



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
May 15, 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

May 15, 2012

MAYOR
Ann Dassing

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

CALL TO ORDER

Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding

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

APPROVAL OF MINUTES

May 1, 2012

PRESENTATION OF AWARDS

Garden State Municipal Joint Insurance Fund Presented by: Mr. Zach Edelman
2011 Safety Incentive Award – Borough of Caldwell

DEPARTMENT HEAD PRESENTATION

Borough of Caldwell Construction Department – Mr. Paul Milani / Construction Official

PUBLIC HEARING AND ADOPTION 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 1252-12:** BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$165,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$156,750 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

PUBLIC HEARING OF THE 2012 MUNICIPAL BUDGET

Members of the public are invited to comment at this time on the 2012 Introduced Municipal Budget



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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.

- 5-115:** RESOLUTION AUTHORIZING PAYMENT TO MANNINO AND SONS CONSTRUCTION FOR THE DEMOLITION OF 21 KIRKWOOD PLACE, BLOCK 17, LOT 4 IN THE BOROUGH OF CALDWELL, NJ
- 5-116:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MAY 17, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$2,457,837.02
- 5-117:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell Merchants Association / Off Premise – 50/50 Raffle / June 9, 2012 – Noon-5:00PM
- 5-118:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Kiwanis Club of Caldwell-West Caldwell /Off Premise – 50/50 Raffle / October 7, 2012 – 11:30AM – 5:00PM
- 5-119:** 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 – Precision Motors
- 5-120:** AUTHORIZING ISSUANCE OF A LICENSE TO OPERATE ELECTRONIC, MECHANICAL AND OTHER TYPES OF AMUSEMENT DEVICES; FOR Caldwell Clearview Cinema APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS
- 5-121:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00009 PAYABLE TO ISAAC MORADI
- 5-122:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00022 PAYABLE TO US BANK CRESTAR CAPITAL, LLC
- 5-123:** AUTHORIZING THE APPOINTMENT OF OPEN SPACE COMMITTEE MEMBERS – David Layton
- 5-124:** *PENDING* - RESOLUTION TO AMEND THE BOROUGH OF CALDWELL 2012 MUNICIPAL BUDGET AS INTRODUCED AND APPROVED ON APRIL 17, 2012

PUBLIC WORKS / UTILITIES

Councilman Coyle

Liaison: Open Space / Environmental / Tree Removal



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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

REPORT OF MAYOR

Mayor Dassing

REPORT OF ADMINISTRATOR

Paul M. Carelli

1. Administrator Report Spreadsheet – May 15, 2012

REPORT OF ATTORNEY

Gregory Mascera

OLD BUSINESS

1. Grove Street paving – CDBG
2. Cherry Lane / Oak Ridge Road Paving
3. Update on progress on the Caldwell-West Caldwell Water Interconnection

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



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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. 17 Park Avenue

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 5/11/2012 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 5/11/2012 in compliance with P. L. 1975, c 213

Lisa O'Neill, Acting Borough Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – May 1, 2012**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:05 PM

PRESENT: Mayor Dassing, Council President Richard Hauser, Councilman Murray, Coyle, O'Donnell, Kelley and Rodgers

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

ABSENT:

Adequate notice of this Council Business/Conference meeting was given on January 1, 2012. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2012. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2012. Notice was posted and all persons requesting notice were sent same.

APPROVAL OF MINUTES:

April 3, 2012 / April 17, 2012

Moved by Councilman Kelley, seconded by Councilman Murray. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 05/01/12.

INTRODUCTION OF ORDINANCES:

ORDINANCE# 1251-12: AN ORDINANCE AMENDING CHAPTER 230 – ARTICLE V OF THE CODE OF THE BOROUGH OF CALDWELL, TRAFFIC REGULATIONS

Councilman Murray thanked Sergeant Arnold for all his time of measuring, locating and taking pictures and along with Chief Bongiorno, Greg and Paul.

Mayor Dassing expressed her thanks to Chief Bongiorno, Councilman Murray and Greg Mascera

Councilman O'Donnell said it was a tremendous amount of work and he thanked Councilman Murray.

Moved by Councilman Murray, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced 05/01/12.

Supplemental Debt Statement – May 1, 2012

ORDINANCE# 1252-12: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$165,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$156,750 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Moved by Councilman Coyle, seconded by Councilman Murray. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced 05/01/12.

Ordinance Revote with revised Supplemental Debt Statement

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

Moved by Councilman Coyle, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Ordinance Introduced 5/01/12.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – May 1, 2012**

2 of 4

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

Moved by Councilman Coyle, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Ordinance Introduced 5/01/12.

PUBLIC HEARING OF ORDINANCES:

NOTE: This ordinance is no longer necessary and will not be moved on. (Resolution passed on 4-17-2012)

ORDINANCE 1246-12: ORDINANCE OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY PROVIDING FOR THE CANCELLATION OF \$115,000 BOND AUTHORIZATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES AND TO TRANSFER THE \$115,000 IN BOND PROCEEDS TO THE BOROUGH GENERAL CAPITAL FUND

Moved by Councilman Murray, seconded by Councilman Kelley. No Discussion. On roll call, all present voted to pull this ordinance.

OPEN PUBLIC COMMENTS ON RESOLUTION:

RESOLUTIONS – CONSENT AGENDA

5-112: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MAY 1, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$326,047.88

5-113: AUTHORIZING THE REFUND OF A TAX OVERPAYMENT PAYABLE TO: MATT BOLGER

5-114: AUTHORIZING THE BOROUGH CLERK TO PREPARE SPECIFICATIONS AND ADVERTISE FOR THE COLLECTION AND HAULING OF RECYCLABLE MATERIALS FOR THE PURPOSE OF RECYCLING IN THE BOROUGH OF CALDWELL

CONSENT

Moved by Councilman Hauser, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 05/01/12.

Councilman Hauser reported that they have continued to have some Budget meetings discussion and questions. The detail and summary will be at the next meeting. We continue to have meetings with Payroll service vendors and some significant savings probably cutting the costs that we have been paying by 66%.

Councilman Murray reported that we had applied for a Fire Gear Grant from the Federal Government did not receive the Fire grant. A member of the Caldwell Fire Department will be working on this grant for next year. As far as the Auxiliary Police we received 33 Resumes and have been narrowing it down. The unfortunate thing is that the Academy is not until September. We have reduced the Parking ticket fine from \$70.00 to \$45.00. In executive session we will be speaking about the Dispatching agreement. The news about the Oval is the men's softball league can only play until 10:30PM.

Chief Bongiorno thanked Councilman Murray, the attorney and the Borough Administrator for all their work with the Parking Ordinance. Operation take back on Saturday brought in 35 pounds of medicine which was turned over to the DA. He requested that the Borough puts in place an ordinance for residents to have house numbers visible on their house.

Councilman Rodgers reported that the Personnel Committee have distributed the evaluation forms for the Borough Administrator and would like them back by the 15th.

**BOROUGH OF CALDWELL
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MINUTES – May 1, 2012**

3 of 4

Councilman Kelley reported that Camp Wyanokie will be having their ninth annual outing on June 23rd a free BBQ Picnic lunch, fishing contest and plenty of activities for the kids. The County will be having a Household Hazardous Waste Collection day on May 5th.

Mayor Dassing reported that we received a notice from the DEP that she distributed to the press. Their concern is the lack of water and rain. They have some water safety tips. We did receive our approval from BTU for Comcast Service in Caldwell this is the Grant money that we talked about a year ago will help us televise our meetings on channel 35. There will be an Open Space Committee meeting next week. There are two spots still available for new members

REPORT OF ADMINISTRATOR:

Paul Carelli reported there are 79 projects to date with 6 new entries and 32 completed to date. I am relieved that Gladding Road is now paved. We are waiting for a date on Grove Street. All parking meters on Avenue rates have been changed. The meters on side streets are 70% complete. I am setting a meeting up with an Aquatics Engineer who specializes in Pools. Our recycling contract is up next month. We will be preparing a bid spec for that as well as the Mayor and I are going to visit a recycling center. We think we might be able to save 50,000 just for recycling. The email system has been completed. The close circuit TV cameras have been installed at the Community Center. On the first day of operation they were able to video tape a person stealing a wallet. We attentively were approved for the CDBG project walkway to Library. We have some quotes for the new aerobic studio upstairs.

Councilman Kelley reported that a resident of the Cedars commented on the stop sign on Brookside the trees are blocking the sign.

Councilman Murray reported that on Cherry Lane and Cleveland there is a stop line but no stop sign.

Greg Mascara reported that he appeared in Superior Court on behalf of Chief Bongiorno and the Department. The Police Department had been in assisting in custody of a young child between the Mother and Father. Unfortunately the Father became very acuminous towards the Police Department. Judge Gardner issued an order that transfer of custody will not take place at the Caldwell Police Department. This is the same individual that has filed a lawsuit against the Borough which is being handled by our carrier. The Mayor asked if the Borough is a responsible party with regards to the Faloni property. That was one of the responsibilities that we took there is a two year report to the DEP. Paul is taken care of sending in the necessary paperwork. We can do a resolution at the next meeting saying what has been done and what needs to be done. We met with the principals in regards to the Construction of the Sewer plant and we will discuss this in more details in executive session.

