



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS
MEETING July 15, 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 - REVISED

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

July 15, 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

July 1, 2014

PUBLIC HEARING OF GREEN ACRES LANDSCAPING PLAN

Public Hearing on Landscaping Plan – 27 Personette Street

INTRODUCTION OF ORDINANCES

ORDINANCE #1298-14: CAPITAL ORDINANCE OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NJ AUTHORIZING PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CALDWELL, APPROPRIATING THEREFOR THE SUM OF \$32,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND

PUBLIC HEARING AND ADOPTION OF ORDINANCES

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

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.

7-153	AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Caldwell Public Library Foundation
7-154	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Grover Cleveland Park Conservancy / Off Premise – 50/50 Raffle, July 30, 2014 – 6:00PM – 10:00PM



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA - REVISED

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

July 15, 2014 / 7:00PM

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser - President
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7-155	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – St. Aloysius Church/ Off Premise – 50/50 Raffle, September 21, 2014 – 4:00PM
7-156	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell Public Library Foundation/ Off Premise – 50/50 Raffle, October 11, 2014 – 10:30PM
7-157	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 13-00005 BLOCK 15, LOT
7-158	RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT DUE TO DUPLICATE PAYMENT OF TAXES ON BLOCK 46, LOT 18, FOR PROPERTY AT 108 WESTVILLE AVENUE, JOHN J. ALWORTH
7-159	AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH JULY 15, 2014 FOR 2013/2014 BILLS IN THE TOTAL AMOUNT OF \$8,121,431.19
7-160	AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO T&M ASSOCIATES TO PROVIDE ENGINEERING SERVICES FOR THE INVESTIGATION OF THE BOROUGH'S SANITARY SEWERS IN THE AREA OF PASSAIC AVENUE AND WESTVILLE AVENUE
7-161	RESOLUTION ENDORSING THE ADOPTION OF AN ENVIRONMENTALLY PREFERABLE PURCHASING POLICY (GREEN PURCHASING POLICY) IN THE BOROUGH OF CALDWELL
7-162	RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT FOR SURVEYING SERVICES FOR PROPOSED STREET LIGHT IMPROVEMENTS ALONG BLOOMFIELD AVENUE WITHIN THE BOROUGH OF CALDWELL
7-163	RESOLUTION AUTHORIZING A TWO YEAR EXTENSION OF EXISTING CONTRACT WITH BATTAGLIA ASSOCIATES, LLC FOR FINANCIAL MANAGEMENT SERVICES FOR THE BOROUGH OF CALDWELL
7-164	RESOLUTION TO ADOPT THE SUSTAINABLE JERSEY GREEN GROUNDS AND MAINTENANCE POLICY

COUNCIL COMMITTEE REPORTS

Borough Council Members

REPORT OF MAYOR

Mayor Dassing

REPORT OF BOROUGH ADMINISTRATOR

Paul M. Carelli



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA - REVISED

Phone: (973) 226-6100
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July 15, 2014 / 7:00PM

MAYOR
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Frank Rodgers
Edward Durkin
Pasquale Capozzoli

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

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 7/11/2014 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 7/11/2014 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – July 1, 2014**

Page 1 of 3

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

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

ALSO PRESENT: Deputy Clerk, Lisa O'Neill, Borough Administrator and Paul Carelli and Attorney, Alan Trembulak

ABSENT: Councilman Kelley and Borough Attorney, Greg Mascera

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

PRESENTATIONS:

1. Millennium Strategies on Downtowns

APPROVAL OF MINUTES:

June 17, 2014

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 07/01/14.

PUBLIC HEARING AND ADOPTION OF ORDINANCES:

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli to open to the public for 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

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli. No Discussion. On roll call, all present voted in the affirmative. Ordinance Adopted 07/01/14.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

Moved by Councilman O'Donnell, seconded by Councilman Durkin to open to the Public for Consent Agenda

RESOLUTIONS – CONSENT AGEND

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

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

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – July 1, 2014**

Page 2 of 3

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

CONSENT

Moved by Councilman, O'Donnell seconded by Councilman Durkin. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 07/01/14.

Mayor Dassing reported that she submitted the second round of answers to questions that were received from the New Jersey Office of Emergency Management they have reviewed our original grant application for the brook stabilization and there were a number of comments that needed to be answered and satisfied. Glenn Beckmeyer and herself met on Thursday he was able to give her some of the answers and Bob Colaizzo was able to give her some answers they were interested in what historic properties were over there. We made the July 1st deadline and hopefully that is 2.7 million dollar ask. She thanked Mark Guiliano who took an extremely depictive video of the brook after a ½ hour rain storm and that's in the grant application and she also sent it to Governor Christy's office and she was told he would look at it. She is hoping that NJ OEM will move that down to the Governor's desk and he will move that to FEMA and we will at least get some money to begin this process shoring up those banks.

BOROUGH ADMINISTRATOR:

Paul Carelli reported on the Hanford Lot, part of the work has been completed the dumpsters have been removed, cleaning up area where the dumpsters were. They will be replacing the sidewalks and aprons. **Mayor** responded that they also have in their plans to replace the sidewalk in front of the parking lot where the butcher block is.

Last meeting we spoke about a letter from the DEP action plan – 408 Passaic Avenue, Greg has filed an extension and we have one proposal and were waiting for the 2nd one which just came in today. He will look them over and send to the Council and have a decision for the next meeting. He received proposals from Hatch Mott McDonald and T&M Associates.

He is finalizing the inter-local agreement with West Caldwell for the compost.

He attended a CDBG meeting and applications are due in July what we were proposing was a new bus for senior transportation. Councilman Hauser responded not to forget there are multiple Boroughs.

Glenn looked at Brookside Avenue and to elevate the pavement would be \$30,000.00.

He received two letters from a realtor in West Caldwell who has someone interested in the property we own property at Personette Street it's a little strip of land. The assessment of the lot is about \$225,000.

After discussion it was determined that the land has a storm drain on that property.

Paul would like to schedule a sewer board meeting on August 5th.

NEW BUSINESS:

Environmentally Preferable Purchasing Policy (Green Purchasing Policy)

Ann Marchioni, Environmental Commission reported that this is part of Sustainable New Jersey and this is a resolution not an ordinance. As far as the Green Grounds and Maintenance Policy we already have a component of that in order to get credit for what we already have done we will need to have this resolution in place. The compost already fits into one of the green grounds and maintenance.

REPORT OF POLICE CHIEF:

James Bongiorno gave an update on Sgt. Arnold and by the grace of god and the first responders, West Caldwell Police Department, Caldwell Police Department, and the First Aid Squad did a fabulous job transporting him to Mountainside Hospital. He then was transported to a rehabilitation center where he spent the last week and was released. He walked in today on his way to the doctors. He has made an amazing recovery. James thanked everyone including the Mayor, Councilman Capozzoli, Councilman O'Donnell, the Administrator and Lisa O'Neill who was also at the Hospital. Sgt. Arnold's family is overwhelmed by the ongoing support from the Mayor and Council and the Community who is absolutely amazing not only to Sgt. Arnold and his family but the PD too.

James also thanked the Rotary Club for their generous donation for a message board for the Police Department. He also congratulated two of his officers, officer Roberts and Officer DeAngelo they were honored for MADD, Mothers against Drunk Drivers for their continue fight for the calendar year 2013 for impaired driving. They had a nice ceremony in Middlesex at the Community College and he is very proud of them and they are a great asset to the department.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – July 1, 2014**

Page 3 of 3

Mayor Dassing thanked the Chief and his department for today and for all their help. Councilman O'Donnell asked the Chief to congratulate Officer Adams for his one year anniversary.

OPEN PUBLIC MEETING:

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli to open meeting to the Public.

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 8:42P.M.

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

DATE



BOROUGH OF CALDWELL NEW JERSEY



ORDINANCE# 1298-14

CAPITAL ORDINANCE OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NJ AUTHORIZING PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CALDWELL, APPROPRIATING THEREFOR THE SUM OF \$32,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND

BE IT ORDAINED by the Council of the Borough of Caldwell, County of Essex, State of New Jersey, (not less than 2/3 of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvements described in section 3 of this ordinance are hereby authorized as improvements to be made by the Borough of Caldwell in the County of Essex. For said improvements or purposes stated in section 3, there is hereby appropriated the sum of \$32,000.

SECTION 2. For financing of said improvements and to meet the costs and expenses in connection therewith, there is hereby appropriated the sum of \$32,000 from the following source by virtue of its availability for these purposes from funds provided in a budget or budgets of the Borough of Caldwell heretofore adopted:

Sewer Capital Improvement Fund \$32,000

SECTION 3. The improvements hereby authorized for which the aforesaid sum is appropriated are as follows:

Improvements related to the Passaic Avenue Sewer Overflow including all labor, material costs and appurtenances necessary and suitable thereto \$32,000

SECTION 4. Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

SECTION 5. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

SECTION 6. This capital ordinance shall take effect at the time and in the manner provided by law.

DATE OF FIRST READING: July 15, 2014
DATE OF PUBLICATION: July 24, 2014
MOVED:
SECONDED:

DATE OF SECOND READING: August 5, 2014
DATE OF ADOPTION: August 5, 2014
MOVED:
SECONDED:

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

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



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1297-14

AN ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE CHAPTER GOVERNING VEHICLES AND TRAFFIC

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

That Chapter 230, Section 59 of the Code of the Borough of Caldwell, New Jersey, "Schedule V: Prohibited Turns at Intersections" be amended as herein set forth:

Chapter 230, the Chapter governing Vehicles and Traffic is amended as follows so as to include a provision to prevent a left turn from Jackson Place:

Amend Section 59, Article V, Prohibited Turns at Intersections as follows:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Turn</u>	<u>Hours</u>	<u>At Intersection of</u>
Jackson Place	West	Left	All	Westville Avenue

- All Ordinances and/or Resolutions of the Borough of Caldwell, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
- If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

DATE OF FIRST READING: June 17, 2014
DATE OF PUBLICATION: June 26, 2014
MOVED:
SECOND:

DATE OF SECOND READING: July 15, 2014
DATE OF ADOPTION: July 15, 2014
MOVED:
SECONDED:

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

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-153

Date of Adoption: July 15, 2014

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 Public Library Foundation

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 Public Library Foundation
268 Bloomfield Avenue
Caldwell, New Jersey 07006

Event to Be Held:

Caldwell University
Alumni Theater
120 Bloomfield Avenue
Caldwell, New Jersey 07006

October 11, 2014
6:30PM – 11:00PM

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: 7-154

Date of Adoption: July 15, 2014

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE –Grover Cleveland Park Conservancy/ Off Premise – 50/50 Raffle, July 30, 2014 – 6:00PM – 10:00PM

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that the following be and is hereby granted a raffle license in accordance with the application filed. Applicant and application has been approved by the Borough Council.

RA-1288 Grover Cleveland Park Conservancy
Off Premise – 50/50 Raffle
July 30, 2014 – 6:00PM – 10:00PM

FURTHER BE IT RESOLVED that the Clerk be and is hereby authorized to sign a statement of Findings and Determination granting said license and the Borough Clerk be and is hereby authorized to sign said license.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-155

Date of Adoption: July 15, 2014

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – St. Aloysius Church/ Off Premise – 50/50 Raffle, September 21, 2014 – 4:00PM

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that the following be and is hereby granted a raffle license in accordance with the application filed. Applicant and application has been approved by the Borough Council.

RA-1289 St. Aloysius Church
Off Premise – 50/50 Raffle
September 21, 2014 – 4:00PM

FURTHER BE IT RESOLVED that the Clerk be and is hereby authorized to sign a statement of Findings and Determination granting said license and the Borough Clerk be and is hereby authorized to sign said license.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-156

Date of Adoption: July 15, 2014

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Caldwell Public Library Foundation/ Off Premise – 50/50 Raffle, October 11, 2014 – 10:30PM

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that the following be and is hereby granted a raffle license in accordance with the application filed. Applicant and application has been approved by the Borough Council.

RA-1287 Caldwell Public Library Foundation
Off Premise – 50/50 Raffle
October 11, 2014 – 10:30PM

FURTHER BE IT RESOLVED that the Clerk be and is hereby authorized to sign a statement of Findings and Determination granting said license and the Borough Clerk be and is hereby authorized to sign said license.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-157

Date of Adoption: July 1, 2014

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 13-00005 BLOCK 15, LOT 2

WHEREAS, at the Borough of Caldwell Tax Sale held on December 27, 2013, a lien was sold on Block 15, Lot 2 also known as 54 Forest Avenue in Caldwell, NJ for delinquent Water; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00005, was sold to US BANK CUST-PROCAPITAL 11, LLC US TLSG; and

WHEREAS, the HOMEOWNERS BANK has effected redeemed the Certificate 13-00005 in the amount of \$1959.28; and

WITH A PREMIUM AMOUNT OF \$1400.00 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 \$3,359.28 payable to US BANK CUST-PROCAPITAL 11, LLC US BANK TLSG for the redemption of Tax Sale Certificate 13-00005

Certificate 13-00005

PRINCIPAL.....	\$ 1,907.28
RECORDING FEES.....	\$ 52.00
PREMIUM.....	\$ <u>1,400.00</u>
 TOTAL REDEMPTION.....	 \$ 3,359.28

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

06/27/14 10:47 Lien Pymt

BLD: 15. 2.

Cert: 13-00005

CORELOGIC PAID

14 Lien Fees-Prin	52.00
14 Cost-Int	1.38
14 Water-Prin	1,799.31
14 Water-Int	37.68
14 Cost-Prin	68.91

1,959.28

Chk#: 1100065650

Ref Num: 19878 Seq: 1 to 5

Cash Amount:	0.00
Check Amount:	1,959.28
Credit Amount:	0.00

Total:	1,959.28

Certificate: 13-00005
Prop Loc: 54 FOREST AVENUE

Owner: STEVENS, JOHN & STEPHANIE
Address: 54 FOREST AVENUE
CALDWELL, NJ 07006

Type of Lien: Outside
Interest Rate: 0.00
Apr 2: N
Premium: 1,400.00

Block/Lot/Qual: 15. 2.
Sale Date: 12/27/13
Redemption Calculation Date: 07/02/14
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	851.80	93.69	945.49
		Cost: <u>68.91</u>	
		Total Certificate:	1,014.40
#Days: 185 Per Diem: 0.000000		Int on Cert:	0.00
		Redemption Penalty (2.00 %):	<u>20.29</u>
		Total:	1,034.69

SUBSEQUENT CHARGES:

Balance Type	Year Prd	Date	Prin/Penalty	Interest Rate	Per Diem	#Days	Interest	Total
Water	2013	4 03/11/14	485.60	8.00	0.107911	111	11.98	497.58
Water	2013	4 03/11/14	24.59	18.00	0.012295	111	1.36	25.95
Water	2014	1 05/27/14	<u>343.63</u>	18.00	0.171815	35	<u>6.01</u>	<u>349.64</u>
		Total:	853.82				19.35	873.17

BALANCE TYPE SUMMARY:

	Certificate Total & Subseq. Prin/Penalty	Interest	Total
Certificate Water	945.49	0.00	945.49
Subseq Water	<u>853.82</u>	<u>19.35</u>	<u>873.17</u>
Total Water	1,799.31	19.35	1,818.66
Certificate Cost	68.91	0.00	68.91

LIEN REDEMPTION:

Principal: 1,868.22
Redemption Penalty (2.00 %): 20.29
Interest: 19.35
Recording Fees: 52.00
TOTAL REDEMPTION: 1,959.28

Total Per Diem: 0.292021

Handwritten:
1959.28
+ 1400.00 Prem
3359.28



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-158

Date of Adoption: July 15, 2014

TITLE:

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT DUE TO DUPLICATE PAYMENT OF TAXES ON BLOCK 46, LOT 18, FOR PROPERTY AT 108 WESTVILLE AVENUE, JOHN J. ALWORTH.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that authorization is hereby given to refund the following tax overpayment to Homeowners Bank:

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REFUND AMOUNT</u>
Block 46 Lot 18	Ocwen Loan Serving, LLC Tax/Escrow Department P.O. Box 2466 West Palm Beach, FL 33416-4665	\$2,536.01

Total Refund \$2,536.01

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

Fax: OCWEN

From: OCWEN

To: [Signature]
To:

CALDWELL BOROUGH

Regarding:

John J Alworth

108 Westville Ave

Parcel# 00046.0000 00018.0000

Loan no. 7126083117

Sub: Request for refund

Dear Sir/Madam,

As per our records we have send payment IAO \$ 2536.01 of 2nd inst 2014 taxes as per below disbursement which is resulted into an overpayment, so kindly credit back the amt for the below mentioned mailing address..

Disbursement Method	Transaction	Amount	Credit	Debit	Payee	Parcel / PGI / CMI /	Batch Name	Batch Date	Net
	06/24/2014	2536.01			OCWEN	00046.0000 00018.0000	00046.0000 00018.0000	06/24/2014	

Refund should be mailed to:

OCWEN LOAN SERVICING, LLC.
Tax/Escrow Department
P.O.Box 24665
West Palm Beach FL 33416-4665

Any questions please feel free to contact me.

Thanks & Regards,

Jackson Lizen

Associate Tax,

OCWEN Loan Servicing,

Email: jackson.lizen@ocwen.com

Phone #: 1800-280-3863. Extn #: 64956

Phone #: 561-682-8880

Green!

really need to



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-159

Date of Adoption: July 15, 2014

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH JULY 15, 2014 FOR 2013/2014 BILLS IN THE TOTAL AMOUNT OF \$8,121,431.19

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

WHEREAS, certain bills which are contained on the bills list which is annexed hereto and incorporated herein have been submitted to the Borough of Caldwell for payment, and;

WHEREAS, pursuant to N.J.S.A. 40A:5:16, it has been certified to the governing body that the goods or services for which said bills were submitted have been received by or rendered to the Borough of Caldwell, and;

WHEREAS, the Director of Finance of the Borough of Caldwell has certified to the governing body that there are funds legally appropriated and available in the current operating budget for the payment of said bills and that the said payment will not result in the disbursement of public monies or in the encumbering of same in excess of the 2013 and/or 2014 appropriation for said purpose;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell that the Chief Financial Officer and Borough Administrator be and are hereby authorized to sign checks in payment of the bills set forth in the annexed schedule.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-160

Date of Adoption: July 15, 2014

TITLE:

AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO T&M ASSOCIATES TO PROVIDE ENGINEERING SERVICES FOR THE INVESTIGATION OF THE BOROUGH'S SANITARY SEWERS IN THE AREA OF PASSAIC AVENUE AND WESTVILLE AVENUE

WHEREAS, the Borough has determined that there is a need to hire an engineering firm to provide engineering services for the investigation of the borough's sanitary sewers in the area of Passaic Avenue and Westville Avenue; and

WHEREAS, it is the desire of the Borough Council of the Borough of Caldwell, New Jersey to award a contract to T&M Associates, 11 Tindall Road, Middletown, N.J. 07748, and;

WHEREAS, T&M Associates has agreed to provide these services for a lump sum fee of \$27,500.00, and;

WHEREAS, the governing body of the Borough of Caldwell pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell that they do hereby award a contract to T&M Associates subject to an agreement to be approved and executed by the Borough Administrator.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-161

Date of Adoption: July 15, 2014

TITLE:

RESOLUTION ENDORSING THE ADOPTION OF AN ENVIRONMENTALLY PREFERABLE PURCHASING POLICY (GREEN PURCHASING POLICY) IN THE BOROUGH OF CALDWELL

WHEREAS, the purpose of this resolution is to enhance the public welfare and create a more sustainable community in the Borough of Caldwell by incorporating an environmentally preferable Purchasing Policy (Green Purchasing Policy) in the Borough of Caldwell; and

WHEREAS, the Borough desires to set a leadership example in the area of green Purchasing practices that reduce waste by increasing product efficiency and effectiveness, and

- Purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable, and
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainably harvested forests (FSC) when & where possible; and

WHEREAS, nothing in this resolution shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time; and

WHEREAS, nothing in this resolution shall be construed as requiring the Borough of Caldwell, department, purchaser, or contractor to take any action that conflicts with local, state or federal requirements.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Caldwell hereby endorses a Green Purchasing Policy that will consider opportunities to incorporate that reduce waste by increasing product efficiency and effectiveness.

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

ENVIRONMENTALLY PREFERABLE PURCHASING POLICY (GREEN PURCHASING POLICY)

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING POLICY)

1.1 STATEMENT OF THE POLICY

It is the policy & practice of the Borough of Caldwell to:

- Institute practices that reduce waste by increasing product efficiency and effectiveness, and
- Purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable, and
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainably harvested forests (FSC) when & where possible.

1.2 PURPOSE & OBJECTIVES OF THE POLICY

The goal of this policy is to encourage and increase the use of environmentally preferable products and services in the Borough of Caldwell. By including environmental considerations in purchasing decisions, Borough of Caldwell can promote practices that improve public and worker health, conserve natural resources, and reward environmentally conscious manufacturers, while remaining fiscally responsible.

The policy objectives are to:

- Conserve natural resources,
- Minimize environmental impacts such as pollution and use of water and energy,
- Eliminate or reduce toxics that create hazards to workers and our community,
- Support strong recycling markets,
- Reduce materials that are routinely land filled or disposed of,
- Increase the use and availability of environmentally preferable products that protect the environment,
- Identify environmentally preferable products & associated distribution systems,
- Reward manufacturers & vendors with contracts that reduce environmental impacts in their production & distribution systems or services,
- Collect & maintain up-to-date information regarding manufacturers, vendors and other sources for locating/ordering environmentally preferable products,
- Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.3 RESEARCH, EVALUATION & IMPLEMENTATION OF THE POLICY

The Borough of Caldwell Purchasing Office and members of the Green Team, which shall be composed of representatives from various Borough departments/divisions, commissions/committees and volunteer organizations shall research, evaluate, and implement the environmental purchasing objectives. The Green Team Committee shall focus its research, evaluation and the implementation of the Green Policy in the following areas:

- Recycled Content Products (e.g. paper products, playground/recreation equipment, toner/printer cartridges, motor oils & lubricants, furniture, carpets & flooring materials, matting, plastic/composite lumber/building materials, trash bags, parking stops, ceiling tiles, etc...)
- Less Harmful & Non-toxic Materials & Processes (e.g. janitorial/cleaning products, pest management chemicals, phosphates, paint, solvents, fuels & lubricants, etc...)
- Energy & Water Efficient Products & Processes (e.g. solar applications, energy efficient lighting, energy star appliances, water saving devices, vehicles & motorized equipment, etc...)
- Natural Resource & Landscaping Management (e.g. integrated pest and vegetation management, drought tolerant/indigence plants & shrubs, recycled mulches & natural composts, etc...)
- Renewable Products (e.g. FSC certified forests products, renewable energy resources, etc...)
- Disposal & Pollution Reduction (e.g. integrated waste management, duplex copies, retread tires, reusable holiday trees, recycling programs for used ceiling tiles & flooring materials, etc...)
- Packaging (e.g. bulk packaging, reusable boxes, recycled packing materials, shipping pallets, etc...)
- Green Building Program (e.g. using recycled products in the construction and renovation, disposal of building materials in an environmentally sensitive manner, designing and renovating for energy and resource conservation)

The Committee is aware that the evaluation and implementation phases of the project will require changes in awareness, behaviors, practices and operating procedures. To the extent possible, it is the Committee's intention to have a participative process as it researches, evaluates and implements the policy recommendations. It is also the Committee's intention to meet annually after implementation to monitor and evaluate the Borough of Caldwell progress in this area.

1.4 SPECIFICATIONS

1.4.1 Source Reduction

- * To the extent practicable the Borough of Caldwell shall institute practices that reduce waste and result in the purchase of fewer products whenever practicable and cost-effective, but without reducing safety or overall workplace quality.

**1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING)
(CONTINUED)**

1.4 SPECIFICATIONS (CONTINUED)

1.4.1 Source Reduction (Continued)

- * To the extent practicable the Borough of Caldwell shall purchase remanufactured products such as toner/printer cartridges, retread tires, furniture, equipment and automotive parts whenever practicable, but without reducing safety, quality or effectiveness.
- * To the extent practicable the Borough of Caldwell shall require all equipment bought after the adoption of this policy to be compatible with source reduction goals as referred to in the policy, when & where practicable.
- * All buyers shall consider short-term and long-term costs in comparing product alternatives, when feasible. This includes the evaluation of the total costs expected during the lifetime of the product, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance, disposal costs and expected lifetime compared to other alternatives.
- * Products that are durable, long lasting, reusable or refillable shall be preferred whenever available & practicable.
- * To the extent practicable the Borough of Caldwell requests vendors to eliminate excess packaging or to utilize the minimum amount necessary for product protection, to the greatest extent practicable.
- * Packaging that is reusable, recyclable or compostable shall be preferred, when suitable uses and programs readily exist.
- * Vendors shall be encouraged to take back and reuse wooden pallets and other shipping and packaging materials when & where practicable.
- * Suppliers of electronic equipment, including but not limited to computers, monitors, printers, fax machines and photocopiers, shall be required to take back the equipment for reuse or environmentally safe recycling when the Borough discards or replaces such equipment, whenever & where practicable.
- * To the extent practicable the Borough of Caldwell shall consider provisions in contracts with suppliers of non-electronic equipment that require suppliers to take back equipment for reuse or environmentally safe recycling when the Borough discards or replaces such equipment, whenever practicable.
- * All documents shall be printed and photocopied on both sides (duplex) to reduce the use and purchase of photocopy paper, whenever & where practicable.

**1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING)
(CONTINUED)**

1.4 SPECIFICATIONS (CONTINUED)

1.4.2 Recycled Content Products

- * All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines in the Agency's Comprehensive Procurement Guidelines, such as those for printing paper, photocopy paper, janitorial paper products, construction, landscaping, parks and recreation, transportation, vehicles, miscellaneous and non-paper office products, shall contain the highest postconsumer content practicable to the application, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines.
- * Photocopiers and printers purchased or leased by the Borough shall be compatible with the use of recycled content and remanufactured products.
- * To the extent practicable, the Borough shall purchase re-refined lubricating and industrial oil for use in its vehicles and other motorized equipment, as long as it is certified by the American Petroleum Institute (API) as appropriate for use in such equipment.
- * When specifying asphalt concrete, aggregate base or Portland Cement Concrete for road construction projects, the Borough shall utilize recycled, reusable or reground materials when & where practicable.
- * To the extent practicable the Borough shall specify and purchase recycled content transportation products, including signs, traffic cones, parking stops, delineators, channelizes and barricades, which shall contain the highest postconsumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Comprehensive Procurement Guidelines.
- * All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement that the paper is recycled content of a minimum of thirty (30%) percent recycled postconsumer content. Whenever feasible, the statement should indicate the percentage of postconsumer recycled content that the paper contains.

1.4.3 Energy & Water Savings

- * Where applicable, energy-efficient equipment shall be purchased with the most up-to-date energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.
- * When practicable, the Borough shall replace inefficient interior lighting with energy-efficient equipment and bulbs.
- * When practicable, the Borough shall replace inefficient exterior lighting, street lighting and traffic signal lights with energy-efficient equipment and bulbs. Exterior lighting shall be minimized when and where possible to avoid unnecessary lighting of architectural and landscape features while providing adequate illumination for safety and accessibility.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING)

(CONTINUED)

1.4 SPECIFICATIONS (CONTINUED)

1.4.3 Energy & Water Savings (Continued)

* All products purchased by the Borough and for which the U.S. EPA Energy Star certification is available shall meet Energy Star certification, when practicable and available. When Energy Star labels are not available, Borough shall choose energy-efficient products that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program.

* To the extent practicable the Borough shall purchase water-saving/conservation products. This includes, but is not limited to, high-performance fixtures such as toilets, low-flow faucets and aerators, and upgraded landscape irrigation systems.

1.4.4 Green Buildings & LEED IM Ratings

All building and renovations undertaken by the Borough shall follow Green Building Practices for design, construction, and operation, where appropriate and practicable, as described in the LEED IM Rating System. Architects and engineers for procured for said work shall be required to have LEED certified members on their staff assigned to the project when & where practicable.

1.4.5 Landscaping & Hardscaping

All landscape renovations, construction and maintenance performed by the , including workers and contractors providing landscaping services for the Borough, shall employ sustainable landscape management techniques for design, construction and maintenance whenever & where possible, including, but not limited to, integrated pest management (IPM), grass recycling, drip irrigation, composting, and the procurement and use of mulch and compost that give preference to those products produced from regionally generated plant debris and/or food and sludge waste programs.

Plants should be selected to minimize waste by choosing species for purchase that are appropriate to the microclimate, species that can grow to their natural size in the space allotted to them, and perennials rather than annuals for color variations should be utilized. Native and drought-tolerant plants that require no or minimal watering once established are preferred over others when & where practicable.

Hardscapes and landscape structures constructed of recycled content materials are encouraged to be utilized. The Borough shall limit the amount of impervious surfaces in the landscape, when & where practicable. Permeable substitutes, such as permeable asphalt or pavers, are encouraged for walkways, patios and driveways.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.4 SPECIFICATIONS (CONTINUED)

1.4.6 Toxics & Pollution

To the extent practicable, the Borough shall purchase, or require janitorial contractors to supply, industrial and institutional cleaning products that meet and/or exceed the Green Seal Certification Standards for environmental preferability and performance.

To the extent practicable, the Borough shall purchase, or require janitorial contractors to supply, vacuum cleaners that meet the requirements of the Carpet and Rug Institute "Green Label" Testing Program — Vacuum Cleaner Criteria, are capable of capturing 96% of particulates 0.3 microns in size, and operate with a sound level less than 70dBA. Where possible and as applicable, other janitorial cleaning equipment shall be capable of capturing fine particulates, removing sufficient moisture so as to dry within twenty-four (24) hours, operate with a sound level less than 70dBA, and use high-efficiency, low-emissions engines.

The use of chlorofluorocarbon, Halon & Freon containing refrigerants, solvents and other products shall be phased out and new purchases of heating/ventilating/air conditioning, refrigeration, insulation and fire suppression systems shall not contain them.

All surfactants & detergents shall be readily biodegradable and, where practicable, shall not contain phosphates.

When maintaining buildings and landscapes, Borough shall manage pest problems through prevention and physical, mechanical and biological controls. The Borough may either adopt and implement an organic pest management policy and practices or adopt and implement an Integrated Pest Management (IPM) policy and practices using the least toxic pest control method as a last resort.

When maintaining buildings, the Borough shall utilize products with the lowest amount of volatile organic compounds (VOCs), highest recycled content, and low or no formaldehyde or lead when practicable when purchasing materials such as paint, carpeting, flooring materials, adhesives, furniture, filing cabinetry, ceiling tiles, coving, moldings and casework.

To the extent practicable, the Borough shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:

- Photocopier paper, paper products, and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever & where possible and that possess a minimum of thirty (30%) percent recycled postconsumer waste content.
- Prohibiting purchase of products that use halogens, polyvinyl chloride (PVC), lead, phthalates and asbestos such as, but not limited to, office binders, chair/floor mats, casework, moldings, furniture, carpeting, flooring materials, ceiling tiles and medical supplies whenever & where practicable.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.4 SPECIFICATIONS (CONTINUED)

1.4.6 Toxics & Pollution (Continued)

To the extent practicable, the Borough shall purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, Borough shall give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs.

To the extent practicable, the Borough shall specify that desktop computers, notebooks and monitors purchased shall meet, at a minimum, all Electronic Product Environmental Assessment Tool (EPEAT) environmental criteria designated as "required" as contained in the IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products, whenever practicable.

When replacing vehicles, the Borough shall consider less-polluting alternatives to diesel such as bio-based fuels, hybrids, electric batteries, and fuel cells, as may be available for the application.

1.4.7 Forest Conservation

To the extent practicable, the Borough shall not procure wood products such as lumber and paper that originate from forests harvested in an environmentally unsustainable manner. When possible, Borough shall give preference to wood products that are certified to be sustainably harvested by a comprehensive, performance-based certification system. The certification system shall include independent third-party audits, with standards equivalent to, or stricter than, those of the Forest Stewardship Council (FSC) certification.

To the extent practicable, the Borough encourages the purchase or use of previously utilized and/or salvaged wood and wood products whenever practicable & where available.

1.4.8 Bio-Based Products

Vehicle fuels made from non-wood, plant-based contents such as vegetable oils are encouraged whenever practicable and available.

Paper and construction products made from non-wood, plant-based contents such as agricultural crops and residues are encouraged whenever practicable.

Bio-based plastic products that are biodegradable and compostable, such as bags, film, food and beverage containers, and cutlery, are encouraged whenever practicable.

Compostable plastic products purchased shall meet American Society for Testing and Materials (ASTM) standards as found in ASTM D6400-04. Biodegradable plastics used as coatings on paper and other compostable substrates shall meet ASTM D6868-03 standards.

Proof of compliance with ASTM standards for compostable, biodegradable and degradable plastic products shall be provided by vendors of such products, upon request. One acceptable proof of compliance for compostable plastic products shall be the certification by the Biodegradable Products Institute (BPI).

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.5 **PRIORITIES**

The health & safety of workers & citizens is of the utmost importance and takes precedence over all other policies and practices.

To the extent practicable, the Borough has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or bio-based.

Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.

Nothing contained in this policy shall be construed as requiring the Borough, department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

1.6 **IMPLEMENTATION OF THE POLICY**

The Business Administrator, Purchasing Manager/Agent, Director of Finance, Director of Public Works and other responsible directors/managers shall implement this policy in coordination with other appropriate Borough personnel.

As applicable, successful bidders shall certify in writing that the environmental attributes claimed in competitive bids are accurate. In compliance with New Jersey State Law, vendors shall be required to specify the minimum or actual percentage of recovered and postconsumer material in their products, even when such percentages are zero.

Upon request, buyers making the selection from competitive bids shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in this policy.

Vendors, contractors and grantees shall be encouraged to comply with applicable sections of this policy for products and services provided to the Borough, where practicable.

1.7 **PROGRAM EVALUATION**

The Business Administrator, Purchasing Manager/Agent, Director of Finance, the "Green Team" Committee and other positions responsible for implementing this policy, shall periodically meet and evaluate the success of this policy's implementation.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.8 DEFINITIONS

“American Society for Testing & Materials” means ASTM International, an open forum for the development of high quality, market relevant international standards use around the globe.

“Bio-Based Products” means commercial or industrial products (other than food or feed) that utilize agricultural crops or residues but does not include products made from forestry materials.

“Biodegradable Plastic” means the degradation of the plastic must occur as a result of the action of naturally occurring microorganisms.

“Biodegradable Products Institute” (BPI) is a multi-stakeholder association of key individuals and groups from government, industry and academia, which promotes the use, and recycling of biodegradable polymeric materials (via composting). BPI does not create standards but certifies products that demonstrate they meet the requirements in ASTM D6400 or D6868, based on testing in an approved laboratory.

“Buyer” means anyone authorized to purchase or contract for purchases on behalf of the Borough or its subdivisions.

“The Carpet & Rug Institute” (CR1) is the national trade association representing the carpet and rug industry. CR1 has developed and administered the “Green Label” indoor air quality testing and labeling program for carpet, adhesives, cushion materials and vacuum cleaners.

“Chlorine Free” means products processed without chlorine or chlorine derivatives.

“Compostable Plastic” means plastic that is biodegradable during composting to yield carbon dioxide, water and inorganic compounds and biomass, at a rate consistent with other known compostable materials and leaves no visually distinguishable or toxic residues.

“Contractor” means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with the Borough or serves in a subcontracting capacity with the Borough or with an entity having a contract with Borough for the provision of any goods or services.

“Degradable Plastic” means plastic that undergoes significant changes in its chemical structure under specific environmental conditions.

“Dioxins & Furans” are a group of chemical compounds that are classified as persistent, bioaccumulative, and toxic by the U.S. Environmental Protection Agency (EPA).

“Energy Star” means the U.S. EPA’s energy efficiency product labeling program.

“Energy Efficient Product” means a product that is in the upper twenty-five (25%) percent of energy efficiency for all similar products, or that is at least ten (10%) percent more efficient than the minimum level that meets Federal standards and guidelines.

“Electronic Product Environmental Assessment Tool” (EPEAT) is a procurement tool to help institutional purchasers in the public and private sectors evaluate, compare and select desktop computers, notebooks and monitors based on their environmental attributes.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.8 DEFINITIONS (CONTINUED)

"Federal Energy Management Program" is a program of the Department of Energy that issues a series of *Product Energy Efficiency Recommendations* that identify recommended efficiency levels for energy-using products.

"Forest Stewardship Council" (FSC) is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.

"Green Building Practices" means a whole-systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green Building Practices such as those described in the LEED IM Rating System, recognize the relationship between natural and built environments and seeks to minimize the use of energy, water, and other natural resources and provide a healthy productive environment.

"Green Seal" is an independent, non-profit environmental labeling organization. Green Seal standards for products and services meet the U.S. EPA's criteria for third-party certifiers. The Green Seal is a registered certification mark that may appear only on certified products.

"Integrated Pest Management (IPM)" is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.

"LEED IM Rating System" means the most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other related LEED IM Rating System, approved by the U.S. Green Building Council and designed for rating new and existing commercial, institutional, and high-rise residential buildings.

"Organic Pest Management" prohibits the use and application of toxic chemical pesticides and strives to prevent pest problems through the application of natural, organic horticultural and maintenance practices. All pest control products shall be in keeping with, but not limited to, those products on the approved list of New Jersey Certified Organic Foods (NJOF).

"Postconsumer Material" means a finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.

"Practical" & "Practicable" mean whenever possible and compatible with local, state and federal law, without reducing safety, quality, or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.8 DEFINITIONS (CONTINUED)

“Preconsumer Material” means material or by-products generated after manufacture of a product is completed but before the product reaches the end-use consumer. Preconsumer material does not include mill and manufacturing trim, scrap or broke which is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.

