



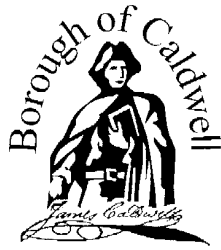
***BOROUGH OF CALDWELL  
NEW JERSEY***



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**COUNCIL BUSINESS MEETING  
June 4, 2015**

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)

June 4, 2015 / 7:00PM

**MAYOR**  
Ann Dassing

**BOROUGH COUNCIL**  
Thomas O'Donnell - President  
Richard Hauser  
Edward Durkin  
Pasquale Capozzoli  
Kristian Brown  
John Cascarano

## 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 19, 2015

## INTRODUCTION OF ORDINANCES

**ORDINANCE# 1309-15:** TO BE DISTRIBUTED - ROAD IMPROVEMENT CAPITAL ORDINANCE \$950,000

## PUBLIC HEARING AND ADOPTION OF ORDINANCES

**ORDINANCE# 1307-15:** ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$185,000 FOR THE PREPARATION AND EXECUTION OF A COMPLETE REVALUATION OF REAL PROPERTY IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY.

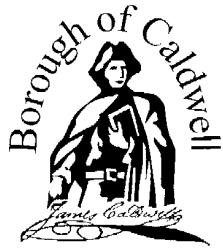
## OPEN PUBLIC COMMENTS ON RESOLUTIONS

*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.*

6-121	AUTHORIZING AN AWARD OF A PROFESSIONAL SERVICES CONTRACT TO THE LAND CONSERVANCY OF NEW JERSEY IN THE BOROUGH OF CALDWELL
6-122	RESOLUTION AWARDING A CONTRACT TO RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., INC, 200 SMITH STREET, PO BOX 130, KEASBEY, NJ 08832 FOR BIO SOLIDS HAULING AND DISPOSAL AT THE CALDWELL WASTEWATER TREATMENT PLANT
6-123	AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT - APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE - ACAP
6-124	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #06-00010 BLOCK 41.01, LOT 34
6-125	RESOLUTION APPROVING A CONTRACT BETWEEN THE BOROUGH OF CALDWELL AND THE TOWNSHIP OF VERONA - SUMMER SWIM TEAM 2015



Council Chambers

1 Provost Square Caldwell, NJ

# Borough of Caldwell Council Business Meeting AGENDA

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June 4, 2015 / 7:00PM

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6-126	SPECIAL EMERGENCY RESOLUTION PURSUANT TO N.J.S.A. 40A:4-55 TO AUTHORIZE NOTES FOR THE REVALUATION OF ALL REAL PROPERTY LOCATED IN THE BOROUGH OF CALDWELL
6-127	AUTHORIZING THE AWARD OF CONTRACT FOR THE REVALUATION OF ALL REAL PROPERTY LOCATED IN THE BOROUGH OF CALDWELL TO PROFESSIONAL PROPERTY APPRAISERS, 101 SOUTH ROUTE 130, SUITE 301, CINNAMINSON, NJ 08077 FOR AN AMOUNT OF \$177,558.00
6-128	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #06-00010 BLOCK 41.01, LOT 34
6-129	AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH BOSWELL ENGINEERING FOR PROVIDING DESIGN AND CONSTRUCTION SERVICES FOR BROOKSIDE AVENUE – SECTION 3 ROAD IMPROVEMENTS FOR A FEE NOT TO EXCEED \$8,500.00 FOR THE DESIGN PHASE AND \$33,000 FOR THE CONSTRUCTION PHASE

## 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 POLICE CHIEF

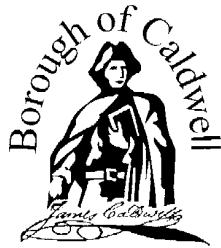
*James Bongiorno*

## REPORT OF ESSEX COUNTY LIASSON

*James Jude Jorgensen, QPA*

## 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](http://www.caldwell-nj.com)

June 4, 2015 / 7:00PM

**MAYOR**  
Ann Dassing

**BOROUGH COUNCIL**  
Thomas O'Donnell - President  
Richard Hauser  
Edward Durkin  
Pasquale Capozzoli  
Kristian Brown  
John Cascarano

#### 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 05/29/2015 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 05/29/2015 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 19, 2015**

**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, Councilman Hauser, Durkin, Capozzoli, Brown and Cascarano

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

**ABSENT:** Council President O'Donnell

Adequate notice of this Council Business/Conference meeting was given on January 1, 2015. 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:  
May 5, 2015**

Moved by Councilman Hauser, seconded by Councilman Cascarano. No Discussion. On roll call Councilman Hauser, Durkin, Brown and Cascarano voted in the affirmative. Councilman Capozzoli abstained. Minutes approved 05/19/15.

**INTRODUCTION OF ORDINANCES:**

**ORDINANCE #1308-15:** CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Moved by Councilman Hauser, seconded by Councilman Brown. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance introduced 05/19/15.

**PUBLIC HEARING AND ADOPTION OF ORDINANCES:**

**ORDINANCE# 1306-15:** REFUNDING BOND ORDINANCE OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR THE CURRENT REFUNDING OF ALL OR A PORTION OF CERTAIN GENERAL OBLIGATION REFUNDING BONDS, SERIES 2005A, APPROPRIATING \$3,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE BOROUGH OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$3,800,000 FOR FINANCING THE COST THEREOF

Moved by Cascarano, seconded by Councilman Hauser. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Adopted 05/19/15.

**OPEN PUBLIC COMMENTS ON RESOLUTIONS:**

Moved by Councilman Hauser, seconded by Councilman Cascarano.

**RESOLUTIONS – CONSENT AGEND**

**5-112:** APPROVING THE ADOPTION OF THE REVISED EMPLOYEE HANDBOOK FOR THE BOROUGH OF CALDWELL EFFECTIVE MAY 19, 2015**5-113:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE BIDS FOR BIO SOLIDS HAULING AT THE CALDWELL WASTERWATER TREATMENT PLANT

**5-113:** RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION Block 2608, Lot 13, 30 Bond Place, LLC. 30 Bond Place, West Caldwell, NJ

**5-114:** AUTHORIZING THE APPOINTMENT OF ZONING BOARD OF ADJUSTMENT MEMBER – RYAN E. SAN GEORGE

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 19, 2015**

**Page 2 of 3**

**5:115:** AUTHORIZING THE ISSUANCE OF A PERMIT FOR PEDDLER LICENSE OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – John O'Neil, The Towne Scoop

**5:116:** AUTHORIZING THE APPOINTMENT OF Anthony Marta AS A JUNIOR FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT

**5:117:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #14-00010 BLOCK 44.01, LOT 15.03

**5:118:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MAY 19, 2015 FOR 2014/2015 BILLS IN THE TOTAL AMOUNT OF \$4,208,316.18

**5-119:** RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$3,800,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015, OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY OR SUCH OTHER AMOUNT AS DETERMINED BY THE CHIEF FINANCIAL OFFICER TO ACCOMPLISH THE REFUNDING ON THE TERMS REQUIRED BY THE LOCAL FINANCE BOARD PURSUANT TO N.J.A.C. 5:30-2.5 AND CONSISTENT WITH THE REFUNDING PROVISIONS OF THE INTERNAL REVENUE CODE AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH BONDS TO JANNEY CAPITAL MARKETS

**5-120:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #14-00007 BLOCK 65, LOT 1.17

**CONSENT**

Moved by Councilman Hauser, seconded by Councilman Cascarano. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 05/19/15.

**INTRODUCTION OF THE 2015 MUNICIPAL BUDGET:**

**Introduction of the 2015 Municipal Budget – Borough of Caldwell**

Moved by Councilman Hauser, seconded by Councilman Brown. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 05/19/15.

**Councilman Hauser** he would like to take a moment to recognize that yesterday was a five year anniversary of a true American hero and a friend of his Col. John McHugh who was killed in Afghanistan.

**REPORT OF MAYOR:**

**Mayor Dassing** reported that Councilman Capozzoli, Mark Guiliano, Fire Official and Code Enforcement official walked Bloomfield Avenue last week and made lots of notes and took pictures. Mark categorized all the things that need to be done some will be property owner's responsibility others will be the responsibility of the Borough. We are talking about brick work and looking for a solution to that. The Mayor had asked Mr. Mascera to look into the tree ordinance we had an unfortunate incident were a property owner took down some trees along Bloomfield Avenue and as you know trees give relief and make the street scape more beautiful. Greg Mascera responded that we do have recourse and if the Construction official issues the summons then it will be up to the court to determine whether in fact it was issued correctly or not. The Mayor had a meeting with Brittany Timberlake, Essex County Freeholders President and she is interested in learning of our needs in Caldwell and she thanks her for taking the time to meet with her. Along the lines of Bloomfield Avenue she was approached about a solution to have solar power garbage and recycling containers. There are solar power bus stops that have Wi-Fi and lights for safety.

**Councilman Hauser** reported that the curbing by the Firehouse is disintegrating and there is a large hole by one of the sewer grades.

**REPORT OF BOROUGH ADMINISTRATOR**

**Paul Carelli reported on the following:**

- Certified letters were sent out for our sewer Board meeting on June 4<sup>th</sup> at 6PM and he invited the Administrator and Mayor of each town.
- Recommendation for Re-Val will be at the next meeting.
- Borough Hall improvements moving along waiting on new windows for the Court.
- Bids for Academy and Elizabeth have been received and we will be making a recommendation.
- Fleet Wash power washed the Community Center and the cinder blocks will need to be sealed.
- Bids were received today for Hauling sludge from the sewer plant. There was only one bid which was significantly higher then what we are paying now.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 19, 2015**

**Page 3 of 3**

**REPORT OF BOROUGH ATTORNEY:**

**Greg Mascera** reported he had a conversation with Counsel from Fairfield on the sewer agreement and expecting comments. He has been contacted by Fairfield and North Caldwell. Yesterday he appeared at the Essex County Tax Board and eighteen cases were heard, four were withdrawn, thirteen were settled and one was adjourned. Greg did the annual report to the auditor with regard to potential litigation and other potential liability of the Borough and he is happy to report there was nothing significant to report.

**REPORT OF ESSEX COUNTY LIASSON:**

**James Jorgensen** reported there is news from the County on summer programs and most take place at the Environmental Center. On Thursday, May 21<sup>st</sup> from 10AM – 3PM there will be a job fair at the Essex County College Gymnasium and bring extra copies of your resume. You can register on line at [www.essexcountynj.org](http://www.essexcountynj.org) or call 973-395-8415.

**OPEN PUBLIC MEETING:**

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

**Ruth Jaffe, 61 Overlook Road** thanked the Mayor and Council for supporting the Library Budget. The Library looks forward to working with the Mayor and Council and the administration to ensure the outgoing vitality of the Library to benefit our patrons and all Caldwell residents.

Mayor Dassing introduced Claudine Pascale as the Library Director.

**Residents who had concerns with the Historic Preservation Ordinance:**

**Joan Buckley, 16 Hillside Avenue**  
**Henderson Cole, 63 Crane Street**  
**Lon Bannett, 60 Crane Street**  
**Ronald Giamario, 16 Hillside Avenue**  
**Gary Flynn, 22 Hillside Avenue**  
**Joe Walsh, 36 Hillside Avenue**

**Bob Colaizzo, Historic Preservation Committee** responded that the Commission will be listening to everyone.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Brown, seconded by Councilman Cascarano, unanimously affirmed by all members present, the meeting was adjourned at 8:15P.M.

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

\_\_\_\_\_  
DATE



**BOROUGH OF CALDWELL  
NEW JERSEY**



**ORDINANCE# 1307-15**

**ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$185,000 FOR THE PREPARATION AND EXECUTION OF A COMPLETE REVALUATION OF REAL PROPERTY IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AS FOLLOWS:

- Section 1. The preparation and execution of a complete program of revaluation of real property for use by the local assessor in and by the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"), is hereby authorized, and a special emergency appropriation in the amount of \$185,000 is hereby authorized pursuant to the Local Budget Law (N.J.S.A. 40A:4-53).
- Section 2. A copy of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.
- Section 3. This ordinance shall take effect in accordance with applicable law.

DATE OF FIRST READING: May 5, 2015  
DATE OF PUBLICATION: May 14, 2015  
MOVED:  
SECONDED:

DATE OF SECOND READING: June 4, 2015  
DATE OF ADOPTION: June 4, 2015  
MOVED:  
SECONDED:

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

\_\_\_\_\_  
**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: 6-121  
Date of Adoption: June 4, 2015

**TITLE:**  
**AUTHORIZING AN AWARD OF A PROFESSIONAL SERVICES CONTRACT TO THE LAND  
CONSERVANCY OF NEW JERSEY IN THE BOROUGH OF CALDWELL**

**WHEREAS,** with the creation of a dedicated source of tax revenue ("Open Space Trust") and an Open Space Committee for the acquisition of open space, a need exists to retain the services of an open space preservation consultant whose staff members have technical expertise and experience in the field of open space and farmland preservation and stewardship; and

**WHEREAS,** The Land Conservancy of New Jersey is a nonprofit organization whose mission is to preserve and protect open space for natural, historic, agricultural and recreational purposes and to assist municipalities in the stewardship of open space lands; and

**WHEREAS,** the Borough desires to engage the Conservancy for the purpose of assisting the Borough Council and the Open Space Committee with a variety of open space services, including (but not limited to) landowner negotiations and the preparation of grant applications as may be required with regard to the possible acquisition of open space and farmland; and

**WHEREAS,** it is the desire of the Borough Council of the Borough of Caldwell, New Jersey to award a contract to The Land Conservancy of New Jersey, 19 Boonton Avenue, Boonton, New Jersey 07005 for a twelve (12) month period commencing on June 1, 2015 and ending on May 31, 2016.; and

**WHEREAS,** The Land Conservancy of New Jersey has agreed to provide these professional services for a not to exceed cost of \$10,500.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Caldwell that they do hereby award a contract to The Land Conservancy of New Jersey subject to an agreement to be approved and executed by the Mayor.

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

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

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



# THE LAND CONSERVANCY OF NEW JERSEY

*Preserve Now - Protect Forever*

---

May 6, 2015

Mayor Ann Dassing  
Borough of Caldwell Municipal Building  
1 Provost Square  
Caldwell, NJ 07006

Dear Mayor Dassing,

Following the successful closing of the former Columbian Club property this past year, The Land Conservancy has continued to work closely with Borough staff and governing body officials to complete the outstanding due diligence work in order for the Borough to receive reimbursement funding from the New Jersey Department of Environmental Protection Green Acres program. As a result of this work, the Borough has received its full reimbursement request from the State.

Enclosed is our year-end report and agreement to provide open space advising services to the municipality in the coming year. The Land Conservancy has helped Caldwell Borough secure \$1,400,000 in state funding for open space and \$450,000 in county funding to improve the Borough's recreational facilities. For the upcoming year, we have kept our contract amount the same as it was last year, \$10,500 for a year's service. Our fee has remained unchanged since 2010. Our contracts are designed to offer a range of open space advising services to the municipality including landowner negotiation, grant writing, coordination of due diligence, and ongoing coordination with state and county funding agencies on behalf of the Borough.

Support for our open space advising program is partially funded through a grant from the Geraldine R. Dodge Foundation, which allows us to keep the cost for our services as low as possible. The Land Conservancy recognizes the importance of the services we provide and again are not raising our fees, although our costs are much higher.

We value our relationship with the Borough of Caldwell and look forward to continuing our work together. The Land Conservancy of New Jersey welcomes the opportunity to meet with you, if requested, to discuss our range of services and determine how we may best assist the Borough in the future.

Thank you for this opportunity.

Sincerely,

Barbara Heskins Davis, P.P., AICP  
Vice President, Programs

cc Paul M. Carelli, Borough Administrator  
Richard Hauser, Council Member and Liaison, Open Space Committee



# THE LAND CONSERVANCY OF NEW JERSEY

*Preserve Now - Protect Forever*

## **Year-End Report**

### **Borough of Caldwell – Open Space Preservation Program**

**Prepared: May 5, 2015**

#### **Open Space Achievements:**

*The Land Conservancy helped Caldwell Borough with the following activities over the past year:*

Completed the outstanding due diligence work for the acquisition of the Columbian Club property:

- ✓ Closed on the Columbia Club property in June 2014.
- ✓ Coordinated the due diligence for Columbian Club, including asbestos abatement and demolition of the structure.
- ✓ Coordinated with New Jersey Green Acres to allow disbursement of funds once asbestos abatement contract is secured rather than after abatement is complete.
- ✓ Submitted Payment Acquisition Request Form for reimbursement land cost, due diligence and asbestos abatement and demolition for Columbia Club.

Recreation and Open Space Inventory:

- ✓ Prepared the update to the Borough's Recreation and Open Space Inventory, including mapping and property analysis.

Green Acres funding:

- ✓ Continue to work with the staff at New Jersey Green Acres to keep the Borough's Planning Incentive (PI) grants secure.
- ✓ Provided updates to the state regarding the status of the Columbian Club property.

Responded to requests for information and materials, and provided support on potential property acquisitions, upon request by the Borough.

#### **Proposed Open Space Activities for the coming year:**

*The Land Conservancy of New Jersey proposes to help the Borough of Caldwell with the following activities during another year of service:*

- ✓ Complete the Borough's Recreation and Open Space Inventory (ROSI) for compliance with NJDEP Green Acres, once final review is completed by the State.
- ✓ Investigate sources of funding to leverage the Borough's Open Space Trust Fund
- ✓ Apply for other grants and loans to fund acquisitions or planning, as funding is available
- ✓ Attend meetings as requested by the Borough
- ✓ Complete NJDEP Green Acres Planning Incentive Grant request, if funding is available
- ✓ Work with landowners and assist with negotiations, at the direction of the Borough
- ✓ Provide materials and resources to support the Borough's open space preservation program, including the development of GIS maps for land preservation projects



## AGREEMENT

BY AND BETWEEN

BOROUGH OF CALDWELL, County of Essex  
A Municipal Corporation of the State of  
New Jersey, with offices located at  
1 Provost Square  
Caldwell, New Jersey 07006

Hereinafter referred to as "**Borough**"

AND

THE LAND CONSERVANCY OF NEW JERSEY  
Open Space and Farmland Preservation Advisors  
with offices located at  
19 Boonton Avenue  
Boonton, New Jersey 07005

Hereinafter referred to as "**Conservancy**"

### WITNESSETH:

**WHEREAS**, with the creation of a dedicated source of tax revenue ("Open Space Trust") and an Open Space Committee for the acquisition of open space, a need exists to retain the services of an open space preservation consultant whose staff members have technical expertise and experience in the field of open space and farmland preservation and stewardship; and

**WHEREAS**, The Land Conservancy of New Jersey is a nonprofit organization whose mission is to preserve and protect open space for natural, historic, agricultural and recreational purposes and to assist municipalities in the stewardship of open space lands; and

**WHEREAS**, the Borough desires to engage the Conservancy for the purpose of assisting the Borough Council and the Open Space Committee with a variety of open space services, including (but not limited to) landowner negotiations and the preparation of grant applications as may be required with regard to the possible acquisition of open space.

cooperation with the Borough Clerk and the Borough will pay the Conservancy for all service rendered through the final date of service at the rate of \$45 per day for each day of service after the end of the preceding quarter

6. **Ownership of Records:** All records, maps, plans and data pertaining to any Borough open space issue and any other information utilized or gathered by the Conservancy on behalf of the Borough shall be surrendered to the Borough upon expiration or termination of this Agreement. The Conservancy may retain copies as it determines and will not disclose any non-public information.
7. **Mandatory Affirmative Action Compliance.** During the term of this agreement, the parties agree to comply with the Affirmative Action requirements set forth in N.J.A.C. 17:27, and hereby incorporate by reference the mandatory Affirmative Action language set forth in Exhibit "A" which is attached and made a part of this Agreement.
8. **Hold Harmless.** The Borough will indemnify and hold harmless the Conservancy and its employees and agents against claims and expenses (including legal fees and expenses) arising from the performance by the Conservancy of its obligations under this Agreement, unless involving gross negligence or willful misconduct by the Conservancy or any of its employees or agents, and will pay against invoice any legal fees and expenses incurred by the Conservancy or any of its employees or agents in defending against any such claims, against the undertaking by the indemnitee (s) to refund the amount(s) paid in the event of a final binding determination that it, he or she was not entitled to indemnification hereunder. The Borough may be entitled to recover from the Conservancy amounts paid by the Borough hereunder in the event of damages caused the Borough by the Conservancy or any of its employees or agents and shall not be entitled (in the absence of gross negligence or willful misconduct by the Conservancy or any of its employees or agents) to any larger amount in any such case, whether the damage is direct, indirect, consequential or of any other nature.

## **EXHIBIT A**

### **MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**

**N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27**

#### **GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to **N.J.S.A. 10:5-31 et seq.** as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with **N.J.A.C. 17:27-5.2.**

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, race,



# THE LAND CONSERVANCY OF NEW JERSEY

*Preserve Now - Protect Forever*

## **SCHEDULE A: SCOPE OF WORK** **BOROUGH OF CALDWELL: OPEN SPACE ADVISOR**

The Land Conservancy of New Jersey will help **Caldwell Borough** with the following activities:

### 1. Negotiation:

- a. At the Borough's request, work with private landowners and negotiate to achieve the best acquisition value for Borough. Continue negotiations already begun by the Borough and/or The Land Conservancy.
- b. Work with Mayor and Council, Administrator and Open Space Committee to select priority properties to pursue in keeping with Borough Open Space and Recreation Plan, and available funding.
- c. Staff will conduct landowner meetings, as necessary, to successfully advance the land acquisition project.
- d. Develop specific acquisition strategies and financing scenarios for priority parcels.

### 2. Grant Applications:

- a. When appropriate, encourage landowner applications to the county/ state programs.
- b. If requested by the Borough, prepare the Borough's open space Planning Incentive (PI) application prior to state deadlines. The Borough shall provide to The Land Conservancy both written and verbal notice of its intention to submit an application no later than four weeks (4) prior to the deadline for submittal of the application. If the Borough does not give adequate notice, The Land Conservancy reserves the right to charge a fee on top of the currently approved fee for services, not to exceed \$500.
- c. Develop up to three (3) maps, as required by granting agencies for the preservation of land in the Borough. Provide other mapping services, such as a new or updated Open Space Map, on a separate fee basis.
- d. Help the Borough prepare up to two (2) land acquisition grant applications for the County Open Space Trust Fund, including the maps required for this grant(s). Coordinate the site visit and formal presentation. The Borough shall both written and verbal notice of its intention to submit its county grant application(s) to The Land Conservancy no later than four (4) weeks prior to the County's deadline for submittal of the application(s). If the Borough does not give adequate notice to The Land Conservancy, or if the Borough requests more than two (2) applications, or both, then The Land Conservancy reserves the right to charge a fee on top of the currently approved fee for services, not to exceed \$1,000 per grant.
- e. The Land Conservancy will attend up to three (3) Borough or County meetings as required for the completion of grant applications.





**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 6-122  
Date of Adoption: June 4, 2015

**TITLE:**  
**RESOLUTION AWARDING A CONTRACT TO RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., INC, 200 SMITH STREET, PO BOX 130, KEASBEY, NJ 08832 FOR BIO SOLIDS HAULING AND DISPOSAL AT THE CALDWELL WASTEWATER TREATMENT PLANT**

**WHEREAS,** the Borough of Caldwell advertised for and received bids for Bio Solids Hauling and Disposal at the Caldwell Wastewater Treatment Plant on May 19, 2015; and

**WHEREAS,** the Borough of Caldwell received proposals from (1) proposer; and

**WHEREAS,** this matter was reviewed by the Mayor and Council of the Borough of Caldwell; and

**WHEREAS,** the lowest responsible bidder was Russell Reid Waste Hauling And Disposal Service Co., Inc., 200 Smith Street, Po Box 130, Keasbey, NJ 08832 with a Base Bid of \$0.0416 per gallon; 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 Borough Council of the Borough of Caldwell, New Jersey does hereby authorize the award of a contract for Bio Solids Hauling and Disposal at the Caldwell Wastewater Treatment Plant to Russell Reid Waste Hauling and Disposal Services Co., Inc., 200 Smith Street, PO Box 130, Keasbey, NJ 08832 with a Base Bid of \$0.0416 per gallon as specified in the bid specifications.

**BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Caldwell that the Borough Administrator is authorized to execute the necessary contracts and documents upon approval.

