



***BOROUGH OF CALDWELL  
NEW JERSEY***



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**COUNCIL BUSINESS MEETING  
May 2, 2017**

Caldwell 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](http://www.caldwell-nj.com)  
May 2, 2017 / 7:00PM

MAYOR  
Ann Dassing

BOROUGH COUNCIL  
John Cascarano - President  
Richard Hauser  
Thomas O'Donnell  
Pasquale Capozzoli  
Kristian Brown  
Frank Rodgers

**CALL TO ORDER** *Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding*

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

**APPROVAL OF MINUTES**

April 18, 2017

**PRESENTATION**

- 1. Ann Marchioni, Environmental Commission / Poster Contest winners
- 2. Lincoln School to present their ideas for our downtown

**INTRODUCTION OF ORDINANCES**

**ORDINANCE #1330-17:** AN ORDINANCE AMENDING CHAPTER 53 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION REGULATING LICENSING OF ALCOHOLIC BEVERGAGES

**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.*

|       |   |
|-------|---|
| 5-124 | RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO GYM SOURCE USA, LLC FOR THE PURCHASE OF FITNESS EQUIPMENT FOR THE CALDWELL COMMUNITY CENTER   |
| 5-125 | AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE - First Presbyterian Church- On Premise/ 50/50 Raffle, May 13, 2017 - 7:00PM - 10:00PM        |
| 5-126 | AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE - First Presbyterian Church- Off Premise/ Merchandise Raffle, May 13, 2017 - 7:00PM - 10:00PM |
| 5-127 | RESOLUTION OF SUPPORT FOR SUSTAINABLE OPEN SPACE, FARMLAND, HISTORIC PRESERVATION AND STEWARDSHIP FUNDING FOR NEW JERSEY  |



Council Chambers

1 Provost Square Caldwell, NJ

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Frank Rodgers

|       |   |
|-------|---|
| 5-128 | RESOLUTION IN SUPPORT OF CLEAN WATER SUPPLIES   |
| 5-129 | AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MAY 2, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$2,101,027.80  |
| 5-130 | AUTHORIZING THE AWARD OF CONTRACT TO PK ENVIRONMENTAL, PO BOX 1066, 205 MAIN STREET CHATHAM, NEW JERSEY 07928 TO PREPARE A PRELIMINARY ASSESSMENT (PA) IN ACCORDANCE WITH NJDEP GREEN ACRES REQUIREMENTS FOR BLOCK 56 LOT 10.03 (KIWANIS OVAL) IN THE BOROUGH OF CALDWELL |
| 5-131 | AUTHORIZING THE APPOINTMENT OF BRIAN MACLAY AS A PART-TIME NON-LIFE HAZARD INSPECTOR IN THE BOROUGH OF CALDWELL AT A RATE OF \$18.00 PER HOUR FOR 20 HOURS PER WEEK   |
| 5-132 | AUTHORIZING APPLICATION TO NEW JERSEY HISTORIC TRUST FOR A HISTORIC SITE MANAGEMENT GRANT   |
| 5-133 | AUTHORIZING THE ESTABLISHMENT OF THE 2017 FEES FOR THE CALDWELL COMMUNITY CENTER EFFECTIVE JUNE 1, 2017   |

### COUNCIL COMMITTEE REPORTS

*Borough Council Members*

### REPORT OF MAYOR

*Mayor Dassing*

### REPORT OF BOROUGH ADMINISTRATOR

*Paul M. Carelli*

### REPORT OF BOROUGH ATTORNEY

*Greg Mascera*

### OLD BUSINESS

*Borough Council Members*

### REPORT OF COUNTY LIAISON

*Patricia Keenan*



Council Chambers

1 Provost Square Caldwell, NJ

# Borough of Caldwell Council Business Meeting

## AGENDA

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May 2, 2017 / 7:00PM

MAYOR  
Ann Dassing

BOROUGH COUNCIL  
John Cascarano - President  
Richard Hauser  
Thomas O'Donnell  
Pasquale Capozzoli  
Kristian Brown  
Frank Rodgers

### 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 4/28/2017 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 4/28/2017 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – April 18, 2017**

**Page 1 of 3**

The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:0 PM.

**PRESENT:** Mayor Dassing, Council President Cascarano, Councilman Hauser, O'Donnell, Capozzoli, Brown, and Rodgers

**ALSO PRESENT:** Deputy Clerk, Lisa O'Neill, Borough Administrator, Paul Carelli & Borough Attorney, Greg Mascera

Adequate notice of this Council Business/Conference meeting was given on January 1, 2016. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey. Official newspapers of the Borough were notified of this meeting by mail. Notice was posted and all persons requesting notice were sent same.

**PLEDGE OF ALLIGENCE**

**APPROVAL OF MINUTES:  
April 4, 2017**

Moved by Councilman Hauser, seconded by Councilman Brown. No Discussion. On roll call, Council President Cascarano, Hauser, Brown and Rodgers voted in the affirmative. Councilman O'Donnell & Capozzoli abstained. Minutes approved 04/18/17.

**PUBLIC HEARING AND ADOPTION OF ORDINANCE**

Moved by Council President Cascarano, seconded by Councilman Capozzoli to open meeting to the public.

**Mr. David Legow, Carlyl Towers** asked about the fees and what they would be for.  
**Mark Guiliano, Fire Official** explained the Ordinance.

**ORDINANCE #1328-17:** AN ORDINANCE AMENDING CHAPTER A270-1 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SCHEDULE OF FEES CHARGED BY THE BOROUGH, SO AS TO MODIFY THE AMOUNT OF FEES CHARGED FOR CERTAIN BOROUGH SERVICES

Moved by Councilman Brown, seconded by Council President Cascarano. Discussions Ensued. On roll call, all voted in the affirmative. Ordinance adopted 04/18/17.

**ORDINANCE #1329-17:** AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE II, GENERAL LEGISLATION, CHAPTER 109, FIRE PREVENTION OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CALDWELL, NEW JERSEY

Moved by Councilman Capozzoli, seconded by Councilman Brown. No Discussion. On roll call, all voted in the affirmative. Ordinance adopted 04/18/17.

**OPEN PUBLIC COMMENTS ON RESOLUTIONS**

Moved by Councilman Brown, seconded by Council President Cascarano to open meeting to the Public.

**RESOLUTIONS – CONSENT AGENDA**

**4-118:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE PROPOSALS FOR THE REPLACEMENT OF THE INDOOR POOL DEHUMIDIFICATION SYSTEM FOR THE CALDWELL COMMUNITY CENTER

**4-119:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 18, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$2,604,607.53

**4-120:** AUTHORIZING THE APPOINTMENT OF ZONING BOARD OF ADJUSTMENT MEMBER

**4-121:** AUTHORIZING THE APPOINTMENT OF Dave Eucker AS A FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – April 18, 2017**

**Page 2 of 3**

**4-122:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00018, Block 49, Lot 12

**4-123:** AUTHORIZING THE APPOINTMENT OF THE CALDWELL AUXILIARY POLICE OFFICERS

**CONSENT**

Moved by Councilman Hauser, seconded by Council President Cascarano. No Discussions. On roll call, all voted in the affirmative. Resolutions approved 04/18/17.

**COUNCIL COMMITTEE REPORTS:**

**Councilman Brown** reported that on April 22<sup>nd</sup> from 9:30AM – 12:30PM at Borough Hall is Earth Day/Arbor Day Event. There will be paper shredding and donations are accepted for James Caldwell High School Scholarship Fund. The paper shredding is being supplied by Cali Carting so we thank them for their service for that. There will be a tree distribution, bike swap and some other great activities. We will be announcing the winners for the Environmental Contest too. At 12:00PM there will be a tree planting for Caldwell's Public Library 100 year Anniversary.

**REPORT OF MAYOR:**

**Mayor Dassing** asked Paul about the lights in the parking deck and Paul responded he is waiting to adopt the budget to see where we will pay for it and the vendor is the same but the new quote is for \$93,000. Councilman Brown responded that we took out a huge part of that quote and went to another vendor and the quote is still \$93,000. Discussion Ensued.

Mayor Dassing reported that she had a meeting with Fells Manor Association about the streets that they want us to bring into our umbrella. Glenn will be going back there on Thursday to look at the roadway again. Greg responded that we should wait for Glenn's report and after that we can get some estimates for the cost of bringing things up to the Borough's standards and then work with the association to see how they would anticipate paying for those improvements. If the improvements are not up to par we do not have to accept the dedication. Discussions Ensued.

**REPORT OF BOROUGH ADMINISTRATOR:**

**Paul Carelli** reported:

- Solar Panel schedule has been finalized with a 20 year agreement and this year we will get about \$48,000 in lease payments quarterly and it escalates to year 2020 to \$76,000.

**Councilman Brown** thanked the Environmental Commission who had a big part in getting that done and it was great working with PSE&G. He also thanked Paul and Greg for all their work.

- There was a presentation on the Health Care last week with the PBA.
- Water work has started on Lincoln Terrace, Washburn Place & Hanford Place.
- He would like to set up a meeting and introduce the Budget next month.
- He sent to the Police Committee the Multi-way stop report and he will forward to everyone.
- The sand filter demo has been completed at the sewer plant. They are in better shape than everyone thought. He asked for a new proposal on the upgrade for each one.
- The Borough has received two violations from the Essex County Health Authority about odors at the sewer plant. There was a fine for \$1,000 and another for \$2,000. Paul's understanding is someone complained about odor and an inspector went down and determined that he smelled the odor too. There also was a fine given to the compost facility because he smelled mulch. Paul contacted the inspector and asked for him to come to a meeting to explain this to the Mayor and Council. The Mayor asked if we will be able to find out who the complaint came from and Greg responded that yes we can, you can OPRA that request.
- Paul handed out to the Mayor and Council an assessment chart which was discussed.

**REPORT OF BOROUGH ATTORNEY:**

**Greg Mascera** reported that the Marian Manor has paid in full, the agreement is signed and the property has changed hands. The tax abatement will continue for another 30 years. Greg also spoke about an ordinance for the next meeting to be introduced; the change will be Sunday's sale of Alcohol from 9AM – 10PM instead of 9AM – 6PM. Also, he had a discussion with the Mayor and Councilman Capozzoli about drafting up an ordinance in regards to pet stores and them selling puppies. After discussion Greg will draft an ordinance for the Mayor and Council to review.

**Mark Guiliano, Fire Official** thanked the Mayor and Council, Paul and Greg for the support of the fire ordinance it will allow us to do more and we appreciate your support and your commitment to the town and the fire department.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – April 18, 2017**

**Page 3 of 3**

**OPEN PUBLIC MEETING:**

Moved by Councilman Brown, seconded by Councilman Capozzoli to open meeting to the Public.

**George Stafford, New Jersey Highlands Coalition**, he is also here representing ANJEC which is the association of New Jersey Environmental and an outfit called Keep it Green which is a statewide advocacy for open space. There are two resolutions that he would like the Mayor and Council to consider in the near future.

**Hilda Moore, Personette Street** has concerns about the park next door to her, there are people there late at night and they are leaving their garbage. She also has concerns about where the water is coming from when they use it in the park.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Brown, seconded by Council President Cascarano unanimously affirmed by all members present, the meeting was adjourned at 7:56PM.

Prepared by: \_\_\_\_\_  
Lisa O'Neill, Deputy Borough Clerk

\_\_\_\_\_  
DATE



**BOROUGH OF CALDWELL  
NEW JERSEY**



**ORDINANCE# 1330-17**

**AN ORDINANCE AMENDING CHAPTER 53 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION REGULATING LICENSING OF ALCOHOLIC BEVERAGES**

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**BE IT ORDAINED** by the Council of the Borough of Caldwell as follows:

That Chapter 53, of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

That Chapter 53, Section 6 of the Code of the Borough of Caldwell, the section titled "Hours of sale for consumption off the licensed premises" is amended as follows:

- I. Delete the title and replace with "Permitted Hours of Sale".
- II. Delete Section A in its entirety and replace with the following:

No licensee shall sell, deliver, allow, or permit the sale or delivery of any alcoholic beverage whether for consumption in or off the premises except during the hours as follows:

- A. Consumption of alcoholic beverages shall be permitted on licensed premises during the following hours:
  - (1) On any weekday between the hours of 9:00 a.m. and 12:00 midnight, and between the hours of 12:00 midnight and 2:00 a.m
  - (2) On any Sunday between the hours of 11:00 a.m. and 12:00 midnight and between the hours of 12:00 midnight and 2:00 a.m
- B. Retail sale of alcoholic beverages shall be permitted on licensed premises during the following hours:
  - (1) On any weekday between the hours of 9:00 a.m. and 10:00 p.m. as provided in N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-38.1, except for the sale of wine and malt alcoholic beverages which shall be permitted during the hours set forth in § 53-6A(1) above.
  - (2) On any Sunday between the hours of 9:00 a.m. and 10:00 p.m., except for the sale of wine and malt alcoholic beverages which shall be permitted during the hours set forth in § 53-6A(2) above.

That Chapter 52 Section 7 is hereby deleted.

That Chapter 52, Section 11 is hereby deleted.

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.



# BOROUGH OF CALDWELL NEW JERSEY



## NOTICE OF PUBLIC HEARING ON ORDINANCE

Please take Notice that the foregoing ordinance was introduced at a meeting of the Council of the Borough of Caldwell on the 2nd day of May, 2017 and passed on first reading; and the same was then ordered to be published according to law; and that such ordinance will be further considered for final passage at a meeting of the Council to be held at the Caldwell Municipal Building, 1 Provost Square, Caldwell, NJ on the 8th day of June, 2017 at seven o'clock p.m. prevailing time or as soon thereafter as the matter may be reached, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

### BY ORDER OF THE COUNCIL

|                        |              |                         |              |
|------------------------|--------------|-------------------------|--------------|
| DATE OF FIRST READING: | May 2, 2017  | DATE OF SECOND READING: | June 8, 2017 |
| DATE OF PUBLICATION:   | May 11, 2017 | DATE OF ADOPTION:       | June 8, 2017 |
| MOVED:                 |              | MOVED:                  |              |
| SECONDED:              |              | SECONDED:               |              |

### RECORD OF COUNCIL VOTE

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

|           |  |  |  |  |  |           |  |  |  |  |
|-----------|--|--|--|--|--|-----------|--|--|--|--|
| Cascarano |  |  |  |  |  | Capozzoli |  |  |  |  |
| Hauser    |  |  |  |  |  | Brown     |  |  |  |  |
| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 5-124

Date of Adoption: May 2, 2017

**TITLE:**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO GYM SOURCE USA, LLC FOR THE PURCHASE OF FITNESS EQUIPMENT FOR THE CALDWELL COMMUNITY CENTER**

**WHEREAS**, the Borough of Caldwell has a need to acquire Fitness Equipment for the Caldwell Community Center as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

**WHEREAS**, Gym Source USA, LLC has submitted a proposal April 12, 2017 indicating they will provide the Fitness Equipment for \$25,275.00; and,

**WHEREAS**, Gym Source USA, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a candidate or candidate committee in the Borough of Caldwell in the previous one-year, and that this contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS**, the governing body of the Borough of Caldwell pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Caldwell authorizes the Borough Administrator to enter into a contract with Gym Source USA, LLC as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

|           |  |  |  |  |  |           |  |  |  |  |
|-----------|--|--|--|--|--|-----------|--|--|--|--|
| Cascarano |  |  |  |  |  | Capozzoli |  |  |  |  |
| Hauser    |  |  |  |  |  | Brown     |  |  |  |  |
| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



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One Provost Square · Caldwell, NJ 07006 · 973-226-6100 · Fax 973-403-1355

**BOROUGH OF CALDWELL  
DETERMINATION OF VALUE FORM AND CERTIFICATION OF FUNDS  
PURSUANT TO NON-FAIR AND OPEN CONTRACT AWARDS**

Prior to the governing body formally considering a resolution awarding a non-fair and open contract, an appropriate official must certify in writing that the estimated amount of the contract to be awarded exceeds \$17,500. The appropriate official may be the purchasing agent, financial officer, chief administrative officer, or an appointed or elected official with knowledge of the contract.

The determination of the amount is based on the value of the full contract life, not the amount spent annually. Therefore a two-year contract for \$10,000 a year awarded through a non-fair and open process falls under this requirement. A single one year contract for \$10,000, however, does not. The determination should be kept on file and made part of the resolution awarding the contract.

Contract For: Fitness Equipment  
Contract to be awarded to: Gym Source USA, LLC

**CERTIFICATION**

I hereby certify that the estimated amounts of the contracts to be awarded exceed \$17,500.

I hereby further certify that funds to cover the expenditures for the above-reference contracts will be encumbered by purchase orders on an as-needed basis (as required pursuant to N.J.A.C. 5:30-5.4.).

By: \_\_\_\_\_  
Chris Battaglia, Chief Financial Officer

Certified Date: \_\_\_\_\_

www.gymsource.com



QUOTE:

1944791

04/12/2017  
Page 1 of 1

| Salesperson   | Store | Quote Dt   | ACCOUNT ID | CUSTOMER NAME             |
|---------------|-------|------------|------------|---------------------------|
| RICH KAMINSKI | 009   | 04/12/2017 | 11-152748  | CALDWELL COMMUNITY CENTER |

**Bill To**  
BOROUGH OF CALDWELL  
1 PROVOST SQUARE  
CALDWELL NJ 07006

**Ship To**  
CALDWELL COMMUNITY CENTER  
BOROUGH OF CALDWELL  
1 PROVOST SQUARE  
CALDWELL NJ 07006

| LN                                   | Product          | Description                                 | List            | Price            | Qty | Total            |
|--------------------------------------|------------------|---|-----------------|------------------|-----|------------------|
| 1                                    | CYBEX-770T/CT    | TM-115V COMM TMILL W/CARDIOTOUCH<br>PLAT SP | 8645.00         | 4,995.00         | 4   | 19,980.00        |
| 2                                    | HOIST-HD-3600    | DUAL AB/LOW BACK V-PLATINUM                 | 2999.00         | 2,149.00         | 1   | 2,149.00         |
| 3                                    | PL-OLY-HOG-R45   | 45LB HAMPTON RUBBER GRIP PLATE              | 117.00          | 72.00            | 10  | 720.00           |
| 4                                    | PL-OLY-HOG-R35   | 35LB HAMPTON RUBBER GRIP PLATE              | 91.00           | 56.00            | 10  | 560.00           |
| 5                                    | PL-OLY-HOG-R25   | 25LB HAMPTON RUBBER GRIP PLATE              | 65.00           | 40.00            | 6   | 240.00           |
| 6                                    | PL-OLY-HOG-R10   | 10LB HAMPTON RUBBER GRIP PLATE              | 26.00           | 16.00            | 16  | 256.00           |
| 7                                    | PL-OLY-HOG-R05   | 5LB HAMPTON RUBBER GRIP PLATE               | 13.00           | 8.00             | 10  | 80.00            |
| 8                                    | FREIGHT          | FREIGHT                                     | 970.00          | 970.00           | 1   | 970.00           |
| 9                                    | DEL-INST         | DELIVERY & INSTALLATION                     | 320.00          | 320.00           | 1   | 320.00           |
| 10                                   | TIME             | DISPATCH TO ASSIGN TIME WINDOW              |                 | .00              | 1   | .00              |
| 11                                   | STAIRS           | NOTE SPECIFICS                              |                 | .00              | 1   | .00              |
| 12                                   | 12 PT.CHECK LIST | 12 POINT CHECKS COMPLETED                   |                 | .00              | 1   | .00              |
| 13                                   |                  | IT'S OUR PRIVILEGE TO SERVE YOU             |                 |                  |     |                  |
| 14                                   | ELECTRIC REQ     | NOTE ELECTRICAL REQUIREMENT                 |                 | .00              | 1   | .00              |
| <b>QUOTE IS VALID FOR 30 DAYS</b>    |                  |   | <b>Subtotal</b> | <b>41,885.00</b> |     | <b>25,275.00</b> |
| <b>TOTAL SAVINGS = \$16610.00 !!</b> |                  |   | <b>TOTAL</b>    | <b>41,885.00</b> |     | <b>25,275.00</b> |

GYM SOURCE RESERVES THE RIGHT TO ASSESS A 3% PROCESSING FEE FOR PAYMENTS MADE BY CREDIT CARD IN EXCESS OF \$15,000

Page 1 of 1      Gym Source USA LLC      Quote # 1944791  
GYM SOURCE PARAMUS      Phone: 908-610-1683 FAX: 732-370-5947  
REMIT PAYMENT TO: GYM SOURCE DEPT. 106042, PO BOX 150468, HARTFORD, CT. 06115-0468

**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
**FOR NON-FAIR AND OPEN CONTRACTS**  
 Required Pursuant To N.J.S.A. 19:44A-20.8  
**BOROUGH OF CALDWELL**

**Part I – Vendor Affirmation**

The undersigned, being GYM SOURCE USA, LLC d/b/a GYM SOURCE authorized and knowledgeable of the circumstances, does hereby certify that GYM SOURCE USA, LLC d/b/a GYM SOURCE has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 1, 2017 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Borough of Caldwell as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

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**Part II – Ownership Disclosure Certification**

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership     
  Corporation     
  Sole Proprietorship     
  Subchapter S Corporation  
 Limited Partnership     
  Limited Liability Corporation     
  Limited Liability Partnership

| Name of Stock or Shareholder   | Home Address                      |
|--------------------------------|-----------------------------------|
| CUTLER OWENS INTERNATIONAL LTD | 40 EAST 52ND STREET, NY, NY 10022 |
| GS GLOBAL LLC                  | 40 EAST 52ND STREET, NY, NY 10022 |
|                                |                                   |
|                                |                                   |
|                                |                                   |
|                                |                                   |
|                                |                                   |
|                                |                                   |
|                                |                                   |
|                                |                                   |

**Part 3 – Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

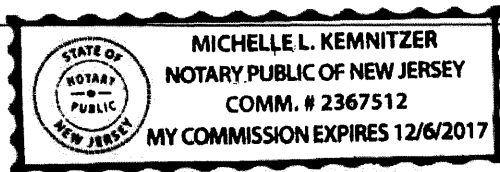
Name of Business Entity: GYM SOURCE USA, LLC d/b/a GYM SOURCE  
 Signature of Affiant: *[Signature]* Title: EXECUTIVE VICE PRESIDENT  
 Printed Name of Affiant: WILLIAM M KEMNITZER Date: 4/24/2017

Subscribed and sworn before me this 24 day of APRIL, 2017.

*[Signature]*  
 (Witnessed or attested by)

My Commission expires:

(Seal)





One Provost Square · Caldwell, NJ 07006 · 973-226-6100 · Fax 973-403-1355

**OWNERSHIP DISCLOSURE CERTIFICATION**

**Name of Business:** GYM SOURCE USA, LLC d/b/a GYM SOURCE

- I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.  
**(OR)**  
 I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

**Check the box that represents the type of business organization:**

- Partnership                       Corporation                       Sole Proprietorship  
 Limited Partnership               Limited Liability Corporation     Limited Liability Partnership  
 Subchapter S Corporation

**Sign and notarize the form below, and, if necessary, complete the stockholder list below.**

**Stockholders:**

Name: CUTLER OWENS INTERNATIONAL LTD  
Home Address: 40 EAST 52ND STREET  
NEW YORK, NY 10022

Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
\_\_\_\_\_

Name: GS GLOBAL LLC  
Home Address: 40 EAST 52ND STREET  
NEW YORK, NY 10022

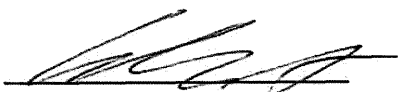
Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
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Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
\_\_\_\_\_

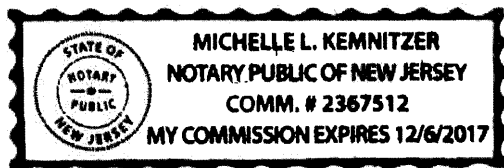
Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn before me this 24 day  
of APRIL, 2017.

  
(Notary Public)

  
(Affiant)

WILLIAM M KEMNITZER, EXECUTIVE VICE PRESIDENT  
(Print name & title of affiant)  
My Commission Expires \_\_\_\_\_ (Corporate Seal)



**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
**FOR NON-FAIR AND OPEN CONTRACTS**  
Required Pursuant To N.J.S.A. 19:44A-20.8  
*BOROUGH OF CALDWELL*

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

**“Local Unit Pay-To-Play Law” (P.L. 2004, c.19, as amended by P.L. 2005, c.51)**

**19:44A-20.6 Certain contributions deemed as contributions by business entity.**

5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

**19:44A-20.7 Definitions relative to certain campaign contributions.**

6. As used in sections 2 through 12 of this act:

“business entity” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

“interest” means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

**Temporary and Executing**

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

~~~~~

**The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)**

**19:44A-3 Definitions.** In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

**19:44A-8 and 16 Contributions, expenditures, reports, requirements.**

*While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:*

“The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)

# BOROUGH OF CALDWELL

## C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

**This form or its permitted facsimile must be submitted to the local unit  
no later than 10 days prior to the award of the contract.**

### Part I – Vendor Information

|              |                                      |        |       |
|--------------|--------------------------------------|--------|-------|
| Vendor Name: | GYM SOURCE USA, LLC d/b/a GYM SOURCE |        |       |
| Address:     | 40 EAST 52ND ST                      |        |       |
| City:        | NEW YORK                             | State: | NY    |
|              |                                      | Zip:   | 10022 |

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.



Signature

WILLIAM M KEMNITZER

Printed Name

EXECUTIVE VICE PRESIDENT

Title

### Part II – Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Check here if disclosure is provided in electronic form.

| Contributor Name | Recipient Name | Date | Dollar Amount |
|------------------|----------------|------|---------------|
|                  |                |      | \$            |
|                  |                |      |               |
|                  |                |      |               |
|                  |                |      |               |
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Check here if the information is continued on subsequent page(s)

**List of Agencies with Elected Officials Required for Political Contribution Disclosure**  
**N.J.S.A. 19:44A-20.26**

**County Name: Essex**

State: Governor, and Legislative Leadership Committees

Legislative District #s: 27

State Senator and two members of the General Assembly per district: Senator Richard J. Codey, Assemblywoman Mila M. Jasey, and Assemblyman John F. McKeon

County: Essex

Freeholders: Britnee N. Timberlake, Brendan W. Gill, Patricia Sebold, Rufus Johnson, Lebbby Jones, Rolando Bobadilla, Wayne L. Richardson, Leonard M. Luciano, Cunthia Toro

County Clerk: Chris Durkin

Sheriff: Armando B. Fontoura

County Executive: Joseph N. DiVincenzo, Jr. Surrogate: Hon. Theodore Stephens

Municipalities (Mayor and members of governing body, regardless of title):

Ann Dassing, John Cascarano, Richard Hauser, Thomas O' Donnell, Kris Brown, Francis Rodgers



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 5-125

Date of Adoption: May 2, 2017

**TITLE:**

**AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – First Presbyterian Church – On Premise/ 50/50 Raffle, May 13, 2017 – 7:00PM – 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-1353 First Presbyterian Church  
On Premise – 50/50 Raffle  
May 13, 2017 – 7:00PM – 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

|           |  |  |  |  |  |           |  |  |  |  |
|-----------|--|--|--|--|--|-----------|--|--|--|--|
| Cascarano |  |  |  |  |  | Capozzoli |  |  |  |  |
| Hauser    |  |  |  |  |  | Brown     |  |  |  |  |
| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 5-126

Date of Adoption: May 2, 2017

**TITLE:**

**AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – First Presbyterian Church– Off Premise/ Merchandise Raffle, May 13, 2017 – 7:00PM – 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-1354 First Presbyterian Church  
Off Premise – Merchandise Raffle  
May 13, 2017 – 7:00PM – 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

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| Cascarano |  |  |  |  |  | Capozzoli |  |  |  |  |
| Hauser    |  |  |  |  |  | Brown     |  |  |  |  |
| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 5-127

Date of Adoption: May 2, 2017

**TITLE:**

**RESOLUTION OF SUPPORT FOR SUSTAINABLE OPEN SPACE, FARMLAND, HISTORIC PRESERVATION AND STEWARDSHIP FUNDING FOR NEW JERSEY**

**WHEREAS**, New Jersey’s population demands an ample water supply provided by adequate open space to support our quality of life; and

**WHEREAS**, Open Space in the form of parkland, family farms, historic and cultural sites, recreational areas and natural watershed areas is vital to our economy, planned growth, protection of property values, water quality, and safety and urban, suburban and rural quality of life; and

**WHEREAS**, continued, plentiful and sustained funding is vital to a strategic Open Space program to bolster and enhance private, municipal, county, other state and federal Open Space funding programs; and

**WHEREAS**, provisions for stewardship to properly care for parks, preserved lands, and historic sites is an important component of Open Space efforts; and

**WHEREAS**, New Jersey’s Payment In Lieu of Taxes program (PILOT) should be restored to full funding because it encourages municipalities to host state and non-profit preserved open space;

**NOW THEREFORE BE IT RESOLVED** that the Borough of Caldwell supports sustainable, continuing funding for Open Space in New Jersey.

**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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| Cascarano |  |  |  |  |  | Capozzoli |  |  |  |  |
| Hauser    |  |  |  |  |  | Brown     |  |  |  |  |
| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



## BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 5-128

Date of Adoption: May 2, 2017

**TITLE:**

**RESOLUTION IN SUPPORT OF CLEAN WATER SUPPLIES**

---

**WHEREAS**, water is a necessary and fundamental building block of all life;

**WHEREAS**, clean drinking water is a fundamental right of New Jersey citizens;

**WHEREAS**, all drinking water in New Jersey is supplied by underground aquifers, rivers, and/or reservoirs replenished by rain, snow melt, or fed by rivers and streams;

**WHEREAS**, an ample supply of clean water is critical to agricultural production in the Garden State;

**WHEREAS**, an ample supply of clean water is necessary for a healthy economy and a robust business climate for key industries in New Jersey, such as hospitality, tourism, manufacturing, healthcare and others;

**WHEREAS**, New Jersey's ecosystems and wildlife rely on an adequate supply of clean water in creeks, streams, rivers, and ponds, and wetlands

**WHEREAS**, in 2015, 12 of the 21 counties in New Jersey entered into a state of drought watch and seven drought warnings, watches, and emergencies have been declared in New Jersey since the year 2000;

**WHEREAS**, in 1981, the New Jersey Legislature adopted Chapter 262, known as the Water Supply Management Act;

**WHEREAS**, the Water Supply Management Act requires the development of a Statewide Water Supply Plan;

**WHEREAS**, the Water Supply Management Act requires the New Jersey Department of Environmental Protection to update the Water Supply Master Plan at least every 5 years;

**WHEREAS**, the last completed and publicly available version of the Water Supply Plan occurred in 1996;

**WHEREAS**, for over a decade under an outdated State Water Supply Plan, land use planning and development have been proceeding in New Jersey without publicly available updated scientific or policy guidance regarding the availability of adequate water supplies;

**WHEREAS**, municipalities depend on the Governor of New Jersey and New Jersey Department of Environmental Protection to adopt policies and regulations allocating a safe, sustainable supply of New Jersey's water resources in accordance with the Water Supply Plan;

**THEREFORE BE IT RESOLVED** that the Borough of Caldwell respectfully requests that the Governor of New Jersey and the New Jersey Department of Environmental Protection release an update to the New Jersey Water Supply Master Plan immediately for public review and comment and, following such comment, finalize, adopt and implement the Plan.

**AND BE IT FURTHER RESOLVED** that Caldwell will send a letter to the Governor's office, the New Jersey Department of Environmental Protection and to our New Jersey Assembly and Senate members alerting them to our concerns about the lack of a current Water Supply Plan in New Jersey;

PASSED, APPROVED, AND EFFECTIVE on this 2nd day of May, 2017.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Council President

**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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| Cascarano |  |  |  |  |  | Capozzoli |  |  |  |  |
| Hauser    |  |  |  |  |  | Brown     |  |  |  |  |
| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
**Lisa O'Neill, Deputy Clerk**

\_\_\_\_\_  
**Ann Dassing, Mayor**

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 5-129

Date of Adoption: May 2, 2017

**TITLE:**

**AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MAY 2, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$2,101,027.80**

**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 2016 and/or 2017 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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| Cascarano |  |  |  |  |  | Capozzoli |  |  |  |  |
| Hauser    |  |  |  |  |  | Brown     |  |  |  |  |
| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 5-130

Date of Adoption: May 2, 2017

**TITLE:**

**AUTHORIZING THE AWARD OF CONTRACT TO PK ENVIRONMENTAL, PO BOX 1066, 205 MAIN STREET CHATHAM, NEW JERSEY 07928 TO PREPARE A PRELIMINARY ASSESSMENT (PA) IN ACCORDANCE WITH NJDEP GREEN ACRES REQUIREMENTS FOR BLOCK 56 LOT 10.03 (KIWANIS OVAL) IN THE BOROUGH OF CALDWELL**

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

**WHEREAS**, the Borough of Caldwell received a proposal to prepare a preliminary assessment (PAR) in accordance with NJDEP Green Acres requirements for Block 56 Lot 10.03 (Kiwanis Oval), and;

**WHEREAS**, PK ENVIRONMENTAL Planning & Engineering, PO Box 1066, 205 Main Street, Chatham, New Jersey 07928 provided a proposal dated April 27, 2017 providing these required services, and;

**WHEREAS**, PK ENVIRONMENTAL will provide the service for an amount of \$4,500.00

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Caldwell that the Borough Administrator is hereby authorized to execute the agreement contained herein.

**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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| Cascarano |  |  |  |  |  | Capozzoli |  |  |  |  |
| Hauser    |  |  |  |  |  | Brown     |  |  |  |  |
| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor

**PK ENVIRONMENTAL**  
*Planning & Engineering*  
PO Box 1066, 205 Main Street  
Chatham, New Jersey 07928

*John P. Peel, PP*  
*Sandra E. Kehrley, PE*

*tel (973) 635-4011*  
*fax (973) 635-4023*

April 28, 2017

Paul M. Carelli, Borough Administrator  
Borough of Caldwell  
1 Provost Square  
Caldwell, NJ 07006

Re: Preliminary Assessment (PA) / Phase 1 Environmental Site Assessment (ESA)  
Block 56 Lot 10.03 (Kiwanis Oval)  
Borough of Caldwell, Essex County, NJ

Dear Paul:

Regarding the "Kiwanis Oval" property owned by the Borough of Caldwell, PK ENVIRONMENTAL (PK) submits this scope of work and cost proposal to prepare a combined Preliminary Assessment (**PA**) / Phase 1 Environmental Site Assessment (**ESA**), consistent with NJDEP Green Acres requirements, and in compliance with NJDEP Technical Requirements for Site Remediation, PA standards (NJAC 7:26E-3.1), and within the Phase 1 ESA provisions of the American Society for Testing and Materials (ASTM) Standard Practice (E1527). It is our understanding that the 5.41-acre property consists of recreationally developed (turf ballfields) open space. The PA/ESA is completed to provide a reasonable assurance that there are no areas of concern (AOC) or recognized environmental conditions (REC) on the property, and it can be used as an appropriate level of inquiry in establishing "innocent purchaser defense" regarding previous ownership and use of the property. It should be noted that if a spill has occurred and been discovered on the property, the property owner is required to report the condition to NJDEP. If a leaking underground storage tank (LUST) is discovered, the consultant (PK) is required to notify the NJDEP within 15 minutes. Our proposed scope of work and cost estimates follow:

**Task 1: Background Research and Records Review** – PK will obtain and review records and available aerial photography that will help identify the presence or absence of AOC/REC connected with the property, including:

- Standard environmental records radius search such as CERCLIS, EPA Superfund, open public records (OPRA), etc;
- Additional local environmental and historical OPRA records from the Caldwell Borough and Essex County Health Department, Fire Department, Planning and Zoning Department, Building Department, Utility Authorities, NJDEP, USEPA, etc.
- Use of prior environmental site assessment documents, if available.

**Task 2: Site Reconnaissance** – PK will conduct an on-site property inspection to obtain current site information, and to identify any past AOC/REC connected with the property, including:

- Visual observation of the property and any structures not obstructed by water, buildings, debris, or any other obstacles. Site visit documentation will identify current uses, adjoining property uses, past uses, topographic character, water resources, roads, visible storage tanks, hazardous substances, petroleum products, odors, etc.
- Preliminary analysis associated with the presence/absence of NJDEP regulated flood hazard area (FHA), riparian zones (RZ), and freshwater wetlands (FWW).

**PK ENVIRONMENTAL**  
*Planning & Engineering*

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**Task 3: Interviews** - The objective of personal, telephone, and/or written interviews is to obtain information indicating AOC/REC, past and present, connected with the property, including:

- Past and current property owner or manager, tenants, local officials, NJDEP personnel, previous site users, etc.

**Task 4: Preliminary Assessment Report (PAR) / Phase 1 ESA** - The PAR presents the purpose, limitations, exceptions, methodology, and environmental inventory elements researched in Tasks 1, 2, and 3. Two (2) hard copies and one electronic copy (CD) of the **PA/ESA** will be provided to the Borough and prepared within the following general outline:

- Introduction
- Site Description
- Records Review
- Site Reconnaissance and Interview Information
- Opinions
- Findings and Conclusions
- Environmental Professional (EP) Statement & PA Certification
- Data Gaps
- Limiting Conditions/Deviations
- EP Qualifications
- References

***The cost to prepare the PAR / Phase 1 ESA is \$4,500.00, plus direct costs***


Additional reasonable costs associated with acquisition of environmental databases, report copies, aerial photographs, blueprints, and postage are billed as direct cost items. **The return of a signed copy of this proposal will serve as our formal agreement and authorization to proceed.** The Phase 1 ESA/PA results will be completed within 4 to 6 weeks of the official authorization to proceed, as per the outlined scope of work. If authorized to conduct the Phase 1 ESA/PA report, we will need the following information for the property to begin our study.

1. Name, address and telephone number of the current property owner (Caldwell Borough).
2. Copies of available property surveys, site plans, site topography maps, etc.
3. Copies of the property deeds and title search that depicts clear title.
4. Written certification that the purchase price generally reflects the current market value or an explanation as to the difference.

Please contact me if you have any questions regarding the information in this proposal, and we thank you for the opportunity to be of service.

Sincerely,

**PK ENVIRONMENTAL**



Sandra E. Kehrley, PE  
PE License #24GE0038560  
NJDEP UST License #18790

**Accepted and Agreed to:**

**Date:** \_\_\_\_\_

**Person or party responsible for payment of invoices**

**SCHEDULE A**  
**Rate and Policy Schedule**

**NJ Certificate of Authorization**  
**No. 24GA28108200**

**I. Professional Fees**

|                                                      |               |
|------------------------------------------------------|---------------|
| John Peel, Environmental Scientist/Prof. Planner, PP | \$150.00/hour |
| Sandra E. Kehrley, Professional Engineer, PE         | \$150.00/hour |
| Environmental Scientist                              | \$ 85.00/hour |
| Office & Field Technicians                           | \$ 55.00/hour |
| Administrative & Secretarial Services                | \$ 40.00/hour |

**II. Direct Costs & Reimbursable Expenses**

Direct cost expenses may include outside map reprographics, photographs, equipment rentals, laboratory fees, permit fees, certified postage, and other miscellaneous project related costs which will be invoiced at cost.

**III. Payments**

All invoices are due and payable when received. Optional payment terms are available if the terms are mutually agreed upon, in writing, between PK ENVIRONMENTAL and our client. PK ENVIRONMENTAL reserves the right to suspend services without notice in the event payment for invoices rendered is not received within 30-days. PK ENVIRONMENTAL will not be responsible for any damages that may result from such professional service termination.

**IV. Limitation of Liability**

PK ENVIRONMENTAL guarantees that professional services will be performed within the skillful and competent levels of the licensed and certified members of the professions it represents. The client agrees to limit the liability of PK ENVIRONMENTAL to the client, the owner, and to all contractors and subcontractors due to negligent acts, errors, or omissions such that the total aggregate liability of PK ENVIRONMENTAL shall not exceed the total insurance proceeds paid to, or on behalf of, PK ENVIRONMENTAL, under the terms of all applicable PK ENVIRONMENTAL insurance policies in satisfaction or settlement of Client's claims.



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 5-131

Date of Adoption: May 2, 2017

**TITLE:**

**AUTHORIZING THE APPOINTMENT OF BRIAN MACLAY AS A PART-TIME NON-LIFE HAZARD INSPECTOR IN THE BOROUGH OF CALDWELL AT A RATE OF \$18.00 PER HOUR FOR 20 HOURS PER WEEK**

**WHEREAS**, the Borough of Caldwell has a need for a part-time non-life hazard inspector; and,

**WHEREAS**, Brian Maclay has been recommended by the Borough of Caldwell Fire Official and Property Maintenance Inspector; and,

**WHEREAS**, the Borough of Caldwell desires to hire Brian Maclay to the position of Non-Life Hazard Inspector, effective May 1, 2017

**BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby hire Brian Maclay to the position of Non-Life Hazard Inspector, effective May 1, 2017 at an hourly rate of \$18.00 for a total of 20 hours per week.

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes   No   Absent   Abstain    COUNCILMAN    Yes   No   Absent   Abstain

|           |  |  |  |  |  |           |  |  |  |  |
|-----------|--|--|--|--|--|-----------|--|--|--|--|
| Cascarano |  |  |  |  |  | Capozzoli |  |  |  |  |
| Hauser    |  |  |  |  |  | Brown     |  |  |  |  |
| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 5-132

Date of Adoption: May 2, 2017

**TITLE:**

**AUTHORIZING APPLICATION TO NEW JERSEY HISTORIC TRUST FOR A HISTORIC SITE MANAGEMENT GRANT**

**WHEREAS**, the Caldwell Historic Commission has expressed interest in applying to the New Jersey Historic Trust for a Historic Site Management Grant to undertake a survey of the Borough's historic structures; and

**WHEREAS**, Caldwell Borough Council recognizes the need for such a grant; and

**WHEREAS**, Caldwell Borough Council does actively support the submission of such a grant application; and

**WHEREAS**, the Caldwell Borough Council agrees to the matching fund requirement of 25% for an amount not to exceed \$3,750.00

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, assembled in public session this 2nd day of May, 2017, that the Mayor is hereby authorized to sign the required Applicant Assurances that are part of the grant application package.

**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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| Cascarano |  |  |  |  |  | Capozzoli |  |  |  |  |
| Hauser    |  |  |  |  |  | Brown     |  |  |  |  |
| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



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*One Provost Square · Caldwell, NJ 07006 · 973-226-6100 · Fax 973-403-1355*

May 2, 2017

Dorothy Guzzo, Executive Director  
New Jersey Historic Trust  
P.O. Box 457  
Trenton, NJ 08625

Dear Ms. Guzzo:

I'm pleased to submit the Borough of Caldwell's application for a 2017 Historic Site Management Grant. The grant will be used to undertake a survey of the Borough's historic structures. Caldwell was last surveyed for this purpose in 1986.

Caldwell is a mature suburb with little room for new development. However, in the thirty-one years since the last survey the community has lost a number of historic buildings to demolition and inappropriate renovations and conversions. Moreover, during this time period there have been a considerable number of additions to the Borough's stock of historic structures. In order to preserve our rich and fragile architectural heritage we need an accurate accounting of our historic inventory.

I hope our application will receive a favorable review. If you have any questions or need additional information please contact, Beverly W. Crifasi, Vice Chairman of the Caldwell Historic Preservation Commission at (973)494-1660 or [Beverlycrifasi@gmail.com](mailto:Beverlycrifasi@gmail.com) or Robert S. Kaplan, Chairman of the Caldwell Historic Preservation Commission at (973)403-9701 or [rsbakaplan@verizon.net](mailto:rsbakaplan@verizon.net).

Sincerely,

Ann Dassing, Mayor



## BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 5-133

Date of Adoption: May 2, 2017

**TITLE:**

**AUTHORIZING THE ESTABLISHMENT OF THE 2017 FEES FOR THE CALDWELL COMMUNITY CENTER EFFECTIVE JUNE 1, 2017**

**BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the establishment of the 2017 fees for the Caldwell Community Center in accordance with the following:

| <b>CHARTER MEMBERSHIPS</b>                                                 | <b>Caldwell Residents</b>                                                                                                                                                                 | <b>Non-Residents</b> |
|----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| Youth: Ages 0-12                                                           | \$90                                                                                                                                                                                      | \$108                |
| Teen: Ages 13-17                                                           | \$155                                                                                                                                                                                     | \$195                |
| Young Adult: Ages 18-23                                                    | \$200                                                                                                                                                                                     | \$250                |
| Adult: Ages 24-64                                                          | \$335                                                                                                                                                                                     | \$390                |
| Couple: Ages 24-64                                                         | \$500                                                                                                                                                                                     | \$585                |
| Family (1 Adult): Adult + Legal Dependents living at home up to Age 23     | \$500                                                                                                                                                                                     | \$585                |
| Family (2 Adults): 2 Adults + Legal Dependents living at home up to Age 23 | \$515                                                                                                                                                                                     | \$635                |
| Senior: Age 65+                                                            | \$200                                                                                                                                                                                     | \$250                |
| Senior Couple: At least one is Age 65+                                     | \$350                                                                                                                                                                                     | \$410                |
| <b>REGULAR MEMBERSHIPS</b>                                                 | <i>An additional \$50 sign-up fee will be added to new memberships and those that have been expired for 60+ days. There is no sign-up fee for Youth, Teen or Young Adult memberships.</i> |                      |
|                                                                            | <b>Caldwell Residents</b>                                                                                                                                                                 | <b>Non-Residents</b> |
| Youth: Ages 0-12                                                           | \$120                                                                                                                                                                                     | \$150                |
| Teen: Ages 13-17                                                           | \$185                                                                                                                                                                                     | \$230                |
| Young Adult: Ages 18-23                                                    | \$225                                                                                                                                                                                     | \$285                |
| Adult: Ages 24-64                                                          | \$390                                                                                                                                                                                     | \$490                |
| Couple: Ages 24-64                                                         | \$585                                                                                                                                                                                     | \$735                |
| Family (1 Adult): Adult + Legal Dependents living at home up to Age 23     | \$585                                                                                                                                                                                     | \$735                |
| Family (2 Adults): 2 Adults + Legal Dependents living at home up to Age 23 | \$620                                                                                                                                                                                     | \$775                |
| Senior: Age 65+                                                            | \$275                                                                                                                                                                                     | \$330                |
| Senior Couple: At least one is Age 65+                                     | \$425                                                                                                                                                                                     | \$525                |
| <b>SEASONAL/PROMOTIONAL</b>                                                | <b>Caldwell Residents</b>                                                                                                                                                                 | <b>Non-Residents</b> |
| Summer: May 15 through Labor Day                                           | \$99                                                                                                                                                                                      | \$129                |
| Winter: Holidays/Winter Break                                              | \$99                                                                                                                                                                                      | \$129                |
| 30 for 30 (30 days for \$30)                                               | \$30                                                                                                                                                                                      | \$30                 |
| <b>CALDWELL BOROUGH</b>                                                    |                                                                                                                                                                                           |                      |
| Full-Time Employees                                                        | Free                                                                                                                                                                                      |                      |
| Part-Time Employees                                                        | Free                                                                                                                                                                                      |                      |
| Council, Board and Committee Members                                       | ½ off Individual Caldwell Resident Rate                                                                                                                                                   |                      |
| Caldwell Volunteer Firefighters                                            | Free                                                                                                                                                                                      |                      |

Note: All Adult, Couple, Senior and Family memberships may be paid on a monthly basis, with a credit card on file. A \$2 per month service fee is charged for this service.



# BOROUGH OF CALDWELL NEW JERSEY



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## RECORD OF COUNCIL VOTE

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Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes   No   Absent   Abstain    COUNCILMAN    Yes   No   Absent   Abstain

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| O'Donnell |  |  |  |  |  | Rodgers   |  |  |  |  |

\_\_\_\_\_  
**Lisa O'Neill, Deputy Clerk**

\_\_\_\_\_  
**Ann Dassing, Mayor**

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