



***BOROUGH OF CALDWELL  
NEW JERSEY***



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**COUNCIL BUSINESS  
MEETING June 6, 2013**

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

Phone: (973) 226-6100  
Website: [www.caldwell-nj.com](http://www.caldwell-nj.com)

June 6, 2013

MAYOR  
Ann Dassing

BOROUGH COUNCIL  
Richard Hauser – President / CCC  
Thomas O'Donnell / Public Safety  
John Coyle / Public Works  
John Kelley / Community Relations  
Frank Rodgers / Personnel  
Edward Durkin Jr. / Finance

### 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 21, 2013

### PRESENTATION

1. Swearing in Lieutenant Demetrios Andrinopoulos and Sergeant Brad Palatucci
2. Catherine Daly / for all her years served on the Rent Review Board
3. Caldwell Volunteer Fire Department
4. Chris Battaglia / Finance

### PUBLIC HEARING AND ADOPTION OF ORDINANCES

**Ordinance #1277-13:** CALENDAR YEAR 2013 MODEL 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.*

- 6-148:** RESOLUTION AWARDED PROFESSIONAL SERVICE AGREEMENT TO SUPERIOR SERVICES, LLC FOR SERVICES IN CONNECTION WITH THE OPERATION OF THE BOROUGH OF CALDWELL WATER SYSTEM IN AN AMOUNT NOT TO EXCEED \$7,020 PER ANNUM PLUS THE COST OF ADDITIONAL SERVICES NOT TO EXCEED \$54,080.00 PER ANNUM
- 6-149:** AUTHORIZING THE ISSUANCE OF A PERMIT FOR EXEMPT CANVASSER/SOLICIT OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – James Kelly, Edward Jones Financial Planning, 622 Long Valley Road, Upper Montclair, NJ
- 6-150:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00017 PAYABLE TO ISAAC MORADI



Council Chambers  
1 Provost Square Caldwell, NJ

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### RESOLUTIONS - CONSENT AGENDA (continued)

*All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.*

**6-151:** AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Caldwell Volunteer Fire Department

### COUNCIL COMMITTEE REPORTS

*Borough Council Members*

*Members of the Borough Council may choose to report on their respective committees.*

### REPORT OF MAYOR

*Mayor Dassing*

### REPORT OF ADMINISTRATOR

*Paul M. Carelli*

Administrator Report – June 6, 2013

### REPORT OF ATTORNEY

*Gregory Mascera*

### OLD BUSINESS

1. Water Main / Road Improvement Project Status

### 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*



Council Chambers  
1 Provost Square Caldwell, NJ

# Borough of Caldwell Council Business Meeting

## AGENDA

Phone: (973) 226-6100  
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MAYOR  
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Frank Rodgers / Personnel  
Edward Durkin Jr. / Finance

### EXECUTIVE SESSION

*Closed Session*

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

1. Personnel

### ADJOURNMENT

Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda. This agenda was prepared as of 6/04/2013 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 6/04/2013 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 21, 2013**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at **7:02PM**

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

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

**ABSENT:**

Adequate notice of this Council Business/Conference meeting was given on January 1, 2013. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2013. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2013. Notice was posted and all persons requesting notice were sent same.

**APPROVAL OF MINUTES:  
May 7, 2013**

Moved by Councilman Coyle seconded by Councilman Rodgers. No Discussion. On roll call, Council President Hauser, Coyle, O'Donnell, Rodgers and Durkin, voted in the affirmative. Councilman Kelley abstained. Minutes approved 05/21/13.

**PRESENTATION:**

- 1. Caroline Mescia / Grover Cleveland Conservancy**
- 2. Swearing in Auxiliary Police Officers**
- 3. Caldwell Merchants Association – Art on the Avenue**

**OPEN PUBLIC COMMENTS ON RESOLUTIONS:**

**June Cowell, 29 Brookside Avenue**, thanking the Council for resolving 14 Park Avenue.

**RESOLUTIONS – CONSENT AGENDA**

**5-139:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell Merchants Association/ On Premise – 50/50 Raffle, June 1, 2013 – 10:AM – 5:00PM – Rain Date June 2, 2013 – 12:00PM – 5:00PM.

**5-140:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE - Caldwell West Caldwell Lacrosse Club, Inc./ Off Premise – 50/50 Raffle, June 25, 2013 - 7:00PM.

Moved by Councilman O'Donnell, seconded by Councilman Coyle. No Discussion. On roll call, Council President Hauser, O'Donnell, Kelley, Rodgers and Durkin voted in the affirmative. Councilman Coyle abstained. Resolution approved 05/21/13.

**5-141:** AUTHORIZING THE REFUND OF OVERPAYMENT OF 2013 TAXES FOR BLOCK 33 LOT 1.05, FOR 26 CATON TERRACE, CALDWELL, NJ

**5-142:** RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION Block 21.01, Lot 8.03, Green Brook Country Club 100 W. Green Brook Road, North Caldwell, NJ

**5-143:** RESOLUTION TO AUTHORIZE THE RE-TRANSFER OF 14 PARK AVENUE AND FOR THE MAYOR TO SIGN ALL RELATED DOCUMENTS AND TO CONDUCT ALL RE-TRANSFER ACTIVITIES.

**5-144:** AUTHORIZING THE APPOINTMENT OF THE CALDWELL AUXILIARY POLICE OFFICERS

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 21, 2013**

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**5-145:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH MAY 21, 2013 FOR 2012/2013 BILLS IN THE TOTAL AMOUNT OF \$5,240,391.85

**5-146:** DISPOSAL OF OBSOLETE CALDWELL PUBLIC LIBRARY WEIL-McLAIN MODEL 80 WATER AND STEAM BOILER

**CONSENT**

Moved by Councilman O'Donnell seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Resolution approved 05/21/13.

**COUNCIL COMMITTEE REPORTS:**

**Councilman Durkin** reported that the Environment Commission they collected 3500lbs of documents that were shredded. They also raised \$100 from Pennies for Playgrounds monies to build playgrounds in memory of students in Newton. He extended his congratulations to Project Main Street for planting their Arbor Day Tree. The answers to the questions from last Council meeting were handed out to the Council for review. He attended the Police Auxiliary Graduation and he is very proud of our first class and our Chief was the king of speaker.

**Councilman Rodgers** reported that the Senior Advisory met last week and Maria Burak asked that he would announce the following; if you are a senior and you want to ride the bus in the Parade contact Betty by tomorrow. Anyone interested in the senior lunches which are held Monday, Wednesday, Thursday and Friday you will need to call at least one day in advance. There will be Blood Pressure on May 21<sup>st</sup> and for more information please contact Maria Burak at 973-403-4637. Bridge is on Tuesday's at Noon, Fitness on Tuesday's and Thursday's classes begin at 11:00am and the cost is \$2.00. Also, there will be a Canadian Island Cruise in October price is \$689.00 from October 5<sup>th</sup> – 10<sup>th</sup>. The Superintendent of schools is having the last series of open agenda meetings tomorrow night at 7:00PM at the Harrison School. As far as Personnel goes we are ready to start working on the Employee Handbook.

**Councilman O'Donnell** reported that they will be having a traffic meeting on June 6<sup>th</sup> at 6:00PM and he asked Mr. Christensen and Mr. Colaizzo if they are available. He is very impressed by the Auxiliary Police with their enthusiasm, youth and their energy and as the Chief pointed out ex Councilman Peter Murray spearheaded this and the Chief picked it up and ran with it and made it happen. This torian that we witnessed tonight initially and solely is the works of Councilman Murray.

**Councilman Hauser** reported that there will be a Library Board meeting this Thursday. In regards to the Caldwell Community Center he has been trying to get the committee together including Rob Paterson to address a couple of concerns that have come up. One from a resident about an unsafe issue that they were concerned with and they have been refunded their money and the second matter that had to do with Camp being run out at the Oval that has the Community Center logo attached to it and the process has not gone through Recreation. He asked if the Policies and Procedures is done and up on the website. **Paul Carelli** responded that he will get it on the website this week.

**Councilman Kelley** reported that the Rent Board has elected two new officers Frank Galante and Gus Lembo. Camp Wyanokie is holding its annual camp meeting on June 22<sup>nd</sup> but there have been some issues recently, there has been some damage at the camp. He gave credit to Corner Butcher Block, Brian Provost who is contributing food for the event, hamburgers and hotdogs and it will be a great outing. He acknowledged the events on Saturday where five Councilmen and the Mayor were attending the Beautification Day event and it went very well and he enjoyed participating in that event.

**Councilman Coyle** reported the on the 8<sup>th</sup> of May the Planning Board reviewed an application from Calandra's for a new entry way for the Calandra's Italian Village they requested a number of variances for some signage as part of the structure that they would like to build. Their application met with full planning board approval. Because this is a County road it will need to go back to the County for final approval before it is constructed.

**Mayor Dassing** thanked the Auxiliary Police, Chief Bongiorno and Officer Stabile for making this a reality. She thanked the Project Main Street and the 80 volunteers for Caldwell Beautification Day. So much was accomplished in just three hours and the feeling of

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – May 21, 2013**

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commentary among the group was very evident and a special thanks to the Caldwell PD who helped keep everyone safe crossing and also the DPW who rigged up the sprinklers. The Mayor reported that she has received a promise of \$10,000 from two local merchants to fund the lease for the four our Police car. PSE&G will have a follow up meeting on June 3<sup>rd</sup> at 7:00PM in the Community Center. Bring your questions and concerns, the area engineer and forester will be on hand to answer them and Mr. Everton Scott is going to report on what has been done since our meeting this past winter. She learned that we did not receive the NJDOT Streetscape grant but we will be meeting with the NJDOT Rep. We will be meeting to see what we did and what we can improve on and we will be submitting again. There is a share service meeting with the Board of Ed myself, Council President Hauser, Borough Administrator and West Caldwell Governing Body at 6:00PM, May 29<sup>th</sup> at Harrison School. Discussion is on DPW services, phone, and technology and hopefully it will be a successful meeting. The Library event the Legacy of Literacy will be held on November 21<sup>st</sup> at Green Brook Country Club at 6PM. There are three honorees locked in. Dorothea Benton Frank who is a NY times bestselling author she has about 28 books to her credit and a resident of Montclair is going to be our honoree as well as Pat and Grace Calora who live locally and have been very generous to the Library they started the DVD Collection and a number of things. The Mayor congratulated Colin Corliss he was at the Library event last year and talked about the importance of the Library in his life and she attended his Eagle Scout Ceremony on Sunday and it was beautiful.

**REPORT OF ADMINISTRATOR:**

**Paul Carelli**, distributed a Resolution to the Council in regards to the application that was made to the NJ Environmental Trust for the Sewer plant from last year. It is making application to the local finance board to pursue this loan. Thanks to Lisa we are rolling out our Employee Wellness Plan on June 1<sup>st</sup> and basically what that is we will be working with the Garden State Insurance they made available \$1500.00 it is an incentive to get the employees over to the Community Center to exercise. Our fixed asset consultant will be back in tomorrow to update our fixed asset catalog for 2012. We received an extension for our ADA ramp from CDBG this grant was received last year. We were recommended for the grant for the chair lift in Borough Hall. Lisa and Bob Bellasalma spent the last two weeks applying for a grant it's called the CSIP it's a grant through the forestry commission and we are applying for a \$20,000 grant. Bob has been moved up to Admins and these are the kind of things he will be working on. He met with the 2<sup>nd</sup> vendor for the phone system and they will make some recommendations and come back to us. Paul has put together a response to the questions that were asked at last meeting. At the next meeting Mr. Battaglia will be here to do a presentation on his accomplishments since he has been here. I think you will be very impressed on the things that we have been able to do.

**Councilman O'Donnell** asked the question when Brookside Paving will begin. **Paul Carelli** responded that the water work at the cedars has been approved and we are waiting for the pre-construction meeting to do that and I don't have a precise date. **Councilman Coyle** responded that you mentioned beginning of June at the last meeting. Paul responded that he spoke to Anthony Matina the contractor and he wants to start at the beginning of June.

**Councilman Hauser** asked Paul Carelli about the leaks at the Community Center. Paul responded that the capping has been done replaced and sealed and there were no leaks. Everything should be done by the end of the week. **Councilman Hauser** asked about the generator. Paul responded that he will talk to Pete about the generator. **Mayor Dassing** asked when the canopies will be going up. She would like them up. **Councilman Coyle** asked who is paying for the overtime. Paul responded that we are. **Mayor Dassing** sent a request to Mayor Tempesta and she hasn't heard from him.

**REPORT OF ATTORNEY:**

**Greg Mascara** reported that the Avalon Bay agreement has been completed. Greg Seaman had requested that we accept payments for the sewer connection fees installment. The first installment is forthcoming and the other two will be prior to Building permits being issued. The Cherone money has been received and paid in full. He received a call from an Attorney for AT&T she enquired a possibility of the Borough going out to bid for a cell tower at the Sewer plant. I told her that I would bring it in front of the Council. Discussions Ensued.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
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**REPORT OF POLICE CHIEF:**

**James Bongiorno** thanked the Mayor for the Police Car. The National Campaign Click it or Ticket seat belts we are participating from yesterday until June 2<sup>nd</sup>. He thanked Sgt. Pellegrino who secured the grant to the County for us to have patrols out there on our own time. He reminded the residents to lock their car doors. We have had burglaries to vehicles and the surrounding towns have had stolen vehicles. The bus stop at Bloomfield and Personette is in place and NJ Transit has a sign. Lt. Driggs will be retiring at the end of the month and I want to thank him for his hard work that he has done and May 31<sup>st</sup> is his last day. The swearing in for new promotions will be at the June 6<sup>th</sup> Council meeting which will be Sgt. Andrinopoulos and Detective Brad Palatucci.

**REPORT OF ESSEX COUNTY LIASSON:**

**James Jorgensen** thanked the Council for allowing him the opportunity to speak and putting him on the Agenda. He commended the Chief and the Council and the Mayor for the effort you all put forth and for graduating these Auxiliary Police Officers it's not easy for young people to get an internship in law enforcement in this economy and this gives them a real eye opening experience and many of them will find that this is their career path because of that choice. The Essex Summer music festival concerts throughout the parks and they are free.

**OLD BUSINESS:**

Written weekly schedule for the street sweeper

**Councilman Coyle** responded that he has received the schedule.

**Greg Mascara** made a suggestion about the website that a regulation be put in place because if a private business wants to advertise on the Borough website, right now who is to say you can or you can't. He suggests that an ordinance be drafted on what is permitted and what is not permitted to have on our website. Greg asked Councilman Kelley to give him his thoughts and he will try and turn it into a first draft.

**Councilman O'Donnell** spoke in regards to the Budget last meeting it came out 24 hours before council meeting and he didn't have time to look it over. It deals with the philosophy of a budget. There is allocation of dollars and there is managing of the budget. He would like to point out that Peter Murray's fingerprints are all over 2013 Budget as well as 2012 and 2011. We went into that Budget with an outlook of 0% tax increase. Our first obstacle was \$186,000 in premium for health care for the Borough employees. We moved the employees into the State plan. It required the agreement from the PBA as well as the DPW and we appreciated them working with us. Permits, meters appointments Murray introduced each of them. He created a department that was much more efficient than previously. It resulted in 197,500 in additional revenues. Murray went out and conducted and to be honest it resulted in 30,000 in revenue so we are sitting at a quarter million dollars. We negotiated contracts which resulted in another 147,000 in savings and by working with the Chief we created a department which is more efficient reducing overtime. The long and short of it is those actions resulted in 612,000 benefit to the Borough. The question he has is if Murray wasn't here and he and I didn't work together where did we get the 600,000 and what has the committee done this year to reduce costs and generate revenues because that's managing a budget and that's the only way we can sustain the services that we are currently are to the citizens as we move forward.

**Councilman Durkin** responded that the tax assessments are incredibly high there are almost 80 tax assessment appeals. Insurance costs are up pension costs are up. If we can do better feel free to tell me how.

**Councilman O'Donnell** I agree evaluations have dropped and health care has gone up we faced those issues as well each budget committee faces they are not new. What has this committee achieved that will benefit next year's budget committee that's what I am asking. I put down 600,000 between savings and police revenues. I am just curious what work occurred that would increase revenues and decrease cars and maybe nothing that is fine I just want to understand.

**Mayor Dassing** responded that Paul is going to have the bigger points the higher points. You are going back a couple of years and there was a lot on the bone and not to discredit the efforts of anybody yourself, myself, Councilman Murray there was a lot of room for improvement in 2010, 2011 and even last year. Councilman Hauser and I have been looking for how much does it cost to run each department and so the re-allocation of medical benefits and pension benefits and now you can look at each department and say this is the true cost of the department. Now when we go out for a shared service we know how much it is going to cost. Those are the subtle things that this committee worked on. When she came on Council in 2004 the surplus was \$45,000 we are



**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
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now replenishing at about \$700,000. She encouraged Councilman O'Donnell to wait for the sheet Paul has of the negative and positives of the budget and where we made some big decisions. **Councilman Hauser** responded that his challenge and his concern is if we wait and there are any amendments we need them by the next meeting so if we wait to see that presentation then it pushes us back to July. Discussions Ensued.

**NEW BUSINESS:**

**5-147:** RESOLUTION OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e) AND N.J.S.A. 58:11B-9

Moved by Councilman Coyle seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Resolution approved 05/21/13.

**OPEN PUBLIC MEETING:**

**Bob Christensen, 3 Ravine Avenue**, he is a veteran and he gets a \$250 benefit which hasn't changed since 1966 he would like to see it double. **Greg Mascera** responded that it would be the State, it would not be local and it would not be County. He said it was introduced and failed either last year or 2011. He is concerned about the speeding on Central Avenue.

**Bob Colaizzo, Hatfield Street**, he thanked the Council for the Mulch he was able to do some work at home.

**Hilda Moore, 23 Personette Street**, the raccoons are still on her street. She is still waiting for Catch Basins to be covered. She is concerned about the speeding on her Street. Chief Bongiorno said that they are doing detail on that street. Councilman O'Donnell asked Hilda if she would like to join the traffic committee. Her reply was sure. She also said that she would like to thank Mr. Carelli for last week and he is still the gentleman.

On a motion made by Councilman Coyle and seconded by Councilman O'Donnell, unanimously affirmed, the Council moved into Executive Session at 9:06PM.

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 issue with Colette Hassan.

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 9:36P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman Kelley, unanimously affirmed by all members present, the meeting was adjourned at 9:36P.M.

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

\_\_\_\_\_  
DATE



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 6-148

Date of Adoption: June 6, 2013

**TITLE:**

**RESOLUTION AWARDING PROFESSIONAL SERVICE AGREEMENT TO SUPERIOR SERVICES, LLC FOR SERVICES IN CONNECTION WITH THE OPERATION OF THE BOROUGH OF CALDWELL WATER SYSTEM IN AN AMOUNT NOT TO EXCEED \$7,020 PER ANNUM PLUS THE COST OF ADDITIONAL SERVICES NOT TO EXCEED \$54,080.00 PER ANNUM**

**WHEREAS**, a need exists to contract for the below noted services for the Borough of Caldwell, County of Essex, New Jersey; and

**WHEREAS**, funds are available to pay for the services contemplated herein; and

**WHEREAS**, continuation of the terms of this contract beyond December 31, 2013, is contingent upon availability of funds in the 2013 FY Budget, and in the event of unavailability of such funds, the Borough of Caldwell reserves the right to cancel this contract; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40:11-5 et seq.) requires that the resolution authorizing the award of contracts for "PROFESSIONAL SERVICES" without competitive bids must be publicly advertised;

**NOW, THEREFORE, 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 below referenced agreement with the below stated vendor, which agreement shall be maintained on file with the Borough Clerk and available for public inspection.
- (2) This agreement is awarded without competitive bidding as a "PROFESSIONAL SERVICE" under the provisions of the Local Public Contracts Law because the services provided require performance by an individual who possesses a professional license regulated by law, and it is not possible to obtain competitive bids.
- (3) A notice of this action shall be printed in the Caldwell Progress as required by law within ten days of its passage.
- (4) The Vendor shall supply the Borough of Caldwell with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.
- (5) The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Borough from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreement authorized herein.

**VENDOR NAME:** Superior Services, LLC  
**ADDRESS:** 56 Stonybrook Road, West Caldwell, NJ 07006  
**CONTRACT AMOUNT:** Not to exceed \$7,020 plus \$54,080.00 for additional services  
**SERVICE:** Licensed Water Operator

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 6-149

Date of Adoption: June 6, 2013

**TITLE:**

**AUTHORIZING THE ISSUANCE OF A PERMIT FOR EXEMPT CANVASSER/SOLICIT OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK’S OFFICE – James Kelly, Edward Jones Financial Planning, 622 Long Valley Road, Upper Montclair, NJ**

**BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby approve the application for issuance of an exempt canvasser/solicitor permit to Edward Jones Financial Planning, 622 Long Valley Road, Upper Montclair, NJ in accordance with the application filed. Applicant and application has been investigated and approved by the Police 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						Kelley				
Coyle						Rodgers				
O’Donnell						Durkin				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 6-150

Date of Adoption: June 6, 2013

**TITLE:**

**AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 11-00017 PAYABLE TO ISAAC MORADI**

**WHEREAS**, it has been determined by the Borough Tax Collector that the homeowners Bank has redeemed the Lien on the property listed at 71 Roseland Avenue, Unit 61, 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 lien redemption;

<u>BLOCK &amp; LOT</u>	<u>RECIPIENT</u>	<u>REDEMPTION AMOUNT</u>
Block 54 Lot 3.07	ISAAC Moradi 520 Elm Street Kearny, NJ 07032	\$8,031.17
		PREMIUM <u>\$3,200.00</u>
		<b>\$11,231.17</b>

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 6-151

Date of Adoption: June 6, 2013

**TITLE:**

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

**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:

Caldwell Volunteer Fire Department  
30 Roseland Avenue  
Caldwell, NJ 07006

Event to Be Held:

Borough of Caldwell – Parking Deck  
1 Provost Square  
Caldwell, NJ 07006

July 6, 2013  
5:00PM – 9:00PM

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 6-152

Date of Adoption: June 6, 2013

**TITLE:**

**AUTHORIZING TO AMEND RESOLUTION 4-126 TO PROPERLY REFLECT THE AMOUNT DISBURSED IN ACCORDANCE WITH THE MAY 21, 2013 BILL LIST**

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

**WHEREAS**, the May 21, 2013 bill list has been submitted and approved for payment by the Borough Council of the Borough of Caldwell, and;

**WHEREAS**, the May 21, 2013 bill list indicated a sum total for payment of \$5,604,250.96, and;

**WHEREAS**, the correct amount submitted for payment should have indicated a sum total of \$5,607,596.96, and;

**WHEREAS**, the bill list accurately listed all of the bills submitted for payment, and;

**WHEREAS**, the correction in the sum total equals \$3,346.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Caldwell that they hereby authorize amending resolution 4-126 to properly reflect the amount disbursed in accordance with the May 21, 2013 bill list.

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

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

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