



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS
MEETING July 1, 2014**

Caldwell Borough Hall
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

July 1, 2014 / 7:00PM

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser - President
Thomas O'Donnell
John Kelley
Frank Rodgers
Edward Durkin
Pasquale Capozzoli

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

June 17, 2014

PRESENTATIONS

1. Millennium Strategies on Downtowns

PUBLIC HEARING AND ADOPTION OF ORDINANCES

ORDINANCE #1296-14: BOND ORDINANCE PROVIDING FOR VARIOUS WATER MAIN IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$290,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$290,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

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.

7-145	RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDERS (9) FOR THE CEDARS ROAD IMPROVEMENT PROJECT IN THE AMOUNT OF \$12,800.00 – NEW TOTAL CONTRACT AMOUNT \$978,060.48
7-146	RESOLUTION CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY HAVE REVIEWED, AT A MINIMUM, THE GENERAL COMMENTS AND RECOMMENDATIONS SECTIONS OF THE FISCAL YEAR 2013 ANNUAL AUDIT
7-147	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 13-00016 BLOCK 54, LOT 1.10
7-148	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 13-00012 BLOCK 41.01, LOT 19



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7-149	AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – Precision Motors, 91Bloomfield Avenue, Caldwell, NJ – Kenneth Naspo
7-150	RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE FISCAL YEAR 2013 AUDIT REPORT
7-151	AUTHORIZING THE CHANGE OF STATUS FROM PROBATIONARY POLICE OFFICER TO FULL POLICE OFFICER IN THE CALDWELL POLICE DEPARTMENT FOR ROBERT ADAMS HIRED ON JULY 1, 2013
7-152	RESOLUTION – IN SUPPORT OF THE SUBMITTAL OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A SAFE ROUTES TO SCHOOL GRANT

COUNCIL COMMITTEE REPORTS

Borough Council Members

REPORT OF MAYOR

Mayor Dassing

REPORT OF BOROUGH ADMINISTRATOR

Paul M. Carelli

NEW BUSINESS

1. Environmentally Preferable Purchasing Policy (Green Purchasing Policy)

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



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EXECUTIVE SESSION

Closed Session

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

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 6/27/2014 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 6/27/2014 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – June 17, 2014**

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The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:07PM

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

ALSO PRESENT: Deputy Clerk, Lisa O'Neill and Borough Attorney, Greg Mascera

ABSENT: Borough Administrator, Paul Carelli

Adequate notice of this Council Business/Conference meeting was given on January 1, 2014. 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:

June 5, 2014

Moved by Councilman Kelley, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 06/17/14.

INTRODUCTION OF ORDINANCE:

ORDINANCE #1297-14: AN ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE CHAPTER GOVERNING VEHICLES AND TRAFFIC

Moved by Councilman Capozzoli, seconded by Councilman Kelley. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced 06/17/14.

PUBLIC HEARING AND ADOPTION OF ORDINANCES:

Moved by Councilman Kelley, seconded by Councilman Rodgers to open to the public for adoption of ordinances.

ORDINANCE# 1293-14: AN ORDINANCE AMENDING CHAPTER 164 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED "PEACE AND GOOD ORDER"

Moved by Councilman Hauser, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Adopted 06/17/14.

ORDINANCE #1294-14: CALENDAR YEAR 2014 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 Kelley, seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Ordinance Adopted 06/17/14.

ORDINANCE #1295-14: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,539,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,149,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Moved by Councilman Kelley, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Adopted 06/17/14.

Moved by Councilman Kelley, seconded by Councilman Hauser to open to the public for adoption of ordinances.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

Moved by Councilman Durkin, seconded by Councilman Hauser to open to the Public for Consent Agenda

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COUNCIL BUSINESS/CONFERENCE MEETING
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RESOLUTIONS – CONSENT AGENDA

- 6-136:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Kiwanis Club of Caldwell-West Essex/ Off Premise – 50/50 Raffle, October 5, 2014 – 11:00AM – 5:00PM
- 6-137:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Parent Faculty Association of Mt. St. Dominic Academy/ Off Premise – 50/50 Raffle, September 14, 2014 – 12:00PM – 4:00PM
- 6-138:** AUTHORIZING THE ISSUANCE OF RENEWAL LIQUOR LICENSES FOR THE PERIOD JULY 1, 2014 THROUGH JUNE 30, 2015. APPLICATIONS AND APPLICANTS HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS
- 6-139:** RESOLUTION MEMORIALIZING THE ACCEPTANCE OF NJSA TITLE 39 JURISDICITON OVER THE ROADS THAT TRAVERSE THROUGH THE FELS MANOR CONDOMINIUM PROPERTY
- 6-140:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH JUNE 17, 2014 FOR 2013/2014 BILLS IN THE TOTAL AMOUNT OF \$2,984,154.34

CONSENT

Moved by Councilman, **Kelley** seconded by Councilman Hauser. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 06/17/14.

PUBLIC HEARING ON THE 2014 MUNICIPAL BUDGET

RESOLUTION – 2014 MUNICIPAL BUDGET AMENDMENT

- 6-141:** RESOLUTION TO AMEND THE BOROUGH OF CALDWELL 2014 MUNICIPAL BUDGET AS INTRODUCED AND APPROVED ON MAY 20, 2014

Moved by Councilman Hauser, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Resolution approved 06/17/14.

ADOPTION OF THE 2014 MUNICIPAL BUDGET

Page 41 of Budget is read by Chris Battaglia, CFO

Moved by Councilman Kelley, seconded by Councilman Hauser. No Discussion. On roll call, all present voted in the affirmative. Budget approved 06/17/14.

COUNCIL COMMITTEE REPORTS:

Council President Hauser reported on a shared service meeting with Councilman Durkin the Mayor and myself and we discussed a number of things largely around the DPW. Part of the discussion was around what we can do to provide services for other towns and what we can do to reduce our costs. The initial proposal we received from a neighboring town was not well received so we are going to see what we can do proactively.

Mayor Dassing reported that she and Councilman Durkin met with the Board of Ed and representatives from West Caldwell. We will be submitting safe streets to school grant for sidewalk and crosswalk repairs and new sidewalks for both towns around the schools to encourage children to walk to school. That is one of the share services that has come out of this effort. We are hoping it will be well received because it is a partnership of three entities which is a little different than submitting as one town. They spoke about creating inter-local agreements such as mechanics, electricians and plumbers. The board has these people on staff and rather than get a company to do it there is a possibility that they would be able to do this. They spoke about the RFP to go out for lawn mowing services which they are looking for something over summer. The Board of Ed has agreed to participate so it’s now going to be a much bigger job for whichever company gets it. The Mayor also asked for help for our library because one of our librarians has Grand Jury duty for 18 weeks and there may be Librarian’s from the Board of Ed that can assist. They will continue to meet in July and August to get the specs together for the lawn mowing.

Councilman O’Donnell reported that when the Budget was introduced they were looking at an nominal \$28 increase on average that was to recoup some unforeseen expenditures and the Mayor pulled him aside and said I think we can do a little better than that and after working with Councilman Capozzoli they have

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adopted a 0% tax increase. There were some theories on why we have become a stronger Borough Financially. A chart was presented at the meeting.

Mayor Dassing reported that Sergeant Fred Arnold has been moved to another facility to begin rehabilitation and he continues to improve each day and we are all very optimistic for his recovery. We have submitted a 2.7 million dollar grant application for the Pine Brook Erosion project to the New Jersey office of Emergency Management. She thanked Dan Flynn who sent out 35 letters to various agencies along with the letter of inquiry that Glenn Beckmeyer and herself wrote about the Pine Brook erosion and we are starting to get responses back from those letters. Once they review our grant application it will make its way hopefully to the Governor's office and be recommended for funding through FEMA. We could submit a grant application to green acres fund a pocket park on the property that we just purchased known as the former Knights of Columbus property. The application is due July 31st and we will be seeking input from the public at the July 15th Council Meeting. We need to put a design in that application and maybe the Engineer will be able to help. There was discussion on the sewer payments and Greg Mascera will be pursuing the Brownstones. The Mayor asked Greg about the opening road ordinance and Greg responded that he was waiting for Glenn. She would like to schedule A-text in July which is the residential notification system. PSE&G will be replacing the heads of all the decorative lights with LED lights up and down Bloomfield Avenue.

The Mayor read a proclamation from the Historic Commission which has to do with 350th year of the State of New Jersey.

6-142: RESOLUTION PROCLAIMING JUNE 24, 2014 AS THE 350TH BIRTHDAY OF NEW JERSEY AND CHURCHES AND HOUSES OF WORSHIP IN THE BOROUGH OF CALDWELL ARE INVITED TO RING THEIR BELLS IN THANKSGIVING AND CELEBRATION AT NOON

Moved by Councilman O'Donnell, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Resolution approved 06/17/14.

REPORT OF BOROUGH ADMINISTRATOR:

Paul Carelli thanked the Council for adopting the Budget and the Capital Ordinance. He thanked Chris for the leg work on the Capital Ordinance finally we have a plan going forward.

Councilman Kelley also thanked Chris and Paul for doing a wonderful job.

Paul reported that the wires are being put in for our phone system.

We finalized all the paperwork for the Essex County Hazard Mitigation.

We had a PEOSHA inspection with Public Works and we had one violation and that is training for Hazmat Awareness which they will be taking next week.

We had the closing for the Knights of Columbus property last week and thank you to Greg everything went smoothly.

The auditors are finishing up the 2013 audit and the Council will be pleased that things that were on in the past are no longer there.

The Mayor and Paul met with Glenn on Hanford lot and some of the dumpsters will be moved and the owners have agreed to pay for it. Everything will be in the back in a gated area that's concealed with slats and they will fix the sidewalks and aprons going in and out of parking lot.

REPORT OF ATTORNEY:

Greg Mascera reported that the Personette Street property closed. He submitted as requested by the Council the request that the Borough be considered for the Solar Panels at the Sewer plant. The request was basically conditioned upon further approval of the plant.

OLD BUSINESS:

Roseland Avenue Bus Stop

Mayor reported that she spoke to Bob Hodge with regard to Kiwanis putting their seal on the bus stop by Roseland Avenue. The church told him that we own the bus stop that they gave the Borough the land. Bob got pricing to put in new safety windows in and to fix the bench and he said it would be around \$2000.00 and if the Town wanted to spend the money to fix it then Kiwanis every week will go and maintain it. They have the high school kids that will take this on as their project. Greg Mascera responded that perhaps we should run a title search to find out if that strip was ever conveyed to the Borough and who it belongs to.

Councilman Hauser asked about the Bus stop possibly being moved right off of that corner before doing any refurbishing. **Mayor Dassing** asked if everyone was in favor of the \$2000 and she will wait for the title search and talk to the County about moving it.

Councilman Hauser asked if there would be a schedule for the Sewer Board Meeting and Paul responded that he would schedule it.

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OPEN PUBLIC MEETING:

On a motion made by Councilman Kelley and seconded by Councilman Capozzoli, unanimously affirmed, the Council moved into Executive Session at 7:54P.M.

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. The Executive Session will be discussion of Netting solutions, Compost Facilities and DEP Surcharge that happened on April 30th.

The Executive Session was adjourned and upon a motion by Councilman O'Donnell seconded by Councilman Hauser, the Council Business Conference Meeting was opened to the public and the press at 8:38P.M.

6-143: RESOLUTION AUTHORIZING HATCH MOTT MCDONALD FOR THE ENGINEERING SERVICES, FEASIBILITY STUDY AND REPORT FOR THE PASSAIC AVENUE SEWER OVERFLOW PROVIDED THE SCOPE OF SERVICE IS CONSISTANT WITH THE PRICE PRESENTED AND APPROVED BY THE SEWER DIRECTOR

Moved by Councilman Hauser, seconded by Councilman O'Donnell. No Discussion. On roll call, all present voted in the affirmative. Resolution approved 06/17/14.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman O'Donnell, seconded by Councilman Capozzoli unanimously affirmed by all members present, the meeting was adjourned at 8:34P.M.

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

DATE



BOROUGH OF CALDWELL NEW JERSEY



ORDINANCE# 1296-14

BOND ORDINANCE PROVIDING FOR VARIOUS WATER MAIN IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$290,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$290,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$290,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$290,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various water main improvements, including, but not limited to, the construction and replacement of water mains and all design and engineering costs associated therewith, and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later

than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the

Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$290,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$58,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

DATE OF FIRST READING: June 5, 2014
 DATE OF PUBLICATION: June 19, 2014
 MOVED:
 SECOND:

DATE OF SECOND READING: July 1, 2014
 DATE OF ADOPTION: July 1, 2014
 MOVED:
 SECONDED:

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following - 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

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-145

Date of Adoption: July 1, 2014

TITLE:

RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDERS (9) FOR THE CEDARS ROAD IMPROVEMENT PROJECT IN THE AMOUNT OF \$12,800.00 – NEW TOTAL CONTRACT AMOUNT \$978,060.48

WHEREAS, the Borough Council of the Borough of Caldwell in the County of Essex, State of New Jersey has on August 16, 2013, authorized the awarding of a contract to Reivax Contracting Corp, 147 Thomas Street, Newark, N.J. 07114 in the amount of \$923,425.68; and

WHEREAS, the Borough Council of the Borough of Caldwell in the County of Essex, State of New Jersey authorized change orders 1-4 on October 15, 2013 for the Cedars Road Improvement Project in an amount of \$25,073.12 for a new total contract amount \$948,498.80; and

WHEREAS, the Borough Council of the Borough of Caldwell in the County of Essex, State of New Jersey authorized change orders 5-8 on November 19, 2013 for the Cedars Road Improvement Project in an amount of \$16,761.68 for a new total contract amount \$965,260.48; and

WHEREAS, during the final closeout of the contract, it was discovered, the need for the following change order to increase the contract as follows:

<u>Change Order</u>	<u>Description</u>	<u>Amount</u>
9	Item 6 - One new catch basin head and bicycle-safe grate at east Side of Knollwood Terrace at Bowers Road	
	Item 7 - (13) new catch basin heads and bicycle-safe grates on Gould Place in the new resurfaced area	
	Item 8 - (2) new catch basin heads and bicycle-safe grates at Jackson Place and Westville Avenue	
Change Order Total:		<u>\$12,800.00</u>
New Contract Total:		\$978,060.48

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 order 9 for the Cedars Road Improvement Project.

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

CHANGE ORDER NO. 9

Owner Borough of Caldwell Date 06/10/14
 Project Roadway Improvements Gould Place, Cedars Road, Jackson Place, Knollwood Terrace, and Overlook Road
 Owner's Contract No. _____ Contractor Reivax Contracting Corp.
 Date of Contract Start 09/09/13 \$ 923,425.68

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

- Construct Work as described in attached letter from Crew Engineers, Inc. to Borough of Caldwell Administrator Paul Carelli dated May 30, 2014, as follows:

- Item 6 – One new catch basin head and bicycle-safe grate at east side of Knollwood Terrace at Bowers Road.
- Item 7 – 13 new catch basin heads and bicycle-safe grates on Gould Place in the newly resurfaced area.
- Item 8 – Two new catch basin heads and bicycle-safe grates at Jackson Place and Westville Avenue.

Total Construction Cost: \$12,800.00

Reason for Change Order:

- The Borough of Caldwell wishes to replace 16 existing catch basin frames and grates with new Type N Eco-style frames and bicycle-safe grates within or in the immediate vicinity of the above-described roadway improvement project. These catch basin frames and grates will conform to the requirements of the NJPDES Municipal Stormwater Management Rules, Phase II.

CONTRACT PRICE		CONTRACT TIMES (Completion Date)	
		To substantial completion	To final completion
Original:	\$ <u>923,425.68</u>	Original:	<u>10/29/13</u>
Previous C.O.s (ADD):	\$ <u>41,834.80</u>	Previous C.O.s (ADD/Deduct):	<u>10/29/14</u>
This C.O. (ADD):	\$ <u>12,800.00</u>	This C.O. (ADD):	_____
Contract Price with all approved Change Orders:	\$ <u>978,060.48</u>	REVISED:	_____
		Original Completion Date:	<u>10/29/13</u>
		Revised Completion Date:	<u>10/29/13</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: *Gerard J. Rolling* Date 6/12/2014
 Engineer (Authorized Signature) Gerard J. Rolling, P.E.

APPROVED:

By: _____ Date _____
 Owner (Authorized Signature)

ACCEPTED:

By: *Xavier Pimenta* Date 06/11/2014
 Contractor (Authorized Signature) Xavier Pimenta, President

Crew Engineers, Inc.
 CLD008.400 / 9
 Project No. Change Order No.

May 30, 2014

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

Re: Pre-Final Inspection
Roadway Improvements Gould Place, Cedars Road, Jackson Place, Knollwood Terrace, and
Overlook Road
Caldwell, NJ
Crew Proj. No. CLD008.400

Dear Mr. Carelli:

On April 24, 2014, a pre-final inspection of the roadway improvements constructed by Reivax Contracting Corp. (Reivax) on Cedars Road, Jackson Place, Knollwood Terrace, and Overlook Road took place. Present at the inspection were:

Paul Carelli, Administrator, Borough of Caldwell
Mario Bifalco, Supt. DPW, Borough of Caldwell
Manual Patusco, Reivax
Gerard J. Rolling, P.E., Crew Engineers, Inc. (Crew)

The following was observed:

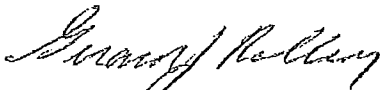
1. Excess paving material was found in the nonpaved area adjacent to the roadway near the driveway on Cedars Road at 85 Gould Place. The Contractor will remove this debris and install topsoil and seed in the damaged area.
2. The water valve box in the pavement near 44 Cedars Road is damaged and will need to be replaced by the Contractor.
3. Additional topsoil is needed at 27 Cedars Road at the intersection of Cedars Road and Overlook Road. The Borough will provide topsoil for these and other areas where topsoil is needed.
4. Gas valve box on Overlook Road at No. 36 Overlook Road has been damaged. Contractor will notify PSE&G to provide and install a replacement valve box.
5. Catch basin head at the westerly side of Knollwood Terrace at the intersection with Bowers Road has been damaged. Contractor will install new Type N curb piece.
6. The Borough intends to replace the existing catch basin head on the easterly side of Knollwood Terrace at the intersection with Bowers Road with a Type N curb piece and a bicycle-safe grate. The Contractor agreed to provide a cost for providing and installing this head and grate for consideration by the Borough. The Contractor should also include any cost for repairing any damage to the existing curb or pavement that may occur as a result of this work, and the cost of removing and disposing of the existing catch basin head and grate in accordance with applicable laws.

Mr. Paul Carelli, Administrator
May 30, 2014
Page 2

7. The Borough intends to replace the existing catch basins on Gould Place from Brookside Avenue to the end of new resurfacing approximately 80 feet north of Cedars Road with new bicycle-safe grates and Eco Type N curb heads where applicable. The Contractor agreed to submit a cost for providing and installing these 13 heads and grates, as shown on attached Drawing E-8477. The Contractor should also include any cost for repairing any damage to the existing curb or pavement that may occur as a result of this work, and the cost of removing and disposing of the existing catch basin head and grate in accordance with applicable laws.
8. The Borough intends to replace the existing catch basins on the east and west sides of Jackson Place at Westville Avenue with new bicycle-safe grates and Eco Type N curb heads where applicable. The Contractor agreed to submit a cost for providing and installing these two heads and grates. The Contractor should also include any cost for repairing any damage to the existing curb or pavement that may occur as a result of this work, and the cost of removing and disposing of the existing catch basin head and grate in accordance with applicable laws.
9. The Contractor must advise us at least 24 hours before starting work on the construction items noted above.

Very truly yours,

CREW ENGINEERS, INC.



Gerard J. Rolling, P.E.

GJR:js

Enclosure

cc: Reivax Contracting Corp. *vv/enc1*

E:\Wpdocst\Letter\carelli CLD008.may.doc



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-146

Date of Adoption: July 1, 2014

TITLE:

RESOLUTION CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY HAVE REVIEWED, AT A MINIMUM, THE GENERAL COMMENTS AND RECOMMENDATIONS SECTIONS OF THE FISCAL YEAR 2013 ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the *Borough Council* of the *Borough of Caldwell*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

STATE OF NEW JERSEY
COUNTY OF ESSEX

We, members of the governing body of the Borough of Caldwell, in the County of Essex, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the Borough Council of the Borough of Caldwell, in the County of Essex;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2013;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.) _____	(L.S.) _____
(L.S.) _____	(L.S.) _____
(L.S.) _____	(L.S.) _____
(L.S.) _____	(L.S.) _____
(L.S.) _____	(L.S.) _____

Lisa O'Neill – Deputy Clerk

Sworn to and subscribed before me this

_____ Day of _____

Notary Public of New Jersey

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

BOROUGH OF CALDWELL

PART III

COMMENTS AND RECOMMENDATIONS

YEAR ENDED DECEMBER 31, 2013

BOROUGH OF CALDWELL
COMMENTS AND RECOMMENDATIONS

Contracts and Agreements Required to be Advertised for N.J.S.A. 40A:11-4

N.J.S.A. 40A:11-3 states:

a. " When the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by a purchasing agent when so authorized by ordinance or resolution, as appropriate to the contracting unit, of the governing body of the contracting unit without public advertising for bids, except that the governing body of any contracting unit may adopt an ordinance or resolution to set a lower threshold for the receipt of public bids or the solicitation of competitive quotations. If the purchasing agent is qualified pursuant to Subsection b. of Section 9 of P.L. 1971, C.198 (N.J.S.A. 40A:11-9), the governing body of the contracting unit may establish that the bid threshold may be up to \$25,000. Such authorization may be granted for each contract or by a general delegation of the power to negotiate and award such contracts pursuant to this section.

b. Any contract made pursuant to this section may be awarded for a period of 24 consecutive months, except that contracts for professional services pursuant to subparagraph (i) of paragraph (a) of subsection (1) of section 5 of P.L. 1971, C.198 (N.J.S.A. 40A:11-5) may be awarded for a period not exceeding 12 consecutive months. The Division of Local Government Services shall adopt and promulgate rules and regulations concerning the methods of accounting for all contracts that do not coincide with the contracting unit's fiscal year.

c. The Governor, in consultation with the Department of the Treasury, shall, no later than March 1 of every fifth year beginning in the fifth year after the year in which P.L.1999, C.440 takes effect, adjust the threshold amount and the higher threshold amount which the governing body is permitted to establish, as set forth in subsection a. of this section, or the threshold amount resulting from any adjustment under this subsection, in direct proportion to the rise or fall of the index rate as that term is defined in section 2 of P.L. 1971, C.198 (N.J.S.A. 40A:11-2), and shall round the adjustment to the nearest \$1,000. The Governor shall, no later than June 1 of every fifth year, notify each governing body of the adjustment. The adjustment shall become effective on July 1 of the year in which it is made."

N.J.S.A. 40A: 11-4 states: "Every contract awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body of the contracting unit to the lowest responsible bidder after public advertising for bids and bidding therefore, except as is provided otherwise in this act or specifically by any other law. The governing body of a contracting unit may, by resolution approved by a majority of the governing body and subject to subsections b. and c. of this section, disqualify a bidder who would otherwise be determined to be the lowest responsible bidder, if the governing body finds that it has had prior negative experience with the bidder."

Effective January 1, 2011 and thereafter, the bid threshold in accordance with N.J.S. 40A:11-3 and 40A:11-4 (as amended) is \$17,500 and with a qualified purchasing agent the bid threshold may be up to \$36,000.

The governing body of the municipality has the responsibility of determining whether the expenditures in any category will exceed the threshold within the fiscal year. Where question arises as to whether any contract or agreement might result in violation of the statute, the Borough attorney's opinion should be sought before a commitment is made.

The minutes indicated that bids were requested by public advertising per N.J.S.A. 40A:11-4. The minutes also indicated that resolutions were adopted and advertised authorizing the awarding of contracts or agreements for "Professional Services" and "Extraordinary Unspecifiable Services" per N.J.S.A. 40A:11-5.

Inasmuch as the system of records did not provide for an accumulation of payments for categories for the performance of any work or the furnishing or hiring of any materials or supplies, the results of such an accumulation could not reasonably be ascertained. Disbursements were reviewed, however, to determine whether any clear-cut violations existed. None were noted.

BOROUGH OF CALDWELL
COMMENTS AND RECOMMENDATIONS
(Continued)

Collection of Interest on Delinquent Taxes, Utility Rents and Assessments

The statute provides the method for authorizing interest and the maximum rates to be charged for the nonpayment of taxes, utility charges or assessments on or before the date when they would become delinquent.

On January 1, 2013, the governing body adopted the following resolution authorizing interest to be charged on delinquent taxes and utility charges:

"BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ pursuant to R.S. 54:4-67, as amended and supplemented, that the rate of interest to be charged for the non-payment of taxes or assessments on or after the date when they become delinquent shall be as follows:

1. No interest shall be charged if payment of any installment so due is made within ten (10) days of the date the same shall be payable; and
2. Upon expiration of the ten (10) day period as aforesaid, the rate of interest shall be eight (8) percent on the first \$1,500.00 of the delinquency and eighteen (18) percent thereafter on any amount in excess of \$1,500; and
3. A penalty shall be charged to a taxpayer with a delinquency in excess of \$10,000 who fails to pay that delinquency prior to the end of the calendar year in the amount of 6% of the delinquency.

FURTHER, BE IT RESOLVED that

4. Any water or sewer account remaining unpaid after due date on each billing shall be subject to a penalty of ten (10) percent of the unpaid balance."

It appears from tests of the Collector's records that interest was collected in accordance with the foregoing resolution.

Delinquent Taxes and Tax Title Liens

An accelerated tax sale was held on December 20, 2013.

The following comparison is made of the number of tax title liens receivable on December 31, of the last three years:

Year	Number of Liens
2013	-0-
2012	-0-
2011	-0-

Verification of Delinquent Taxes and Other Charges

A test verification of delinquent charges and current payments was made in accordance with the regulations of the Division of Local Government Services, including the mailing of verification notices as follows:

Type	Number Mailed
Payment of 2013 and 2014 Taxes	30
Payment of 2013 and 2014 Water Rents	20
Payment of 2013 Excess Sewer Rents	15

BOROUGH OF CALDWELL
COMMENTS AND RECOMMENDATIONS
(Continued)

New Jersey Administrative Code Accounting Requirements

The Division of Local Government Services has established three (3) accounting requirements which are prescribed by the New Jersey Administrative Code. They are as follows:

1. Maintenance of an encumbrance accounting system.
2. Fixed assets accounting and reporting system.
3. General ledger accounting system.

The Borough maintains encumbrance, fixed assets and general ledger accounting systems.

Finance Records

Capital Ordinances

There are several ordinances over five years old that have unexpended balances at December 31, 2013 which had no activity during the year. As the Borough has reviewed these ordinances and has adopted a resolution to cancel these unexpended ordinance balances in 2014, a formal recommendation is not deemed necessary.

Internal Controls

During our review of vouchers, we noted that certain vouchers were approved after goods were received or services performed. It is recommended that extra care be taken to ensure all vouchers are approved before goods are ordered or services are performed.

Management's Response

The Borough has already taken steps to ensure that prior approval is obtained before orders are placed or services performed.

The Borough has not prepared formal standard operating policies and procedures with respect to the accounting functions. However, as the Borough is in the process of drafting formal standard operating policies and procedures, a formal recommendation is not deemed necessary.

Outside Offices

During our review of the Community Center operations, we noted that individual log-ons are not assigned for each employee who utilizes the same Community Center cash drawer. Also, corrections to postings of receipts in the Community Center's accounting software are approved by either the Community Center Director or the Front Desk Supervisor, who are not independent of collections. However, their involvement with cash collections is kept to a minimum. In 2012, the Borough installed security cameras in certain areas of the Community Center, including the front desk where cash is collected. It is recommended that each employee who is designated to collect funds at the Community Center is at least assigned an individual log on within the registration software. Also, the cash drawer should be formally proven at the end of each employee's assignment to the cash drawer at the Community Center. Consideration should be given to assigning individual cash drawers to each Community Center employee responsible for collections. Corrections to postings of receipts in the Community Center's accounting software be approved by a Community Center employee independent of collections.

BOROUGH OF CALDWELL
COMMENTS AND RECOMMENDATIONS
(Continued)

Outside Offices (Cont'd)

Management's Response

The Borough will continue to evaluate job duties and systems controls at the Community Center, including the possibility of a central cashier.

Sewer Utility Operating

The Borough does not have formal written sewer fees contracts with the various municipalities in which sewer rates and terms are established to help ensure collection of sewer billings. It is recommended that the Borough implement formal written contracts with the various municipalities for sewer fees.

Management's Response

The Borough is in the process of negotiating contract terms with the various municipalities.

As of December 31, 2013, the Borough has a large sewer rents receivable balance that has not been collected as of the date of this audit. However, since the Borough has subsequently passed a resolution to cancel this receivable, a formal recommendation is not warranted.

Municipal Court

The report of the Municipal Court has been forwarded to the Division of Local Government Services and the Borough Magistrate under separate cover. Reflected below is a summary of receipts and disbursements for the year ended December 31, 2013.

RECEIPTS AND DISBURSEMENTS FOR THE YEAR ENDED DECEMBER 31, 2013

	<u>Balance</u> <u>Dec. 31, 2012</u>	<u>Receipts</u>	<u>Disbursements</u>	<u>Balance</u> <u>Dec. 31, 2013</u>
Municipal Treasurer:				
Fines and Costs	\$ 18,033.79	\$ 301,502.88	\$ 298,493.75	\$ 21,042.92
P.O.A.A. Fines	132.00	1,850.00	1,860.00	122.00
Public Defender				
State Treasurer	14,021.71	209,272.62	207,347.25	15,947.08
County Treasurer	3,785.50	70,563.50	69,281.00	5,068.00
Conditional Discharge Fee	173.00		173.00	
Weights and Measures		500.00	500.00	
Restitution		50.00	50.00	
Cash Bail	1,659.00	28,130.00	29,294.00	495.00
	<u>\$ 37,805.00</u>	<u>\$ 611,869.00</u>	<u>\$ 606,999.00</u>	<u>\$ 42,675.00</u>

BOROUGH OF CALDWELL
COMMENTS AND RECOMMENDATIONS
(Continued)

Municipal Court (Cont'd)

During our review of the Municipal Court records, we noted the following:

- a. There were a large number of tickets on the tickets assigned to an officer but not issued report which had been issued over six months ago. Also, certain tickets selected for testing could not be located.
- b. During our review of the bank reconciliations for the regular account, we noted that there are reconciling differences beginning in September of 2013. Also, a list of outstanding checks was not available with the December 2013 bank reconciliation.
- c. During our review of the Bail account, we noted that there are a number of items of bail held on account that related to cases that appeared to have been closed in prior years. We also noted that the total outstanding bail on account does not agree with the reconciled book balance for the bail account.

It is recommended that:

- a. The Court Administrator pursue collection of the older tickets on the tickets assigned to an officer but not issued report so that these tickets may be voided and pursue disposition of any tickets on these reports which cannot be located.
- b. Reconciling differences be investigated and resolved and a list of outstanding checks be available for review for the regular account.
- c. Older items of bail held on account be investigated and refunded or forfeited as deemed appropriate. Also, the total outstanding bail on account be reconciled with the bail account book balance on a monthly basis.

Management's Response

The Court Administrator will pursue collection from the respective officers of the older tickets on the tickets assigned to an officer but not issued report so they may be voided and pursue disposition of any tickets which cannot be located. Also, the Court Administrator will review and resolve the reconciling differences and ensure that a list of outstanding checks is available for each month's bank reconciliation. Additionally, the Court Administrator will review and resolve older bail items held on account and ensure that the total outstanding bail on account is reconciled with the bail cash balance on a monthly basis.

Management Suggestion

Outside Departments

Not all outside departments prepare and submit monthly reports to the Finance Office. It is suggested that all outside departments prepare and submit monthly reports to the Finance Office to ensure reconciliation with the Treasurer's records.

