



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
April 17, 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 17, 2012 - REVISED

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

INTRODUCTION OF ORDINANCES

- ORDINANCE 1247-12:** CALENDAR YEAR 2012 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)
- ORDINANCE 1248-12:** BOND ORDINANCE PROVIDING FOR VARIOUS STREET IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,375,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,326,605 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF
- ORDINANCE 1249-12:** BOND ORDINANCE PROVIDING FOR VARIOUS WATER MAIN IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$975,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF
- ORDINANCE 1250-12:** BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$220,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$209,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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.

- 4-98:** AUTHORIZING THE 2012 EQUIVALENT CONNECTION CHARGE OF \$358.51 PER EQUIVALENT CONNECTION, BASED ON THE NUMBER OF EQUIVALENT CONNECTIONS AND THE APPLICATION OF THE SEWER USER AGREEMENTS BETWEEN THE BOROUGH OF CALDWELL AND THE SEWER USER MUNICIPALITIES OF WEST CALDWELL, NORTH CALDWELL, ESSEX FIELDS, FAIRFIELD AND ROSELAND
- 4-99:** RESOLUTION AUTHORIZING A CONTRACT MODIFICATION CM-008 TO THE WASTEWATER TREATMENT PLANT UPGRADES, CONTRACT NO. 2007-1 – ADDITIONAL AMOUNT \$27,555.60 – NEW TOTAL AMOUNT \$12,487,091.05



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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.

- 4-100: AUTHORIZING ADOPTION OF EMERGENCY TEMPORARY APPROPRIATION FOR THE YEAR 2012
- 4-101: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – The People of Hope
- 4-102: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Rotary Club of the Caldells
- 4-103: 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
- 4-104: 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 – Jamie Classic Cars
- 4-105: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – First Presbyterian Church at Caldwell/ On Premise – 50/50 Raffle / May 4, 2012 – 4:00PM – 10:00PM
- 4-106: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 17, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$602,326.87
- 4-107: RESOLUTION AUTHORIZING THE BROOKSIDE AVENUE / RUNNYMEDE ROAD INTECONNECTION IMPROVEMENT AGREEMENT WITH THE TOWNSHIP OF WEST CALDWELL AND THE BOROUGH OF ESSEX FELS
- 4-108: RESOLUTION AUTHORIZING THE BROOKSIDE AVENUE / RUNNYMEDE ROAD INTECONNECTION OPERATIONS AND MAINTENANCE PLAN AGREEMENT WITH THE TOWNSHIP OF WEST CALDWELL AND THE BOROUGH OF ESSEX FELS
- 4-109: RESOLUTION TO CANCEL IMPROVEMENT AUTHORIZATION BALANCES
- 4-110: RESOLUTION TO REQUEST TO THE DIRECTOR OF THE DIVISION OF LOCAL SERVICES TO PERMIT THE COUNCIL TO ANTICIPATE A CURRENT TAX COLLECTION PERCENTAGE EXPERIENCE OF 99.806% FOR THE YEAR ENDED DECEMBER 31, 2012

INTRODUCTION OF THE 2012 MUNICIPAL BUDGET

Introduction of the 2012 Municipal Budget – Borough of Caldwell



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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

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 17, 2012

REPORT OF ATTORNEY

Gregory Mascera

OLD BUSINESS

1. Paving of Gladding Road.
2. Quotes to pave Cherry Lane and Oakridge Road.
3. Status of Road Improvement Projects / Water Agreements



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Borough of Caldwell Council Business Meeting

AGENDA - Revised

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April 17, 2012 - REVISED

MAYOR
Ann Dassing

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

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.

1. Personnel

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 4/13/2012 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 4/13/2012 in compliance with P. L. 1975, c 213

Lisa O'Neill, Acting Borough Clerk.



BOROUGH OF CALDWELL
NEW JERSEY



ORDINANCE# 1247-12

CALENDAR YEAR 2012 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Caldwell in the County of Essex finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 72,419 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Caldwell, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Caldwell shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$253,465, and that the CY 2012 municipal budget for the Borough of Caldwell be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

DATE OF FIRST READING: April 17, 2012
DATE OF PUBLICATION: April 19, 2012
MOVED:
SECONDED:

DATE OF SECOND READING: May 15, 2012
DATE OF ADOPTION: May 15, 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

Table with 4 columns (Name, Yes, No, Absent, Abstain) and 3 rows (Hauser, Murray, Coyle; O'Donnell, Kelley, 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**



ORDINANCE# 1248-12

BOND ORDINANCE PROVIDING FOR VARIOUS STREET IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,375,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,326,605 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,375,900, including a State of New Jersey Department of Transportation Grant for Brookside Avenue in the amount of \$265,000 (the "State Grant") and an Essex County Community Development Block Grant for Grove Street in the amount of \$70,900, and further including the sum of \$49,295 as the down payment required by the Local Bond Law. The down payment is at least 5% of the cost not being funded by the State Grant. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment and the State Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,326,605 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 hereby authorized and the purpose for the financing of which the bonds are to be issued is various street improvements, consisting of improvements to Brookside Avenue, Cedars Road, Knollwood Terrace, Gould Place, Oak Ridge Road, Overlook Road, Cherry Lane and Grove Street, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.



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(a) 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 ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the



BOROUGH OF CALDWELL NEW JERSEY



authorization of the bonds and notes provided in this bond ordinance by \$1,326,605, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$275,180 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.

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

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 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.



**BOROUGH OF CALDWELL
NEW JERSEY**



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 17, 2012
DATE OF PUBLICATION: April 19, 2012
MOVED:
SECONDED:

DATE OF SECOND READING: May 15, 2012
DATE OF ADOPTION: May 15, 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**



ORDINANCE# 1249-12

BOND ORDINANCE PROVIDING FOR VARIOUS WATER MAIN IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$975,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"). For the improvement or the purpose described in Section 3(a), there is hereby appropriated the sum of \$975,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or the purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$975,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby 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.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or the purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or the purpose is equal to the amount of the appropriation herein made therefor.

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



BOROUGH OF CALDWELL NEW JERSEY



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

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

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$975,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$195,000 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 the improvement.

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

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

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to



**BOROUGH OF CALDWELL
NEW JERSEY**



direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

DATE OF FIRST READING: April 17, 2012
DATE OF PUBLICATION: April 19, 2012
MOVED:
SECONDED:

DATE OF SECOND READING: May 15, 2012
DATE OF ADOPTION: May 15, 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



ORDINANCE# 1250-12

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$220,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$209,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Caldwell, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$220,000, including the aggregate sum of \$11,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$209,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:



**BOROUGH OF CALDWELL
NEW JERSEY**



<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Providing for the acquisition of public safety radios, fire department gear and fire chief command vehicle, including all related costs and expenditures incidental thereto.	\$95,000	\$90,250	5 years
b) Providing for computer equipment for various departments throughout the Borough, including all work and materials necessary therefor or incidental thereto.	\$20,000	\$19,000	5 years
c) Providing for the acquisition of emergency generator for the municipal complex, including all related costs and expenditures incidental thereto.	\$70,000	\$66,500	15 years
d) Providing for phone system upgrade, including all work and materials necessary therefor or incidental thereto.	\$35,000	\$33,250	10 years
TOTALS	<u>\$220,000</u>	<u>\$209,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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 N.J.S.A. 40A:2-8(a). 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 capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local



BOROUGH OF CALDWELL NEW JERSEY



Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.97 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$209,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$22,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

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 purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements 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



**BOROUGH OF CALDWELL
NEW JERSEY**



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

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

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

DATE OF FIRST READING: April 17, 2012
DATE OF PUBLICATION: April 19, 2012
MOVED:
SECONDED:

DATE OF SECOND READING: May 15, 2012
DATE OF ADOPTION: May 15, 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: 4-98

Date of Adoption: April 17, 2012

TITLE:

