



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
October 15, 2013**

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

October 15, 2013 / 7:00pm

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser – President / CCC
Thomas O'Donnell / Public Safety
John Coyle / Public Works
John Kelley / Community Relations
Frank Rodgers / Personnel
Edward Durkin Jr. / Finance

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

October 1, 2013

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.

10-231	RESOLUTION AUTHORIZING CHANGE FUNDS
10-232	RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 36.01 LOT 71.01 & 36.01 LOT 96, 485 & 487 BLOOMFIELD AVENUE, BLOOMFIELD AVENUE, REALTY, LLC., CALDWELL, NJ 07006
10-233	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Volunteer Fire Co of Borough of Caldwell - Off Premise / Tricky Tray Raffle – December 7, 2013 – 6:00PM – 10:00PM
10-234	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Volunteer Fire Co of Borough of Caldwell - Off Premise / 50/50 Raffle – December 7, 2013 – 6:00PM – 10:00PM
10-235	AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Caldwell Community Center
10-236	RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDERS (1-4) FOR THE CEDARS ROAD IMPROVEMENT PROJECT IN THE AMOUNT OF \$25,073.12 – NEW TOTAL CONTRACT AMOUNT \$948,498.80
10-237	AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 15, 2013 FOR 2013 BILLS IN THE TOTAL AMOUNT OF \$3,418,975.01



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COUNCIL COMMITTEE REPORTS

Borough Council Members

Members of the Borough Council may choose to report on their respective committees.

REPORT OF MAYOR

Mayor Dassing

REPORT OF BOROUGH ADMINISTRATOR

Paul M. Carelli

1. Administrator Report October 15, 2013

REPORT OF ATTORNEY

Gregory Mascera

REPORT OF POLICE CHIEF

Chief James H. Bongiorno, CPD

REPORT OF ESSEX COUNTY LIASSON

James Jude Jorgensen, QPA

OLD BUSINESS

1. Caldwell Yard Storage

NEW BUSINESS

1. American Express Park on Patch
2. 2013 Best Practices Checklist

OPEN PUBLIC MEETING

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



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Borough of Caldwell Council Business Meeting

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MAYOR
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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.

1. Litigation

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 10/11/2013 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 10/11/2013 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 1, 2013**

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 Hauser, Councilman O'Donnell, Rodgers and Durkin

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

ABSENT ROLL CALL: Councilman Coyle and Councilman Kelley

Adequate notice of this Council Business/Conference meeting was given on January 1, 2013. 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.

**APPROVAL OF MINUTES:
September 17, 2013**

Moved by Councilman O'Donnell, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 10/01/13.

PRESENTATIONS:

1. Boswell Engineering / Chris Nash

INTRODUCTION OF ORDINANCE:

ORDINANCE #1280-13: AN ORDINANCE AMENDING CHAPTER 230, SECTION 59 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION GOVERNING VEHICLES AND TRAFFIC – SCHEDULE V: PROHIBITED TURNS AT INTERSECTIONS

Moved by Councilman O'Donnell, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Ordinance adopted 10/01/13.

ORDINANCE #1281-13: AN ORDINANCE AMENDING CHAPTER 230, SECTION 58 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION GOVERNING VEHICLES AND TRAFFIC - SCHEDULE IV: U-TURNS

Moved by Councilman O'Donnell, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Ordinance adopted 10/01/13.

ORDINANCE #1282-13: AN ORDINANCE TO FIX SALARIES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF CALDWELL FOR THE YEAR 2013

Moved by Councilman Rodgers, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance adopted 10/01/13.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

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

RESOLUTIONS – CONSENT AGENDA

10-222: RESOLUTION SUPPORTING *PUT THE BRAKES ON FATALITIES DAY*, OCTOBER 10, 2013. October 10, 2013 has been declared *Put the Brakes On Fatalities Day* by the BOROUGH OF CALDWELL AND THE CALDWELL POLICE DEPARTMENT

10-223: AUTHORIZING ISSUANCE OF ONE (1) TAXICAB LICENSES TO Rafik Hana., 52 Park Terrace North, Caldwell, NJ 07006. APPLICATION AND APPLICANT HAVE BEEN APPROVED BY APPROPRIATE MUNICIPAL DEPARTMENTS

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 1, 2013**

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10-224: AUTHORIZING THE AWARD OF A CONTRACT FOR A MULTI-CAMERA VIDEO CAPTURE SYSTEM FOR RECORDING, BROADCAST, AND STREAMING OF BOROUGH OF CALDWELL COUNCIL BUSINESS MEETINGS AND OTHER EVENTS IN THE COUNCIL CHAMBERS OF THE BOROUGH HALL FOR AN AMOUNT OF \$32,325.90 TO G & G TECHNOLOGIES, INC. 280 NORTH MIDLAND AVENUE, SADDLE BROOK, N.J. 07663

10-225: AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE SEALED BIDS FOR A TURNING INCLINED PLATFORM WHELLCHAIR LIFT FOR THE BOROUGH HALL BUILDING

CONSENT

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 10/01/13

10-226: AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH BECKMEYER ENGINEERING LLC FOR PROVIDING THE PREPARATION OF CONSTRUCTION PLANS AND SPECIFICATIONS AND PROVIDING CONSTRUCTION INSPECTION FOR THE ADA RAMP TO THE CALDWELL PUBLIC LIBRARY FOR A NOT TO EXCEED FEE OF \$14,201.50 FOR THE DESIGN PHASE AND \$7,250 FOR THE CONSTRUCTION PHASE)

Moved by Councilman Rodgers, seconded by Councilman Kelley. Discussions Ensued. On roll call, Councilman Rodgers, Kelley and Durkin voted in the affirmative. Councilman Hauser, Coyle and O'Donnell voted in the negative. Mayor Dassing voted in the affirmative. Resolution approved 10/01/13.

10-227: RESOLUTION APPROVING A REFUND FOR A SEWER CONNECTION FEE Block 302, Lot 58, Tim Berra, 23 Wilson Terrace, West Caldwell, NJ to ATS Environmental Services LLC, 286 Houses Corner Road, Sparta NJ 07871

CONSENT

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/01/13.

COUNCIL COMMITTEE REPORTS:

Mayor Dassing reported that Ann Marchioni was chosen as Honorable mention from ANJEC. The award will be acknowledged at the Environmental Congress on Saturday, October 19th. There will be a brook committee meeting tomorrow at 6PM. The Bridge property has been turned over to Caldwell.

REPORT OF BOROUGH ADMINISTRATOR:

1. Administrator Report September 18, 2013

Paul reported that he met with Heidi to go over the Capital Ordinances.

He has received a quote to fix the sidewalks.

He has received a quote to repair driveway at 14 Park Avenue.

10-228: RESOLUTION AUTHORIZING THE REPLACEMENT OF SIDEWALKS TO MARTIN CONTRACTING, LLC. NOT TO EXCEED \$18,575

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/01/13.

10-229: RESOLUTION AUTHORIZING THE REPLACEMENT OF DRIVEWAY AT 14 PARK AVENUE BY JOHN CREO CONTRACTOR NOT TO EXCEED \$6,000.00.

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/01/13.

Bayer Pharmaceutical has offered office furniture to Municipalities. Tamara has resigned and Colette will be taking over that position. Lisa will be the Planning and Zoning Secretary.

We need to change the Council meeting from November 5th to November 7th and he would like to schedule a Sewer Board Meeting at 6PM on the 7th.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 1, 2013**

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10-230: RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE FOR A SPECIAL COUNCIL MEETING ON NOVEMBER 7, 2013 AT 7:00PM AND A SEWER BOARD MEETING ON NOVEMBER 7, 2013 AT 6:00PM

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/01/13.

REPORT OF ATTORNEY:

Greg Mascera reported on the sewer plant and the contractor is scheduled to finish in 100 days. He spoke about Ingris Litigation and the amount of pressure he is putting on the employees with OPRA requests.

OLD BUSINESS:

Councilman Hauser asked if the signage has been changed in front of Caldwell College and if the curbs can be painted yellow.

Councilman Coyle asked the Borough Administrator to have Mario put up the Welcome to Caldwell sign up that has been missing for a while..

NEW BUSINESS:

OPEN PUBLIC MEETING:

Moved by Councilman Coyle, seconded by Councilman O'Donnell to Open Public Meeting.

Bob Colaizzo, 7 Hatfield Street, spoke about the Video system and asked the question if it was going to be live.

Doug Piazza, Erwin Place, thanked the Council for passing the resolution for Video equipment. He responded that when he was originally looking into the system it was going to be live.

Hilda Moore, 23 Personette Street, spoke about the Do Not Enter sign by her house that was knocked over by Fire truck and would like it to be put up again. She is also concerned about the time you have to cross a street she would like more time put on the crossings.

Tom, 79 Roseland Avenue, spoke about how helpful the town has been since he has moved into Caldwell. He is very concerned about the traffic on Roseland Avenue since he has a hard time getting out of his driveway. He suggested removing the sign that is by the Fire house "stop here on red" and also widening the lane so people can move up towards the light.

On a motion made by Councilman Coyle and seconded by Councilman O'Donnell, unanimously affirmed, the Council moved into Executive Session at 8:29PM.

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 Contract – Land Acquisition.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman Hauser, the Council Business Conference Meeting was opened to the public and the press at 8:59P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman O'Donnell, unanimously affirmed by all members present, the meeting was adjourned at 8:48PM.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 1, 2013**

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-231

Date of Adoption: October 15, 2013

TITLE:

RESOLUTION AUTHORIZING CHANGE FUNDS

WHEREAS, from time to time the offices listed herein are required to make change for cash payments received; and

WHEREAS, there exists a need to maintain such a fund for use of operation of said Offices;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that, the change funds listed herein and below be established.

BE IT FURTHER RESOLVED that the listed custodian be responsible for the maintenance of corresponding Change Fund.

<u>Department</u>	<u>Custodian</u>	<u>Amount</u>
Construction	Colette Hassan	\$ 50.00

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-232

Date of Adoption: October 15, 2013

TITLE:

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 36.01 LOT 71.01 & 36.01 LOT 96, 485 & 487 BLOOMFIELD AVENUE, BLOOMFIELD AVENUE, REALTY, LLC., CALDWELL, NJ 07006

WHEREAS, it has been determined by the Tax Collector that the Owners are entitled to a refund due to a Tax Court Judgment for 2010, 2011, 2012 & 2013.

NOW THEREFORE 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>
Block 36.01 Lot 71.01	Bloomfield Ave. Realty, LLC.	\$6,227.42
Block 36.01 Lot 96	Bloomfield Ave. Realty, LLC	\$1,853.40
Total Refund		\$8,080.82

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-233

Date of Adoption: September 17, 2013

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Volunteer Fire Co of Borough of Caldwell - Off Premise / Tricky Tray Raffle – December 7, 2013 – 6:00PM – 10:00PM

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

RA-1273 Volunteer Fire Co of Boro of Caldwell
Off Premise – Tricky Tray Raffle
December 7, 2013 – 6:00PM – 10:00PM

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-234

Date of Adoption: September 17, 2013

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Volunteer Fire Co of Borough of Caldwell - Off Premise / 50/50 Raffle – December 7, 2013 – 6:00PM – 10:00PM

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

RA-1274 Volunteer Fire Co of Boro of Caldwell
Off Premise – 50/50 Raffle
December 7, 2013 – 6:00PM – 10:00PM

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-235

Date of Adoption: March , 2013

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 Community Center

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 Community Center
1 Provost Square
Caldwell, NJ 07006

Event to Be Held:

Caldwell Community Center
1 Provost Square
Caldwell, New Jersey 07006

November 16, 2013
7:00PM – 10:00PM

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 10-236

Date of Adoption: October 15, 2013

TITLE:

RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDERS (1-4) FOR THE CEDARS ROAD IMPROVEMENT PROJECT IN THE AMOUNT OF \$25,073.12 – NEW TOTAL CONTRACT AMOUNT \$948,498.80

WHEREAS, the Borough Council of the Borough of Caldwell in the County of Essex, State of New Jersey has on August 16, 2013, authorized the awarding of a contract to Reivax Contracting Corp, 147 Thomas Street, Newark, N.J. 07114 in the amount of \$923,425.68;

WHEREAS, during the course of the contract, it was discovered after work began, the need for the following change orders to increase the contract as follows:

Change Order	Description	Amount
1	Replacement of water services to avoid conflicts with new storm drainage facilities.	\$4,399.62
2	Provide and install 212 linear feet of reinforced concrete elliptical pipe in place of reinforced concrete circular pipe to avoid conflict with gas main and to provide additional cover over storm drain.	\$16,960.00
3	Provide replacement catch basin to avoid conflict with existing gas main.	\$379.10
4	Provide and install three parallel sections of 10-in.-diameter High-density polyethylene (HDPE) pipe in place of 18-in. RCP to avoid conflict with existing sanitary sewer.	\$3,334.40
Change Order Total:		\$25,073.12
New Contract Total:		\$948,498.80

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 Cedars Road Improvement Project.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

October 9, 2013

NJ Certificate of Authorization 24GA27920500

Mr. Paul Carelli, Administrator
Borough of Caldwell
One Provost Square
Caldwell, NJ 07006

Re: Payment Request No. 1
Roadway Improvements Gould Place, Cedars Road, Jackson Place, Knollwood Terrace, and Overlook Road
Caldwell, NJ
Crew Proj. No. CLD008.400

Dear Mr. Carelli:

Reivax Contracting Corporation (Reivax) has submitted for our review Progress Payment No. 1 for the above-referenced project. The Contractor is requesting payment for the work he has completed through September 28, 2013. The work includes Contract work and the attached Change Orders, which are summarized as follows:

<u>Change Order No.</u>	<u>Description</u>	<u>Amount</u>
1	Replacement of water services to avoid conflicts with new storm drainage facilities.	\$ 4,399.62
2	Provide and install 212 lin ft of reinforced concrete elliptical pipe in place of reinforced concrete circular pipe to avoid conflict with gas main and to provide additional cover over storm drain.	16,960.00
3	Provide replacement catch basin to avoid conflict with existing gas main.	379.10
4	Provide and install three parallel sections of 10-in.-diameter high-density polyethylene (HDPE) pipe in place of 18-in. RCP to avoid conflict with existing sanitary sewer.	<u>3,334.40</u>
	Total	\$25,073.12

After reviewing the request for payment and Change Orders, and discussing the request with our on-site field observer and a representative of Reivax, we have determined that the amount we believe to be eligible for payment is:

Original Contract Amount:	\$923,425.68
Change Orders 1 through 4:	<u>25,073.12</u>
Adjusted Contract Amount:	\$948,498.80
Contract Work Completed to Date:	\$326,981.58
Change Orders 1 through 4:	<u>25,073.12</u>
Work Completed to Date:	\$352,054.70
Less 2% Retainage:	7,041.09
Less Amount Previously Recommended for Payment:	<u>0</u>
Amount Recommended for Payment Estimate No. 1:	\$345,013.61

Mr. Paul Carelli, Administrator
October 9, 2013
Page 2

Please sign the attached Change Orders and ask the Borough Finance Department to prepare the necessary voucher to allow the Borough to pay Reivax the amount of \$345,013.61 for the work completed and approved to date.

Please return a copy of the signed Change Orders to our office for our records and forwarding to Reivax. Certified payroll records are also included for the Borough's records.

Very truly yours,

CREW ENGINEERS, INC.


Gerard J. Rolling, P.E.

GJR:js

Enclosure

cc: Reivax Contracting Corp.

E:\Wpdocs\letter\carelli pay req 1 CLD008.oct.doc

CHANGE ORDER NO. 1

Owner Borough of Caldwell Date 10/09/13
 Project Roadway Improvements Gould Place, Cedars Road, Jackson Place, Knollwood Terrace, and Overlook Road
 Owner's Contract No. _____ Contractor Reivax Contracting Corp.
 Date of Contract Start 09/09/13 \$ 923,425.68

You are directed to make the following changes in the Contract Documents. Description:

- Construct new water service at 26 Knollwood Terrace using materials provided by the Borough Water Department at lump-sum labor and equipment cost provided by Contractor: \$1,050.
- Construct new water service at 22 Knollwood Terrace using materials provided by the Borough Water Department at lump-sum labor and equipment cost provided by Contractor: \$1,050.
- Repair water service at 51 Overlook Road using materials provided by Borough Water Department and attached labor and equipment costs provided by Contractor for one hour of downtime: \$749.81.
- Repair water service at 85 Brookside Avenue using materials provided by Borough Water Department and attached labor and equipment costs provided by Contractor for one hour of downtime: \$749.81.
- Repair water service at 49 Overlook Road using curb stop provided by Borough Water Department and 4 ft of 1-in.-dia copper pipe, and attached labor and equipment costs for one hour of downtime provided by Contractor: \$800.00.
- Total: \$4,399.62

Reason for Change Order:

- Relocate existing water services needed to construct storm drainage facilities.

CONTRACT PRICE		CONTRACT TIMES (Completion Date)	
		To substantial completion	To final completion
Original:	\$ <u>923,425.68</u>	Original:	<u>10/29/13</u>
Previous C.O.s (ADD/DEDUCT):	\$ <u>0</u>	Previous C.O.s (ADD/DEDUCT):	_____
This C.O. (ADD):	\$ <u>4,399.62</u>	This C.O. (ADD):	_____
Contract Price with all approved Change Orders:	\$ <u>927,825.30</u>	REVISED:	_____
		Original Completion Date:	<u>10/29/13</u>
		Revised Completion Date:	<u>10/29/13</u>

It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from the change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT AND ALL STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO.

RECOMMENDED:

By:  Date 10/9/13
 Engineer (Authorized Signature) Gerard J. Rolling, P.E.

APPROVED:
 By:  Date 10/9/13
 Owner (Authorized Signature)

ACCEPTED:
 By:  Date 10/9/2013
 Contractor (Authorized Signature)

Crew Engineers, Inc.
 CLD008.400 / 1
 Project No. Change Order No.

ROADWAY IMPROVEMENTS GOULD PLACE, CEDARS ROAD, JACKSON PLACE,
KNOLLWOOD TERRACE AND OVERLOOK ROAD
CALDWELL, NJ

CHANGE ORDER NO. 1

LABOR AND EQUIPMENT COSTS (provided by Contractor)

Quantity	Description	Hours	Rate per hour	Subtotal
1	PC 228 Excavator	1	\$91.77	\$91.77
1	WA 250 Wheel Loader	1	\$55.75	\$55.75
1	Tandem Dump Truck	1	\$55.75	\$55.75
1	Utility Truck	1	\$16.00	\$16.00
1	Asphalt Roller	1	\$31.65	\$31.65
1	Foreman	1	\$77.23	\$77.23
1	Operator	1	\$72.85	\$72.85
1	Laborer	1	\$55.96	\$55.96
1	Laborer	1	\$55.96	\$55.96
1	Laborer	1	\$55.96	\$55.96
1	Truck Driver	1	\$55.96	\$55.96
	Total			\$624.84
	+20% O and P			\$124.97
	Total			\$749.81

CHANGE ORDER NO. 2

Owner Borough of Caldwell Date 10/09/13
 Project Roadway Improvements Gould Place, Cedars Road, Jackson Place, Knollwood Terrace, and Overlook Road
 Owner's Contract No. _____ Contractor Reivax Contracting Corp.
 Date of Contract Start 09/09/13 \$ 923,425.68

You are directed to make the following changes in the Contract Documents. Description:

- Replace proposed 212 lin ft of circular pipe with 14" x 23" reinforced concrete elliptical pipe, as follows:

Manhole 5 to Catch Basin 6 on Cedars Road, a length of: 26 lin ft
 Catch Basin 6 to Catch Basin 7 on Cedars Road, a length of: 167 lin ft
 Catch Basin 6 to Catch Basin 6A, a length of: 19 lin ft

Total: 212 lin ft

212 lin ft x \$80/ft = \$16,960.00

(CREDIT DUE R.C.)

Reason for Change Order:

- An existing gas main on Knollwood Drive necessitated the raising of the storm drain between Manhole 5 and Catch Basin 6 to provide adequate clearance between the storm drain and gas main. Upstream storm drains between Catch Basins 6 and 7 and 6 and 6A on Cedars Road had to be raised as a result of this change. The use of elliptical pipe will maximize the groundcover above the storm drain.

CONTRACT PRICE		CONTRACT TIMES (Completion Date)	
		To substantial completion	To final completion
Original:	\$ <u>923,425.68</u>	Original:	<u>10/29/13</u>
Previous C.O.s (ADD):	\$ <u>4,399.62</u>	Previous C.O.s (ADD/DEDUCT):	_____
This C.O. (ADD):	\$ <u>16,960.00</u>	This C.O. (ADD):	_____
Contract Price with all approved Change Orders:	\$ <u>944,785.30</u>	REVISED:	_____
		Original Completion Date:	<u>10/29/13</u>
		Revised Completion Date:	<u>10/29/13</u>

It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from the change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT AND ALL STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO.

RECOMMENDED:

By:  Date 10/9/13
 Engineer (Authorized Signature) Gerard J. Rolling, P.E.

APPROVED:  Date 10/9/13
 Owner (Authorized Signature)

ACCEPTED:  Date 10/9/13
 Contractor (Authorized Signature)

Crew Engineers, Inc.
 CLD008.400 / 2
 Project No. Change Order No.

CHANGE ORDER NO. 3

Owner Borough of Caldwell Date 10/09/13
 Project Roadway Improvements Gould Place, Cedars Road, Jackson Place, Knollwood Terrace, and Overlook Road
 Owner's Contract No. _____ Contractor Reivax Contracting Corp.
 Date of Contract Start 09/09/13 \$ 923,425.68

You are directed to make the following changes in the Contract Documents. Description:

- Replace new Type B Catch Basin 23A at the intersection of Jackson Place and Overlook Road with a Type A inlet placed about 2 ft north of the curb line. The type B inlet was custom-made for this project and could not be used at another location on this project and, therefore, must be disposed of. The cost of the Type B inlet is: \$379.10

Reason for Change Order:

- On September 19, 2013, during construction of Catch Basin 23A, an existing 4-in. gas line was found to be located beneath the curb line on the south side of Overlook Road. Original information provided to us by PSE&G showed the gas main to be about 4 ft north of the curb line. The purpose of the change was to avoid conflict with existing gas line on Overlook Road

CONTRACT PRICE		CONTRACT TIMES (Completion Date)	
		To substantial completion	To final completion
Original:	\$ <u>923,425.68</u>	Original:	<u>10/29/13</u>
Previous C.O.s (ADD):	\$ <u>21,359.62</u>	Previous C.O.s (ADD/DEDUCT):	_____
This C.O. (ADD):	\$ <u>379.10</u>	This C.O. (ADD):	_____
Contract Price with all approved Change Orders:	\$ <u>945,165.40</u>	REVISED:	_____
		Original Completion Date:	<u>10/29/13</u>
		Revised Completion Date:	<u>10/29/13</u>

It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from the change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT AND ALL STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO.

RECOMMENDED:

By:  Date 10/9/13
 Engineer (Authorized Signature) Gerard J. Rolling, P.E.

APPROVED:  Date 10/9/13
 Owner (Authorized Signature)

ACCEPTED:  Date 10/9/13
 Contractor (Authorized Signature)

Crew Engineers, Inc.
 CLD008.400 / 3
 Project No. Change Order No.

CHANGE ORDER NO. 4

Owner Borough of Caldwell Date 10/09/13
 Project Roadway Improvements Gould Place, Cedars Road, Jackson Place, Knollwood Terrace, and Overlook Road
 Owner's Contract No. _____ Contractor Reivax Contracting Corp.
 Date of Contract Start 09/09/13 \$ 923,425.68

You are directed to make the following changes in the Contract Documents. Description:

- Replace proposed 18-in. RCP between Catch Basins 31 and 32 on Overlook Road at House No. 41 with 3 sections of new 10-in.-dia HDPE for a total length of 192 lin ft of 10-in. HDPE. The Contractor has advised that the total labor and equipment cost, including overhead and profit, for installing the HDPE is the same as that for reinforced concrete pipe or \$36.35 per lin ft.

Labor and Equipment Cost, 64 lin ft x \$36.35 lin ft: \$2,326.40
 The material cost of HDPE, 192 lin ft x \$5.25 lin ft: 1,008.00
 Total: \$3,334.40

Reason for Change Order:

- On September 20, 2013, during construction of the storm drain on Overlook Road, an existing 8-in.-dia sanitary sewer was found to be only 2.5 ft below the surface. The sanitary sewer interfered with the proposed location of an 18-in.-dia storm drain. The existing sanitary sewer could not be relocated. The construction of three 10-in.-dia HDPE above the sanitary sewer in place of the proposed 18-in.-dia pipe is about equal in cross-sectional area to the cross-sectional area of the 18-in. storm drain.

CONTRACT PRICE		CONTRACT TIMES (Completion Date)	
		To substantial completion	To final completion
Original:	\$ <u>923,425.68</u>	Original:	<u>10/29/13</u>
Previous C.O.s (ADD):	\$ <u>21,739.02</u>	Previous C.O.s (ADD/DEDUCT):	_____
This C.O. (ADD):	\$ <u>3,334.40</u>	This C.O. (ADD):	_____
Contract Price with all approved Change Orders:	\$ <u>948,498.80</u>	REVISED:	_____
		Original Completion Date:	<u>10/29/13</u>
		Revised Completion Date:	<u>10/29/13</u>

It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from the change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT AND ALL STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO.

RECOMMENDED:

By:  Date 10/9/13
 Engineer (Authorized Signature) Gerard J. Rolling, P.E.

APPROVED:
 By:  Date 10/9/13
 Owner (Authorized Signature)

ACCEPTED:
 By:  Date 10/9/13
 Contractor (Authorized Signature)

Crew Engineers, Inc.
 CLD008.400 / 4
 Project No. Change Order No.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-237

Date of Adoption: October 15, 2013

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 15, 2013 FOR 2013 BILLS IN THE TOTAL AMOUNT OF \$3,418,975.01

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 2012 and/or 2013 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						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor