



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
September 6, 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

September 6, 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

August 2, 2016

PRESENTATION

1. Jean-Baptiste Mollet, Eagle Scout Project

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.

9-157	AUTHORIZING THE APPOINTMENT OF ZONING BOARD OF ADJUSTMENT MEMBER
9-158	RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR Fox Hollow Builder's, LLC, 7 Fox Run, North Caldwell, NJ - Block 400, Lot 12
9-159	RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR Fox Hollow Builder's, LLC, 5 Fox Run, North Caldwell, NJ - Block 400, Lot 10
9-160	RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR Fox Hollow Builder's, LLC, 9 Fox Run, North Caldwell, NJ - Block 400, Lot 13
9-161	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, October 21, 2016 - 7:00PM - 11:00PM
9-162	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #15-00007, Block 34 Lot 5.03
9-163	AUTHORIZING REFUND OF TAX OVERPAYMENT BLOCK 7 LOT 3, 24 MOUNTAIN AVENUE, CALDWELL, NJ 07006, DUE TO TAX COURT JUDGMENT 2013/ 2014/ 2015 STATE TAX BOARD JUDGMENT



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9-164	AUTHORIZING REFUND OF TAX OVERPAYMENT of 2016, 2 nd QUARTER TAXES FOR BLOCK 36 LOT 5, 459 BLOOMFIELD AVENUE, CALDWELL, NJ 07006
9-165	RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO HIRE ARTHUR R. THIBAUT, JR. AS SPECIAL LABOR COUNSEL UNDER A PROFESSIONAL SERVICES CONTRACT AT A RATE OF \$185.00 PER HOUR
9-166	DISPOSAL OF OBSOLETE COMMUNITY CENTER FITNESS EQUIPMENT
9-167	AUTHORIZING THE REFUND OF CALDWELL COMMUNITY CENTER PAYMENTS
9-168	RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO HIRE VERITA, LLC TO CONDUCT A FACT-GATHERING INVESTIGATION FOR THE BOROUGH OF CALDWELL UNDER A PROFESSIONAL SERVICES CONTRACT AT A RATE OF \$240.00 PER HOUR
9-169	AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH SEPTEMBER 6, 2016 FOR 2016 BILLS IN THE TOTAL AMOUNT OF \$8,988,452.41

COUNCIL COMMITTEE REPORTS

Borough Council Members

REPORT OF MAYOR

Mayor Dassing

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



Council Chambers

1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

Phone: (973) 226-6100

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MAYOR

Ann Dassing

BOROUGH COUNCIL

Pasquale Capozzoli - President

Richard Hauser

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John Cascarano

Frank Rodgers

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 09/02/2016 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 09/02/2016 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – August 2, 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 7:02PM

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

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

ABSENT: Councilman Hauser and Brown

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 19, 2016**

Moved by Councilman Cascarano, seconded by Council President Capozzoli. No Discussion. On roll call, all voted in the affirmative. Councilman O'Donnell abstained. Minutes approved 08/02/16.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

Moved by Council President Capozzoli, seconded by Councilman Rodgers to open meeting to the Public.

RESOLUTIONS – CONSENT AGENDA

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: TABLED

CONSENT:

Moved by Council President Capozzoli, seconded by Councilman Cascarano. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 08/02/16.

REPORT OF MAYOR:

Mayor Dassing reported that she met with the Army Corp of Engineers on Thursday. Jason Shae and two of his associates attended along with two people from the DEP. Mr. Dan Flynn who is a resident of Westville Avenue, also attended and he provided a lot of great background information and Ann Marchioni from the Environmental Commission was also in attendance. They will hopefully be creating another trip report that they did back in 2007 and this will give us some idea where we are with the erosion and some solutions that we might put in place. Jason will be looking to see if there is any Army Corp of Engineer programs that we might fit into and if we do we can ask Congressman Frelinghuysen to help us with funding.

**REPORT OF BOROUGH ADMINISTRATOR:
Paul Carelli reported on the following:**

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – August 2, 2016**

Page 2 of 2

- He will be meeting with Councilman Brown to review the Compost proposals.
- We are in the process of switching banks.
- All the performance reviews have been submitted and he is hoping to have a personnel meeting as soon as possible.
- He has spoken with Govdeals and we are just formulating the last of the information. Maria has supplied pictures of the bus.
- The house that was in disrepair has been demolished.

REPORT OF COUNTY LIAISON:

Patricia Keenan reported that at the Environmental Center on Saturday, August 6th is the Buzzfest from 11am – 1pm there is a \$5 fee per-person for ages 2 & up.

