



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
September 18, 2012**

Borough Hall 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 18, 2012

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser – President
Peter Murray
John Coyle
Thomas O'Donnell
John Kelley
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 27, 2012 Special Meeting
September 4, 2012

INTRODUCTION OF ORDINANCES

ORDINANCE# 1261-12 AN ORDINANCE ESTABLISHING THE BOROUGH OF CALDWELL EMPLOYEE EFFICIENCY INCENTIVE PLAN

PUBLIC HEARING AND ADOPTION OF ORDINANCES

ORDINANCE# 1259-12: AN ORDINANCE AMENDING CHAPTER 214 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION REGULATING PRIVATE SWIMMING POOLS

ORDINANCE# 1263-12: AN ORDINANCE AMENDING CHAPTER 250 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE CHAPTER TITLED "ZONING", TO ADD SECTION 8.1 TITLED "BUILDINGS, IDENTIFICATION"

ORDINANCE# 1264-12: AN ORDINANCE TO AMEND THE BOROUGH CODE, CHAPTER 230, TRAFFIC AND VEHICLES, SECTION 230-62 SCHEDULE VIII OF THE BOROUGH CODE ENTITLED, "STOP INTERSECTIONS"

ORDINANCE# 1265-12: AN ORDINANCE TO AMEND THE BOROUGH CODE, CHAPTER 230, TRAFFIC AND VEHICLES, SECTION 230- 9 SCHEDULE VIII OF THE BOROUGH CODE ENTITLED, "THROUGH STREETS"

ORDINANCE# 1266-12: AN ORDINANCE AMENDING CHAPTER 164 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED PEACE AND GOOD ORDER

ORDINANCE# 1267-12: AN ORDINANCE AMENDING CHAPTER 167 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE CHAPTER TITLED "PEDDLING AND SOLICITING", TO ADD SECTION 4.1 TITLED "FINGERPRINTS"

OPEN PUBLIC COMMENTS ON RESOLUTIONS

Members of the public are invited to comment at this time on any resolution.



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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.

- 9-203:** RESOLUTION ESTABLISHING SALARIES, WAGES, AND ALLOWANCES OF OFFICIALS AND EMPLOYEES OF THE BOROUGH OF CALDWELL FOR THE CALENDAR YEAR 2012
- 9-204:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH SEPTEMBER 18, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$4,532,086.63
- 9-205:** RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDERS (1-4) FOR THE CALDWELL COMMUNITY CENTER LOCKER ROOM PROJECT IN THE AMOUNT OF \$8,870.00 – NEW TOTAL AMOUNT \$148,870.00
- 9-206:** AUTHORIZING THE REFUND OF A TAX COURT APPEAL/JUDGEMENT PAYABLE TO: FAIRVIEW REALTY ASSOC., LLC. & HOWARD GOLDBERG ATTORNEY AT LAW
- 9-207:** AUTHORIZING THE APPOINTMENT OF PLANNING BOARD MEMBER – Sally Santiago
- 9-208:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Trinity Academy HSA / Off Premise – Merchandise Raffle / May 1, 2013 – 10:30PM
- 9-209:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell College / Off Premise – Basket Raffle / November 17, 2012 – 10:00AM – 6:00PM
- 9-210:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell College / Off Premise – 50/50 Raffle / November 17, 2012 – 10:00AM – 6:00PM
- 9-211:** 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 – North Jersey Collision
- 9-212:** RESOLUTION SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2012 STATEWIDE CRACKDOWN

FINANCE

Council President Hauser

Liaison: Library Board of Trustees / Recreation

PUBLIC WORKS / UTILITIES

Councilman Coyle

Liaison: Open Space / Environmental / Tree Removal



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COMMUNITY CENTER

Councilman O'Donnell

Liaison: Planning Board / Local Board of Assistance / Senior Advisory Board

REPORT OF MAYOR

Mayor Dassing

REPORT OF ADMINISTRATOR

Paul M. Carelli

1. Administrator Report Spreadsheet – September 18, 2012

REPORT OF ATTORNEY

Gregory Mascera

OLD BUSINESS

NEW BUSINESS

Members of the Governing Body may choose to bring up new items at this time.

1. 2013 DOT Grant Application
2. 2012 Best Practices Checklist
3. Brookside Water Main Project – BID results

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.



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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 9/14/2012 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 9/14/2012 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
SPECIAL COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – August 27, 2012**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 8:06AM

PRESENT: Mayor Dassing, Council President Hauser, Councilman Murray, Coyle, and Rodgers

ALSO PRESENT: Paul Carelli, Borough Administrator and Borough Attorney, Greg Mascara

ABSENT: Councilman Kelley, and O'Donnell

Adequate notice of this Council Business/Conference meeting was given on January 1, 2012. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2012. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2012. Notice was posted and all persons requesting notice were sent same.

OPEN PUBLIC MEETING:

On a motion made by Councilman Coyle and seconded by Councilman Murray, unanimously affirmed, the Council moved into Executive Session at 8:08AM.

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. Greg Mascara responds that the Executive Session will be discussion of Personnel and the job status of Marge Cherone.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman Kelley, the Council Business Conference Meeting was opened to the public and the press at 9:47P.M.

8:190: RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE RESIGNATION OF MARGARET CHERONE, CHIEF FINANCIAL OFFICER EFFECTIVE AUGUST 27, 2012

Moved by Councilman Murray, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 08/27/12

8:191A:RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE THE POSITION OF CERTIFIED FINANCIAL OFFICER

Moved by Councilman Coyle, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 08/27/12.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Murray, seconded by Councilman Hauser, unanimously affirmed by all members present, the meeting was adjourned at 8:32AM.

Prepared by: _____
Lisa O'Neill, Deputy Clerk

DATE

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – September 4, 2012**

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

PRESENT: Mayor Dassing, Council President Hauser, Councilman Murray, Coyle, O'Donnell, Kelley and Rodgers

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

ABSENT:

Adequate notice of this Council Business/Conference meeting was given on January 1, 2012. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2012. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2012. Notice was posted and all persons requesting notice were sent same.

APPROVAL OF MINUTES:

August 7, 2012

Moved by Councilman Murray, seconded by Councilman Kelley. No Discussion. On roll call, Councilman Rodgers, O'Donnell, Murray, Kelley and Coyle all present voted in the affirmative. Council President Hauser abstained. Minutes approved 09/04/12.

PRESENTATION:

1. Rich Basta – Caldwell Historic Commission / Certified Local Government Status
2. Ann Marchioni – Caldwell Environmental Commission / Anti-Idling Program

OPEN PUBLIC COMMENTS ON RESOLUTION:

RESOLUTIONS – CONSENT AGENDA

- 9-192:** RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION Block 21, Lot 10, 121-123 Harrison Avenue, Roseland, NJ to LYSAR JKH ROSELAND, LLC.
- 9-193:** AUTHORIZING THE REFUND OF A TAX OVERPAYMENT PAYABLE TO: CHASE REFUND DEPARTMENT C/O CORE LOGIC
- 9-194:** AUTHORIZING THE REFUND OF A TAX OVERPAYMENT PAYABLE TO: MANNELL MATTHEW & LAURA
- 9-195:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Trinity Academy HSA / Off Premise – 50/50 Raffle / December 1, 2012 – 8:00AM – 5:00PM
- 9-196:** AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR AND CATERING PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – 117 KTP HOLDING CO INC. DBA PETE'S RESTAURANT AND PUB
- 9-197:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE 09-00008 PAYABLE TO GARDEN STATE TAX LIENS, LLC.
- 9-198:** RESOLUTION AUTHORIZING THE AMENDMENT TO THE AGREEMENT ENTERED INTO BETWEEN THE BOROUGH OF ESSEX FELLS AND THE BOROUGH OF CALDWELL DATED FEBRUARY 1, 2005 FOR THE PURCHASE OF WHOLESALE WATER
- 9-199:** AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO CREW ENGINEERS, INC. FOR ENGINEERING CONSTRUCTION SERVICES FOR THE BROOKSIDE AVENUE WATER MAIN REPLACEMENT PROJECT

