



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

Phone: (973) 226-6100

Website: www.caldwell-nj.com

August 6, 2019 / 7:15PM

MAYOR
John Kelley

BOROUGH COUNCIL
Francis Rodgers - President
Thomas O'Donnell
Pasquale Capozzoli
Henderson Cole
Jonathan Lace
Christine Schmidt

C CALL TO ORDER

Honorable John Kelley, Mayor of the Borough of Caldwell Presiding

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

OPEN PUBLIC MEETING - COMMENTS ON RESOLUTIONS OR ANY TOPIC

Max Time: 3min per speaker

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

PRESENTATION

1. Caldwell University Students / Online Platform to connect the University, the Borough and our Business Community
2. Proclamations for Eagle Scouts / Timothy Brown, Ryan Stevens & James Stevens

INTRODUCTION OF ORDINANCE

ORDINANCE #1370-19: AN ORDINANCE AMENDING THE BOROUGH CODE, CHAPTER 250 ZONING SECTION 250-11 ITEM C CONDITIONAL USES, OF THE BOROUGH CODE ENTITLED, "RAA RESIDENTIAL DISTRICT"

ORDINANCE #1371-19: AN ORDINANCE TO AMEND CHAPTER 214 OF THE CODE OF THE BOROUGH OF CALDWELL, THE CHAPTER TITLED "SWIMMING POOLS" TO ADD SECTION 214-1 UNDER DEFINITIONS TITLED "PUBLIC SWIMMING POOL" SECTION 214-2 TITLED "PERMIT REQUIRED; COMPLIANCE WITH CHAPTER" ITEM A & B ADD "OR PUBLIC SWIMMING POOL" SECTION 214-4 TITLED "APPROVAL" ITEM B ADD "OR PUBLIC SWIMMING POOL" SECTION 214-10 TITLED "DISCHARGE OF SYSTEM" ADD "OR PUBLIC SWIMMING POOL" SECTION 214-11 TITLED "DISINFECTION, FILTRATION, RECIRCULATION AND BACTERIOLOGICAL STANDARDS" ITEM B ADD "OR PUBLIC SWIMMING POOL" SECTION 214-14 TITLED "ENCLOSURE" ADD "OR PUBLIC SWIMMING POOL" SECTION 214-15 TITLED "EVENING AND NIGHTTIME USE" ADD "OR PUBLIC SWIMMING POOL"

PUBLIC HEARING AND ADOPTION OF ORDINANCE

ORDINANCE #1366-19: CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

ORDINANCE #1367-19: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,187,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.



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ORDINANCE #1368-19: BOND ORDINANCE PROVIDING FOR THE PLANNING AND DESIGN FOR BOROUGH HALL IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$71,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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.

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| 8-184 | AUTHORIZING THE 2019 EQUIVALENT CONNECTION CHARGE OF \$367.04 PER EQUIVALENT CONNECTION, BASED ON THE NUMBER OF EQUIVALENT CONNECTIONS AND THE APPLICATION OF THE SEWER USER AGREEMENTS BETWEEN THE BOROUGH OF CALDWELL AND THE SEWER USER MUNICIPALITIES OF WEST CALDWELL, NORTH CALDWELL, ESSEX FELS, FAIRFIELD AND ROSELAND |
| 8-185 | RESOLUTION TO CANCEL CAPITAL BALANCES |
| 8-186 | AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parents & Faculty Association of Mount St. Dominic Academy – Off Premise/ 50/50 Raffle – September 22, 2019 – 12:00PM – 4:00PM |
| 8-187 | AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Parents & Faculty Association of Mount St. Dominic Academy – On Premise/ Merchandise Raffle – October 19, 2019 – 6:00PM – 9:00PM |
| 8-188 | AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell University Alumni Association – Off Premise/ 50/50 Raffle – September 21, 2019 – 12:00PM – 3:00PM |
| 8-189 | APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2020 CALDWELL ROAD IMPROVEMENTS PROJECT (VARIOUS STREETS) |
| 8-190 | RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$6,421,000 GENERAL OBLIGATION BONDS, SERIES 2019, CONSISTING OF \$3,291,000 GENERAL IMPROVEMENT BONDS AND \$3,130,000 WATER UTILITY BONDS OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, AND PROVIDING FOR THEIR SALE |
| 8-191 | RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF WATER UTILITY BONDS OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$3,130,000 IN PRINCIPAL AMOUNT |
| 8-192 | RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$3,291,000 IN PRINCIPAL AMOUNT |
| 8-193 | RESOLUTION CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY HAVE REVIEWED, AT A MINIMUM, THE GENERAL COMMENTS AND RECOMMENDATIONS SECTIONS OF THE FISCAL YEAR 2018 ANNUAL AUDIT |



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| 8-194 | RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE FISCAL YEAR 2018 AUDIT REPORT |
| 8-195 | RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of August 6, 2019 |
| 8-196 | AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH AUGUST 4, 2019 FOR 2019 BILLS IN THE TOTAL AMOUNT OF \$6,249,455.95 |
| 8-197 | AUTHORIZING REFUND OF OVERPAYMENT, BLOCK 46, LOT 9, 11 Cedars Road, Caldwell, NJ |
| 8-198 | AUTHORIZING THE APPOINTMENT OF JOHN T. PELOSI AND CECELIA T. SCOTT AS SUBSTITUTE CROSSING GUARDS IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT AN HOURLY RATE OF \$16.00 PER HOUR |

PUBLIC HEARING ON THE 2019 MUNICIPAL BUDGET

Members of the public are invited to comment at this time on the 2019 Municipal Budget

ADOPTION OF THE 2019 MUNICIPAL BUDGET

Heidi Wohlleb – Nisivoccia LLP
Budget Document – Sheet 41/42

COUNCIL COMMITTEE REPORTS

Borough Council Members

1. Councilman Lace / Community Center
2. Councilwoman Schmidt / Library Board

NEW BUSINESS

Borough Council

REPORT OF COUNTY LIAISON

Patricia Keenan

REPORT OF MAYOR

Mayor Kelley

REPORT OF BOROUGH ADMINISTRATOR

Thomas Banker



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REPORT OF BOROUGH ATTORNEY

Vincent Nuzzi

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 08/02/2019 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 08/02/2019 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk