



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
October 16, 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

October 16, 2012 - REVISED

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

October 2, 2012

PUBLIC HEARING AND ADOPTION OF ORDINANCES

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

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.

- 10-223:** APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2013 ROADWAY IMPROVEMENT PROGRAM PROJECT
- 10-224:** AUTHORIZING THE REFUND OF A TAX OVERPAYMENT PAYABLE TO: SCOTT FINTZY
- 10-225:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell Volunteer Fire Department / On Premise –Tricky Tray Raffle / December 1, 2012 – 6:00PM – 9:00PM
- 10-226:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Caldwell Volunteer Fire Department / On Premise –50/50 Raffle / December 1, 2012 – 6:00PM – 9:00PM
- 10-227:** RESOLUTION OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NEW JERSEY, TO SUPPORT OF THE PASSAGE OF S108/A291 BY THE LEGISLATURE
- 10-228:** AUTHORIZING APPOINTMENT OF PAUL M. CARELLI AS THE TEMPORARY CHIEF FINANCIAL OFFICER OF THE BOROUGH OF CALDWELL UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIED



Council Chambers
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October 16, 2012 - REVISED

MAYOR
Ann Dassing

BOROUGH COUNCIL
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RESOLUTIONS - CONSENT AGENDA (continued)

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.

- 10:229:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO PREPARE A REQUEST FOR PROPOSAL FOR THE SOLICITATION OF A PROFESSIONAL SERVICE CONTRACT FOR FINANCIAL MANAGEMENT SERVICES
- 10:230:** RESOLUTION TO ACQUIRE PROPERTY AT 14 PARK AVENUE, CALDWELL, NJ 07006
- 10-231:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 16, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$2,517,726.54
- 10:232:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Swimming Chiefs Booster Club / Off Premise –Calendar Raffle / January 15, 2013, February 12, 2013 & March 13, 2013 – 8:00PM – 9:00PM
- 10-233:** RESOLUTION OF THE BOROUGH OF CALDWELL AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

FINANCE

Council President Hauser

Liaison: Library Board of Trustees / Recreation

PERSONNEL / HEALTH AND HUMAN SERVICES

Councilman Rodgers

Liaison: Board of Health / Senior Citizens Transportation

REPORT OF MAYOR

Mayor Dassing

REPORT OF ADMINISTRATOR

Paul M. Carelli

Administrator Report – October 16, 2012

REPORT OF ATTORNEY

Gregory Mascera



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

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October 16, 2012 - REVISED

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser – President
Peter Murray
John Coyle
Thomas O'Donnell
John Kelley
Frank Rodgers

OLD BUSINESS

1. Water Main Project Update - Discussion

PENDING Council Direction:

Resolution 10-234 AUTHORIZING THE AWARD OF A CONTRACT FOR THE BROOKSIDE AVENUE WATER MAIN REPLACEMENT PROJECT TO MATINA & SON, 148 ENGLISH STREET, HACKENSACK, NJ 07601 IN THE AMOUNT OF \$566,600.00

NEW BUSINESS

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

1. Borough Complex Signage

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.

1. Litigation
2. Personnel

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 10/12/2012 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 10/12/2012 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 2, 2012**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:03 PM

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

ALSO PRESENT: Borough Attorney, Greg Mascara, Leanne O'Hern

ABSENT ON ROLL CALL: Councilman Kelley

ABSENT: Lisa O'Neill, Deputy Clerk, and Paul Carelli, Borough Administrator

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:
September 18, 2012**

Moved by Councilman Murray, seconded by Councilman Rodgers. No Discussion. On roll call, Councilman O'Donnell, Murray, Hauser and Coyle voted in the affirmative. Councilman Rodgers abstained. Minutes approved 10/02/12.

Mayor Dassing announced that our Borough Administrator's dad passed away and our condolence's go out to him and his family.

PRESENTATION:

Complete Streets Program – Mayor Jerry Fried

Councilman Kelley arrived at 7:25pm.

Pete Perillo - Energy Purchase

OPEN PUBLIC COMMENTS ON RESOLUTION:

RESOLUTIONS – CONSENT AGENDA

10-214: RESOLUTION DESIGNATING DESCRIBED LOCATIONS IN THE BOROUGH OF CALDWELL AS BUS STOPS

10-215: AGREEMENT BETWEEN THE NEW JERSEY TRANSIT CORPORATION AND THE BOROUGH OF CALDWELL AND THE COUNTY OF ESSEX FOR THE INSTALLATION AND MAINTENANCE OF A BUS SHELTER AT THE RYERSON AVENUE BUS STOP

10-216: AUTHORIZING THE APPOINTMENT OF PLANNING BOARD MEMBER

10-217: APPROVING A TOW OPERATOR'S LICENSE FOR TRITON TOWNING, LLC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

10-218: APPROVING A TOW OPERATOR'S LICENSE FOR NAPOLI TRANSPORTATION, INC. T/A C & L TOWING IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

10-219: 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 2, 2012**

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10:220: RESOLUTION SUPPORTING PUT THE BRAKES ON FATALITIES DAY, OCTOBER 10, 2012. OCTOBER 10, 2012 HAS BEEN DECLARED PUT THE BRAKES ON FATALITIES DAY BY THE BOROUGH OF CALDWELL AND THE CALDWELL POLICE DEPARTMENT

10:221: RESOLUTION AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

CONSENT

Moved by Councilman Coyle, seconded by Councilman Rodgers. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 10/02/12.

Councilman Hauser reported that there was a Library Board meeting on Thursday and Bruce White, who is a Board Member and a member of the Trustee Board, has resigned from both Boards. Just for information you don't have to be a resident of Caldwell to be on the trustee board. We have a quarterly Recreation meeting on the 10th at 7:30am.

Councilman Murray reported that operation take back was on Saturday and we collected 40lbs. of medication. On Thursday Marian Manor will be rolling out the Vial of Life program.

Councilman O'Donnell reported that the work is completed at the Community Center. The stairs have been replaced. There have been 99 new members signed up within the last two months. The members are very pleased with the work that has been done and we look forward to maintaining that work.

Councilman Kelley responded that he has heard complaints about the spin room downstairs. The lighting is still incomplete. They are asking about fans and the instructor is complaining about the additional spin bikes and she can not see the people in the class and if her area can be elevated.

Councilman Rodgers reported that he has spoken to Greg about the full-time, part-time CFO we will not need a resolution. The flu shots for seniors will be on October 17th at 2:30-4:00pm. It's \$25.00 for Medicare and they do not accept HMO's. We will need to meet with the other towns about the senior transportation.

Mayor Dassing reported that she has received an application from the Federal Government Department of Health and Human Services with regard to re-transferring the property from the Department of Interior to the Department of Human Services, the property being known as 14 Park Avenue. We have 30 days to complete this application.

REPORT OF ATTORNEY:

Greg Mascara reported that we will be speaking about the Gleason 2 litigation in regards to Handicap access throughout the Borough, the sewer contract and the completion of the sewer plant and purchase of Personette Street Property in Executive Session.

OLD BUSINES:

Water Main Project Update – Bill Frint

Bill handed out a water projects 2012-2013 Status Report for the Council. He spoke about the Interconnection Vault Runnymede/Brookside Avenue. This project should be completed on November 7th. He spoke about the Brookside Avenue Water Main Replacement, and Gould, Knollwood, Cedars and Overlook Road Water Main Replacements.

Councilman Hauser asked Greg Mascara about the pilot program. Greg responded that he is still waiting for a response from Mr. Paganelli.

Councilman Rodgers asked if we can contact someone from PSE&G about paving Central Avenue after the utility work that they have done.

Councilman Kelley asked if Mario can look at the storm drains that have been damaged. There is a cone that has been on Hillside and Hatfield.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 2, 2012**

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OPEN PUBLIC MEETING:

Kay Slattery, 40 Bowers Road, as a member of the Board of Trustee's of the Bridge she would like to thank the council for keeping the Bridge at it's wonderful site. I wanted to ask about the roads on Knollwood and Cedars and Bill Frint has explained that already. I want to thank Bill for doing such a wonderful job in the cedars with all the work being done and minimal disruption; they should be commended for that.

Hilda More, 23 Personette Street, she asked if the ordinance for the residential areas that churches are allowed has been changed. Greg Mascara responded that it would be the Council asking the Planning Board to do a study that is directed at the number of non residential uses that are permitted in a residential zone. She has concerns about the bus stop that is on the corner of Bloomfield and Personette Street.

Ann Marchioni, invited everyone to a workshop at Caldwell College on October 15th which is hosted by the Caldwell Environmental Commission & Caldwell College for a free Solar Event workshop. It is from 7:30PM – 9:00PM at the Werner Hall (opposite Cafeteria) in Caldwell College. She asked the status of the Recycling plan. Mayor Dassing responded that we have an agreement with Blue Sky until the end of the year. We are working on the bid for next year.

Nick Conforti, Owner of Angeloni's, had questions about the spots at Jack's Food Town and why they have been moved. It is causing problems for our customers. Discussions ensued.

Bob Christensen, 3 Ravine Avenue, he stated that Central Avenue is a mess and nothing has been done to finish it off. He talked about putting speed bumps on Ravine. He talked about the landscapers parking on Ravine.

James Jorgansen, Liaison of Essex County, the collection for Hazardous Waste is on Saturday, October 13th from 8:30am – 4PM at 99 West Bradford Avenue, Cedar Grove and the collection for Electronics is on Saturday, October 27th 9AM -3 PM at the same address in Cedar Grove. On October 6th there is an event at the Environmental Center it is the Oktoberfest. The Environmental has changed and there is an exhibit on energy. At Kips Castle at around 2PM there is two puppet shows. There is also a book signing at Kips Castle, Brian K. Hemhill. The most exciting is Strut Your Mutt on October 20th at Brookdale Park register your dog and they will be giving out prizes for your best dress dog. On November 3rd and 4th the Riker Hill Park there will be a fine decorative arts open house and sale.

OPEN PUBLIC MEETING:

On a motion made by Councilman Rodgers and seconded by Councilman O'Donnell, unanimously affirmed, the Council moved into Executive Session at 9:25PM.

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 Gleason 2, litigation, Sewer Plant, Sewer Contract, Community Center Contract and Personette Street Property.

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman O'Donnell, the Council Business Conference Meeting was opened to the public and the press at 8:52P.M.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 2, 2012**

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**10:222 RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO
ADVERTISE FOR A CERTIFIED FINANCIAL OFFICER**

Moved by Councilman Kelley, seconded by Councilman Murray. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 10/02/12.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Hauser, seconded by Councilman O'Donnell, unanimously affirmed by all members present, the meeting was adjourned at 10:04P.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: 10-223

Date of Adoption: October 16, 2012

TITLE:

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2013 ROADWAY IMPROVEMENT PROGRAM PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Caldwell Borough Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Caldwell Borough Township-00501 to the New Jersey Department of Transportation on behalf of Caldwell Borough Township.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Caldwell Borough Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Borough Council on this 16th day of October, 2012.

Francine Paserchia – Borough Clerk

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
Francine Paserchia

Mayor Ann Dassing

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: 10-224

Date of Adoption: October 16, 2012

TITLE:

AUTHORIZING THE REFUND OF A TAX OVERPAYMENT PAYABLE TO: SCOTT FINTZY

WHEREAS, it has been determined by the Borough Tax Collector that the taxpayers Bank has over paid the tax, for 67 Smull Avenue, Caldwell, NJ; resulting in a overpayment and

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 tax overpayment;

See attached letter from homeowner requesting overpayment be returned:

<u>BLOCK & LOT</u>	<u>RECIPIENT</u>	<u>REFUND AMOUNT</u>
Block 25 Lot 12	Scott Fintzy 179 Gramercy Place Glen Rock, New Jersey 07452	\$2,817.46

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: 10-225

Date of Adoption: October 16, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Caldwell Volunteer Fire Department / On Premise –Tricky Tray Raffle / December 1, 2012 – 6:00PM – 9:00PM

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-1247 Caldwell Volunteer Fire Department
On Premise –Tricky Tray Raffle
December 1, 2012 – 6:00PM – 9:00PM

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: 10-226

Date of Adoption: October 16, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Caldwell Volunteer Fire Department / On Premise –50/50 Raffle / December 1, 2012 – 6:00PM – 9:00PM

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-1246 Caldwell Volunteer Fire Department
On Premise –50/50 Raffle
December 1, 2012 – 6:00PM – 9:00PM

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: 10-227

Date of Adoption: October 16, 2012

TITLE:

RESOLUTION OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NEW JERSEY, TO SUPPORT OF THE PASSAGE OF S108/A291 BY THE LEGISLATURE

WHEREAS, Bill S108/A291, introduced in the Legislature in 2010 proposes to amend Megan’s Law to require the County Prosecutors to determine the risk of re-offense of sex offenders under Megan’s Law prior to the release of a sex offender from incarceration; and

WHEREAS, currently, many sex offenders are not tiered until they have been released into the community; and

WHEREAS, the Borough Council believes it is in the best interests of the citizens of the Borough of Caldwell and all of New Jersey to require the Prosecutor’s Office to determine a sex offender’s risk of re-offense prior to release.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey hereby supports the passage of New Jersey Legislature Bill S108/A291 which amends Megan’s Law in order to require the County Prosecutors to determine a sex offender’s risk of re-offense prior to release from incarceration and urges the enactment of such legislation as soon as possible.

CERTIFICATION

I, **FRANCINE PASERCHIA, RMC**, Municipal Clerk of the Borough of Caldwell, do hereby certify that the foregoing resolution was duly adopted by the Borough of Caldwell Council at a meeting held on 16th day of October, 2012.

FRANCINE PASERCHIA, CLERK
Borough of Caldwell

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

RESOLUTION NO. 2011-

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO SUPPORT OF THE PASSAGE OF S108/A291 BY THE LEGISLATURE

WHEREAS, Bill S108/A291, introduced in the Legislature in 2010 proposes to amend Megan's Law to require the County Prosecutors to determine the risk of re-offense of sex offenders under Megan's Law prior to the release of a sex offender from incarceration; and

WHEREAS, currently, many sex offenders are not tiered until they have been released into the community; and

WHEREAS, the Township Committee believes it is in the best interests of the citizens of the Township of Little Egg Harbor and all of New Jersey to require the Prosecutor's Office to determine a sex offender's risk of re-offense prior to release.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Little Egg Harbor, County of Ocean, State of New Jersey hereby supports the passage of New Jersey Legislature Bill S108/A291 which amends Megan's Law in order to require the County Prosecutors to determine a sex offender's risk of re-offense prior to release from incarceration and urges the enactment of such legislation as soon as possible.

CERTIFICATION

I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor, do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 13^h day of **October, 2011**.

GILMORE & MONAHAN
A Professional Corporation
COUNSELLORS AT LAW
Allen Street Professional Center
Ten Allen Street
P.O. Box 1540
Toms River, New Jersey 08754

DIANA K. MCCRACKEN, RMC, Clerk
Township of Little Egg Harbor

Post-it [®] Fax Note	7671	Date	10/8/12	# of pages	2
To	F. Currelli	From	Ann Krasinsky		
Co./Dept.		Co.	Pls. add this res. to		
Phone #		Phone #	The Oct. 16 th mtg.		
Fax #		Fax #	The Annex		

ATTACHMENT B

RESOLUTION TO ACQUIRE PROPERTY

Whereas, certain real property owned by the United States, located in the County of _____, State of _____, has been declared surplus and is subject to assignment for disposal for public health purposes by the Secretary of Health and Human Services under the provisions of Section 203(k)(1) of the Federal Property and Administrative Services Act of 1949, as amended, and regulations promulgated pursuant thereto, more particularly described as follows [Please insert property name and description below (full legal description is not required at this time)]:

Whereas, _____ (Legal name of applicant) needs and can utilize said property for public health purposes in accordance with the requirements of said Act and the rules and regulations promulgated pursuant thereto, of which this Board is fully informed, including commitments regarding use and time within which such use shall commence.

Now, Therefore, Be It Resolved, that _____ (Legal name of applicant)

has legal authority, is willing, and is in a position financially and otherwise to assume immediate care and maintenance of the property, and that _____ (Name of Official(s) legally authorized)

_____, is/are hereby authorized, for and on behalf of the _____ (Title of Official(s))

_____ (Legal name of applicant) to do and perform any

and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, applications, reports, and other documents; the execution, acceptance, delivery, and recordation of agreements, deeds and other instruments pertaining to the transfer of said property; and the payment of any and all sums necessary on account of the purchase price thereof, including fees or costs incurred in connection with the transfer of said property for surveys, title searches, appraisals, recordation of instruments, or escrow costs, together with any payments by virtue of nonuse or deferral of use of the property.

If the applicant is unable to place the property into use with the time limitation indicated below (or determines that a deferral of use should occur), it is understood that the

_____ will pay to the Department
(Legal name of the applicant)

of Health and Human Services for each month of nonuse beginning twelve (12) months after the date of the deed, or thirty-six (36) months where construction or major renovation is contemplated, the sum of 1/360 of the then market value for each month of nonuse.

If the Department of Health and Human Services approves the application, the board will file a copy of the application and standard deed/lease with their permanent minutes.

Legal Title of Governing Body of Applicant

Address

City

State

Zip Code

I, _____, hereby certify that I am the
(Name of Certifying Officer)

_____, of the _____
(Title of Certifying Officer) (Title of Governing Body)

and that the foregoing resolution is a true and correct copy of the resolution adopted by the vote

of a majority of members of _____ present at a meeting of said
(Title of Governing Board)

Board on _____ day _____, 20____ at which a quorum was present.

Signature of Certifying Officer

Note: The person named in the Resolution cannot sign as the Certifying Officer.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-228

Date of Adoption: October 16, 2012

TITLE:

AUTHORIZING APPOINTMENT OF PAUL M. CARELLI AS THE TEMPORARY CHIEF FINANCIAL OFFICER OF THE BOROUGH OF CALDWELL UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIED

WHEREAS, the Governing Body has determined that there is a need to fill the vacancy of the Chief Financial Officer position; and

WHEREAS, pursuant to N.J.S.A. 40A:9-140.13, the appointment of the position of Temporary Chief Financial Officer is by the Mayor with the advice and consent of the Council; and

WHEREAS, the Mayor wishes to appoint Paul M. Carelli as the Temporary Chief Financial Officer; and

WHEREAS, Paul M. Carelli has agreed to serve as the Temporary Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Caldwell that Paul M. Carelli is hereby appointed to the position of Temporary Chief Financial Officer from October 16, 2012 until a successor is appointed and qualified.

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

40A:9-140.13. Chief financial officer required to hold certificate, awarding of tenure, vacancies

- a. Commencing January 1, 1991, no person shall be appointed or reappointed as a chief financial officer unless he holds a municipal finance officer certificate issued pursuant to the provisions of P.L.1971, c.413 (C.40A:9-140.1 et seq.) or this act.
- b. Any person who has, on or before the effective date of P.L.1988, c.110 been granted tenure pursuant to the provisions of section 2 of P.L.1977, c.39 (C.40A:9-140.8) or the provisions of N.J.S.40A:9-152, may continue to serve in his current position and shall not be removed from office or denied reappointment except for just cause and then only after a public hearing conducted pursuant to sections 2 and 3 of P.L.1977, c.39 (C.40A:9-140.8 and C.40A:9-140.9).
- c. Any certified municipal finance officer who has been appointed as the chief financial officer of a municipality pursuant to section 5 of P.L.1988, c.110 (C.40A:9-140.10) subsequent to the effective date of P.L.1988, c.110 and who thereafter filed with the clerk of that municipality and with the Division of Local Government Services in the Department of Community Affairs a notification that he had complied with the requirements of section 2 of P.L.1977, c.39 (C.40A:9-140.8) shall be considered to have been granted tenure and shall accordingly be entitled to the protections set forth in subsection b. of section 2 of P.L.1977, c.39 (C.40A:9-140.8).
- d. Notwithstanding the provisions of any other law to the contrary, any person who has served as a municipal finance officer in the same municipality for a period of not less than five consecutive years while holding a municipal finance officer certificate issued in accordance with P.L.1971, c.413 (C.40A:9-140.1 et seq.), and who thereafter is appointed as the chief financial officer of that municipality, shall be granted tenure of office upon the filing with the clerk of the municipality and the Director of the Division of Local Government Services in the Department of Community Affairs a notification evidencing his compliance with this section.
- e. A municipal finance officer who has held office continuously for five consecutive years in the same municipality may continue to serve in his current position and shall not be removed from office or denied reappointment for failure to qualify as a certified municipal finance officer pursuant to provisions of P.L.1971, c.413 (C.40A:9-140.1 et seq.) or this act. However, any such individual shall not be entitled to be appointed as the chief financial officer of that municipality unless he possesses a municipal finance officer certificate.
- f. When a vacancy occurs in the office of chief financial officer following the appointment of a certified municipal finance officer to that office, the governing body or chief executive officer, as appropriate, may appoint, for a period not to exceed one year and commencing on the date of the vacancy, a person who does not hold a municipal finance officer certificate to serve as a temporary chief financial officer. Any person so appointed may, with the approval of the director, be reappointed as chief financial officer following the termination of the temporary appointment for one additional year. No local unit shall have a temporary chief financial officer for more than two consecutive years.
- g. Upon application by a municipal governing body to the director, an individual without a municipal finance officer certificate may, with the approval of the director, be appointed to serve as the chief financial officer in a municipality in which he is presently employed if that individual meets all of the requirements established under subsection a. of section 2 of P.L.1971, c.413 (C.40A:9-140.2) and further has completed four of the seven training courses identified in subsection b. of section 2 of P.L.1971, c.413 (C.40A:9-140.2), at least two of which shall be accounting courses. If any individual appointed as a chief financial officer pursuant to this subsection fails to obtain a municipal finance officer certificate prior to January 1, 1992, his appointment as chief financial officer shall lapse and the municipal governing body shall appoint a certified municipal finance officer as the municipality's chief financial officer.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-229

Date of Adoption: October 11, 2012

TITLE:

AUTHORIZING THE BOROUGH ADMINISTRATOR TO PREPARE A REQUEST FOR PROPOSAL FOR THE SOLICITATION OF A PROFESSIONAL SERVICE CONTRACT FOR FINANCIAL MANAGEMENT SERVICES

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the Borough Administrator to prepare a Request for Proposal for the solicitation of a professional service contract for Financial Management services.

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: 10-230

Date of Adoption: October 16, 2012

TITLE:

RESOLUTION TO ACQUIRE PROPERTY AT 14 PARK AVENUE, CALDWELL, NJ 07006

WHEREAS, certain property owned by the United States, located in the County of Essex, State of New Jersey, has been declared surplus and is subject to assignment for disposal for public health purposes by the Secretary of Health and Human Services under the provisions of Section 203(k) (1) of the Federal Property and Administrative Services Act of 1949, as amended, and regulations promulgated pursuant thereto, more particularly described as follows: 14 Park Avenue, Caldwell, NJ 07006

WHEREAS, Borough of Caldwell, needs and can utilize said property for public health purposes in accordance with the requirements of said Act and the rules and regulations promulgated pursuant thereto, of which this Board is fully informed, including commitments regarding use and time within which such use shall commence.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey hereby supports the passage of New Jersey Legislature Bill S108/A291 which amends Megan’s Law in order to require the County Prosecutors to determine a sex offender’s risk of re-offense prior to release from incarceration and urges the enactment of such legislation as soon as possible.

CERTIFICATION

I, **FRANCINE PASERCHIA, RMC**, Municipal Clerk of the Borough of Caldwell, do hereby certify that the foregoing resolution was duly adopted by the Borough of Caldwell Council at a meeting held on 16th day of October, 2012.

FRANCINE PASERCHIA, CLERK
Borough of Caldwell

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-231

Date of Adoption: October 16, 2012

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 16, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$2,517,726.54

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: 10-232

Date of Adoption: October 16, 2012

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Swimming Chiefs Booster Club / Off Premise –Calendar Raffle / January 15, 2013, February 12, 2013 & March 13, 2013 – 8:00PM – 9:00PM

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-1248 Swimming Chiefs Booster Club
Off Premise –Calendar Raffle
January 15, 2013, February 12, 2013 & March 13, 2013
8:00PM – 9:00PM

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: 10-233

Date of Adoption: October 16, 2012

TITLE:

RESOLUTION OF THE BOROUGH OF CALDWELL AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Borough of Caldwell has determined to move forward with the EMEX Reverse Auction in order procure electricity for the Borough of Caldwell; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the “Act”) authorizes the purchase of energy generation service for public use through the use of an online auction service; and

WHEREAS, the Borough of Caldwell will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act.

NOW THEREFORE, BE IT RESOLVED, that Borough Council of the Borough of Caldwell, New Jersey does hereby authorize the purchase of energy generation services for public use on an online auction website.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Caldwell that the Borough Administrator is authorized to execute the necessary contracts and documents upon approval.

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: 10-235

Date of Adoption: October 16, 2012

TITLE:

A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT FOR A SURVEYOR, TITLE SEARCH AND ENVIRONMENTAL ASSESSMEN TO GREEN ACRES STANDARDS OF PROPERTY LOCATED AT BLOCK 22, LOT 25.02

WHEREAS the Borough of Caldwell with an address of 1 Provost Square, Caldwell, NJ 07006 has agreed to pursue the preservation of the property known as Columbian Club, 27 Personette Street, Caldwell, NJ also known as Block 22, Lot 25.02 on the tax maps of Borough of Caldwell, Essex County, state of New Jersey for open space and/or recreation use and;

WHEREAS the required due diligence for this transaction will consist of an appraisal to determine the property value, a Preliminary Assessment report, a survey of the property, and a title search and;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Caldwell as follows:

- 1) The Mayor and Borough Clerk are hereby authorized to execute an agreement with Casey & Keller in an amount not to exceed \$1,790.00.
- 2) The Mayor and Borough Clerk are hereby authorized to execute an agreement with Heritage Abstract Company in an amount not to exceed \$893.00.
- 3) The Mayor and Borough Clerk are hereby authorized to execute an agreement with Joshua D. Mackoff, LLC. in an amount not to exceed \$2,500.00.
- 4) The Mayor and Borough Clerk are hereby authorized to execute an agreement with Envirotactics in an amount not to exceed \$7,500.00.
- 5) The Township Clerk is hereby authorized and directed to publish a copy of this resolution in the Township's official newspaper and to provide a copy of this resolution to the Chief Financial Officer and The Land Conservancy of New Jersey

ATTEST:

Borough Clerk

APPROVED:

Mayor

CLERK'S CERTIFICATION

I, _____, Clerk of the Borough of Caldwell do hereby certify that the attached is a true copy of a resolution duly adopted by the Mayor and Council of the Borough of Caldwell at a regular meeting held on October 16, 2012.

Borough Clerk

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: 10-236

Date of Adoption: October 16, 2012

TITLE:

RESOLUTION AUTHORIZING A PAYMENT OF \$10,000.00 TO THE COLUMBIAN CLUB FROM THE OPEN SPACE TRUST ACCOUNT.

BE IT RESOLVED by the Mayor and Council of the Borough of Caldwell hereby authorizing a down payment of \$10,000.00 to the Columbian Club from the open space trust account for the purchase of property located at 27 Personette Street, Caldwell, NJ also known as Block 22, Lot 25.02 on the tax maps of Borough of Caldwell, Essex County, State of New Jersey.

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: 10-237

Date of Adoption: October 16, 2012

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH ATTORNEY TO DRAFT TWO SEPARATE ORDINANCES ONE WHICH CRAFTED TO CLEARLY DEFINE THAT THE BOROUGH EMAIL SYSTEM NOR ANY ASSETS OF THE BOROUGH OF CALDWELL BE USED FOR THE RE-ELECTION EFFORTS OF AN ELECTED OFFICIAL OF THE BOROUGH OF CALDWELL. THE SECOND ORDINANCE IS THAT BOROUGH EMPLOYEES CANNOT BE ACTIVELY INVOLVED IN THE ELECTION OR RE-ELECTION EFFORTS FOR A BOROUGH COUNCIL MEMBER DO TO THE OBVIOUS CONFLICT OF INTEREST AND SENSE OF INDEBTEDNESS WHICH WOULD BE CREATED BY THEIR EFFORTS AND PARTICIPATION

BE IT RESOLVED by the Mayor and Council of the Borough of Caldwell that the Borough Attorney is hereby authorized to draft two separate ordinances, one which crafted to clearly define that neither the borough email system nor any assets of the Borough of Caldwell be used for the re-election efforts of an elected official of the Borough of Caldwell. The second ordinance is that borough employees cannot be actively involved in the election or re-election efforts for a borough council member do to the obvious conflict of interest and sense of indebtedness which would be created by their efforts and participation.

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