



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
May 16, 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
May 16, 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

May 2, 2017

INTRODUCTION OF ORDINANCES

- ORDINANCE #1331-17:** AN ORDINANCE AMENDING CHAPTER 60 ARTICLE II OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED ANIMALS, ARTICLE II DOGS
- ORDINANCE #1332-17:** CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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.

5-134	AUTHORIZING THE APPOINTMENT OF Charles Pierce AS A JUNIOR FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT
5-135	AUTHORIZING THE APPOINTMENT OF David Schmertz AS A RETURNING FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT
5-136	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #12-00016, Block 54, Lot 2.05
5-137	AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 53, LOT 7, 31 WESTVILLE AVENUE, CALDWELL, NJ 07006
5-138	RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDERS (1) FOR THE WASHBURN PLACE, HANFORD PLACE, AND LINCOLN TERRACE WATER MAIN REPLACEMENT PROJECT IN THE AMOUNT OF \$7,050.00 – NEW TOTAL CONTRACT AMOUNT \$632,370.00



Council Chambers

1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

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

May 16, 2017 / 7:00PM

MAYOR
Ann Dassing

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

5-139	AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MAY 16, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$711,078.73
5-140	RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO SEEK THE SERVICES OF A PROFESSIONAL TO PREPARE BID SPECIFICATIONS FOR THE REPLACEMENT OF THE INDOOR POOL DEHUMIDIFICATION SYSTEM FOR THE CALDWELL COMMUNITY CENTER FOR AN AMOUNT NOT TO EXCEED \$5,000.00

INTRODUCTION OF THE 2017 MUNICIPAL BUDGET

Introduction of the 2017 Municipal Budget - Borough of Caldwell

COUNCIL COMMITTEE REPORTS *Borough Council Members*

REPORT OF MAYOR *Mayor Dassing*

REPORT OF BOROUGH ADMINISTRATOR *Paul M. Carelli*

REPORT OF BOROUGH ATTORNEY *Greg Mascera*

REPORT OF ESSEX COUNTY LAISON *Patricia Keenan*

OPEN PUBLIC MEETING

Members of the public are invited to comment at this time on any issues, whether or not on the agenda



Council Chambers

1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

Phone: (973) 226-6100

Website: www.caldwell-nj.com

May 16, 2017 / 7:00PM

MAYOR
Ann Dassing

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

EXECUTIVE SESSION

Closed Session

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

1. Litigation

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 5/12/2017 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 5/12/2017 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – May 2, 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 **7:00PM**.

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 18, 2017**

Moved by Council President Cascarano, seconded by Councilman Brown. No Discussion. On roll call, all present voted in the affirmative. Councilman Capozzoli absent. Minutes approved 05/02/17.

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

Moved by Council President Cascarano, seconded by Councilman Brown. No Discussion. On roll call, all present voted in the affirmative. Councilman Capozzoli absent. Ordinance introduced 05/02/17.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

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

RESOLUTIONS – CONSENT AGENDA

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

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

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – May 2, 2017**

Page 2 of 3

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 CALDWELL COMMUNITY CENTER CHARTER MEMBERSHIP RATES FOR 2017 AND STANDARD MEMBERSHIP RATES EFFECTIVE JUNE 1, 2017

CONSENT

Moved by Councilman Brown, seconded by Council President Cascarano. Discussions Ensued. On roll call, all voted in the affirmative. Resolutions approved 05/02/17.

REPORT OF MAYOR:

Mayor Dassing reported that she received a request from Councilwoman Michele Tolli, from Roseland in reference to an announcement that the Roseland Junior Women's Club is looking for duplicate Bridge groups at the Roseland Library. Bridge Players should be 55 and over and will be held on Monday and Thursday's from 12:00 – 4:30PM. If interested contact Michele Tolli in the Roseland Borough.

Mayor Dassing asked Paul about the grant for the Elevator. She was contacted by the Federal Government and they would like to know what we are doing about renting the 2nd floor of the building at 14 Park Avenue. She explained to them that they showed it to a Non-profit but we would need the elevator. We also have a parking problem there. They said we should report by May 8th to them. Mayor Dassing asked the County liaison, Patricia about the lights on Bloomfield Avenue and Park Avenue and Bloomfield Avenue and Smull Avenue these lights are not synced which is causing backups.

Councilman Hauser reported that there will be mulch at the Smull Avenue Parking lot for the public. The DPW Director said it will be there at the end of the week. Also, a sibling of an Eagle Scout was looking to do a project at Grover Cleveland Park. He would like to put in a stairway from Brookside Avenue down to where the bathrooms are. Greg Mascera responded that it is the County's jurisdiction but that wouldn't prevent the Borough from contributing once the County gives their approval.