AUTHORIZING THE 2012 EQUIVALENT CONNECTION CHARGE OF \$358.51 PER EQUIVALENT CONNECTION, BASED ON THE NUMBER OF EQUIVALENT CONNECTIONS AND THE APPLICATION OF THE SEWER USER AGREEMENTS BETWEEN THE BOROUGH OF CALDWELL AND THE SEWER USER MUNICIPALITIES OF WEST CALDWELL, NORTH CALDWELL, ESSEX FELLS, FAIRFIELD AND ROSELAND

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby adopt the 2012 equivalent connection charge based on the Sewer User Agreements with West Caldwell, North Caldwell, Essex Fells, Fairfield and Roseland and the calculations performed by the Borough Administrator and Borough Sewer Director.

BE IT RESOLVED by the Borough Council of the Borough of Caldwell that the number of equivalent connections per sewer user municipality used for the purposes of the calculations shall be in accordance with the number of connections adjusted through the implementation of the 1997 Hazen & Sawyer sewer connection audit and new connections reported by each municipality through December 31, 2011 as follows:

Caldwell	2,944.6
West Caldwell	4,731.6
North Caldwell	1,967.6
Essex Fells	738.0
Roseland	2,600.0
<u>Fairfield</u>	<u>110.0</u>
TOTAL:	13,091.8

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that the equivalent connection charge be set at \$ 358.51 per equivalent connection and that the Borough Treasurer be authorized to forward bills to the sewer user municipalities.

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: 4-99

Date of Adoption: April 17, 2012

TITLE:

RESOLUTION AUTHORIZING A CONTRACT MODIFICATION CM-008 TO THE WASTEWATER TREATMENT PLANT UPGRADES, CONTRACT NO. 2007-1 – ADDITIONAL AMOUNT \$27,555.60 – NEW TOTAL AMOUNT \$12,487,091.05.

WHEREAS, the Borough Council of the Borough of Caldwell in the County of Essex, State of New Jersey has on December 9, 2008, authorized the awarding of a contract to Maple Electric Co., Inc. DBA Maple Construction Co., Hamilton Business Park 85 Franklin Road, Unit 9B, Dover, New Jersey 07801

WHEREAS, during the course of the contract, it was discovered after work began, the need to

- 1 Dry Chemical Fire Suppression System \$ 26,152.00
2 Closure of Fuel Oil Tank Monitoring Well \$ 1,403.60
to increase the contract as follows: \$27,555.60

CONTRACT MODIFICATION NO: 8: Wastewater Treatment Plant Upgrades, Contract No. 2007-1 – Amount not to exceed \$27,555.60 – New Contract Total not to exceed \$12,487,091.05.

WHEREAS, the Director of Finance has certified in writing hereon that funds are available and the Municipal Attorney has reviewed the certification of the Director of Finance and is satisfied that said certification is in proper form;

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell in the County of Essex, State of New Jersey, does hereby authorize the issuance of Contract Modification No. 8 to the contract with Maple Electric Co., Inc. DBA Maple Construction Co., Hamilton Business Park 85 Franklin Road, Unit 9B, Dover, New Jersey 07801; and

BE IT FURTHER RESOLVED that the Borough Administrator be and is hereby authorized to sign said Contract Modification on behalf of the Borough

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Table with 10 columns for council members and their votes (Yes, No, Absent, Abstain). Rows include Hauser, Murray, Coyle, O'Donnell, Kelley, and Rodgers.

