



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
August 2, 2016**

Caldwell Council Chambers
1 Provost Square
Caldwell, New Jersey 07006
7:00pm



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting AGENDA

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

August 2, 2016 / 7:00PM

MAYOR
Ann Dassing

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

CALL TO ORDER

Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding

Roll Call
Statement of Compliance w/ Open Public Meetings Act
Pledge of Allegiance to the Flag

APPROVAL OF MINUTES

July 19, 2016

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.

8-152	RESOLUTION OF THE BOROUGH OF CALDWELL ENDORSING THE "FAIRNESS FORMULA" AS INTRODUCED BY GOVERNOR CHRISTIE TO PROMOTE FAIR FUNDING FOR BOROUGH OF CALDWELL STUDENTS AND TO RELIEVE THE UNFAIR PROPERTY TAX BURDEN
8-153	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE - St. Aloysius Roman Catholic Church - On Premise - 50/50 Raffle, September 18, 2016 - 3:00PM
8-154	AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE - CALDWELL UNIVERSITY
8-155	AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH AUGUST 2, 2016 FOR 2016 BILLS IN THE TOTAL AMOUNT OF \$732,164.56
8-156	RESOLUTION IN SUPPORT OF CLIMATE CHANGE ACTIONS BY THE BOROUGH OF CALDWELL

COUNCIL COMMITTEE REPORTS

Borough Council Members

REPORT OF MAYOR

Mayor Dassing



Council Chambers

1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

Phone: (973) 226-6100

Website: www.caldwell-nj.com

August 2, 2016 / 7:00PM

MAYOR

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BOROUGH COUNCIL

Pasquale Capozzoli - President

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John Cascarano

Frank Rodgers

REPORT OF BOROUGH ADMINISTRATOR

Paul M. Carelli

REPORT OF BOROUGH ATTORNEY

Greg Mascera

REPORT OF POLICE CHIEF

James Bongiorno

REPORT OF COUNTY LIAISON

Patricia Keenan

OPEN PUBLIC MEETING

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

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 07/29/2016 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 07/29/2016 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – July 19, 2016**

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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 7:00PM

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

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

ABSENT: Borough Attorney, Greg Mascera

Adequate notice of this Council Business/Conference meeting was given on January 1, 2016. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey. Official newspapers of the Borough were notified of this meeting by mail. Notice was posted and all persons requesting notice were sent same.

PLEDGE OF ALLIGENCE

**APPROVAL OF MINUTES:
July 5, 2016**

Moved by Councilman Hauser, seconded by Council President Capozzoli. No Discussion. On roll call, all voted in the affirmative. Councilman O'Donnell abstained. Minutes approved 07/19/16.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

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

RESOLUTIONS – CONSENT AGENDA

7-143 RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE FISCAL YEAR 2015 AUDIT REPORT

7-144: RESOLUTION CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY HAVE REVIEWED, AT A MINIMUM, THE GENERAL COMMENTS AND RECOMMENDATIONS SECTIONS OF THE FISCAL YEAR 2015 ANNUAL AUDIT

7-145: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH JULY 19, 2016 FOR 2016 BILLS IN THE TOTAL AMOUNT OF \$873,306.46

7-146: AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #15-00003, Block 5 Lot 4.02

7-147: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Grover Cleveland Park Conservancy - On Premise – 50/50 Raffle, August 8, 2016 – 6:00PM – 10:00PM

7-148: 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 18, 2016 – 12:00PM – 4:00PM

7-149: RESOLUTION AUTHORIZING THE SALE OF THE OBSOLETE SENIOR TRANSPORTATION BUS THROUGH THE INTERNET SITE GOVDEALS.COM

7-150: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH FORD MOTOR CREDIT FOR A TERM OF 3 YEARS AND AN ANNUAL LEASE PAYMENT OF \$10,297.00

7-151: AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO TOPOLOGY NJ, LLC TO DEVELOP A HOUSING ELEMENT AND FAIR HOUSING PLAN FOR THE BOROUGH OF CALDWELL FOR AN AMOUNT OF \$7,500.00

CONSENT:

Moved by Councilman Cascarano seconded by Councilman Brown. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 07/19/16.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – July 19, 2016**

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COUNCIL COMMITTEE REPORTS

Borough Council Members

Councilman Cascarano reported that on Saturday, July 23rd there will be a Community Blood Drive sponsored by the Caldwell Board of Health, the Caldwell Community Center and the Kiwanis Club of Caldwell-West Essex from 10:30AM -3PM at the Community Center. All donors will receive a \$5.00 gift card to Dunkin Donuts. Also, Councilman O'Donnell had a really good idea which would be providing a stipend to young firefighters who graduate the academy and the number they have in mind is \$500 a year for the four years, as long as they are attending college and maintain a certain grade point average. After discussion an ordinance will be added to the next meeting.

REPORT OF MAYOR:

Mayor Dassing reported that she has a meeting scheduled for next Thursday with the Army Corp of Engineers at 10AM they will be coming to the Borough first and we will be walking over to the Pine Brook area where we have been experiencing erosion. They haven't been here for 10 years so they will be coming out to do an assessment on the conditions. The DEP may also be here so if anyone else would like to attend they are welcome too. Also, she has been talking to the Park Conservancy because the pond at Grover Cleveland Park has fish that are dying and the algae on the bottom is getting worse and that's the result of the sediment that is landing there from this portion of the Brook and the erosion. The Mayor read an email from the owner of Cloverleaf, Ryan Dorchek and he is inviting everyone to visit the restaurant between Monday, July 25th through Friday, July 29th they are going to be accepting donations from guests all week for Caldwell Police Department appreciation week. Our officers and their family can dine at any time for dinner or stop by for takeout all compliments of the Cloverleaf. All donations, that the Chief has suggested, will be sent to International Law & Enforcement Officers Memorial Fund based out of Washington, DC. Mayor and Council responded that they support the Caldwell Police Department 100%. The Mayor received a letter from Mr. Robert Musto:

Dear Mayor Dassing, I am writing to tell you how much I appreciate the professional, prompt and courteous service I received from Mark Guiliano. I have a situation with a neighboring property that through Mark's assistance is finally getting resolved. I have other properties in New Jersey and can definitely say that Mark, as a municipal representative, provided the best service I have ever received from a municipality. The reason for my letter is that as a business owner I know too many times people only communicate bad experiences. I feel that the good experiences also need to be heard!

Mayor Dassing asked Paul Carelli if we are anywhere with the new lights at the Community Center and parking lot ground floor and Paul responded that they are having an energy audit this week on all the lighting. The Mayor also asked about the emergency lights in the Community Center and what is happening with the generator and Paul responded that Peter will be in tomorrow first thing. If they can get emergency lights in the locker room she has heard from a couple of residents that were there one morning when the electricity went out for about 5 minutes and they were in the dark. The Mayor asked Paul if he can get a meeting together to talk about capital plan items.

REPORT OF BOROUGH ADMINISTRATOR:

Paul Carelli reported on the following:

- The last office on the first floor is ready to be worked on.
- Sand Filter Rehab is completed at the sewer plant. He is waiting on a quote for the remaining five. They don't want to turn on the first one until two or three are done.
- There were two proposals received for the Leaf Compost. He may have both of the companies come in and answer some questions.
- He spoke to Adam Brewer and he did receive one proposal for the RFP for advertising but it has not been reviewed yet for compliance but he did say that the proposal was a company out of Cleveland, Ohio and their cost would be \$5,000 per month plus 20% commission on anything that they sell. Also, if they have to travel we pay the traveling expenses.
- He has received a second request from the PBA to start the contract negotiations.
- He would like to set up a Personnel meeting to go over the reviews. He has received all the self-appraisals from the employees.

Councilman Hauser asked if that includes all the managers and Paul responded yes. Councilman Hauser would like to have the governing body receive a form for review for Paul.

Mayor Dassing asked that Paul have someone look at the line striping on Hatfield Street at the end by Mountain Avenue there is no striping at all.

**BOROUGH OF CALDWELL
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MINUTES – July 19, 2016**

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Councilman Hauser asked if we could use Govdeals.com to get rid of some of the vehicles in the back.

REPORT OF POLICE CHIEF:

James Bongiorno reported that he spoke with Mark Guiliano, OEM Coordinator, there have been several calls made to the Police Department and the Director of the Community Center in regards to cooling centers. County has the guidelines that we would open the Community Center if there are three consecutive days of 90 degrees or higher. Obviously if anyone needs a cooling area we would never turn anyone away.

OPEN PUBLIC MEETING:

Moved by Councilman Rodgers, seconded by Councilman Cascarano to open meeting to the Public.

R.J. Carillo 18 Kennedy Drive, Fairfield asked about "What about me" fundraiser and what made you decide to get involve with this fundraiser. Mayor Dassing responded that she is running a fundraiser on October 20th and the title is "What about me" it's for homeless pets and also pets of domestic violence situations. What happens is 65% of woman and children do not leave a situation like that because they have to leave their pets behind and there are no shelters in New Jersey that will accept a pet.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Cascarano seconded by Councilman O'Donnell unanimously affirmed by all members present, the meeting was adjourned at 7:46PM.

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 8-152

Date of Adoption: August 2, 2016

TITLE:

RESOLUTION OF THE BOROUGH OF CALDWELL ENDORSING THE “FAIRNESS FORMULA” AS INTRODUCED BY GOVERNOR CHRISTIE TO PROMOTE FAIR FUNDING FOR BOROUGH OF CALDWELL STUDENTS AND TO RELIEVE THE UNFAIR PROPERTY TAX BURDEN

WHEREAS, Caldwell-West Caldwell Public Schools receive State funding pursuant to the funding formula known as the School Funding Reform Act; and

WHEREAS, the State of New Jersey does not fully fund the program as currently constructed; and

WHEREAS, recent figures demonstrate the State funds school districts at a Statewide average of 85.3% of what is called for under the funding formula; and

WHEREAS, utilizing real estate taxes to subsidize the school systems places an undue and unfair burden upon owners of property within the Borough, particularly since those same taxpayers are overfunding other school districts by way of allocation of New Jersey State taxes through the School Funding Reform Act; and

WHEREAS, Governor Christie has introduced a “Fairness Formula” in which each District will receive an equal amount of State aid per student, and, in so doing, will provide substantial property tax relief to owners of real property within Caldwell and allow for the schools to operate on a more fiscally responsible basis and provide the tools and staffing to provide a quality education to our Borough’s students; and

WHEREAS, Governor Christie’s “Fairness Formula” for the coming school year would result in each district receiving \$6,599.00 in State aid for each student enrolled; and

WHEREAS, such an equitable redistribution of State aid based upon number of pupils educated in a given school district is expected to yield a local tax savings in the amount of \$2,130.00 for the average property owner in Caldwell; and

WHEREAS, the Borough Council wishes to take action to foster and improve the health, safety, welfare and education of its local population;

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, in the County of Essex and State of New Jersey, hereby endorses the “Fairness Formula” as introduced by Governor Chris Christie as a means of approaching a fair level of funding for local schools and provide relief from overly burdensome property taxes experienced by owners of real property in Borough of Caldwell.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli					Brown				
Hauser					Cascarano				
O'Donnell					Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 8-153

Date of Adoption: August 2, 2016

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – St. Aloysius Roman Catholic Church - On Premise – 50/50 Raffle, September 18, 2016 – 3:00PM

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-1333 Parent Faculty Association of Mt. St. Dominic Academy
Off Premise – 50/50 Raffle
September 18, 2016 – 3:00PM

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

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 8-154

Date of Adoption: August 2, 2016

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 UNIVERSITY

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 University
120 Bloomfield Avenue
Caldwell, New Jersey 07006

Event to Be Held:

Caldwell University
Newman Center Plaza
120 Bloomfield Avenue
Caldwell, New Jersey 07006

September 24, 2016
12:00PM – 6:00PM

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 8-155

Date of Adoption: August 2, 2016

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH AUGUST 2, 2016 FOR 2016 BILLS IN THE TOTAL AMOUNT OF \$732,164.56

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 2015 and/or 2016 appropriation for said purpose;

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 8-155

Date of Adoption: August 2, 2016

TITLE:

RESOLUTION IN SUPPORT OF CLIMATE CHANGE ACTIONS BY THE BOROUGH OF CALDWELL

WHEREAS, our climate is rapidly changing, leaving New Jersey families and businesses vulnerable to the impacts of more frequent and severe storms; and

WHEREAS, the Borough of Caldwell is extremely vulnerable to the effects of extreme weather events that are more common as a result of a changing climate; and

WHEREAS, our community is deeply concerned about the adverse impacts of climate change; and

WHEREAS, major hurricanes alone have cost the state of New Jersey billions in the last decade; and

WHEREAS, the Borough of Caldwell is dedicated to taking serious steps to reduce carbon pollution within our borders; and

WHEREAS, the Governor and Legislature of New Jersey have a responsibility to address climate change in the Garden State by improving energy efficiency, addressing the cumulative impacts of concentrated industrialization, promoting adaptation to climate change and sea-level rise, increasing our production of clean energy, and promoting renewable installations in brownfields and landfills; and

WHEREAS, the families and businesses in the Borough of Caldwell are suffering from inaction in Trenton; and

WHEREAS, immediate action on climate is needed to prevent the loss of property and life and ensure continued economic success

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell that Caldwell commits to:

- Increasing renewable energy requirement, or renewable portfolio standard ("RPS") community-wide, to 80% by 2050
- Audit city greenhouse gas emissions community-wide & set a strong goal for reducing emissions (80% by 2050)
- Purchasing 50% (or more) of the city's energy from renewables by 2025
- Incentivize renewable purchases for city residents
- Facilitate and incentivize greater clean energy investment in the community
- Install renewable energy technology on city facilities where feasible
- A broad energy efficiency goal that prioritizes reducing building energy use by developing a list of best practices for building
- Reducing greenhouse gas emissions and pollution from vehicles



BOROUGH OF CALDWELL NEW JERSEY



RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Capozzoli						Brown				
Hauser						Cascarano				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

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