E | \$ 187.00 | \$ 374.00 |
| First Aid Ambulance Org. O/E | \$ 3,019.00 | \$ 6,501.20 |

| | | | | |
|-----------------------------------|--|--|---------------|---------------|
| Fire Department O/E | | | \$ 10,257.00 | \$ 20,514.00 |
| Prosecutor/Defuria O/E | | | \$ 2,363.00 | \$ 9,000.00 |
| Street & Roads Maintenance S&W | | | \$ 83,001.00 | \$ 246,205.50 |
| Street & Roads Maintenance O/E | | | \$ 5,401.00 | \$ 10,802.00 |
| Recycling O/E | | | \$ 28,265.00 | \$ 56,530.00 |
| Solid Waste Collection O/E | | | \$ 148,654.00 | \$ 297,308.00 |
| Buildings & Grounds O/E | | | \$ 14,271.00 | \$ 28,542.00 |
| Shade Tree O/E | | | \$ 3,682.00 | \$ 7,364.00 |
| Vehicle Repair / Maintenance O/E | | | \$ 12,413.00 | \$ 24,826.00 |
| Snow Removal O/E | | | \$ 4,539.00 | \$ 9,078.00 |
| Public Health Services O/E | | | \$ 23,868.00 | \$ 47,736.00 |
| Environmental Commission O/E | | | \$ 107.00 | \$ 315.00 |
| Animal Control Services O/E | | | \$ 4,095.00 | \$ 8,190.00 |
| Welfare Administration S&W | | | \$ 1,757.00 | \$ 3,346.72 |
| Welfare Administration O/E | | | \$ 26.00 | \$ 52.00 |
| Senior Citizen Transportation S&W | | | \$ 11,337.00 | \$ 21,133.97 |
| Senior Citizens Trans O/E | | | \$ 4,869.00 | \$ 9,738.00 |
| Recreation Agreement O/E | | | \$ 111,563.00 | \$ 223,126.00 |
| Camp Wyanokie O/E | | | \$ 680.00 | \$ 2,590.00 |
| Caldwell Community Center S&W | | | \$ 239,250.00 | \$ 407,734.73 |
| Caldwell Community Center O/E | | | \$ 122,560.00 | \$ 245,120.00 |
| Municipal Library S&W | | | \$ 58,523.00 | \$ 111,842.51 |
| Municipal Library O/E | | | \$ 40,623.00 | \$ 81,246.00 |
| Refund Tax Appeals O/E | | | \$ 541.00 | \$ 1,082.00 |
| Electric O/E | | | \$ 22,117.00 | \$ 44,234.00 |
| Street Lighting O/E | | | \$ 34,614.00 | \$ 69,228.00 |
| Telephone O/E | | | \$ 11,651.00 | \$ 23,302.00 |
| Sewerage Treatment O/E | | | \$ 265,234.00 | \$ 530,468.00 |
| Verona Sewer Lines O/E | | | \$ 7,350.00 | \$ 14,700.00 |
| Gasoline O/E | | | \$ 21,323.00 | \$ 42,646.00 |
| Pension - PERS O/E | | | \$ 32,534.00 | \$ 51,288.98 |
| Social Security O/E | | | \$ 39,375.00 | \$ 78,750.00 |
| Pension - PFRS O/E | | | \$ 133,187.00 | \$ 411,047.36 |
| DCRP O/E | | | \$ 907.00 | \$ 1,814.00 |
| Interlocal W.Caldwell Welfare O/E | | | \$ 2,100.00 | \$ 4,200.00 |
| Municipal Court S&W | | | \$ 31,126.00 | \$ 72,153.55 |
| Municipal Court O/E | | | \$ 5,340.00 | \$ 10,680.00 |
| Public Defender O/E | | | \$ 1,063.00 | \$ 4,050.00 |
| Current Bond Principal | | | \$ - | \$ 310,000.00 |
| Current Bond Interest | | | \$ - | \$ 215,605.38 |

| | | | | |
|----------------------|--|--|---------------|---------------|
| Water Operating S&W | | | \$ 75,620.00 | \$ 94,317.49 |
| Water Operating O/E | | | \$ 279,850.00 | \$ 800,000.00 |
| Water Bond Principal | | | \$ - | \$ 40,000.00 |
| Water Bond Interest | | | \$ - | \$ 21,200.00 |

| | | | | |
|----------------------|--|--|-----------------|-----------------|
| Sewer Operating S&W | | | \$ 116,551.00 | \$ 163,732.05 |
| Sewer Operating O/E | | | \$ 1,176,320.00 | \$ 2,500,000.00 |
| Sewer Bond Principal | | | \$ - | \$ 40,000.00 |
| Sewer Bond Interest | | | \$ - | \$ 259,647.52 |

Total: \$ 10,056,870.13



BOROUGH OF CALDWELL NEW JERSEY



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

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-126

Date of Adoption: April 16, 2013

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 16, 2013 FOR 2012/2013 BILLS IN THE TOTAL AMOUNT OF \$5,604,250.96

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

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

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

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

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

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

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor