



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
October 17, 2017**

Caldwell Council Chambers
1 Provost Square
Caldwell, New Jersey 07006
7:00pm



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

Phone: (973) 226-6100
Website: www.caldwell-nj.com

October 17, 2017 / 7:00PM

MAYOR
Ann Dassing

BOROUGH COUNCIL
John Cascarano - President
Richard Hauser
Thomas O'Donnell
Pasquale Capozzoli
Kristian Brown
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 3, 2017

PUBLIC HEARING AND ADOPTION OF ORDINANCES

ORDINANCE #1335-17: AN ORDINANCE TO AMEND THE BOROUGH CODE, CHAPTER 230, TRAFFIC AND VEHICLES, SECTION 230-30 OF THE BOROUGH CODE ENTITLED, "PARKING PROHIBITED - TIME LIMIT"

ORDINANCE #1336-17: AN ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED "VEHICLES AND TRAFFIC" BY ADDING SECTION 230-31, "RESIDENT PARKING ON STREETS WITH PARKING TIME LIMITS"

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.

10-207	RESOLUTION TO SUPPORT THE AMERICAN HEART ASSOCIATION HEALTHY HEART INITIATIVE
10-208	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE - HSA Trinity Academy - Off Premise/ 50/50 Raffle - December 2, 2017 - 12:00PM
10-209	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00027, Block 65, Lot 1.17
10-210	AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 17, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$1,664,419.32



Council Chambers

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Phone: (973) 226-6100

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MAYOR
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Frank Rodgers

NEW BUSINESS

Borough Council

1. FY2017/SFY2018 Best Practices Worksheet – copies distributed to the Governing Body

REPORT OF MAYOR

Mayor Dassing

REPORT OF BOROUGH ADMINISTRATOR

Paul M. Carelli

REPORT OF BOROUGH ATTORNEY

Greg Mascera

REPORT OF POLICE CHIEF

James Bongiorno

REPORT OF ESSEX COUNTY LAISON

Patricia Keenan

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. Agreements – Caldwell University

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 10/13/2017 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 10/13/2017 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 3, 2017**

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The Council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:00PM.

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

ALSO PRESENT: Borough Administrator, Paul Carelli & Borough Attorney, Greg Mascera

ABSENT: Deputy Clerk, Lisa O'Neill

Adequate notice of this Council Business/Conference meeting was given on January 1, 2017. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey. Official newspapers of the Borough were notified of this meeting by mail. Notice was posted and all persons requesting notice were sent same.

PLEDGE OF ALLIGENCE

**APPROVAL OF MINUTES:
September 19, 2017**

Moved by Councilman Brown, seconded by Council President Cascarano. No Discussion. On roll call, all voted in the affirmative. Councilman Capozzoli abstained. Minutes approved 10/03/17.

PRESENTATION

1. "Caldwell's Healthy Heart" Saj Parathath PhD:Cardiovascular Biologist/Consultant Caldwell Resident
Judith Friedland Heart Walk Director American Heart Association,
Liz Mudge:Regional Director, NJ Heart Ball American Heart Association
2. Community Center Parking Deck Update: Glenn Beckmeyer – Borough Engineer

PUBLIC HEARING AND ADOPTION OF ORDINANCES

ORDINANCE #1333-17: AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE II, GENERAL LEGISLATION, CHAPTER 109, FIRE PREVENTION OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CALDWELL, NEW JERSEY

Moved by Council President Cascarano seconded by Councilman O'Donnell. No Discussion. On roll call, all voted in the affirmative. Ordinance Adopted 10/03/17.

ORDINANCE #1334-17: AN ORDINANCE AMENDING CHAPTER A270-1 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SCHEDULE OF FEES CHARGED BY THE BOROUGH, SO AS TO SET THE FEES FOR THE COST OF PERIODIC FIRE CODE STATUS INSPECTIONS

Moved by Councilman Brown, seconded by Council President Cascarano. No Discussion Ensued. On roll call, all voted in the affirmative. Ordinance Adopted 10/03/17.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

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

RESOLUTIONS – CONSENT AGENDA

10-203:AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 3, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$4,566,158.78

10-204: RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION FOR Emil Tabakhov, 32 Condit Court, Roseland, NJ

10-205:RESOLUTION SUPPORTING NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
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10-206:BOROUGH OF CALDWELL COLLECTIVE BARGAINING AGREEMENT WITH TEAMSTERS LOCAL 97
(CALDWELL DEPARTMENT OF PUBLIC WORKS)

CONSENT

Moved by Councilman Brown, seconded by Council President Cascarano. No Discussion. On roll call, all voted in the affirmative. Resolutions approved 10/03/17.

REPORT OF MAYOR:

Mayor Dassing reported that the first meeting with Caldwell University was this evening and they will be holding quarterly meetings. A variety of topics were discussed and it was a very productive meeting. Some of the goals are to create a better communication between the University and the town looking out for partnerships that we can work together on and improve the town. The agreement for the baseball contact will be up in about three years and Dr. Blattner requested that we start to take a look at that because they are very interested in renewing the contract. The Mayor thanked everyone and the next meeting is January 16th at 6PM in Town hall.

The Mayor received a letter today from Congressman Frelinghuysen she has been corresponding with him asking about the parking lot behind the Post Office and behind 14 Park Avenue and she read a letter from Scott Cooper of the United States Post Office. She will pursue this and hopefully the Borough and the Post Office can make an agreement to lease the lots.

Council President Cascarano reported that Maria Burak from the Health Department asked if he could inform everyone that October is going to be the Caldwell Family Health Challenge and he thanked the Health Department for all their efforts in moving this forward. Some of his favorite challenges is Cook and eat together no cells, go for a family walk, bring flowers to a neighbor who is alone and on the 28th of October attend a free Halloween Party at the Community Center. More information is available at the Health Department website. Additionally, the Caldwell Health Department's 2017 Flu Immunization Clinic is on Wednesday, October 18th from 1:00 – 2:00PM no appointment is necessary and Medicare is accepted or \$20 for non-Medicare participants.

Mark Guiliano, Fire Official gave an update on inspections. To date they have done 250 inspections and the program has been really well received with the Community. They fire department appreciates the support that they receive from the Mayor and Council.

REPORT OF BOROUGH ADMINISTRATOR:

Paul Carelli reported:

- Paul thanked Mark Guiliano for spearheading the security at the Street Fair this year. He took a lot more initiatives; he invited the State Police who did a threat assessment. Homeland security with a bunch of things and there were new tactics that were implemented and provided an additional level of security without people noticing it.
- A special thanks to our Public Works Mario basically volunteers his day making sure things are set up and a lot of the guys are there working overtime which is another cost that we don't pass along and it ends up to be almost \$5,000 in overtime. The guys are out there early setting up barricades, blocking streets, using our equipment, cleaning up and by 9:30 – 10PM they call it a night.

Mayor Dassing responded that there are 19 ways to access Bloomfield Avenue and every way had to be blocked with equipment.

- The State issued their health rates and there will be open enrollment. The local Government did not increase for the second year in a row. The Retiree health rates went down a little bit the monthly premium is down about \$2,000 a little over \$20,000 in savings for the retiree's.
- With the Borough employees we are looking to save about \$60,000 in health care and another \$20,000 for Retiree's and we will offer it to the Police which would give us another \$40,000 if they all did it.
- The update on the generator Mario and Paul will be meeting with the people that are working on the generator. They were here last week and had it started and the output isn't where it is supposed to be. They are coming on Thursday to give us a quote to see what we can do. Right now they are looking at some options to have a smaller generator for the Fire Department and maybe one for Police Department.

Councilman Brown asked if we were progressing with the disposal of the grits and screen and Paul responded that he is waiting for the final from the state and he will follow up with Greg Seaman.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 3, 2017**

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Councilman Hauser asked about the leaf schedule has gone out and if they can be posted on the website.

REPORT OF BOROUGH ATTORNEY:

Greg Masera reported he has received correspondence back from Omni Point who is the provider for Your Way Construction and they have asked for more information which he has provided to them. He is now waiting to hear back from them.

REPORT OF ESSEX COUNTY LIASION:

Patricia Keenan reported on a friendly reminder of the upcoming County collection Days on October 7th is Household Hazardous Waste Collection. On October 21st Computer & Electronics Collection and on October 28th is Shredding. For additional details and information you can go to the County website.

OPEN PUBLIC MEETING:

Moved by Councilman Hauser, seconded by Councilman Brown to open meeting to the Public.

Hilda Moore, 23 Personette Street spoke about a letter she received from Maria Burak about picking up after your dogs and she feels the whole town should have received this letter. She would like the weeds in the back of the park be removed.

On a motion made by Councilman Hauser, seconded by Councilman Brown unanimously affirmed, the Council moved into Executive Session at 8:32P.M.

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

The Executive Session was adjourned and upon a motion by Council President Cascarano seconded by Councilman Brown, the Council Business Conference Meeting was opened to the public and the press at 8:52PM.

Mayor Dassing showed the Council a new version for the street signs and the decision was to keep the signs as they were using the square not the circle.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Brown, seconded by Council President Cascarano unanimously affirmed by all members present, the meeting was adjourned at 8:56PM.

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1335-17

AN ORDINANCE TO AMEND THE BOROUGH CODE, CHAPTER 230, TRAFFIC AND VEHICLES, SECTION 230-30 OF THE BOROUGH CODE ENTITLED, "PARKING PROHIBITED - TIME LIMIT"

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

1. That Chapter 230, Vehicles and Traffic, Section 230-30 of the Borough Code entitled, "Parking Prohibited-Time Limit" be and is hereby amended by adding a three hour parking limit to Arlington Avenue as follows:

Name of Street	Side	Time Limit; Hours/Days	Location
Arlington Avenue		3 hours; 8:00 a.m. to 6:00 p.m. All except Sundays and public holidays	From Bloomfield Avenue to Crane Street

2. All Ordinances of the Borough of Caldwell which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

DATE OF FIRST READING: September 19, 2017 DATE OF SECOND READING: October 17, 2017
DATE OF PUBLICATION: September 28, 2017 DATE OF ADOPTION: October 17, 2017

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano					Capozzoli				
Hauser					Brown				
O'Donnell					Rodgers				

Lisa O'Neill, Deputy 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**



ORDINANCE# 1336-17

AN ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION TITLED "VEHICLES AND TRAFFIC" BY ADDING SECTION 230-31, "RESIDENT PARKING ON STREETS WITH PARKING TIME LIMITS"

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

That Chapter 230, of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

Add Section 230-31 as follows:

230-31 Resident Parking on Streets with Parking Time Limits

- A. Despite anything contained in section 230-30 to the contrary, a person wishing to park a vehicle on the portion of a street where parking is otherwise limited to three consecutive hours for a period longer than three consecutive hours may do so *provided*:
 - 1. The person resides on the street and within the block where parking is restricted;
 - 2. The person obtains a permit from the Chief of Police for such parking.
- B. Permits issued pursuant to this Section may be obtained only by a person who resides in the residential unit within the block where parking is limited to three hours in accordance with section 230-30.
- C. There shall be no more than one permit issued to each residential unit. Permits are not transferrable from person to person or vehicle to vehicle.
- D. Permits shall allow the vehicle on which the permit is affixed to be parked pursuant to this Section only in the block where the person who obtained the permit resides.
- E. Permits shall be in the form of decal. The decal shall identify the block in which the vehicle may be parked in accordance with this Section.
- F. The person to whom a permit is issued shall place the permit on a driver's side window on the person's vehicle.
- G. Nothing in this section shall be deemed to allow a vehicle to be parked in a manner or for a time that violates any other section of this Chapter or that violates any other Borough ordinance.
- H. Permits shall be valid for up to one full year from the date of issuance.
- I. There shall be a fee of \$5.00 for each permit issued.



**BOROUGH OF CALDWELL
NEW JERSEY**



2. All Ordinances of the Borough of Caldwell which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

DATE OF FIRST READING: September 19, 2017
DATE OF PUBLICATION: September 28, 2017

DATE OF SECOND READING: October 17, 2017
DATE OF ADOPTION: October 17, 2017

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy 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: 10-207

Date of Adoption: October 17, 2017

TITLE:

RESOLUTION TO SUPPORT THE AMERICAN HEART ASSOCIATION HEALTHY HEART INITIATIVE

WHEREAS, the Borough of Caldwell Mayor and Council support the initiative of the American Heart Association to promote cardiovascular disease awareness and a healthy lifestyle and;

WHEREAS, the Borough of Caldwell Mayor and Council supports the goals of this initiative which include increasing the overall health of Caldwell; promoting a healthy lifestyle by encouraging increased activity and providing better choices; promoting stronger relationships between town merchants, patrons and residents and establishing The Borough of Caldwell as a “heart healthy town” with the intent to spread this grassroots effort to neighboring communities and;

WHEREAS, since 1949, the American Heart Association has funded over \$4 billion in research; and in 2015 awarded \$163,886,813 to research; and of each dollar donated, 80 cents goes toward research, public health education and community; and over 18 million people are trained in CPR each year and;

WHEREAS, the American Heart Association offers educational talks by health professionals to schools by survivors and medical doctors and distributed health brochures and has a robust website full of information and events and;

WHEREAS, the Borough of Caldwell Mayor and Council support involving children and students by awarding best “health ideas” for the Borough, encouraging them to get involved with health activities and eating healthy at home and agree that a good way to change adult behaviors is through children and;

WHEREAS, the Borough of Caldwell supports the idea of painting the town red by tying red ribbons on Bloomfield Avenue and creating a local store poster contest for children to represent healthy living and;

WHEREAS, the American Health Association provides professionally crafted public health announcements that could be placed on the Borough’s website and Channel 35-TV and;

WHEREAS, the Borough of Caldwell Mayor and Council support healthy choices in our restaurants and heart walks and Fitbit contests between Borough employees and townspeople as well as health screenings and CPR trainings for our community;

BE IT THEREFORE RESOLVED on this day, the 17th of October, 2018, that the Mayor and Council of the Borough of Caldwell endorse the heart healthy initiative for our town and will help to reach out to the community to for volunteers and to communicate future activities to the best of our abilities.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Cascarano					Capozzoli				
Hauser					Brown				
O'Donnell					Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-208

Date of Adoption: October 17, 2017

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – HSA Trinity Academy – Off Premise/ 50/50 Raffle – December 2, 2017 - 12:00PM

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-1359 HSA Trinity Academy
Off Premise – 50/50 Raffle
December 2, 2017 – 12:00PM

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

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL
NEW JERSEY



Resolution No: 10-209

Date of Adoption: October 17, 2017

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00027, Block 65, Lot 1.17

WHEREAS, at the Borough of Caldwell Tax Sale held on December 22, 2016, a lien was sold on Block 65, Lot 1.17 also known as 17 Fells Manor Road in Caldwell, NJ for delinquent Taxes/Water; and

WHEREAS, this lien, known as Tax Sale Certificate 16-00027, was sold to TWR AS CUST FOR EBURY FUND 1, NJ; and

WHEREAS, the homeowners bank has effected redeemed the Certificate 16-00027 in the amount of \$11,459.66 with a Premium of \$11,000.00 to also be returned to the Lien Holder; and

NOW THEREFORE BE IT RESOLVED that authorization is hereby given to issue a check in the amount of \$22,459.66 payable to the lien holder TWR AS CUST FOR EBURY FUND 1, NJ, for the redemption of Tax Sale Certificate 16,-00027

Certificate 16-00027

Table with 2 columns: Description and Amount. Rows include PRINCIPAL (\$11,404.66), PREMIUM (\$11,000.00), RECORDING FEES (\$55.00), and TOTAL (\$22,459.66).

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Table for recording council votes with columns for Councilman Name and Yes/No/Absent/Abstain, and rows for Cascarano, Hauser, O'Donnell, Capozzoli, Brown, and Rodgers.

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-210

Date of Adoption: October 17, 2017

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 17, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$1,664,419.32

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 2016 and/or 2017 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

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

Best Practices Worksheet CY 2017/SFY2018

Caldwell Township (Essex)			
0703		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
1	YES	N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us . Has your municipality filed all current contracts with PERC?	
2	YES	Has your municipality adopted a written vehicle use policy prohibiting personal use of municipal vehicles (except for commuting), and providing that employees authorized to use such vehicles for commuting to/from work have a fringe benefit value added to the gross income reported on the employee's W-2 (unless the vehicle meets the "qualified non-personal vehicle" criteria specified by the IRS)? Only answer "N/A" if your municipality does not have any municipally-owned vehicles.	
3	YES	Active monitoring management of a municipality's ratable base is fundamental to helping ensure fiscal stability. There should be communication with the municipal tax assessor to ensure that the municipality has sufficient time to factor potential exposure to tax appeal judgements into their budgetary planning. Does your municipality have an established written policy requiring its tax assessor to notify the chief financial officer and the governing body of all tax appeals upon filing, but no later than June 1st each year? The policy should, at minimum, require the assessor's report to break down by property class the number of pending appeals, the current assessed value, and the reduction in assessed value if all appeals were successful. If there are appeals for which complete information is unavailable as of June 1, those appeals should be reported as information becomes available. Only answer "N/A" if your municipality is in Gloucester County (county assessor pilot program) or participates in the Monmouth County assessment demonstration program.	

Best Practices Worksheet CY 2017/SFY2018

Caldwell Township (Essex)			
0703		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
4	YES	Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year's proposed budget (including the full adopted budget for the current year when approved by the governing body); most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	
5	N/A	The "Director's Ratio" (the average ratio of assessed to true market value) for each municipality as determined by the Director of the Division of Taxation, in the Table of Equalized Valuations promulgated annually pursuant to N.J.S.A. 54:1-35.1. A Director's Ratio of lower than 85 percent generally denotes lack of uniformity in assessments and indicates a need for revaluation. N.J.A.C. 18:12A-1.14. If the ratio of assessed values to market values in your municipality is presently less than 85%, has your municipality at minimum awarded a contract for the updating of tax maps and earmarked funds in its budget for the hiring of relevant firms and/or professionals?	
6	YES	The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Forms. Compliance by local elected officials is particularly important. Have all of your local elected officials filed their Financial Disclosure Form in 2017 that covers the 2016 calendar year?	
7	YES	While outside employment by municipal officials can sometimes be acceptable, it is imperative that no conflicts of interest impinge on municipal governance. Does your municipality have 1) an established documented process requiring department heads to submit notice of outside employment, and 2) upon receiving such notice, does your municipality have a documented process within its human resources function to determine whether or not a conflict of interest exists?	

Best Practices Worksheet CY 2017/SFY2018

Caldwell Township (Essex)			
0703		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
8	N/A	<p>Many municipalities have created one or more authorities (including fire districts, utilities authorities, redevelopment authorities, housing authorities, port authorities, etc.) to provide greater focus and attention on addressing a public need, or to reduce governing body burdens. While creation of an authority is often appropriate, and many authorities successfully fulfill their missions, authorities with weak membership or insufficient local-level monitoring can become wasteful, inefficient and unresponsive to the public they serve. N.J.S.A. 40A:5A-20 allows a local governing body to dissolve an authority subject to certain parameters and with Local Finance Board approval. Municipalities should at least annually assess the authority or authorities they created and publicly discuss their findings and conclusions. Findings and conclusions should address whether their existing authorities 1) continue to serve the public interest, and 2) are more efficient than other potential alternatives in providing services and financing public facilities. Within the past year, 1) has the above-referenced discussion appeared as a listed agenda item on a scheduled governing body meeting, and 2) do the findings and conclusion appear in publicly-available meeting minutes? Please identify the meeting date under "Comments".</p>	
9	NO	<p>Audit findings address areas needing improvement. Ignoring these findings devalues the process; therefore, municipalities should correct noted deficiencies. Have all audit findings from the 2015 audit been 1) identified in the corrective action plan and 2) addressed such that they are not repeated in the 2016 audit? If the answer is no, please list the repeat findings, along with the date the corrective action plan was submitted to DLGS, under Comments. Only answer "N/A" if there were no audit findings in 2015.</p>	<p>"Consideration be given to providing for a more adequate segregation of duties with respect to the recording and treasury functions", "The Borough implement formal written contracts with the various municipalities for sewer fees", and "the total outstanding bail on account be reconciled with the bail account book balance on a monthly basis." Corrective Action plan dated 07/14/17</p>

Best Practices Worksheet CY 2017/SFY2018

Caldwell Township (Essex)			
0703		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
10	N/A	Payments In Lieu of Taxed (PILOTs) are often used as a tool for economic development. It is imperative that municipalities monitor PILOT agreements to ensure recipients complying with all agreement terms, including but not limited to timely payment and reporting. Does your municipality 1) have an official designated to monitor exemptions granted pursuant to the Long-Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.) and Five-Year Exemptions/ Abatements granted pursuant to N.J.S.A. 40A:21-1 et seq., and 2) have in place a documented process for ensuring compliance with the terms of each PILOT agreement?	
11	YES	N.J.S.A. 40A:5-4 requires municipalities to complete their annual audit for the preceding fiscal year within 6 months after the close of their fiscal year. Further, N.J.S.A. 40A:5-6 requires the municipality's auditor to submit a certified duplicate copy of the audit report and recommendations with the Division within 5 days after filing the original with the municipal clerk. Has your municipality received its completed audit for the preceding fiscal year within the statutory timeframe, and confirmed that your auditor has filed a certified duplicate copy of the audit report with the Division? You may only answer this question "N/A" if the Director expressly granted an extension in response to a governing body resolution petitioning for same.	
12	YES	Pursuant to N.J.S.A. 40A: 2-40, the chief financial officer each municipality shall, before the end of the first month of the fiscal year, file its Annual Debt Statement with the Division of Local Government Services. The annual debt statement must be filed electronically following the procedure described in Local Finance Notice 2013-3. Did your municipality file its electronic Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 (July 31 for SFY municipalities)?	
13	YES	While the issuance and renewal of bond anticipation notes can be a reasonable and prudent financing mechanism, failing to take advantage of low interest rates on permanent financing can cause municipalities to incur unnecessary carrying costs and inflated costs of issuance. Has your municipality evaluated its outstanding bond anticipation notes and developed a strategy to move toward permanent financing?	

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Caldwell Township (Essex)			
0703		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
14	N/A	Pursuant to N.J.S.A. 40A:11-25, the Director of the Division of Local Government Services must approve all prequalification regulations enacted by contracting units subject to the Local Public Contracts Law. Prequalification requirements can be fixed according to experience, financial ability, capital, and equipment. Absent Director approval, bid prequalification regulations are of no force and effect and may not be required as a condition of bid acceptance on any public contract. Local Finance Notice 2016-12 goes into further detail concerning prequalification regulations under the Local Public Contracts Law. Is your municipality following the process set forth in N.J.S.A. 40A:11-25, including seeking Director approval prior to implementing and enforcing all prequalification regulations? "N/A" is only applicable where the municipality has not adopted any prequalification regulations.	
15	YES	N.J.A.C. 5:30-3.8(a) requires that the introduced annual municipal budget incorporate a User-Friendly Budget section. Is your municipality providing the public with its introduced User-Friendly Budget at least one week prior to the date of the public hearing on adopting the annual budget?	
16	NO	Unless the Director sets forth a later date pursuant to N.J.S.A. 40A:4-5.1, N.J.S.A. 40A:4-5 requires that calendar year municipalities approve their introduced budgets no later than February 10 (or August 10 for state fiscal year municipalities) and N.J.S.A. 40A:4-10 requires that calendar year municipalities adopt their budgets no later than March 20 (or September 20 for state fiscal year municipalities). Did your municipality introduce and adopt its current year budget no later than the dates provided by law or as extended by the Director in Local Finance Notice 2016-20? This question may only be answered N/A if your municipality is under State Supervision or if the Division instructed the municipality to delay budget adoption.	

Best Practices Worksheet CY 2017/SFY2018

Caldwell Township (Essex)			
0703		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
17	NO	Does your municipality exclude from healthcare coverage part-time elected and appointed officials (less than 35 hours per week)? Only answer "yes" if no part-time elected or appointed officials receive health benefits. If your municipality has part-time elected or appointed officials who elect to take State Health Benefits Program (SHBP) health benefits (or receive a waiver for not doing so) by virtue of serving in their position continuously since May 21, 2010, you must answer "No". If you answered "No", please list in the Comments section the name and title of each elected or appointed official receiving either health benefits or a waiver payment in lieu of health benefits.	Ann Dassing, Mayor
18	YES	Is your municipality collecting at least the amount set forth by the Chapter 78 Grid for health benefit contributions (or 1.5% of base salary, whichever is greater) for all officers and employees?	
19	YES	Payments for waivers filed before May 21, 2010, and maintained continuously since, cannot exceed fifty percent (50%) of the amount saved by the local unit as a result of the employee's waiver of coverage. For waivers filed on or after May 21, 2010, which is the effective date of P.L. 2010, c. 2, payments cannot exceed the lesser of twenty-five percent (25%) of the amount saved by the local unit as a result of the waiver, or \$5,000. When calculating an employee's waiver payment, the local unit must deduct the employee's healthcare contribution obligation from the total premium cost. Local units have sole discretion as to whether or not to offer employees payments for waiver of health benefits, and may offer waiver payments lower than the statutory maximum. Health benefit waiver payments are statutorily excluded from collective bargaining. See Local Finance Notices 2010-12 and 2016-10 for further discussion on health benefit waiver payments. Does your municipality 1) refrain from paying waiver payments in excess of the statutory maximum; 2) deduct employee healthcare contribution obligations from the total premium cost when calculating waiver payments; and 3) refrain from incorporating healthcare waiver payments in any labor agreement? "N/A" is only applicable where the municipality has a policy of not making payments in lieu of health benefits.	

Best Practices Worksheet CY 2017/SFY2018

Caldwell Township (Essex)			
0703		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
20	YES	The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (you should consult with labor counsel for more detailed guidance). Exempt status would also preclude overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered to be a form of overtime pay unless such leave is utilized in the same pay period. Does your municipality refrain from paying overtime to employees classified as exempt under the FLSA?	
21	NO	For any employees covered by a collective bargaining agreement, has your municipality instituted a policy to not compensate said employees for sick leave accumulated after a certain date? If such provisions were imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining, your answer can be "N/A". If answering "N/A", the municipality must identify under "Comments" each such provision imposed by an arbitrator, along with the status of the collective bargaining negotiations to eliminate each such provision.	
22	NO	Has your municipality instituted a written policy to not compensate non-union employees for sick leave accumulated after a certain date?	
23	YES	Has your municipality adopted an ordinance, resolution, regulation or written policy eliminating longevity awards, bonuses or payments for non-union employees?	

Best Practices Worksheet CY 2017/SFY2018

Caldwell Township (Essex)			
0703		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
24	NO	For any employees covered by a collective bargaining agreement, has your municipality eliminated all longevity awards, bonuses or payments for employees hired on or after a specified date, and refrained from increasing any longevity awards, bonuses or payments for employees hired before a specified date? The answer to this question can be "N/A" if such provisions were imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining. If answering "N/A", the municipality must identify under "Comments" each such provision imposed by an arbitrator, along with the status of the collective bargaining negotiations to eliminate each such provision.	
25	YES	Employee personnel manuals or handbooks serve as a valuable tool to convey a municipality's policies, procedures and benefits. Many insurance carriers encourage the adoption of such a document and offer discounted rates for their use. These publications should review employees' rights and obligations in areas ranging from discrimination, safety, violence, and harassment to vacation and sick days, holidays, use of township vehicles, smoking and political activity, among others. Has your municipality adopted or updated an employee personnel manual/handbook by resolution or ordinance within the last five years? If yes, please provide in the Comments section the date of the meeting at which the personnel manual was adopted or updated.	

Best Practices Worksheet CY 2017/SFY2018

Caldwell Township (Essex)		
0703	<i>Please see Color Key at bottom of sheet for limits on answers</i>	
Answer	Question	Comments
0	Select	
15	Yes	
6	No	
4	N/A	
25	Total Answered:	
19	Score (Yes + N/A)	
76%	Score %	
Chief Administrative Officer's Certification		
	I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.	Certification #(s)
	Paul Carelli, Borough Administrator	10/13/2017
Chief Financial Officer's Certification		
	I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.	Certification #(s)
	Chris Battaglia	10/13/2017
Municipal Clerk's Certification		
	I hereby certify that the Governing Body of the Borough of Caldwell in the County of Essex discussed/will discuss the CY 2017/SFY 2018 Best Practice Inventory as completed herein at a public meeting on October 17, 2017, with the Inventory results, and the certification thereof by the Chief Administrative and Chief Financial Officers, respectively, to be stated in the minutes of said public meeting.	Certification #(s)
	Francine Paserchia	C-1149, CMR 1980, QPA 10/13/2017