OPEN PUBLIC MEETING:

Moved by Council President Capozzoli, seconded by Councilman Cascarano to open meeting to the Public.

Peter Murray, 61 Arlington Avenue he read something about Chief Bongiorno and he wanted to talk about the person he knows professionally and personally. He had the opportunity as a Councilman and being on the Police Committee to work with Jimmy and at the time there was a lot of organizing and hiring. The things that he read is not indicative of the person that he knows. He is a good man and a good family man and he looks after his officers that protect this town. He tries to engage as much as possible with the residents of this town. What he asks is that due- process will take its course and he knows that the Mayor and Council will give him the fairness and the support that he thinks he deserves and he would ask the same from the members of our community and the surrounding towns to look at the person, what he has done and what he has implemented in this community for the past five to six years. He wishes Chief Bongiorno all the best of luck during this time.

Ann Marchioni, co-chair Environmental Commission, thanked the Mayor and Council for supporting the resolution on Climate Change and the Mayor responded that was tabled for this evening. Ann encourages the Council to consider because it would fit nicely into Sustainable Jersey.

On a motion made by Councilman O'Donnell and seconded by Council President Capozzoli, unanimously affirmed, the Council moved into Executive Session at 7:14P.M.

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

The Executive Session was adjourned and upon a motion by Councilman O'Donnell seconded by Council President Capozzoli, the Council Business Conference Meeting was opened to the public and the press at 7:28P.M.

Motion was made by Councilman Cascarano to adjourn the August 16, 2016 Council Business/Conference Meeting, seconded by Council President Capozzoli. All in Favor.

There being no additional business to be conducted a motion to adjourn the meeting was made by Council President Capozzoli seconded by Councilman Cascarano unanimously affirmed by all members present, the meeting was adjourned at 7:29PM.

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-157

Date of Adoption: September 6, 2016

TITLE:

AUTHORIZING THE APPOINTMENT OF ZONING BOARD OF ADJUSTMENT MEMBER

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Zoning Board for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Planning Board Members

Barbara Buechner

Member

Expires December 31, 2019

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: 9-158

Date of Adoption: September 6, 2016

TITLE:

RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR Fox Hollow Builder's, LLC, 7 Fox Run, North Caldwell, NJ – Block 400, Lot 12

WHEREAS, Fox Hollow Builder's, LLC ("Applicant") requires approval from the Borough of Caldwell Sewer Utility for a SANITARY SEWER INCREASE IN FLOW to service property known as B400, Lot 12; and

WHEREAS, the project is more specifically known as 7 Fox Run, North Caldwell, NJ; and

WHEREAS, the applicant is proposing 1 new equivalent dwelling units; and

WHEREAS, the connection fee for this project is calculated as follows: 1 EDU x \$3600/EDU = \$3,600.00

WHEREAS, the Sewer Utility Director recommends approval in accordance with the Authority's Rules and Regulations and payment of the above referenced connection fees;

NOW THEREFORE BE IT RESOLVED by the Borough of Caldwell that the Sewer Director be and hereby approves this application, in accordance with the recommendations.

BE IT FURTHER RESOLVED that this approval is further subject to compliance by the Applicant with the Rules and Regulations of the Borough of Caldwell Sewer Utility and other applicable regulatory agencies.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE BOROUGH OF CALDWELL, ESSEX COUNTY, NEW JERSEY, AT A REGULAR MEETING HELD ON September 6, 2016.

Lisa O'Neill, Deputy Clerk

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: 9-159

Date of Adoption: September 6, 2016

TITLE:

RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR Fox Hollow Builder's, LLC, 5 Fox Run, North Caldwell, NJ – Block 400, Lot 10

WHEREAS, Fox Hollow Builder's, LLC ("Applicant") requires approval from the Borough of Caldwell Sewer Utility for a SANITARY SEWER INCREASE IN FLOW to service property known as B400, Lot 10; and

WHEREAS, the project is more specifically known as 5 Fox Run, North Caldwell, NJ; and

WHEREAS, the applicant is proposing 1 new equivalent dwelling units; and

WHEREAS, the connection fee for this project is calculated as follows: 1 EDU x \$3600/EDU = \$3,600.00

WHEREAS, the Sewer Utility Director recommends approval in accordance with the Authority's Rules and Regulations and payment of the above referenced connection fees;

NOW THEREFORE BE IT RESOLVED by the Borough of Caldwell that the Sewer Director be and hereby approves this application, in accordance with the recommendations.