OLD BUSINESS:

Oak Ridge Road/Cherry Lane – Paving Update

Paul Carelli reported that the ordinance needs to be adopted before we can do anything.

Councilman O'Donnell asked if Tilcon can be contacted to do these streets when they do Grove Street.

NEW BUSINESS:

Kiwanis Oval Security Cameras

Councilman Murray reported that putting cameras on the field would be a very smart thing. If we put one over the Bathroom, one by the DPW, one along 1st base line, we have one on the entrance by Community Center.

Councilman O'Donnell said there should be zero tolerance.

Compost Facility

Paul Carelli reported that he was approached and asked if the Borough would consider having this person manage the compost facility. He would set up the tub grinder and related equipment and process all our leaves and clippings. I have a draft agreement but we still need to have an RFP

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – May 1, 2012**

4 of 4

even though we are not spending money we are getting the service. The way it works is he would process the material they make top soil and he would utilize the top soil in his business. They would open up the facility a couple of times a year to let residents go in to get mulch. The Borough would be able to go and get mulch for use around the Borough. After discussion

OPEN PUBLIC MEETING:

Carla Marris, 20 Wakefield Place, thanked Councilman Murray personally for all your work on this parking ordinance, Chief Bongiorno and Sergeant Arnold on all their hard work also.

Hilda Moore, 23 Personette Street, spoke about the traffic light at Bloomfield Avenue going West on Roseland Avenue. The issue at Personette Street, Knights of Columbus, litter in her yard. The vacant house that is a banded on Kirkwood there are a lot of visitors running across the street that we don't need.

Bob Christensen, 3 Ravine Avenue, spoke about Brookside Avenue and yellow curbing. Spoke about making Brookside a one-way street.

On a motion made by Councilman Coyle and seconded by Councilman O'Donnell, unanimously affirmed, the Council moved into Executive Session at 8:32PM.

Mayor Dassing read the following statement: BE IT HEREBY RESOLVED in accordance with the provisions of N.J.S.A. 10:12 and 13, the public shall be excluded from the Executive Session of the Governing Body which is being held for the discussion of the following subject matters: 1. Pending or anticipated litigation or contract negotiation; 2. Personnel matters; 3. This Executive Session shall continue for an indefinite period of time and upon termination of the Executive Session, the Governing Body may choose to resume the public portion of the meeting. The discussion, which shall be conducted in closed session, shall be disclosed upon termination of litigation or contractual matter, upon resolution of the personnel matter with consent of said person or persons and as provided by N.J.S.A. 4-12 but in no case later than two (2) years from this date. These minutes shall be available as soon as the matter is resolved or not later than two years hence. Greg Mascera responds that the Executive Session will be discussion of Personnel Marge Cherone, Joint Dispatch Contract with West Caldwell, Court Contract and Demolishing of a structure in Caldwell, Sewer and Clerk position.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman Hauser, the Council Business Conference Meeting was opened to the public and the press at 11:40P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman Hauser, unanimously affirmed by all members present, the meeting was adjourned at 11:40P.M.

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 5-115

Date of Adoption: May 15, 2012

TITLE:

RESOLUTION AUTHORIZING PAYMENT TO MANNINO AND SONS CONSTRUCTION FOR THE DEMOLITION OF 21 KIRKWOOD PLACE, BLOCK 17, LOT 4 IN THE BOROUGH OF CALDWELL, NJ

- WHEREAS,** the Construction Official conducted an inspection of the property located at 21 Kirkwood Place, Block 17, Lot 4, Caldwell, NJ, on or about April 27, 2012; and
 - WHEREAS,** it was determined that the building located at 21 Kirkwood Place, Block 17, Lot 4, Caldwell, NJ is an imminent hazard pursuant to N.J.S.A. 52:27D-132 AND N.J.A.C. 5:23-2:32; and
 - WHEREAS,** the Construction Official was satisfied that a severe emergency existed and that immediate demolition of said building was necessary to preserve the health, safety and welfare of the citizens of the Borough of Caldwell; and
 - WHEREAS,** the Construction Official served upon the property owner a "Notice of Imminent Hazard" on or about May 1, 2012 identifying the nature of the action required to be taken by said property owner on or before May 4, 2012; and
 - WHEREAS,** the action so required is a complete demolition of the structure on the property at 21 Kirkwood Place, Block 17, Lot 4, Caldwell, NJ by the property owner by the date of May 4, 2012; and
 - WHEREAS,** the notice further described that the necessary correction may be made by the Construction Official, in the event of the property owner's failure to immediately comply with the Order, at the expense of the property owner pursuant to N.J.A.C. 5:23-2.32(b)5; and
 - WHEREAS,** the Construction Official, upon finding that an emergency existed, was authorized pursuant to N.J.S.A. 40A:11-6(a) to award such a contract without public advertising for bids; and
 - WHEREAS,** as a result of this emergency, the Construction Official solicited a vendor for a quote in accordance with standard demolition specifications for the emergency demolition of said building as follows: Mannino and Sons Construction, 1 Roseland Avenue, Roseland, NJ 07068; and
 - WHEREAS,** has already performed its obligation under said contract by demolishing the building located at 21 Kirkwood Place, Block 17, Lot 4, Caldwell, NJ; and
 - WHEREAS,** the Chief Financial Officer has certified sufficient funds are available for said project from 2.01.22.195.299.
- NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, NJ that this contract is awarded without competitive bidding as an emergency purchase in accordance with N.J.S.A. 40A:11-6 of the Local Public Contracts Law; and
- BE IT FURTHER RESOLVED** that the Borough Tax Collector is hereby authorized to place a demolition lien upon the premises located at 21 Kirkwood Place, Block 17, Lot 4, Caldwell, NJ in the amount of the cost of the demolition.

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: 5-116

Date of Adoption: May 15, 2012

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MAY 15, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$2,457,837.02

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: 5-117

Date of Adoption: May 15, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Caldwell Merchants Association / Off Premise – 50/50 Raffle / June 9, 2012 – Noon-5:00PM

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-1238 Caldwell Merchants Association
Off Premise – 50/50 Raffle
June 9, 2012 – Noon-5:00PM

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: 5-118

Date of Adoption: May 15, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Kiwanis Club of Caldwell-West Caldwell / Off Premise – 50/50 Raffle / October 7, 2012 – 11:30AM – 5:00PM

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-1237 Kiwanis Club of Caldwell-West Caldwell
Off Premise – 50/50 Raffle
October 7, 2012 – 11:30AM – 5:00PM

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: 5-119

Date of Adoption: May 15, 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 – Precision Motors.

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 Precision Motors, 91 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: 5-120

Date of Adoption: May 15, 2012

TITLE:

AUTHORIZING ISSUANCE OF A LICENSE TO OPERATE ELECTRONIC, MECHANICAL AND OTHER TYPES OF AMUSEMENT DEVICES; FOR Caldwell Clearview Cinema APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS

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

- Roller Coaster Tycoon
- Area 51/maximum Force
- Cruis'n Exotica
- Toy Soldier

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they have no objections to the issuance of an Amusement License to the Caldwell Clearview Cinema from May 15, 2012 through April 3, 2013.

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 5-121

Date of Adoption: May 15, 2012

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00009 PAYABLE TO ISAAC MORADI

WHEREAS, it has been determined by the Borough Tax Collector that the taxpayers bank has redeemed the Lien on the property listed at 28 Park Avenue, Caldwell, NJ; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Chief Financial Officer is hereby authorized to refund the following;

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REDEMPTION AMOUNT</u>
Block 23 Lot 6	Isaac Moradi 520 Elm Street Kearny, New Jersey 07032 Philadelphia, PA 19102	\$ 3,072.90 \$ 100.00 PREMIUM <hr/>
	TOTAL	\$ 3,172.90

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: 5-122

Date of Adoption: May 15, 2012

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00022 PAYABLE TO US BANK CRESTAR CAPITAL, LLC.

WHEREAS, it has been determined by the Borough Tax Collector that the taxpayers bank has redeemed the Lien on the property listed at 12 Dorset Circle, Caldwell, NJ; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Chief Financial Officer is hereby authorized to refund the following;

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REDEMPTION AMOUNT</u>
Block 66 Lot 1.12	US Bank Crestar Capital, LLC. 2 Liberty Place – TLSG 50 South 16 th St., Suite 1950 Philadelphia, PA 19102	\$2,789.12 \$ 300.00 PREMIUM
	TOTAL	<u>\$3,089.12</u>

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: 5-123

Date of Adoption: May 15, 2012

TITLE:

AUTHORIZING THE APPOINTMENT OF OPEN SPACE COMMITTEE MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Open Space Committee for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Open Space Committee Members:

David Layton
67 Overlook Road
Caldwell, NJ 07006

Member

Expires December 31, 2015

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 5-124

Date of Adoption: May 15, 2012

TITLE:

**RESOLUTION TO AMEND THE BOROUGH OF CALDWELL 2012 MUNICIPAL BUDGET
AS INTRODUCED AND APPROVED ON APRIL 17, 2012**

WHEREAS, the local municipal budget for the year 2012 was approved on the 17th day of April, 2012; and

WHEREAS, the public hearing on said budget has been held as advertised, and,

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Caldwell, in the County of Essex, State of New Jersey, that the following amendments to the approved budget of 2012 be made:

	<u>FROM</u>	<u>TO</u>
Anticipated Revenues:		
3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items:		
Sale of Dispatch Equipment	20,000.00	24,532.50
Cablevision Franchise Fees (N.J.S.48:5A-30)		5,000.00
Total Miscellaneous Revenues- Section G	<u>550,270.98</u>	<u>559,803.48</u>
Total Miscellaneous Revenue	<u>4,384,508.95</u>	<u>4,394,041.45</u>
6. Amount to be raised for Support of Municipal Budget		
a) Local Tax for Municipal Purposes Including		
Reserve for Uncollected Taxes	6,802,309.61	6,809,280.35
b) Minimum Library Tax	359,559.24	359,559.00
Total Amount to be Raised for Support of Municipal Budget	<u>7,161,868.85</u>	<u>7,168,839.35</u>
7. Total General Revenues	<u>\$ 11,888,753.05</u>	<u>\$ 11,905,256.05</u>
8. General Appropriations:		
(A) OPERATIONS - within "CAPS"		
GENERAL GOVERNMENT:		
Revenue Administration (Tax Collector):		
Salaries and Wages	\$ 44,342.00	\$ 40,996.00
Tax Assessment Administration:		
Salaries and Wages	31,020.00	30,429.00
PUBLIC SAFETY:		
Police:		
Other Expenses	260,190.00	265,190.00
Uniform Construction Code - Appropriation Offset by Dedicated Revenues (N.J.A.C 5:23-4.17)		
Construction Official:		
Salaries and Wages	108,427.00	87,657.00
Other Expenses	7,500.00	24,500.00
UNCLASSIFIED:		
Utilities:		
Electric & Gas	92,000.00	62,000.00
Insurance:		
Employee Group Health	1,106,190.65	1,092,588.65



BOROUGH OF CALDWELL NEW JERSEY



	<u>FROM</u>	<u>TO</u>
Total Operations (Item 8(A)) within "CAPS"	6,517,290.50	6,470,981.50
Total Operations including Contingent within "CAPS"	6,517,290.50	6,470,981.50
Detail:		
Salaries and Wages	2,893,525.52	2,868,818.52
Other Expenses	3,623,764.98	3,694,162.98
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	7,175,651.04	7,129,342.04
(A) OPERATIONS - Excluded from "CAPS"		
Refund Tax Appeals:		
Other Expenses	50,000.00	105,000.00
Employee Group Health	66,595.00	47,732.00
Total Other Operations - Excluded from "CAPS"	1,625,062.00	1,661,199.00
Additional Appropriations Offset by Revenues (N.J.S. 40A:4-45.3H)		
Community Center:		
Other Expenses	449,200.00	475,875.00
Total Additional Appropriations Offset by Revenues (N.J.S. 40A:4-45.3H)	1,479,850.00	1,506,525.00
Total Operations - Excluded from "CAPS"	3,169,970.01	3,232,782.01
Detail:		
Other Expenses	1,890,581.01	1,953,393.01
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	4,666,102.01	4,728,914.01
(O) Total General Appropriations - Excluded from "CAPS"	4,666,102.01	4,728,914.01
(L) Subtotal General Appropriations - Items (H-1) and (O)	11,841,753.05	11,858,256.05
9. Total General Appropriations	<u>\$ 11,888,753.05</u>	<u>\$ 11,905,256.05</u>
10. Dedicated Revenues from Sewer Utility:		
Operating Surplus Anticipated	\$ 55,000.00	\$ 72,432.00
Additional KMOS Lease of Wastewater Plant Property	17,432.00	
Total Sewer Utility Revenues	<u>\$ 5,013,771.15</u>	<u>\$ 5,013,771.15</u>



**BOROUGH OF CALDWELL
NEW JERSEY**



BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for their certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that a public hearing on said amendment is to be held at the Municipal Building on June 7, 2012, at 7: 00 pm.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Governing Body on the 15th day of May, 2012.

Lisa O' Neill
Acting Municipal Clerk

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain **COUNCILMAN** Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor

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