Council President Cascarano responded that he would like to re-visit the Municipal Cards project that was brought up. He feels that enough questions have been answered and it seems that this could be a cost saver for residents that choose to participate and also the Borough. There is no real risk to the Borough because the Company will be managing the startup and the cost of it moving forward. Greg responded that he doesn't believe that they had applied to the State for State contracting and if they didn't then we would need to go out for bids. Discussions Ensued.

REPORT OF BOROUGH ADMINISTRATOR:

Paul Carelli reported:

- The school taxes this year for Caldwell as it was presented by Mr. Lamb is 2.7% increase, on the average home in Caldwell it will be a \$15.00 increase.
- He would like to introduce the Budget at the May 16th meeting.
- We have been working on a Health Care proposal to save the employees and the town some money. It was presented to the PBA and they came back and did not want to move forward with it. They have some questions so he has reached out to our consultant and he will be meeting with them and will be answering some questions.
- The two fines that he brought up at the last meeting against the Borough for odor at the sewer plant. He has sent a letter to Essex Regional Health Commission inviting them to our next meeting so they can present their findings.
- The water main project is progressing for Lincoln Terrace, Washburn and Hanford place.
- The fire house is 98% completed with the lighting. The Borough will be installed tomorrow and finishing up with the Library. There are additional rebates that were found totaling \$750.00 per year.
- The new Treadmills were delivered to the Community Center today.
- He has not heard back from the Teamsters yet in regards to the DPW Contract.
- Multi-way stop 4-way stop was not warranted for that corner.

Greg Mascera responded that he will need instruction from the Mayor and Council to go to the resident to request that the bush be removed from their property.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – May 2, 2017**

Page 3 of 3

Paul Carelli reported:

- That on a sad note one of our DPW workers Jake Pohlman lost his father today. His father Jack was in charge of the Water Department in Essex Fells. Our thoughts and prayers go out to the family.

John Cascarano responded that he would like to acknowledge since Paul has mentioned the 2.7% increase in the school taxes that is only leading to a \$15.00 increase across the board due to the ratable's that is good work on Paul moving through the re-val. It reflects very positively on the Governing Body and Paul and the work that we have been doing over the years.

Paul Carelli responded just to add to that this will be the 8th Budget this year since he has been here and the biggest increase we had in those years was \$52.00. Year one was minus \$121.00, year two minus \$6.00, third year \$50.00 increase, fourth year \$15.00, fifth year \$6.00, sixth year \$31.00 and the seventh year \$52.00.

REPORT OF BOROUGH ATTORNEY:

Greg Mascera reported that he did a draft ordinance for the pet shop and if everyone can review it and get back to him with any comments before the next meeting.

REPORT OF COUNTY LIASION:

Patricia Keenan reported that on Saturday, May 20th will be Essex County Mental Health Awareness Day from 10:00AM – 2:00PM at the Essex County Hospital Center in Cedar Grove. It's an opportunity to learn about the programs and services and agencies that are available and help individuals affected by mental illness and their families. Right now they have twenty-five plus vendors there.

OPEN PUBLIC MEETING:

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

Ann Marchioni, Co-chair Caldwell Environmental Commission talked about the Arbor/Earth Day and thanked everyone. There was shredding by Cali Carting and the scholarship committee earned \$2,767.00.

There being no additional business to be conducted a motion to adjourn the meeting was made by Council President Cascarano, seconded by Councilman Hauser unanimously affirmed by all members present, the meeting was adjourned at 8:23PM.

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1331-17

AN ORDINANCE AMENDING CHAPTER 60 ARTICLE II OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED ANIMALS, ARTICLE II DOGS

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

That Chapter 60 of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

That Section II of Chapter 60, the Section titled "Dogs" is hereby amended as follows:

1. Section 60-12 is repealed and replaced with the following:

No pet store, pet store operator, kennel or kennel operator shall sell, offer for sale, barter, auction, breed or otherwise improperly dispose of dogs of any breed, in the Borough of Caldwell. Despite the foregoing, nothing contained herein shall prohibit a shelter, pound or other establishment from keeping, displaying, selling or otherwise transferring any dog that has been seized, rescued or donated.

2. Section 60-13 is modified by deleting "kennel, pet shop" at the first line of said section.
3. Section 60-14 is modified by deleting "kennel, pet shop" at the first line of said section.
4. Section 60-15 is modified by deleting "kennel, pet shop" at the first line of said section.
5. Section 60-16 is repealed and deleted in its entirety. The section shall be "Reserved"
6. Section 60-17 is modified by deleting "kennel, pet shop" at the first line of said section.
7. Section 60-18 is repealed and deleted in its entirety. The Section shall be "Reserved"
8. Section 60-24 is repealed and replaced with the following:

Violations and penalties.

- A. Subject to the terms of NJSA 4:19-1 et seq, any person who violates, or fails or refuses to comply with, any one or more provisions of this article shall be subject to a fine of not more than \$2,000 for each separate offense, or confinement in the Essex County Jail for a period of not more than 90 days, or community service for a period of not more than 90 days, or any combination of fine, imprisonment and/or community service, as determined at the discretion of the Municipal Court Judge. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be subject to penalties as provided herein for each separate offense.
- B. The violation of any one or more provisions of this article shall be subject to abatement summarily by a restraining order or by an injunction issued by a court of competent jurisdiction.



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 16th 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 6th 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 16, 2017
DATE OF PUBLICATION: May 25, 2017
MOVED:
SECONDED:

DATE OF SECOND READING: June 6, 2017
DATE OF ADOPTION: June 6, 2017
MOVED:
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**



ORDINANCE# 1332-17

CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Borough Council of the Borough of Caldwell in the County of Essex finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.0% increase in the budget for said year, amounting to **\$220,382** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Caldwell in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Caldwell shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to **\$257,112**, and that the CY 2017 municipal budget for the Borough of Caldwell be approved and adopted in accordance with this ordinance; and,

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

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

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

DATE OF FIRST READING: May 16, 2017
DATE OF PUBLICATION: June 6, 2017

DATE OF SECOND READING: June 20, 2017
DATE OF ADOPTION: June 20, 2017

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: 5-134

Date of Adoption: May 16, 2017

TITLE:

**AUTHORIZING THE APPOINTMENT OF Charles Pierce AS A JUNIOR FIREFIGHTER
IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT**

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of Charles Pierce, 23 Brookside Avenue, Caldwell, New Jersey as a junior firefighter in the Caldwell Volunteer Fire Department.

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: 5-135

Date of Adoption: May 16, 2017

TITLE:

**AUTHORIZING THE APPOINTMENT OF David Schmertz AS A RETURNING FIREFIGHTER
IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT**

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of David Schmertz, 47 Roseland Avenue, Caldwell, New Jersey as a returning firefighter in the Caldwell Volunteer Fire Department.

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: 5-136

Date of Adoption: May 16, 2017

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #12-00016, Block 54, Lot 2.05

WHEREAS, at the Borough of Caldwell Tax Sale held on December 20, 2012, a lien was sold on Block 54, Lot 2.05 also known as 51 Roseland Avenue, Unit 5 in Caldwell, NJ for delinquent Tax; and

WHEREAS, this lien, known as Tax Sale Certificate 12-00016, was sold to ISAAC MORADI; and

NOW THEREFORE BE IT RESOLVED that authorization is hereby given to issue a check in the amount of \$30,662.43 payable to the lien holder Isaac Moradi for the redemption of Tax Sale Certificate 12-00016

Certificate 12-00016

PREMIUM.....	\$	1,100.00
RECORDING FEES.....	\$	52.00
TAX SALE CERTIFICATE REDEMPTION.....	\$	<u>29,510.43</u>
TOTAL	\$	30,662.43

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 5-137

Date of Adoption: May 16, 2017

TITLE:

AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 53, LOT 7, 31 WESTVILLE AVENUE, CALDWELL, NJ 07006

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that authorization is hereby given to refund the following tax overpayment, to Pio Costa Foundation, Inc due to a tax exempt status as of 2017 Deduction being granted also removing 100% of the taxes due from the Property taxes for 2017 and going forward.

BLOCK & LOT

B53 L7

RECIPIENT

PIO Costa Foundation, Inc.
1275 Bloomfield Avenue
Fairfield, NJ 07004

REFUND AMOUNT

\$2,607.59

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: 5-138

Date of Adoption: May 16, 2017

TITLE:

RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDERS (1) FOR THE WASHBURN PLACE, HANFORD PLACE, AND LINCOLN TERRACE WATER MAIN REPLACEMENT PROJECT IN THE AMOUNT OF \$7,050.00 – NEW TOTAL CONTRACT AMOUNT \$632,370.00

WHEREAS, the Borough Council of the Borough of Caldwell in the County of Essex, State of New Jersey has on March 7, 2017 authorized the awarding of a contract to Reivax Contracting Corp, 147 Thomas Street, Newark, N.J. 07114 in the amount of \$625,320.00; and

WHEREAS, during the course of the contract, it was discovered after work began, the need for the following change orders to increase the contract as follows:

No	Description
1	Install (3) Team Insert valves on Bloomfield Avenue as shown on the contract drawings. Price adjustment to compensate the Contractor for the additional price to install the Team valve inserts. This change order compensates for the additional labor, equipment, and materials cost to perform the work.

TOTAL CHANGE ORDER 1: \$7,050.00

New Contract Total: \$632,370.00

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell in the County of Essex, State of New Jersey does hereby authorize change orders (1) for the Washburn Place, Hanford Place, and Lincoln Terrace Water Main Replacement project.

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

May 1, 2017

Mr. Paul Carelli, Administrator
Borough of Caldwell
One Provost Square
Caldwell, NJ 07006

Re: Change Order No. 1
Washburn Place, Hanford Place, and Lincoln Terrace Water Main Replacement
Caldwell, NJ
Crew Proj No.: CLD011.360

Dear Mr. Carelli:

Enclosed are three copies of Change Order No. 1 to approve the price adjustment for installation of the Team Insert Valves. Please sign all three copies, keep one for the Borough's records, and return the other two back to our office. We will forward one of the copies to Reivax Contracting Corp.

Very truly yours,

CREW ENGINEERS, INC.



Bill Jensen, E.I.T.

BJ:mw

Enclosure

cc: Bill Frint, Licensed Water Operator

N:\CLD - Caldwell, Borough of\CLD011.360 Change Orders\Carelli 5-1-17.doc



CHANGE ORDER NO. 1

Owner Borough of Caldwell Date 04/21/17
 Project Washburn Place, Hanford Place, and Lincoln Terrace Water Main Replacement
 Owner's Contract No. _____ Contractor Reivax Contracting Corp.
 Date of Contract Start 03/07/17 \$ 625,320.00

You are directed to make the following changes in the Contract Documents. Description:

1. Install (3) Team insert valves on Bloomfield Avenue as shown on the Contract Drawings.

Reason for Change Order:

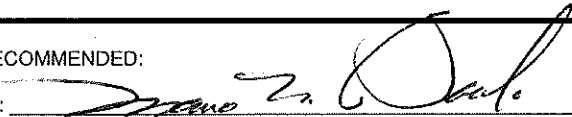
Price adjustment to compensate the Contractor for the additional price to install the Team insert valves. This Change Order compensates the Contractor for all additional labor, equipment, and materials cost to perform the work.

CONTRACT PRICE		CONTRACT TIMES (Calendar Days)	
		To substantial completion	To final completion
Original:	\$ <u>625,320.00</u>	Original: <u>100</u>	<u>100</u>
Previous Cos (Add):	\$ <u>0.00</u>	Previous COs (Add/Deduct) <u>--</u>	<u>--</u>
This CO (Add):	\$ <u>7,050.00</u>	This CO (Add/Deduct) <u>--</u>	<u>--</u>
Contract Price with all Approved Change Orders:	\$ <u>632,370.00</u>	REVISED: <u>100</u>	<u>100</u>
		Original Completion Date: <u>07/16/17</u>	<u>07/16/17</u>
		Revised Completion Date: <u>07/16/17</u>	<u>07/16/17</u>

It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from the change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT AND ALL STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO.


RECOMMENDED:

By:  Date 5-1-17
 Engineer (Authorized Signature) Mauro M. Bacolo, P.E.
 Crew Engineers, Inc.

APPROVED:

By: _____ Date _____
 Owner (Authorized Signature) Paul Carelli, Borough Administrator
 Borough of Caldwell

ACCEPTED:

By:  Date 4/27/17
 Contractor (Authorized Signature) Xavier Pimenta
 Reivax Contracting Corp.

Crew Engineers, Inc.
 CLD011.360 / 1
 Project No. Change Order No.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 5-139

Date of Adoption: May 16, 2017

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MAY 16, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$711,078.73

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

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 5-140

Date of Adoption: May 16, 2017

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO SEEK THE SERVICES OF A PROFESSIONAL TO PREPARE BID SPECIFICATIONS FOR THE REPLACEMENT OF THE INDOOR POOL DEHUMIDIFICATION SYSTEM FOR THE CALDWELL COMMUNITY CENTER FOR AN AMOUNT NOT TO EXCEED \$5,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Caldwell duly assembled in public session this 16th day of May, 2017, hereby authorize the Borough Administrator to seek the services of a professional to prepare bid specifications for the replacement of the indoor pool dehumidification system for the Caldwell Community Center for an amount not to exceed \$5,000.00

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