BE IT FURTHER RESOLVED that this approval is further subject to compliance by the Applicant with the Rules and Regulations of the Borough of Caldwell Sewer Utility and other applicable regulatory agencies.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE BOROUGH OF CALDWELL, ESSEX COUNTY, NEW JERSEY, AT A REGULAR MEETING HELD ON September 6, 2016.

Lisa O'Neill, Deputy Clerk

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: 9-160

Date of Adoption: September 6, 2016

TITLE:

RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR Fox Hollow Builder's, LLC, 9 Fox Run, North Caldwell, NJ – Block 400, Lot 13

WHEREAS, Fox Hollow Builder's, LLC ("Applicant") requires approval from the Borough of Caldwell Sewer Utility for a SANITARY SEWER INCREASE IN FLOW to service property known as B400, Lot 13; and

WHEREAS, the project is more specifically known as 9 Fox Run, North Caldwell, NJ; and

WHEREAS, the applicant is proposing 1 new equivalent dwelling units; and

WHEREAS, the connection fee for this project is calculated as follows: 1 EDU x \$3600/EDU = \$3,600.00

WHEREAS, the Sewer Utility Director recommends approval in accordance with the Authority's Rules and Regulations and payment of the above referenced connection fees;

NOW THEREFORE BE IT RESOLVED by the Borough of Caldwell that the Sewer Director be and hereby approves this application, in accordance with the recommendations.

BE IT FURTHER RESOLVED that this approval is further subject to compliance by the Applicant with the Rules and Regulations of the Borough of Caldwell Sewer Utility and other applicable regulatory agencies.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE BOROUGH OF CALDWELL, ESSEX COUNTY, NEW JERSEY, AT A REGULAR MEETING HELD ON September 6, 2016.

Lisa O'Neill, Deputy Clerk

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: 9-161

Date of Adoption: September 6, 2016

TITLE:

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, October 21, 2016 – 7:00PM – 11:00PM

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-1336 Parent Faculty Association of Mt. St. Dominic Academy
Off Premise – 50/50 Raffle
October 21, 2016 – 7:00PM – 11:00PM

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: 9-162

Date of Adoption: September 6, 2016

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #15-00007, Block 34 Lot 5.03

WHEREAS, at the Borough of Caldwell Tax Sale held on December 23, 2015, a lien was sold on Block 34, Lot 5.03 also known as 8 Francis Place in Caldwell, NJ for delinquent Water; and

WHEREAS, this lien, known as Tax Sale Certificate 15-00007, was sold to Robert Palmisano; and

WHEREAS, the Homeowners Bank has effected redeemed the Certificate 15-00007 in the amount of \$286.91; and

WITH A PREMIUM OF \$200.00 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 \$486.91 payable to Robert Palmisano for the redemption of Tax Sale Certificate 15-00007

Certificate 15-00007

PRINCIPAL.....	\$ 231.91
PREMIUM.....	\$ 200.00
RECORDING FEES.....	\$ 55.00
TOTAL REDEMPTION.....	\$ 486.91

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

Certificate: 15-00007
Prop Loc: 8 FRANCIS PL

Owner: BALDWIN, LARA
Address: 8 FRANCIS PL
CALDWELL, NJ 07006

Type of Lien: Outside
Interest Rate: 0.00
Apr 2: N
Premium: 200.00

Block/Lot/Qual: 34, 5.03
Sale Date: 12/23/15
Redemption Calculation Date: 08/19/16
Include Current Charges: N

Holder Name: PALMISANO, ROBERT
Address: 51 GROVER LANE
WEST CALDWELL, NJ 07006

Holder Id: 00019

TAX SALE CERTIFICATE:

Balance Type	Principal	Interest	Total
Water	100.49	10.05	110.54
		Cost: 65.00	
		Total Certificate:	175.54
#Days: 236	Per Diem: 0.000000	Int on Cert:	0.00
	Redemption Penalty (0.00 %):		0.00
		Total:	175.54

SUBSEQUENT CHARGES:

Balance Type	Year Prd	Date	Prin/Penalty	Interest Rate	Per Diem	#Days	Interest	Total
Water	2015	4 03/11/16	27.50	8.00	0.006111	158	0.97	28.47
Water	2016	1 06/13/16	27.50	8.00	0.006111	66	0.40	27.90
		Total:	55.00				1.37	56.37

BALANCE TYPE SUMMARY:

	Certificate Total & Subseq. Prin/Penalty	Interest	Total
Certificate Water	110.54	0.00	110.54
Subseq Water	55.00	1.37	56.37
Total Water	165.54	1.37	166.91
Certificate Cost	65.00	0.00	65.00

LIEN REDEMPTION:

Principal: 230.54
Redemption Penalty (0.00 %): 0.00
Interest: 1.37
Recording Fees: 55.00
TOTAL REDEMPTION: 286.91

Total Per Diem: 0.012222

Handwritten: 286.91

Handwritten: 230.54
1.37

231.91

BOROUGH OF CALDWELL

1 PROVOST SQUARE
 CALDWELL, NJ 07006
 TEL (973)403-4632 FAX (973)226-6102

REQUISITION	
NO.	R6-00770

SHIP TO	IDA RENNE TAX COLLECTION 1 PROVOST SQUARE CALDWELL, NJ 07006
VENDOR	PALMISANO, ROBERT 51 GROVER LANE WEST CALDWELL, NJ 07006

VENDOR #: 01807

ORDER DATE: 08/08/16
 DELIVERY DATE:
 STATE CONTRACT:
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	LIEN REDEMPTION 15-00007	T-11-55-286-009	231.9100	231.91
1.00	LIEN RECORDING 15-00007	T-11-55-286-010	55.0000	55.00
1.00	LIEN PREMIUM 15-00007	T-11-55-286-008	200.0000	200.00
			TOTAL	486.91

REQUESTING DEPARTMENT

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-163

Date of Adoption: September 6, 2016

TITLE:

AUTHORIZING REFUND OF TAX OVERPAYMENT BLOCK 7 LOT 3, 24 MOUNTAIN AVENUE, CALDWELL, NJ 07006, DUE TO TAX COURT JUDGMENT 2013/ 2014/ 2015 STATE TAX BOARD JUDGMENT

WHEREAS, it has been determined by the Tax Collector that the Owners are entitled to a REFUND due to a **Tax Court Judgment** for 2013/ 2014/ 2015

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Tax Collector is hereby authorized to adjust off the following tax amounts.

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REFUND AMOUNT</u>
B7 L3	Archer & Greiner, PC 101 Carnegie Center Suite 300 Princeton, NJ 08540	\$6,641.10
		2013 Due \$2,132.10
		2014 Due \$2,180.70
		2015 Due \$2,328.30

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

1 PROVOST SQUARE
 CALDWELL, NJ 07006
 TEL (973)403-4632 FAX (973)226-6102

REQUISITION	
NO.	R6-00746

S H I P T O	IDA RENNE TAX COLLECTION 1 PROVOST SQUARE CALDWELL, NJ 07006
V E N D O R	VENDOR #: 03883 ARCHER & GREINER, PC TRUSTEE FOR GENITEMPO, RICHARD 101 CARNEGIE CENTER, SUITE 300 PRINCETON, NJ 08540

ORDER DATE: 07/29/16
 DELIVERY DATE:
 STATE CONTRACT:
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	STATE TAX APPEAL 2013,14,15	6-01-55-270-000	6,641.1000	6,641.10
			TOTAL	6,641.10

 REQUESTING DEPARTMENT

 DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-164

Date of Adoption: September 6, 2016

TITLE:

**AUTHORIZING REFUND OF TAX OVERPAYMENT of 2016, 2nd QUARTER TAXES FOR
BLOCK 36 LOT 5, 459 BLOOMFIELD AVENUE, CALDWELL, NJ 07006**

WHEREAS, it has been determined by the Tax Collector that the old homeowner's bank is entitled to a refund of \$12,407.25 due to the old bank sending us the check for the 1st and 2nd quarter of 2016 at the closing and so did the new bank. The taxes were paid twice.

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Tax Collector is hereby authorized to refund the following tax payment.

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REFUND AMOUNT</u>
B36 L5	Wells Fargo Bank P.O. Box 2609 Carlsbad, CA 92018	\$12,407.25

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: 9-165

Date of Adoption: September 6, 2016

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO HIRE ARTHUR R. THIBAUT, JR. AS SPECIAL LABOR COUNSEL UNDER A PROFESSIONAL SERVICES CONTRACT AT A RATE OF \$185.00 PER HOUR

WHEREAS, the Borough Council wishes to employ a labor attorney to represent the Borough in various labor issues in the Borough of Caldwell; and

WHEREAS, Arthur R. Thibault, Jr. is a labor attorney who has represented many municipalities in such special labor issues; and

WHEREAS, The Local Public Contract Law, N.J.S.A. 40A:11-1 et seq., authorizes the awarding of a contract for professional services without public advertising for bids and bidding provided that the resolution authorizing the contract and the contract be available for public inspection in the office of the clerk and that the notice of the awarding of the contract be published in a newspaper of general circulation in the municipality:

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants herein contained, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, County of Essex, as follows:

1. Arthur R. Thibault, Jr. shall be hired to represent the Borough of Caldwell pursuant to a Professional Services Contract pursuant to N.J.S.A. 40A:11-2(6) at a rate of \$185.00 per hour.
2. That the contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A.40A:11-5 of the Local Public Contracts Law of New Jersey because the services will be performed by person authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.
3. That the Chief Financial Officer is directed to file a certificate of availability of funds for this contract and to attach same to this Resolution.
4. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.

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: 9-166

Date of Adoption: September 6, 2016

TITLE:

DISPOSAL OF OBSOLETE COMMUNITY CENTER FITNESS EQUIPMENT

WHEREAS, the Community Center Director has advised the Borough Council that there is obsolete fitness equipment that is no longer needed for public use; and

WHEREAS, N.J.S.A. 40A:11-36 authorizes the disposition of personal property not needed for public use without public sale when the fair market value of the property is less than \$3,750.00; and

WHEREAS, the fitness equipment being disposed of below, and has a value of less than \$3,750.00; and

WHEREAS, it is in the best interest of the Borough of Caldwell to dispose of said equipment

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Caldwell that the obsolete fitness equipment referenced by the Community Center Director is no longer needed for public use by the Borough and shall be disposed of according to the manner as prescribed by law.

<u>ASSET NUMBER</u>	<u>EQUIPMENT</u>	<u>SERIAL NUMBER</u>
n/a	True Recumbent Bike CS8.0	09-CS8R00238E
000779	Life Fitness Cross Trainer	DCA21P0048
n/a	True Treadmill #5 CS5.0	09-5T02464G
n/a	True Treadmill #8 CS5.0	10-5T11293A
000195	Techno Gym Abdominal Crunch	M857AU-ALM-3
000180	Life Cycle 9500HR	CEF103137
n/a	True Treadmill Commercial	09-5T02468G

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: 9-167

Date of Adoption: September 6, 2016

TITLE:

AUTHORIZING THE REFUND OF CALDWELL COMMUNITY CENTER PAYMENTS

WHEREAS, it has been determined by the Caldwell Community Center that members paid for a scheduled trip that was ultimately cancelled.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Chief Financial Officer is hereby authorized to refund the following Community Center payments;

Table with 4 columns: Name, Amount, Address, and City/Zip. Lists individual refund payments for various residents.

TOTAL: \$1,200.00

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Table for recording council votes with columns for councilman names and response options (Yes, No, Absent, Abstain).

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-168

Date of Adoption: September 6, 2016

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO HIRE VERITA, LLC TO CONDUCT A FACT-GATHERING INVESTIGATION FOR THE BOROUGH OF CALDWELL UNDER A PROFESSIONAL SERVICES CONTRACT AT A RATE OF \$240.00 PER HOUR

WHEREAS, the Borough Council wishes to employ a firm to conduct a fact-gathering investigation on behalf of the Borough of Caldwell; and

WHEREAS, Verita, LLC. is a firm who has represented many municipalities in such special investigative services; and

WHEREAS, The Local Public Contract Law, N.J.S.A. 40A:11-1 et seq., authorizes the awarding of a contract for professional services without public advertising for bids and bidding provided that the resolution authorizing the contract and the contract be available for public inspection in the office of the clerk and that the notice of the awarding of the contract be published in a newspaper of general circulation in the municipality:

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants herein contained, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, County of Essex, as follows:

1. Verita, LLC shall be hired to represent the Borough of Caldwell pursuant to a Professional Services Contract pursuant to N.J.S.A. 40A:11-2(6) at a rate of \$240.00 per hour.
2. That the contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A.40A:11-5 of the Local Public Contracts Law of New Jersey because the services will be performed by person authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.
3. That the Chief Financial Officer is directed to file a certificate of availability of funds for this contract and to attach same to this Resolution.
4. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.

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: 9-169

Date of Adoption: September 6, 2016

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH SEPTEMBER 6, 2016 FOR 2016 BILLS IN THE TOTAL AMOUNT OF \$8,988,452.41

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