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
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9-200: RESOLUTION AUTHORIZING THE CALDWELL HISTORIC COMMISSION TO APPLY FOR CERTIFIED LOCAL GOVERNMENT STATUS BY THE NEW JERSEY HISTORIC PRESERVATION OFFICE (HPO)

9-201: RESOLUTION STATING THE BOROUGH OF CALDWELL WILL SUPPORT AND MAINTAIN DOWNTOWN STREETSCAPE PROJECTS RECEIVING GRANT MONEY FROM THE NJDOT

CONSENT

Moved by Councilman Hauser, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 09/04/12

Councilman Murray reported that there is an advertisement on the website for Crossing Guards. We are advertising for more Crossing Guards and please contact the Police Department. The Police Department has come aware of a program called Vial for Life. It is for the elderly and single homeowners. We have 1000 free kits to offer to our residents of Caldwell. It is on our website now.

Councilman O'Donnell reported that the molding is going down in the Aerobics Room. The pool is filled back with water, downstairs is coming along and the Men's and Ladies locker rooms have been gutted and ripped out. Everything seems to be on schedule and the vendors are doing a wonderful job. He thanked Mr. Paterson and the residents in Caldwell.

Mayor Dassing reported that there is a vacancy on the Planning Board and the Open Space Board. Sadly, Chris Esposito will be moving out of Caldwell. We offer 50% off membership to the newly renovated Community Center if you wish to serve on any of those boards. The Mayor wanted to thank Lieutenant Marc Driggs for his help the other night. We had a power outage in half of our house and when she contacted Marc he literally had PSE&G within 4 minutes in front of my house. Within about 10 minutes they identified the problem and it was up and down Linwood Terrace in addition to our house. I received a message from the County that they are going to be paving Elm Road next year because it's a County Road. Chief Bongiorno responded that Sgt. Pellegrino did call and they said they do have it down as a route number but they didn't have any paperwork backing it up as a County Road they will investigate it further and let us know tomorrow.

ADMINISTRATOR'S REPORT:

Paul Carelli reported that Rob Paterson and I are pleased with the Contractors and the Community Center. There was something wet inside the shower which we were not planning on. I believe the change order is around \$1500.00. The canopy's have been purchased for the back and will be put up by the end of the week. We did start the emergency generator back up system. This will provide power to the whole Borough complex; provide heat to the Fire Department. The fire and police radios have been ordered. We should be getting the radios in about four weeks. The file servers for the Borough and Police Department have been ordered and should be in within two weeks. As far as the Parking Deck they are going to be caulking and re-sealing it. We have also contracted the stairs to be replaced and the steps are being fabricated.

REPORT OF ATTORNEY:

Greg Mascara reported that Ingris vs. Caldwell case was won this past Friday. There is an Ingris 2 that will be discussed in Executive Session. The Gleason one case was officially withdrawn. There is a Gleason 2 case that will be discussed in Executive Session. The contract for the compost facility is completed and I have provided it to Paul. The Sewer issues I will go into more details in Executive Session but we are proceeding. The Personette Street potential acquisition we will discuss in more detail in Executive Session.

OLD BUSINESS:

Councilman Hauser asked in the minutes of last meeting Ordinance #1261-12 was withdrawn and that had to do with the employee incentive plan. Greg Mascara responded that when he first drafted there was language that you and Council thought was not necessary. The language is necessary under the statute.

Councilman Kelley spoke about a neighbor having a guest over and not being able to park on the street. Chief Bongiorno responded that there are cars that are granted permission each night. Councilman Kelley asked the chief what the status was in regards to the Motorcycle. Chief Bongiorno stated that the Motorcycle has been ordered and unfortunately during training the officer

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was injured. Councilman Kelley asked if the chief had any reservations in regards to getting the Motorcycle on the force and do you think this is something we should not consider. Chief Bongiorno said it was an unfortunate accident and feels sorry for the officer but he does not think that they should.

Councilman Hauser asked if we followed up on the process changes with payroll. At the last Council meeting it was voted to move forward with the ADP Contract. Part of that was to have their team work with our team to improve some of the things we had discovered. Paul Carelli responded that they met with ADP and part of the plan was to come in and do Payroll with Antoinette one day. We scheduled a date but because we did not have the contract we had to postpone. Mr. Carelli will reschedule for the next payroll.

NEW BUSINESS:

Councilman Hauser spoke about the CFO position. I reached out to Heidi at Nisivoccia and there is a list of things that the Council has received that need to be done. I like to get the process going and whether we are looking for a part-time or full-time CFO. Discussion was on having a temporary consultant and to get approval from Local Government Services.

OPEN PUBLIC MEETING:

Ann Marchioni, 85 Brookside Avenue, spoke about the gravel that washes down to her property from Cedars Road. Paul Carelli responded that he and Mario will take a look at the property.

Gary Flynn, 22 Hillside Avenue, asked the question on how we came to the decision on crossing guards at the corner of Hatfield and Hillside. When less than two years ago Hatfield was so dangerous we had to install a four way stop sign. Chief Bongiorno responded that the route was changed to go down to the crossing guard on Forest and Hatfield and they walk Forest Avenue. Councilman Kelley responded to the Chief that he will be re-routing children down to a much busier Street along Forest. Hillside is a much safer street than Forest in terms of traffic and it is a more direct route to Lincoln School. Discussions Ensued.

On a motion made by Councilman Coyle and seconded by Councilman O'Donnell, unanimously affirmed, the Council moved into Executive Session at 8:27PM.

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. Greg Mascera responds that the Executive Session will be discussion of Gleason 2 Litigation, Ingris 2 Litigation, Sewer Contracts, Hassan potential Litigation and Personette Street, Knights' of Columbus.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman Kelley, the Council Business Conference Meeting was opened to the public and the press at 9:27P.M.

9-202: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR OR MAYOR TOEXECUTE THE CONTRACT FOR THE PURCHASE OF THE PROPERTY LOCATED AT 27 PERSONETTE STREET

Moved by Councilman O'Donnell, seconded by Councilman Murray. Discussions Ensued. On roll call, Councilman Rodgers, O'Donnell, Murray, Hauser and Coyle voted in the affirmative. Councilman Kelley abstained. Resolutions approved 09/04/12

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COUNCIL BUSINESS/CONFERENCE MEETING
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There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Hauser, seconded by Councilman Kelley, unanimously affirmed by all members present, the meeting was adjourned at 9:31P.M.

Prepared by: _____
Lisa O'Neill, Deputy Clerk

DATE



BOROUGH OF CALDWELL NEW JERSEY



ORDINANCE# 1261-12

AN ORDINANCE ESTABLISHING THE BOROUGH OF CALDWELL EMPLOYEE EFFICIENCY INCENTIVE PLAN

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

EMPLOYEE EFFICIENCY INCENTIVE PROGRAM

Establishment; Purpose

There is hereby established in the Borough of Caldwell an Employee Efficiency Incentive Program (“Program”), to enhance municipal services, save taxpayer money, enhance municipal employee morale, and to secure for the Borough of Caldwell and its taxpayers the maximum benefit from the conservation of Borough resources. The Program recognizes that the employees of the Borough represent an unlimited source of ideas for better ways to serve the public. Monetary awards are intended to offer a significant efficiency incentive for employees to become involved in the creative process and to assist management. The Program recognizes that every employee will, by identifying problems and providing possible solutions, become part of the creative management team of the Borough. This Program is subject to ongoing review and monitoring as to its administrative costs and effectiveness; and may be modified or terminated.

Basic Procedures

- a. Cost savings/cost avoidance refers to the actual monetary savings (i.e., reduction in spending within a departmental budget) generated by reason of an employee suggestion; provided, however, that the decreased expenditure does not result in a diminution of Borough services.
- b. A suggestion is a definite, constructive, original idea or a new application of an existing idea or procedure, submitted in writing by one or more eligible Borough employees, which is intended to increase productivity, conserve Borough resources, increase efficiency, and reduce Borough costs. (Despite anything contained herein to the contrary, suggestions to increase fees as a means to increase revenue will not be considered.)
- c. All Borough employees are eligible. There is no limit to how often an employee or group may receive an award, but each suggestion will result in only one award. Employees may nominate other employees for suggestions submitted by those other employees.
- d. In order to be eligible for an award, the cost savings or cost avoidance must result in at least \$1,000.00 savings during the first year after implementation of the suggestion.
- e. Employees whose suggestions result in actual dollar savings or cost avoidance of at least \$1,000.00 during the first year of implementation shall receive 20 percent of the actual dollar savings for that year; provided, however, that no award, individual or joint, shall exceed \$10,000.00. Payments shall be made in full twelve months after the idea is implemented, or as soon thereafter as possible. In the case of a suggestion jointly submitted by 2 or more employees, the award will be divided equally among those employees.

Efficiency Incentive Committee

- a. In accordance with N.J.S.A. 40A:5-31, the official name of the Efficiency Incentive Committee is the Public Employees' Awards Committee. The Committee shall be commonly known as the Efficiency Incentive Committee.
- b. The Efficiency Incentive Committee shall consist of five persons who are officers, employees, or members of the Governing Body of the Borough. The initial committee shall consist of two members appointed for three year terms, two members for two year terms, and one member for a one year term. All subsequent members shall serve three year terms.
- c. The members of the Efficiency Incentive Committee shall consist of:
 1. One member appointed by the Mayor.
 2. Two Department Heads appointed by the Borough Administrator.
 3. Two non-Department Head staff from different departments appointed by the Borough Administrator. The Chief Financial Officer shall be an ex officio member with no vote.



BOROUGH OF CALDWELL NEW JERSEY



- d. The Efficiency Incentive Committee shall function as set forth in N.J.S.A. 40A:5-31 and shall adopt and promulgate rules and regulations, and amend them from time to time as may be necessary for the conduct and operation of the Program. The rules and regulations shall be consistent with the requirements and purposes of this section and shall be as deemed necessary and appropriate for the proper administration of the Program. Copies of the rules and regulations will be available to all employees in the office of the Borough Clerk and will be posted on the Borough's web site.
- e. The Efficiency Incentive Committee shall establish procedures to encourage participation in the Program, and will schedule regular meetings in order to review suggestions which have been received. Although the Efficiency Incentive Committee may establish specific methods for rating suggestions and may consult with various experts or other individuals to assist in its assessment, evaluation and determinations concerning suggestions shall be based upon the criteria set forth in this section. Upon completion of review by the Efficiency Incentive Committee, the Committee shall submit in writing to the Borough Council for final determination with respect to award recipients. Such determinations shall be within the sole discretion of the Borough Council and shall be final.

Funding of Awards

All monetary awards granted pursuant to the Employee Efficiency Incentive Program will be charged to the budget of the department(s) that benefits from the adopted suggestion(s).

No Modification of Collective Bargaining Agreement.

The Employee Efficiency Incentive Program shall not be construed to change or otherwise modify the terms of any collective bargaining Agreement existing between the Borough of Caldwell and any duly organized employee union.

No Effect on Base Compensation.

Awards paid to Borough hereunder shall not be considered as part of base compensation and shall not be included for purposes of computing a retirement allowance under the applicable public retirement system.

DATE OF FIRST READING: September 18, 2012
 DATE OF PUBLICATION: September 20, 2012
 MOVED:
 SECONDED:

DATE OF SECOND READING: October 16, 2012
 DATE OF ADOPTION: October 16, 2012
 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					O'Donnell				
Murray					Kelley				
Coyle					Rodgers				

Lisa O'Neill, Acting Borough 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: 9-203

Date of Adoption: September 18, 2012

TITLE:

RESOLUTION ESTABLISHING SALARIES, WAGES, AND ALLOWANCES OF OFFICIALS AND EMPLOYEES OF THE BOROUGH OF CALDWELL FOR THE CALENDAR YEAR 2012

BE IT ORDAINED by the Mayor and Council of the Borough of Caldwell, in the County of Essex and State of New Jersey, as follows:

Section 1. The salaries, wages, and allowances for the following positions within the Borough of Caldwell not covered under a separate collective bargaining agreement shall be as follows for the calendar year 2012:

<u>Full-Time Positions:</u>	<u>Title</u>	<u>Annual Rate</u>
Bongiorno, James	Police Chief	\$130,000
Carelli, Paul	Borough Administrator	* \$106,250
Bifalco, Mario	Public Works Superintendent	\$77,924
Paterson, Robert	Community Center Director	\$69,020
Renne, Idamae	Tax / Utility Collector	\$60,000
Reeve, Marilyn	Court Administrator	\$58,137
Burak, Maria E	Director of Human Services	\$56,582
Van Dien, Joanne	Fitness Supervisor	\$55,977
Hamer, John S.	Public Works Foreman	\$53,795
O'Neill, Lisa	Deputy Clerk	\$51,756
Canova, Antoinette	Assistant Treasurer	\$50,000
Lawshe, Gordon	Sports Program/Membership Director	\$49,000
Camilleri, Theresa	Front Desk Supervisor	\$48,672
O' Hern, Leanne	Deputy Court Clerk	\$31,200
Blechar, Jessica	Aquatics Director	\$30,000
Bellasalma, Robert	Bookkeeper	\$30,000
Bross, Tamara	Admin Assistant / Planning-Zoning Secretary	\$27,070
Spittle, Elizabeth A	Senior Bus Driver	\$25,610

* Effective 1-1-2011

<u>Governing Body Positions:</u>	<u>Title</u>	<u>Annual Rate</u>
Mayor	Mayor	\$2,000
Borough Council	Borough Council	\$1,500

<u>Part-Time Salaried Positions:</u>	<u>Title</u>	<u>Annual Rate</u>
Milani, Paul	Construction / Building Sub-Code Official	\$45,427
Hassan, Colette I.	Tax and Water Clerk	\$26,997
Kelly, John W.	Tax Assessor	\$25,958
O' Conner, Donald	Municipal Court Judge	\$25,000
Visitacion, Marty R.	Community Center Instructors	\$19,600
Stack, James D.	Community Center Instructors	\$18,000
Chontow, Greg	Electrical Sub-Code Official	\$8,000
Lardieri, Anthony	Plumbing Sub-Code Official	\$7,000
Corinne, Shannon	Summer Camp Director	\$7,500
D'Ascensio, John	Fire Sub-Code Official	\$6,000
Milani, Paul	Zoning Official	\$6,000
Paserchia, Francine	Borough Clerk	\$5,000
Sewer Commissioners	Sewer Commissioners	\$4,217

<u>Part-Time Hourly Positions:</u>	<u>Title</u>	<u>Hourly Rate</u>
Chief Financial Officer	Chief Financial Officer	\$45.00
Substitute Crossing Guards	Substitute Crossing Guards	\$16.00
Sullivan, Robert	Parking Enforcement Officer	\$15.00
Earley, Peter	Front Desk Receptionist	\$15.00
Schmulewitz, Bari	Front Desk Receptionist	\$10.00
Fambro, Debra	Front Desk Receptionist	\$10.00
Community Center Receptionist	Substitute Front Desk Receptionist	\$8.50 MAX
Community Center Lifeguards	Lifeguards	\$8.50 MAX

<u>Annual Stipend</u>	<u>Title</u>	<u>Annual</u>
BiFalco, Mario	Licensed Pool Operator	\$2,400
O'Neill, Lisa	Rent Board Secretary	\$900

<u>Part-Time Salaried Positions:</u>	<u>Title</u>	<u>Annual Rate</u>
Arvanities, Demetrios	Crossing Guard - Extended Over 5th	\$8,320
Chomko, Elaine	Crossing Guard - Extended Over 5th	\$8,320
Molisso, John	Crossing Guard - Extended Over 5th	\$8,320
Peterson, Theresa	Crossing Guard - Extended Over 5th	\$8,320
Reynolds, Timothy	Crossing Guard - Extended Over 5th	\$8,320
Cicccone, Neil	Crossing Guard - Regular Over 5th	\$7,800
Coughlan, Richard	Crossing Guard - Regular Over 5th	\$7,800
Feldman, Joy	Crossing Guard - Regular Over 5th	\$7,800
LaMarca, Joseph	Crossing Guard - Extended 5th	\$7,800
Walacheske, Karen	Crossing Guard - Regular Over 5th	\$7,800
Lentine, Joseph	Crossing Guard - Extended 5th	\$7,800
Byrne, William	Crossing Guard - Regular 5th	\$7,280
Schmertz, Kenneth	Crossing Guard - Extended 3rd	\$6,760

<u>Fire Department Allowances:</u>	<u>Title</u>	<u>Annual MAX</u>
Garamella, Gary	Fire Chief	\$1,850
Grenci, Anthony	First Assistant Chief	\$1,450
Grenci, Gerard	Second Assistant Chief	\$1,200
Haight, Thomas	Captain	\$1,000
Hebrank, Brian	Lieutenant	\$1,000
Intilli, Andrew	Lieutenant	\$875
Pollara, Andrew	Lieutenant	\$500
Sullivan, Raymond	Firefighter	\$575
Kent, Samuel	Photographer	\$500
Firefighters	Firefighters	\$450

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser					O'Donnell				
Murray					Kelley				
Coyle					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: 9-204

Date of Adoption: September 18, 2012

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH SEPTEMBER 18, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$4,532,086.63

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 2011 and/or 2012 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

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-205

Date of Adoption: September 18, 2012

TITLE:

RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDERS (1-4) FOR THE CALDWELL COMMUNITY CENTER LOCKER ROOM PROJECT IN THE AMOUNT OF \$8,870.00 – NEW TOTAL AMOUNT \$148,870.00

WHEREAS, the Borough Council of the Borough of Caldwell in the County of Essex, State of New Jersey has on August 7, 2012, authorized the awarding of a contract to Pakis Tile Contractors, Inc. P.O. Box 1464 West Caldwell, New Jersey 07007 in the amount of \$140,000.00; and

WHEREAS, during the course of the contract, it was discovered after work began, the need for (1) Spackle and Painting of the Men’s and Woman’s Locker Rooms, (2) Demolition and Renovation of the Woman’s ADA Shower Area, (3) Replacement and relocation of ceiling exhaust fans, and (4) Replacement of shower trim kits and plumbing hardware to increase the contract as follows:

CHANGE ORDERS (1-4): Change Order Total: \$8,870.00
New Contract Total: \$148,870.00

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell in the County of Essex, State of New Jersey does hereby authorize change orders 1-4 for the Caldwell Community Center locker room project.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-206

Date of Adoption: September 18, 2012

TITLE:

**AUTHORIZING THE REFUND OF A TAX COURT APPEAL/JUDGEMENT PAYABLE TO:
FAIRVIEW REALTY ASSOC., LLC. & HOWARD GOLDBERG ATTORNEY AT LAW**

WHEREAS, it has been determined by the Borough Tax Collector that the taxpayers Bank has won a Tax Court Judgement for 178 Roseland Avenue, Caldwell, NJ; resulting in an overpayment and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the Borough Tax Collector is hereby authorized to refund the following tax overpayment;

See attached letter from homeowner requesting overpayment be returned:

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REFUND AMOUNT</u>
Block 58.01 Lot 8	Fairview Realty Assoc. LLC. Howard B. Goldberg, Attorney at Law 33 Clinton Road West Caldwell, NJ	\$4496.34

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-207

Date of Adoption: September 18, 2012

TITLE:

AUTHORIZING THE APPOINTMENT OF PLANNING BOARD MEMBER

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Planning 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 Member

Sally Santiago
17 Westover Avenue
Caldwell, NJ 07006

Alternate #1

One-Year Term

Expires December 31, 2013

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-208

Date of Adoption: September 18, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Trinity Academy HSA / Off Premise – Merchandise Raffle / May 1, 2013 – 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-1243 Trinity Academy HSA
Off Premise – Merchandise Raffle
May 1, 2013 – 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						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-209

Date of Adoption: September 18, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell College / Off Premise – Basket Raffle / November 17, 2012 – 10:00AM – 6:00PM

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-1244 Caldwell College
Off Premise –Basket Raffle
November 17, 2012 – 10:00AM – 6:00PM

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						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-210

Date of Adoption: September 18, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Caldwell College / Off Premise – 50/50 Raffle / November 17, 2012 – 10:00AM – 6:00PM

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-1245 Caldwell College
Off Premise –50/50 Raffle
November 17, 2012 – 10:00AM – 6:00PM

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						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-211

Date of Adoption: April 3, 2012

TITLE:

AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – North Jersey Collision

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby approve the application for issuance of a motor vehicle lot license to North Jersey Collision, 139 Roseland Avenue, Caldwell, New Jersey in accordance with the application filed. Applicant and application has been investigated and approved by the Police Department, Construction Department and the Borough Clerk's office.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 9-212

Date of Adoption: September 18, 2012

TITLE:

**RESOLUTION SUPPORTING THE DRIVE SOBER OR GET PULLED OVER
2012 STATEWIDE CRACKDOWN**

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day and almost 18,000 people each year; and

WHEREAS, 25% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled Over 2012 Statewide Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from August 17 through September 3, 2012; and

WHEREAS, an increase impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Caldwell and the Caldwell Police Department declare its support for the Drive Sober or Get Pulled Over 2012 Statewide Crackdown from August 17 through September 3, 2012 and pledges to increase awareness of the dangers of drinking and driving.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

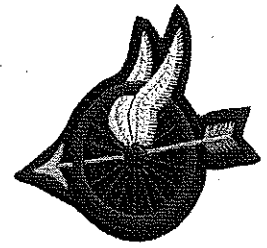


Caldwell Police Department

TRAFFIC SAFETY BUREAU

One Provost Square – Caldwell, NJ 07006

(973) 226-2600 – Fax (973) 226-0026



JAMES H. BONGIORNO
Chief

MICHAEL J. PELLEGRINO
OIC, Traffic Safety Bureau

PROCLAMATION/RESOLUTION Supporting the *DRIVE SOBER or GET PULLED OVER* *2012 STATEWIDE CRACKDOWN*

Whereas, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day and almost 18,000 people each year; and

Whereas, 25% of motor vehicle fatalities in New Jersey are alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2012 Statewide Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from August 17 through September 3, 2012; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be it resolved that the **Borough of Caldwell** and the **Caldwell Police Department** declare its support for the *Drive Sober or Get Pulled Over 2012 Statewide Crackdown* from August 17 through September 3, 2012 and pledges to increase awareness of the dangers of drinking and driving.