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

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

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





**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 6-123  
Date of Adoption: June 4, 2015

**TITLE:**

**AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – ACAP**

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

ACAP  
301 S. Livingston Avenue  
Livingston, NJ 07039

Event to Be Held:

Caldwell University  
120 Bloomfield Avenue  
Caldwell, NJ 07006

July 11, 2015  
5:00PM – 10:00PM

July 12, 2015  
5:00PM – 8:00PM

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN   Yes   No   Absent   Abstain   COUNCILMAN   Yes   No   Absent   Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

\_\_\_\_\_  
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:     6-124  
Date of Adoption:   June 4, 2015

**TITLE:**  
**AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #06-00010 BLOCK 41.01, LOT 34**

**WHEREAS**, at the Borough of Caldwell Tax Sale held on December 19, 2006, a lien was sold on Block 41.01, Lot 34 also known as 6 Highview Road in Caldwell, NJ for delinquent Tax/Water; and

**WHEREAS**, this lien, known as Tax Sale Certificate 06-00010 was sold to ISAAC MORADI; and

**WHEREAS**, the LIEN HOLDER DID NOT FORECLOSE WITHIN THE 5 YEAR STATUE, HE HAS FORFIETED HIS PREMIUM ON Certificate 06-00010 in the amount of \$400.00; and

**NOW THEREFORE BE IT RESOLVED** that the \$400.00 premium be transferred out of our trust account and be given to the Borough of Caldwell.

Certificate 06-00010

PREMIUM..... \$ 400.00  
TOTAL..... \$ **400.00**

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN   Yes   No   Absent   Abstain           COUNCILMAN           Yes   No   Absent   Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

\_\_\_\_\_  
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: 6-125  
Date of Adoption: June 4, 2015

**TITLE:**  
**RESOLUTION APPROVING A CONTRACT BETWEEN THE BOROUGH OF CALDWELL  
AND THE TOWNSHIP OF VERONA – SUMMER SWIM TEAM 2015**

**WHEREAS,** the Borough of Caldwell sponsors a summer swim team known as the Caldwell Cyclones (“Cyclones”); and

**WHEREAS,** the Cyclones need a venue in which to conduct its summer practices; and

**WHEREAS,** the Township of Verona has made the Verona Community Pool available to the Cyclones to use for the Cyclones’ purposes.

**NOW, THEREFORE, IN CONSIDERATION** of the mutual promises and covenants herein contained,  
**BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, County of Essex, as follows:

(1). The Mayor and Borough Clerk are hereby authorized and directed to execute the attached Contract and hold Harmless Agreement with the Township of Verona, which agreement shall be maintained on file with the Borough Clerk and be available for public inspection.

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes   No   Absent   Abstain        COUNCILMAN        Yes   No   Absent   Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 6-126  
Date of Adoption: June 4, 2015

**TITLE:**  
**SPECIAL EMERGENCY RESOLUTION PURSUANT TO N.J.S.A. 40A:4-55 TO AUTHORIZE NOTES  
FOR THE REVALUATION OF ALL REAL PROPERTY LOCATED IN THE BOROUGH OF CALDWELL**

**WHEREAS**, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by the complete revaluation of all properties in the Borough of Caldwell; and,

**WHEREAS**, N.J.S.A. 40A:4-55 provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

**NOW, THEREFORE BE IT RESOLVED**, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. An emergency appropriation is hereby made for REVALUATION OF ALL REAL PROPERTY LOCATED IN THE BOROUGH OF CALDWELL in the total amount of \$185,000.
2. That the emergency appropriation shall be provided for in the budgets of the next 5 succeeding years by the inclusion of not less than \$37,000.00.
3. That an “emergency note”, not in excess of the amount authorized pursuant to law, be provided.
4. That such note shall be executed by Chris Battaglia, Chief Financial Officer.
5. That said note shall be dated and may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.
6. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services
7. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 6-127

Date of Adoption: June 4, 2015

**TITLE:**

**AUTHORIZING THE AWARD OF CONTRACT FOR THE REVALUATION OF ALL REAL PROPERTY LOCATED IN THE BOROUGH OF CALDWELL TO PROFESSIONAL PROPERTY APPRAISERS, 101 SOUTH ROUTE 130, SUITE 301, CINNAMINSON, NJ 08077 FOR AN AMOUNT OF \$177,558.00**

**WHEREAS**, the Borough of Caldwell solicited and received proposals (the “RFP”) for the revaluation of all real property located in the Borough of Caldwell on March 31, 2015; and

**WHEREAS**, the Borough of Caldwell received two proposals in response to the advertised RFP; and

**WHEREAS**, Mayor Dassing appointed a committee to review and evaluate the proposals; and

**WHEREAS**, the committee formulated an evaluation checklist based upon the criteria set forth in the RFP; and

**WHEREAS**, based upon the criteria, the committee is recommending to the Mayor and Council at a meeting held on June 4, 2015, that the Borough of Caldwell enter into a contract with Professional Property Appraisers, 101 South Route 130, Suite 301, Cinnaminson, NJ 08077; and

**WHEREAS**, Professional Property Appraisers offered to provide the requested services for fee of \$177,558.00 and;

**WHEREAS**, the Borough of Caldwell authorized a special emergency resolution pursuant to N.J.S.A. 40A:4-55 to authorize notes for the revaluation of all real property located in the Borough of Caldwell.

**NOW THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Caldwell, New Jersey does hereby authorize award the contract upon the terms as solicited in the RFP by the Borough of Caldwell and as responded Professional Property Appraisers, 101 South Route 130, Suite 301, Cinnaminson, NJ 08077 subject to the execution of a contact which is to be drafted by the Borough Attorney and executed by the Borough Administrator.

**RECORD OF COUNCIL VOTE**

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

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

Hauser						Capozzoli				
O'Donnell						Brown				
Durkin						Cascarano				

\_\_\_\_\_  
**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**  
**Revaluation Proposal Evaluation**

NAME OF PROPOSER	Appraisal Systems, Inc. 110 South Jefferson Road Suite 300 Whippany, NJ 07891	Professional Property Appraisers 101 South Route 130 Suite 301 Cinnaminson, NJ 08077
Proposal Amount	\$169,985.00	\$177,558.00

MANDATORY PROPOSAL CHECKLIST:	YES	NO	YES	NO
Certificate/Consent of Surety form	X		X	
Non-collusion affidavit	X		X	
Affirmative Action Forms	X		X	
Mandatory EEO Notice	X		X	
Statement of corporate ownership	X		X	
Statement of vendor's qualifications	X		X	
List of current reval projects & the average class 2 assessed value	X		X	
List of reval proposals submitted in last 6 months	X		X	
Copies of Financial Statements	X		X	
NJ Business Registration Certificate	X		X	
Professional Services Entity Form	X		X	
"Pay-to-Play" Current Annual Disclosure Statement	X		X	
Detailed project work schedule	No		Yes	
Statement of litigation history	X - Legal Issue		X - None	
Were Exceptions taken?	No		No	

TECHNICAL CRITERIA: 40%	% WEIGHT	% WEIGHT
Understands scope & related obj.	10	10
Completeness & responsiveness of proposal requirements	8	10
Documentation of past performance	10	8
Knowledge & use of Vital CAMA & Image system	10	10
Knowledge & use of BRT's Powerpad system	6	10
Innovative technology & techniques	8	9
Description of PR program	10	9
Informal taxpayer hearing process	10	9
TOTAL TECHNICAL CRITERIA WEIGHT:	36.00%	37.50%

MANAGEMENT CRITERIA: 30%	% WEIGHT	% WEIGHT
Project management plan	4	10
Scheduling time-line	4	10
Description & type of quality control programs	6	6
History & experience performing the work (a thru f)	6	6
Availability of personnel, facilities, equipment & other resources (a thru i)	10	10
TOTAL MANAGEMENT CRITERIA WEIGHT:	18.00%	25.20%

COST CRITERIA: 30%	% WEIGHT	% WEIGHT
Cost of Services	10	9
Price & component charges and fees explained	8	10
Assurances of performance	9	10
Company's financial stability & strength	10	10
TOTAL COST CRITERIA WEIGHT:	27.75%	29.25%

TOTAL WEIGHT (All Categories):	81.75%	91.95%
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\_\_\_\_\_  
*Paul M. Carelli, Borough Administrator*

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

\_\_\_\_\_  
*Joan M. Kozeniesky, Tax Assessor*

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

\_\_\_\_\_  
*Greg Mascera, Esq.*

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 6-128  
Date of Adoption: June 4, 2015

**TITLE:**

**AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #14-00013 BLOCK 3, LOT 2**

**WHEREAS**, at the Borough of Caldwell Tax Sale held on December 18, 2014, a lien was sold on Block 3, Lot 2 also known as 82 Arlington Avenue in Caldwell, NJ for delinquent Water; and

**WHEREAS**, this lien, known as Tax Sale Certificate 14-00013 was sold to US BANK CUST-PRO-CAPATAL, 5 Sterling, US BANK GLOBAL CORP TRUST; and

**WHEREAS**, the HOMEOWNER has effected redeemed the Certificate 14-00013 in the amount of \$906.33

WITH A PREMIUM AMOUNT OF \$600.00 TO ALSO BE RETURNED TO THE LIEN HOLDER; and

**NOW THEREFORE BE IT RESOLVED**, that authorization is hereby given to issue a check in the amount fo \$1,506.33 payable to US BANK CUST-PROCAPITAL 5 STERLING US BANK GLOBAL TRUST for the redemption of Tax Sale Certificate 14-00013.

Certificate 14-00013

PRINCIPAL.....	\$ 854.33
RECORDING FEES.....	52.00
PREMIUM.....	600.00
TOTAL.....	<b>\$1,506.33</b>

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes   No   Absent   Abstain        COUNCILMAN        Yes   No   Absent   Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

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

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



# BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 6-129  
Date of Adoption: June 4, 2015

**TITLE:**  
**AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH BOSWELL ENGINEERING FOR PROVIDING DESIGN AND CONSTRUCTION SERVICES FOR BROOKSIDE AVENUE – SECTION 3 ROAD IMPROVEMENTS FOR A FEE NOT TO EXCEED \$8,500.00 FOR THE DESIGN PHASE AND \$33,000 FOR THE CONSTRUCTION PHASE**

**WHEREAS**, the Borough of Caldwell has a need to acquire engineering services as pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq.; and

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

**WHEREAS**, Boswell Engineering has submitted a proposal dated May 4, 2015 indicating that they will provide design and construction services for Brookside Avenue – Section 3 road improvements for a fee not to exceed \$8,500.00 for the design phase and \$33,000 for the construction phase; and

**WHEREAS**, Boswell Engineering has completed and submitted a Business Entity Disclosure Certification which certifies that Boswell Engineering has not made any reportable contributions to a political or candidate committee in the Borough of Caldwell in the previous one-year, and that the contract will prohibit Boswell Engineering from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available pursuant to N.J.A.C. 5:30-5.4

**NOW THEREFORE BE IT RESOLVED** that the Borough of Caldwell authorizes the Borough Administrator to enter into a contract for the Borough of Caldwell as described herein; and

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

**BE IT FUTHER RESOLVED** that the Local Public Contracts Law N.J.S.A. 40A:11-5(1), et seq. requires that the resolution authorizing the award of Contracts for Professional Services without competitive bids must be publicly advertised;

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

Hauser						Capozzoli				
O'Donnell						Brown				
Durkin						Cascarano				

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

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





May 4, 2015

Borough of Caldwell  
One Provost Square  
Caldwell, New Jersey 07006-5189

Attention: Mr. Paul Carelli, Borough Administrator

Re: Brookside Avenue Improvements – Section 3  
(NJDOT FY2015)  
Borough of Caldwell  
Essex County, New Jersey  
Our File No. PR-15-6620

Dear Mayor Dassing and Members of the Council:

In accordance with your request, this letter shall serve as Boswell Engineering's (Boswell) proposal for the preparation of construction plans and specifications for the above referenced project.

The 2015 New Jersey Department of Transportation (NJDOT) Municipal Aid Grant for Brookside Avenue Improvements is \$235,000.00. Please note that the application requested \$253,000.00 to fund the construction, construction inspection, and materials testing.

The following is an outline of the scope of work and the estimated fee for our design and construction inspection services.

**SCOPE OF WORK**

The scope of work includes milling and resurfacing of Brookside Avenue from the end of the Section 2 project limit (Westville Avenue) to the Borough Line (just east of Runnymede Road). Although the grant allotment is less than the requested amount, it is our understanding that the Borough intends to complete the project within the limits described above. Complete curb replacement with Belgian block will be made, as well as sidewalk and driveway repair as appropriate. Handicap ramps will be upgraded to comply with current ADA requirements, including installation of detectable warning surfaces and construction of compliant ramp slopes. Pavement markings will be installed in accordance with standards set forth in the *Manual on*

*Uniform Traffic Control Devices.* Upgraded curb pieces and bicycle safe grates will be installed throughout the project limits.

### **SCOPE OF SERVICES**

Boswell will perform the following scope of services:

1. Perform a site visit in order to update the plans prepared in the previous Brookside project (Section 2).
2. Prepare roadway construction plans in accordance with current NJDOT requirements.
3. Prepare specifications in accordance with NJDOT and Borough of Caldwell requirements.
4. Prepare bid documents and advertise the project.
5. Perform the necessary updates to the NJDOT's System for Administering Grants Electronically (SAGE) as the project progresses.
6. Coordinate and attend a pre-construction meeting with appropriate Borough officials, utility companies and other parties affected by the construction activities.
7. Provide inspection services during the construction phase.
8. Review contractor invoices to the Borough.
9. Make a final inspection of the project improvements.

### **FEE PROPOSAL**

Boswell will perform the services outlined in the proposal for an estimated fee not to exceed \$8,500.00 for the design phase and \$33,000.00 for the construction phase. The billing will be based on our hourly rates in effect at the time the work is performed. The NJDOT may reimburse the Borough, through the grant received, up to 15% of the grant to cover construction inspection and materials testing.

### **ITEMS NOT INCLUDED IN THE ENGINEERING FEE**

The following items are not anticipated to be required and are therefore excluded:

1. Topographic Survey, including ROW Location Determination



2. Soil Erosion and Sediment Control Plan Certification
3. Permit Fees
4. New Jersey Department of Environmental Protection Permits
5. Right-of-Way and/or Easement Plans or Descriptions
6. Structural Plans (Including Retaining Walls)
7. Material Testing (required by the NJDOT but cannot be quantified at this time)

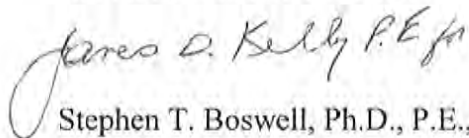
We estimate that the bituminous concrete materials testing required by NJDOT will be approximately \$2,000.00. The Borough will be billed directly by the pavement coring/testing contractor.

Additional work above and beyond what is outlined in the proposal will be performed as authorized by the Borough.

Thank you for the opportunity to submit this proposal. We look forward to providing the Borough of Caldwell with our engineering services and to the successful completion of this project. Should you have any questions or require additional information, please do not hesitate to contact Christopher J. Nash, P.E. or me.

Very truly yours,

BOSWELL ENGINEERING



Stephen T. Boswell, Ph.D., P.E., SECB

STB/CJN

cc: Bob Bellasalma, Project Coordinator  
Glenn Beckmeyer, P.E., Borough Engineer

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