“Recovered Material” means fragments of products or finished products of a manufacturing process, which has converted a resource into a commodity of real economic value, and includes pre-consumer and postconsumer material but does not include excess resources of the manufacturing process.

“Recycled Content” means the percentage of recovered material, including pre-consumer and postconsumer materials, in a product.

“Recycled Content Standard” means the minimum level of recovered material and/or postconsumer material necessary for products to qualify as “recycled products.”

“Recycled Product” means a product that meets Borough recycled content policy objectives for postconsumer and recovered material.

“Remanufactured Product” means any product diverted from the supply of discarded materials by refurbishing and marketing said product without substantial change to its original form.

“Reused Product” means any product designed to be used many times for the same or other purposes without additional processing except for specific requirements such as cleaning, painting or minor repairs.

“Source Reduction” refers to products that result in a net reduction in the generation of waste compared to their previous or alternate version and includes durable, reusable and remanufactured products; products with no, or reduced, toxic constituents; and products marketed with no, or reduced packaging.

“U.S. EPA Guidelines” means the Comprehensive Procurement Guidelines established by the U.S. Environmental Protection Agency for federal agency purchases as of May 2002 and any subsequent versions adopted.

“Water-Saving Products” are those that are in the upper twenty-five (25%) percent of water conservation for all similar products, or at least ten (10%) percent more water-conserving than the minimum level that meets the Federal standards.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-162

Date of Adoption: July 15, 2014

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT FOR SURVEYING SERVICES FOR PROPOSED STREET LIGHT IMPROVEMENTS ALONG BLOOMFIELD AVENUE WITHIN THE BOROUGH OF CALDWELL

WHEREAS, there exists a need for a surveyor for proposed street light improvements along Bloomfield Avenue within the Borough of Caldwell; and

WHEREAS, capital funds are available for this purpose; and

WHEREAS, the Council wishes to award a contract in the amount of \$8,600.00 and the Chief Financial Officer has certified that funds are available for this purpose in the General Capital Improvement fund.

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

1. The Borough of Caldwell hereby awards and authorizes the Borough Administrator to execute an agreement with Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, NJ 07071 in an amount of \$8,600.00
2. The Borough Clerk is hereby authorized and directed to publish a copy of this resolution in the Borough's official newspaper.

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: 7-163

Date of Adoption: July 15, 2014

TITLE:

RESOLUTION AUTHORIZING A TWO YEAR EXTENSION OF EXISTING CONTRACT WITH BATTAGLIA ASSOCIATES, LLC FOR FINANCIAL MANAGEMENT SERVICES FOR THE BOROUGH OF CALDWELL

WHEREAS, on December 18, 2012 the Borough Council of the Borough of Caldwell authorized the Borough Administrator to enter into a six (6) month contract expiring on June 30, 2013 with Battaglia Associates, LLC., to provide financial management services to the Borough of Caldwell; and

WHEREAS, on July 16, 2013 the Borough Council of the Borough of Caldwell authorized the Borough Administrator to enter into a one (1) year contract extension expiring on June 30, 2014 with Battaglia Associates, LLC., to provide financial management services to the Borough of Caldwell; and

WHEREAS, the Borough Administrator is recommending a two (2) year extension of the contract with Battaglia Associates, LLC; and

WHEREAS, pursuant to 40A: 11-15 (45), the Borough will extend its existing contract for an additional two (2) years with Battaglia Associates, LLC for an amount of

July 1, 2014 – June 30, 2015: \$6,502.50 per month
July 1, 2015 – June 30, 2016: \$6,632.55 per month; and

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

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 authorizes the Borough Administrator to extend the contract with Battaglia Associates LLC for two (2) years effective July 1, 2014 through June 30, 2016.

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 7-164

Date of Adoption: July 15, 2014

TITLE:

**RESOLUTION TO ADOPT THE SUSTAINABLE JERSEY GREEN GROUNDS
AND MAINTENANCE POLICY**

WHEREAS, the Borough of Caldwell supports policies that encourage sustainable Municipal operations, promote healthy communities, waste reduction, biodiversity and water quality protection and conservation; and,

WHEREAS, effective and affordable grounds maintenance is a function of sustainable practices that are rooted in the principles of conservation and efficiency; and

WHEREAS, Sustainable Jersey Green Grounds and Maintenance Policy is such a policy; and,

WHEREAS, adoption of a Green Grounds and Maintenance program will help insure that municipally maintained parks, gardens, and landscaped areas are managed in a more efficient and environmentally friendly manner.

NOW THEREFORE BE IT RESOLVED, that the Borough of Caldwell hereby confirms our commitment, when possible and appropriate, to the following principles from the Sustainable Jersey Green Ground and Maintenance Policy which includes landscaping with low-maintenance plantings, maximizing water conservation and minimizing surface runoff, utilizing recycled materials, and taking eco-friendly approaches whenever possible.

- Use native species instead of exotic plants whenever possible. Native species require less maintenance and provide valuable habitat for local wildlife.
- Design landscaping with stormwater management in mind and abide by the borough's Stormwater Management Ordinance. Consider property contours and create plantings that will slow water flows and filter runoff to improve groundwater recharge and prevent erosion.
- Significantly reduce the use of conventional pesticides when possible and appropriate.
- Avoid excessive fertilizer use when possible and appropriate.
- Improve operations, when possible and appropriate, with efficient watering schedules, improved irrigation equipment, and rainwater capture. Water landscaping only when needed instead of setting schedules that are not sensitive to weather and species-specific needs. Minimize evaporation, and utilize efficient irrigation techniques, such as drip irrigation systems. Be sure to search for and fix leaks promptly.

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