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-100

Date of Adoption: April 17, 2012

TITLE:

**AUTHORIZING ADOPTION OF EMERGENCY TEMPORARY APPROPRIATION FOR
THE YEAR 2012**

WHEREAS, an emergent condition has arisen in that the Borough is expected to enter in contracts, commitments or payments prior to the 2012 Calendar Year (2012 CY) budget adoption and no adequate provision has been made in the 2012 CY temporary budget for the aforesaid purposes ; and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in 2012 CY pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$ 1,940,229.00.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Caldwell, County of Essex, (not less than 2/3 of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$ 1,940,229.00 as follows:

<u>CURRENT FUND</u>	<u>ACCOUNT #</u>	
Administrative & Executive	2-01-20-100-010	\$ 19,927
Mayor & Council	2-01-20-100-010	\$ 825
Finance Administration	2-01-20-130-010	\$ 12,354
Municipal Clerk	2-01-20-120-010	\$ 2,075
Assessment of Taxes	2-01-20-150-010	\$ 2,794
Collection of Taxes	2-01-20-145-010	\$ 3,993
Police	2-01-25-240-010	\$ 191,930
Roads	2-01-26-290-010	\$ 35,386
Welfare Administration (P.A.)	2-01-27-345-010	\$ 603
Senior Transportation	2-01-28-370-010	\$ 3,647
Construction Code	2-01-22-195-010	\$ 9,036
Municipal Court	2-01-43-490-010	\$ 11,522
Public Library	2-01-29-496-010	\$ 19,953
Community Center	2-01-28-372-010	\$ 78,063
	TOTAL SALARY & WAGES	\$ 392,108
Administrative & Executive	2-01-20-100-020	\$ 21,246
Mayor & Council	2-01-20-110-100	\$ 874
Municipal Clerk	2-01-20-120-100	\$ 125
Elections	1-01-20-125-100	\$ 250
Finance Administration	2-01-20-130-020	\$ 263
Collection of Taxes	2-01-20-145-020	\$ 2,298
Legal	2-01-20-155-020	\$ 14,204
Vehicle Repairs	2-01-25-252-020	\$ 4,042
Roads	2-01-25-290-020	\$ 3,809
Telephone	2-01-31-440-075	\$ 3,875
Social Security	2-01-36-472-000	\$ 31,031
Gasoline	1-01-31-640-074	\$ 5,542
Verona Sewer Lines	2-01-31-445-145	\$ 2,333
Public Library	2-01-29-496-020	\$ 12,960
Community Center	2-01-28-372-000	\$ 29,220
	TOTAL OTHER EXPENSES	\$ 1,027,200
	GRAND TOTAL CURRENT	\$ 1,419,308

WATER UTILITY FUND

Water Utility	1-05-55-500-510	Salaries & Wages	\$ 24,006
Water Utility	1-05-55-500-520	Other Expenses	\$ 98,288
GRAND TOTAL WATER			<u>\$122,294</u>

SEWER UTILITY FUND

Sewer Utility	1-07-55-500-510	Salaries & Wages	\$ 35,317
Sewer Utility	1-07-55-500-520	Other Expenses	\$ 363,310
GRAND TOTAL SEWER			<u>\$398,627</u>

GRAND TOTAL - CURRENT & UTILITIES \$1,940,229

2. Said emergency temporary appropriations will be provided for in the 2012 CY budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-101

Date of Adoption: April 17, 2012

TITLE:

AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – The People of Hope

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:

People of Hope
1040 Plainfield Avenue
Plainfield, New Jersey 07060

Event to Be Held:

Caldwell College
120 Bloomfield Avenue
Caldwell, New Jersey 07006

May 24 – 28, 2012
6:00PM – 11:00PM (each night)

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: 4-102

Date of Adoption: April 17, 2012

TITLE:

AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Rotary Club of the Caldwells

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

Rotary Club of the Caldwells
P.O. Box 98
Caldwell, New Jersey 07006

Event to Be Held:

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

October 7, 2012
11:30AM – 6:00PM

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-103

Date of Adoption: April 17, 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 – C&G Auto Tech, Inc.

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., 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

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-104

Date of Adoption: April 17, 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 – Jamie Classic Cars.

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 Jamie Classic Cars, 103 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: 4-105

Date of Adoption: April 17, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – First Presbyterian Church at Caldwell/ On Premise – 50/50 Raffle / May 4, 2012 – 4:00PM – 10:00PM

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-1236 First Presbyterian Church at Caldwell
On Premise – 50/50 Raffle
May 4, 2012 – 4:00PM – 10:00PM

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

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-106

Date of Adoption: April 17, 2012

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 17, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$602,326.87

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: 4-107

Date of Adoption: April 17, 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



BOROUGH OF CALDWELL
NEW JERSEY



Resolution No: 4-108

Date of Adoption: April 17, 2012

TITLE:

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

WHEREAS, West Caldwell, Caldwell and Essex Fells have determined it is beneficial to all three municipalities to make improvements and additional connections to the Brookside Avenue/Runnymede Road Interconnection; and

WHEREAS, these improvements and the means to accomplish them have been detailed in the Brookside Avenue/Runnymede Road Interconnection Improvement Agreement ("Interconnection Improvement Agreement"); and

WHEREAS, the term "improvements" in this Agreement shall have the same meaning as the term "improvements" as described in paragraph 2 of the Interconnection Improvement Agreement and the exhibits referred to therein; and

WHEREAS, all three municipalities have ratified the Interconnection Improvement Agreement; and

WHEREAS, the Interconnection Improvement Agreement requires the creation of an Operations and Maintenance Plan; and

WHEREAS, West Caldwell, Caldwell and Essex Fells have determined that this Agreement shall constitute the Operations and Maintenance Plan required by the Interconnection Improvement Agreement.

NOW, THEREFORE, in consideration of the execution of this Agreement and the mutual promises, duties, undertakings, obligations, requirements, performances and payments provided for herein, West Caldwell, Caldwell and Essex Fells mutually agree to the terms of the 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

Table with 10 columns for councilman names and voting options (Yes, No, Absent, Abstain). Rows include Hauser, Murray, Coyle, O'Donnell, Kelley, and Rodgers.

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-109

Date of Adoption: April 17, 2012

TITLE:

**RESOLUTION AUTHORIZING TO CANCEL CAPITAL APPROPRIATION BALANCES
OF COMPLETED PROJECTS**

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations may be canceled;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Caldwell, that the following unexpended and dedicated balances of General Capital Appropriations be canceled:

ORDINANCE#	DATE AUTHORIZED	PROJECT DESCRIPTION	COMPLETED PROJECTS	
			FUNDED	UNFUNDED
1170-06	08/15/2006	Various Capital Projects	\$32,734.65	\$7.00
1185-08	02/26/2008	Various Capital Projects	\$61,222.09	\$0.00

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, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 4-110

Date of Adoption: April 17, 2012

TITLE:

RESOLUTION TO REQUEST TO THE DIRECTOR OF THE DIVISION OF LOCAL SERVICES TO PERMIT THE COUNCIL TO ANTICIPATE A CURRENT TAX COLLECTION PERCENTAGE EXPERIENCE OF 99.806% FOR THE YEAR ENDED DECEMBER 31, 2012

WHEREAS, the Borough of Caldwell, County of Essex realized 99.46% of current tax collections for the year 2011, and

WHEREAS, the tax collection percentage was adversely impacted by tax appeals, and

WHEREAS, the percentage of cash collections on current taxes for the three prior years was as follows:

Year	Percentage
2008	99.86%
2009	99.75%
2010	99.81%

AND WHEREAS the Mayor and Borough Council believe the tax collections for the year 2012 will improve over the year 2011.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that permission be requested by the Director of the Division of Local Services to permit the Council to anticipate a current tax collection percentage experience of 99.806% for the year ending December 31, 2012.

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: 4-111

Date of Adoption: April 17, 2012

TITLE:

AUTHORIZING THE BOROUGH CLERK TO PREPARE SPECIFICATIONS AND ADVERTISE FOR THE MILLING AND PAVING OF GLADDING ROAD IN THE BOROUGH OF CALDWELL

WHEREAS, it is necessary to receive bids for the milling and paving of Gladding Road

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the Borough Clerk to prepare specifications and advertise for the milling and paving of Gladding Road in the Borough of Caldwell.

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