BOROUGH OF CALDWELL
COMMENTS AND RECOMMENDATIONS
(Continued)

Status of Prior Year Recommendations (Cont'd)

The Borough has initiated a corrective action plan to resolve comments and recommendations from the 2012 audit report. The following prior year recommendations were resolved during the current year: 2a (with respect to cancellation of older grant receivable and appropriated reserve balances), 2b (with respect to the reconciliation of cash disbursement records with the general ledger), 2c (with respect to the liquidation of interfunds), 3 (with respect to cancellation of older capital ordinances), 4a (with respect to obtaining required signatures on vouchers), 4b (with respect to formal standard operating policies and procedures), 5a (with respect to reconciliation of pension withholdings), 5b (with respect to net payroll balances), 5c (with respect to proper charge of salaries and fringe benefits) and 7b (with respect to the cancellation of the sewer rents receivable). The remaining prior year recommendations have been repeated in the current year's audit and corrective action with respect to these recommendations is in the process of being implemented.

BOROUGH OF CALDWELL
SUMMARY OF RECOMMENDATIONS

It is recommended that:

1. Consideration be given to providing for a more adequate segregation of duties with respect to the recording and treasury functions.
2. Internal Controls:
 - a. All vouchers are approved before goods are ordered or services are performed.
3. Each employee who is designated to collect funds at the Community Center is at least assigned an individual log on within the registration software. Also, the sole cash drawer should be formally proven at the end of each employee's assignment to the cash drawer at the Community Center. Consideration should be given to assigning individual cash drawers to each Community Center employee responsible for collections. Corrections to postings of receipts in the Community Center's accounting software be approved by a Community Center employee independent of collections.
4. Sewer Operating Utility:
 - a. The Borough implement formal written contracts with the various municipalities for sewer fees.
5. Municipal Court:
 - a. The Court Administrator pursue collection of the older tickets on the tickets assigned to an officer but not issued report so that these tickets may be voided and pursue disposition of any tickets on these reports which cannot be located.
 - b. Reconciling differences be investigated and resolved and a list of outstanding checks be available for review for the regular account.
 - c. Older items of bail held on account be investigated and refunded or forfeited as deemed appropriate. Also, the total outstanding bail on account be reconciled with the bail account book balance on a monthly basis.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-147

Date of Adoption: July 1, 2014

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 13-00016 BLOCK 54, LOT 1.10

WHEREAS, at the Borough of Caldwell Tax Sale held on December 27, 2013, a lien was sold on Block 54, Lot 1.10 also known as 8 Westbrook Drive in Caldwell, NJ for delinquent Water; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00016, was sold to US BANK CUST-PROCAPITAL 11, LLC US TLSG; and

WHEREAS, the HOMEOWNERS BANK has effected redeemed the Certificate 13-00016 in the amount of \$933.68; and

WITH A PREMIUM AMOUNT OF \$800.00 TO ALSO BE RETURNED TO THE LIEN HOLDER.

NOW THEREFORE BE IT RESOLVED that authorization is hereby given to issue a check in the amount of \$1733.68 payable to US BANK CUST-PROCAPITAL 11, LLC US BANK TLSG for the redemption of Tax Sale Certificate 13-00016

Certificate 13-00016

PRINCIPAL.....	\$	881.68
RECORDING FEES.....	\$	52.00
PREMIUM.....	\$	<u>800.00</u>
 TOTAL REDEMPTION.....	\$	1,733.68

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

LERETA

1123 Park View Drive
Covina, CA 91724
(800) 537-3821

EastWest Bank

161475

Date 6/9/2014 Pay Amount *****933.68*

Pay *NINE HUNDRED THIRTY-THREE AND 68 / 100

CALDWELL BOROUGH
TAX COLLECTOR
1 PROVOST SQ
CALDWELL, NJ 07006

Brown

⑈ 16 14 75 ⑈ ⑆ 3 2 20 70 38 ⑈ ⑆ 800 30 19950 ⑈

BOROUGH OF CALDWELL

06/12/14 10:27 Lien Pymt

BLQ: 54. 1.10
Cert: 13-00016

LERETA PAID

14 Lien Fees-Prin	52.00
14 Cost-Int	1.30
14 Water-Prin	802.43
14 Water-Int	12.95
14 Cost-Prin	65.00

	933.68

Chk#: 161475
Ref Num: 19788 Seq: 18 to 22

Cash Amount:	0.00
Check Amount:	933.68
Credit Amount:	0.00

Total: 933.68

April 24, 2014
09:22 AM

Page No: 1

BOROUGH OF CALDWELL
Lien Redemption Work Sheet

Certificate: 13-00016
Prop Loc: 8 WESTBROOK DRIVE

Owner: CONNELLY, NGUYEN & CHRISTINE L.
Address: 8 WESTBROOK DRIVE
CALDWELL, NJ 07006

Type of Lien: Outside
Interest Rate: 0.00
Apr 2: N
Premium: 800.00

Block/Lot/Qual: 54.
Sale Date: 12/27/13
Redemption Calculation Date: 06/20/14
Include Current Charges: N

1.10
Holder Name: US BANK CUST-PROCAPITAL 11, LLC
Address: U.S. BANK TISG
50 SOUTH 16TH ST. SUITE 1950
PHILADELPHIA, PA 19102

Holder Id: 00033

TAX SALE CERTIFICATE:

Balance Type	Principal	Interest	Total
water	462.65	57.34	519.99
		Cost: 65.00	
		Total Certificate:	584.99
#Days: 173 Per Diem:	0.000000	Int on Cert:	0.00
		Redemption Penalty (2.00 %):	11.70
		Total:	596.69

SUBSEQUENT CHARGES:

Balance Type	Year Prd	Date	Prin/Penalty	Interest Rate	Per Diem	#Days	Interest	Total
water	2013	4 03/11/14	115.86	8.00	0.025747	99	2.55	118.41
		Total:	115.86				2.55	118.41

BALANCE TYPE SUMMARY:

	Certificate Total & Subseq. Prin/Penalty	Interest	Total
Certificate water	519.99	0.00	519.99
Subseq Water	115.86	2.55	118.41
Total water	635.85	2.55	638.40
Certificate Cost	65.00	0.00	65.00

LIEN REDEMPTION:

Principal: 700.85
Redemption Penalty (2.00 %): 11.70
Interest: 2.55
Recording Fees: 52.00
TOTAL REDEMPTION: 767.10

Total Per Diem: 0.025747

\$933.68

+
+
151.44
15.14

\$933.68

valid until 6/20/2014

Lien
was
freed



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-148

Date of Adoption: July 1, 2014

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 13-00012 BLOCK 41.01, LOT 19

WHEREAS, at the Borough of Caldwell Tax Sale held on December 27, 2013, a lien was sold on Block 41.01, Lot 19 also known as 39 Prospect Street in Caldwell, NJ for delinquent Water; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00012, was sold to US BANK CUST-PROCAPITAL 11, LLC US TLSG; and

WHEREAS, the HOMEOWNERS BANK has effected redeemed the Certificate 13-00012 in the amount of \$959.71; and

WITH A PREMIUM AMOUNT OF \$800.00 TO ALSO BE RETURNED TO THE LIEN HOLDER.

NOW THEREFORE BE IT RESOLVED that authorization is hereby given to issue a check in the amount of \$1759.71 payable to US BANK CUST-PROCAPITAL 11, LLC US BANK TLSG for the redemption of Tax Sale Certificate 13-00012

Certificate 13-00012

PRINCIPAL.....	\$ 907.71
RECORDING FEES.....	\$ 52.00
PREMIUM.....	\$ <u>800.00</u>
 TOTAL REDEMPTION.....	 \$ 1,759.71

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

June 18, 2014
11:26 AM

BOROUGH OF CALDWELL
Lien Redemption work Sheet

Certificate: 13-00012
Prop Loc: 39 PROSPECT STREET

Owner: MONTANEZ, EDGAR & ANNA
Address: 39 PROSPECT STREET
CALDWELL, NJ 07006

Type of Lien: Outside
Interest Rate: 0.00
Apr 2: N
Premium: 800.00

Block/Lot/Qual: 41.01 19.
Sale Date: 12/27/13
Redemption Calculation Date: 06/20/14
Include Current Charges: N

Holder Name: US BANK CUST-PROCAPITAL 11, LLC
Address: U.S. BANK TLSG
50 SOUTH 16TH ST. SUITE 1950
PHILADELPHIA, PA 19102

Holder Id: 00033

TAX SALE CERTIFICATE:

Balance Type	Principal	Interest	Total
Water	461.76	46.18	507.94
		Cost:	<u>65.00</u>
		Total Certificate:	572.94
#Days: 173 Per Diem:	0.000000	Int on Cert:	0.00
		Redemption Penalty (2.00 %):	<u>11.46</u>
		Total:	584.40

SUBSEQUENT CHARGES:

Balance Type	Year	Prd	Date	Prin/Penalty	Interest Rate	Per Diem	#Days	Interest	Total
Water	2013	4	03/11/14	144.00	8.00	0.032000	99	3.17	147.17
Water	2014	1	05/27/14	<u>176.08</u>	8.00	0.039129	23	<u>0.90</u>	<u>176.98</u>
			Total:	320.08				4.07	324.15

BALANCE TYPE SUMMARY:

	Certificate Total & Subseq. Prin/Penalty	Interest	Total
Certificate Water	507.94	0.00	507.94
Subseq Water	<u>320.08</u>	<u>4.07</u>	<u>324.15</u>
Total Water	828.02	4.07	832.09
Certificate Cost	65.00	0.00	65.00

LIEN REDEMPTION:

Principal: 893.02
 Redemption Penalty (2.00 %): ~~10.12~~ 10.62
 Interest: 4.07
 Recording Fees: 52.00
 TOTAL REDEMPTION: ~~908.94~~
 Total Per Diem: 0.071129

959.71

959.71
 + 800 - Prem

1759.71



SELECT PORTFOLIO - 48100
 1123 S. Park View Drive
 Covina, CA 91724
 PH: (888)-270-6557
 FAX: (626) 543-1091
 5

CALDWELL BOROUGH
 1 PROVOST SQ
 CALDWELL, NJ 07006-5103
 TAX COLLECTOR
 973-403-6721

Lien Redemption Cert # 13-00012

Loan Number: 0013310685 Contract Number: 17406653
 Borrower: EDGAR MONTANEZ
 Property Address: 39 PROSPECT ST CALDWELL NJ 07006
 Tax ID: BLOCK 00041 01 LOT 00019
 Bill#:

<u>YEAR</u>	<u>INSTALLMENT</u>	<u>BASE AMOUNT</u>	<u>PEN/INT</u>	<u>TOTAL</u>
2013 LIEN	WATER	\$ 655.11	\$ 304.60	\$ 959.71
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
<u>TOTAL</u>				<u>\$ 959.71</u>

Service Provided by LERETA LLC, Tax and Flood Services
 Please contact us at 888-270-6557 if you have any questions with our payment



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 7-149

Date of Adoption: July 1, 2014

TITLE:

AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK’S OFFICE – Precision Motors, 91Bloomfield Avenue, Caldwell, NJ – Kenneth Naspo

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby approve the application for issuance of a motor vehicle lot license to Precision Motors., Kenneth Naspo, 91 Bloomfield Avenue, Caldwell, New Jersey in accordance with the application filed. Applicant and application has been investigated and approved by the Police Department, Construction Department and the Borough Clerk’s office.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-150

Date of Adoption: July 1, 2014

TITLE:

RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE FISCAL YEAR 2013 AUDIT REPORT

WHEREAS, the Division of Local Government Services requires the Chief Financial Officer to file a “Corrective Action Plan”, attached hereto, outlining the actions to be taken by the Borough relative to the findings and recommendations in the annual audit report; and

WHEREAS, the “Corrective Action Plan” shall be prepared by the Chief Financial Officer with assistance from other officials affected by the audit findings and recommendations; and

WHEREAS, the governing body is required by resolution, to approve the “Corrective Action Plan”; and

WHEREAS, the “Corrective Action Plan”, as prepared by the Chief Financial Officer and approved by the governing body, shall be placed on file and made available for public inspection in the office of the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, in the County of Essex, State of New Jersey that it hereby approves the “Corrective Action Plan” for the Fiscal Year 2013 Audit Report submitted by the Chief Financial Officer.

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
Corrective Action Plan

Borough of Caldwell
County of Essex
Audit Report Year: December 31, 2013

Department: Finance/Administration
Respondent: Chris Battaglia/Paul Carelli

Finding 2013-01:

The borough does not maintain an adequate segregation of duties with respect to the recording and treasury functions.

Explanation and Corrective Action Plan

The Borough Administrator will work to reassign duties to allow for separation of functions that place too much control over a transaction or class of transactions that would enable a person to perpetuate errors and prevent detection within a reasonable period of time. The Borough is exploring the option of filling a full-time cashiering position.

Status/Date Completed: Ongoing

Comments and Recommendations:

Finance Records:
Respondent: Chris Battaglia

Finding 1:

Certain vouchers were approved after goods were received or services performed.

Recommendation:

Extra care be taken to ensure all vouchers are approved before goods are ordered or services performed.

Explanation and Corrective Action Plan

The borough has implemented an electronic requisitioning procedure through the Edmunds financial software. All departments have received training on entering requisitions properly prior to ordering goods or services.

Date Initiated February 2014

Status/Date Completed: Completed

Outside Offices:

Department: Community Center

Respondent: Robert Paterson

Finding 2: Community Center

Individual log ons are not assigned for each employee who utilizes the one Community Center cash drawer. Also, corrections to postings of receipts in the Community Center's accounting software are approved by either the Community Center Director or the Front Desk Supervisor, who are not independent of collections.

Recommendation:

It is recommended that each employee who is designated to collect funds at the drawer is at least assigned an individual log on within the registration software. Also, the sole cash drawer should be formally proven at the end of each employee's assignment to the cash drawer at the Community Center. Consideration should be given to assigning individual cash drawers to each Community Center employee responsible for collections. Corrections to postings of receipts in the Community Center's accounting software be approved by a Community Center employee independent of collections.

Explanation and Corrective Action Plan

Transactions entered into software are time-stamped and labeled with employee initials. A scheduling overlap has been implemented to allow the subsequent employee to reconcile the cash drawer prior to taking over collections. All transactions are monitored with video surveillance.

Date Initiated: July 2013

Status/Date Completed: Ongoing

Department: Sewer

Respondent: Greg Seaman

Finding 3: Sewer Utility

The Borough does not have formal written sewer fees contracts with the various municipalities in which sewer rates and terms are established to help ensure collection of sewer billings.

Recommendation:

It is recommended that the Borough has formal written contracts with the various municipalities for sewer fees.

Explanation and Corrective Action Plan

The Borough will obtain formal written contracts with the various municipalities for sewer fees.

Date Initiated Immediately

Status/Date Completed: Ongoing

Department: Municipal Court
Respondent: Leanne O'Hern

Finding 4: Municipal Court

There were a large number of tickets on the tickets assigned to an officer but not issued report which has been issued over six months ago. Also, certain tickets selected for testing could not be located.

Recommendation:

It is recommended that the Court Administrator pursues collection of the older tickets on the tickets assigned to an officer but not issued report so that these tickets may be voided and pursue disposition of any tickets on these reports which cannot be located.

Explanation and Corrective Action Plan

The court administrator will pursue collection from the respective officers of the older tickets on the tickets assigned to an officer but not issued report.

Date Initiated Immediately

Status/Date Completed: Ongoing

Finding 5: Municipal Court

There are reconciling differences beginning in September 2013. A list of outstanding checks was not available with the December 2013 Bank Reconciliation.

Recommendation:

Reconciling differences be investigated and resolved and a list of outstanding checks be available for review for the regular account.

Explanation and Corrective Action Plan

The court administrator will review and resolve reconciling differences. The court administrator will take extra care to make available a list of outstanding checks.

Date Initiated Immediately

Status/Date Completed: Ongoing

Finding 6: Municipal Court

There are older reconciling items on the bank reconciliations that are more than one year old.

Recommendation:

It is recommended that older items of bail held on account be investigated and refunded or forfeited as deemed appropriate.

Explanation and Corrective Action Plan

The court administrator will review and resolve older bail held on account.

Date Initiated Immediately

Status/Date Completed: Ongoing

Prepared by: Chris Battaglia

Dated: June 19, 2014



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-151

Date of Adoption: July 1, 2014

TITLE:

AUTHORIZING THE CHANGE OF STATUS FROM PROBATIONARY POLICE OFFICER TO FULL POLICE OFFICER IN THE CALDWELL POLICE DEPARTMENT FOR ROBERT ADAMS HIRED ON JULY 1, 2013

WHEREAS, the Borough Council of the Borough of Caldwell, New Jersey authorized the employment of Robert Adams as a Probationary Police Officer in the Caldwell Police Department effective July 1, 2013; and

WHEREAS, the Probationary Police Officer has successfully completed his first year of service and has shown complete competence to effectively perform his duties and responsibilities as a sworn officer; and

WHEREAS, the one year probationary period expired on June 30, 2014; and

WHEREAS, Police Chief James Bongiorno has recommended the probationary status be removed from Officer Robert Adams and he be granted full police privileges in the Caldwell Police Department.

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the change of status from Probationary Police Officer to full Police Officer in the Caldwell Police Department.

BE IT FURTHER RESOLVED that the change of status is effective July 1, 2014.

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: 7-152

Date of Adoption: July 1, 2014

TITLE:

RESOLUTION - IN SUPPORT OF THE SUBMITTAL OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A SAFE ROUTES TO SCHOOL GRANT

WHEREAS, grant fund are available through the New Jersey Department of Transportation's Safe Routes to School Program; and

WHEREAS, the Caldwell-West Caldwell Board of Education, with the support of the Township of West Caldwell and the Borough of Caldwell, has recommended that an application be submitted for funding for:

- Sidewalk on Prospect Street, Caldwell, from Grover Cleveland Middle School to cemetery;
Sidewalk on Prospect Street, West Caldwell, from Jefferson School building to end of property;
Sidewalk on Thomas Street, Caldwell, from end of Grover Cleveland Middle School to cemetery;
Sidewalk on Bloomfield Avenue, Caldwell, at back of Lincoln School property;
Sidewalk on Central Avenue, West Caldwell, from edge of Washington School property to Taylor Ave.;
Sidewalk on Westville Avenue, West Caldwell, from James Caldwell High School to Passaic Avenue;
Sidewalk on Erwin Place, Caldwell, in vicinity of Lincoln School;
Signage in various locations to enhance pedestrian safety;
Bike lanes near Jefferson School, Wilson School, Grover Cleveland Middle School, and James Caldwell High School;
Bike racks at Jefferson School, Wilson School, Grover Cleveland Middle School, and James Caldwell High School; and

WHEREAS, the installation of these improvements will make travel routes to school much safer for students and enhance all pedestrian safety in the Township and Borough;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Caldwell, in the County of Essex, as follows:

- 1. That the application submitted by the Caldwell-West Caldwell Board of Education be supported and endorsed by the Borough of Caldwell.

It is hereby certified that at a regular meeting of the Mayor and Council of the Borough of Caldwell, New Jersey being held on the date of 7/1/14 the foregoing Resolution was duly adopted.

Lisa O'Neill, Borough Clerk

The foregoing Resolution, having been duly presented to me on 7/1/14, I hereby approve the same.

Ann Dassing, Mayor

RECORD OF COUNCIL VOTE

Councilman: presented the following resolution - Seconded by Councilman:

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Table with 10 columns for council members and their votes (Yes, No, Absent, Abstain). Rows include Hauser, O'Donnell, Kelley, Rodgers, Durkin, and Capozzoli.

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.