



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS
MEETING November 6, 2014**

Caldwell Borough Hall
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

November 6, 2014 / 7:00PM

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser - President
Thomas O'Donnell
John Kelley
Frank Rodgers
Edward Durkin
Pasquale Capozzoli

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 21, 2014

PRESENTATION

Surrogate Theodore N. Stephens, II / Annual Update

INTRODUCTION OF ORDINANCE

ORDINANCE 1300-14: AN ORDINANCE AMENDING CHAPTER 207 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION REGULATING STREETS AND SIDEWALKS

PUBLIC HEARING AND ADOPTION OF ORDINANCE

ORDINANCE 1299-14: BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$310,000 FOR VARIOUS WATER MAIN IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

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.

11-225	AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #13-00017 BLOCK 54, LOT 20
11-226	RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION Block 51, Lot 6, Russell Serpe, 3 Ford Lane, Roseland, NJ 07068



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

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

November 6, 2014 / 7:00PM

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser - President
Thomas O'Donnell
John Kelley
Frank Rodgers
Edward Durkin
Pasquale Capozzoli

11-227	RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO PROCEED WITH THE DEVELOPMENT OF AN RFQ TO INSTALL A GRID-TIED PHOTOVOLTAIC SYSTEM AT THE CALDWELL WASTEWATER TREATMENT FACILITY
11-228	AUTHORIZING THE 2014 EQUIVALENT CONNECTION CHARGE OF \$346.73 PER EQUIVALENT CONNECTION, BASED ON THE NUMBER OF EQUIVALENT CONNECTIONS AND THE APPLICATION OF THE SEWER USER AGREEMENTS BETWEEN THE BOROUGH OF CALDWELL AND THE SEWER USER MUNICIPALITIES OF WEST CALDWELL, NORTH CALDWELL, ESSEX FELLS, FAIRFIELD AND ROSELAND
11-229	AUTHORIZING THE APPOINTMENT OF Nicolas Trukmen AS A JUNIOR FIREFIGHTER IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT
11-230	RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH REVALUATION ADVISORY SERVICES, LLC FOR PREPARATION OF BID SPECIFICATIONS, REVALUATION CONTRACT, AND A PROPOSAL WEIGHTING CHECKLIST FOR THE BOROUGH OF CALDWELL
11-231	RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH VANTAGE WASTE & RECYCLING, INC FOR WASTE REMOVAL SERVICES OF GRITS AND SCREENINGS AT THE CALDWELL WASTEWATER TREATMENT PLANT
11-232	RESOLUTION DESIGNATING THE NAME OF UNIVERSITY DRIVE AT CALDWELL UNIVERSITY

COUNCIL COMMITTEE REPORTS

Borough Council Members

Councilman Hauser

REPORT OF MAYOR

Mayor Dassing

REPORT OF BOROUGH ADMINISTRATOR

Paul M. Carelli

REPORT OF BOROUGH ATTORNEY

Greg Mascera

REPORT OF ESSEX COUNTY LIASSON

James Jude Jorgensen, QPA



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

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

November 6, 2014 / 7:00PM

MAYOR
Ann Dassing

BOROUGH COUNCIL
Richard Hauser - President
Thomas O'Donnell
John Kelley
Frank Rodgers
Edward Durkin
Pasquale Capozzoli

OPEN PUBLIC MEETING

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

EXECUTIVE SESSION

Closed Session

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

ADJOURNMENT

Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda. This agenda was prepared as of 11/3/2014 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 11/3/2014 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 21, 2014**

Page 1 of 4

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

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

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

ABSENT: Councilman Kelley

Adequate notice of this Council Business/Conference meeting was given on January 1, 2014. 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:
October 7, 2014**

Moved by Council President Hauser, seconded by Councilman Capozzoli. No Discussion. On roll call, all present voted in the affirmative. Councilman O'Donnell abstained. Minutes approved 10/21/14.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

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

RESOLUTIONS – CONSENT AGEND

10-209: RESOLUTION APPROVING A REFUND FOR A SEWER CONNECTION FEE Block 2000, Lot 2, 3, 5, & 6 ON THE TAX MAP OF THE TOWNSHIP OF WEST CALDWELL TO THE VILLAS AT WEST CALDWELL, LLC, 517 PASSAIC AVENUE WEST CALDWELL, NJ 07006 IN THE AMOUNT OF \$18,900.00

10-210: DECLARING THE MONTH OF NOVEMBER "PANCREATIC CANCER AWARENESS MONTH" IN THE BOROUGH OF CALDWELL

10-211: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE A NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BROOKSIDE AVENUE IMPROVEMENTS PROJECT

CONSENT

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 10/21/14.

10-212: BOROUGH OF CALDWELL COLLECTIVE BARGAINING AGREEMENT WITH TEAMSTERS LOCAL 97 (CALDWELL DEPARTMENT OF PUBLIC WORKS)

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, Councilman Durkin, Capozzoli, O'Donnell, and Rodgers voted in the affirmative. Council President Hauser voted in the negative. Resolutions approved 10/21/14.

10-213: AUTHORIZING THE ISSUANCE OF LICENSE FOR MOTOR VEHICLE LOT LICENSE IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT, CONSTRUCTION DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – Claude DiLetto,103 Bloomfield Avenue, Caldwell, NJ

10-214: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE –Saint Aloysius Roman Catholic Church/ Off Premise – Calendar Raffle, January 15, 2015, February 15, 2015, March 15, 2015, April 15, 2015, May 15, 2015, June 15, 2015, July 15, 2015, August 15, 2015, September 15, 2015, October 15, 2015, November 15, 2015, December 15, 2015 – 1:00PM

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 21, 2014**

Page 2 of 4

- 10-215:** AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH CREW ENGINEERS FOR PROVIDING FIELD SURVEY, DESIGN SERVICES, AND BIDDING SERVICES FOR ELM ROAD, HATFIELD STREET, AND ERWIN PLACE ROAD IMPROVEMENTS FOR A NOT TO EXCEED FEE OF \$35,100
- 10-216:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE BIDS FOR THE ELM ROAD, HATFIELD STREET, AND ERWIN PLACE ROAD IMPROVEMENT PROJECT
- 10-217:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE BIDS FOR THE ACADEMY ROAD AND ELIZABETH STREET ROAD IMPROVEMENT PROJECT
- 10-218:** RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH EMERGENCY COMMUNICATIONS NETWORK FOR THE CODE RED EMERGENCY NOTIFICATION SYSTEM IN THE BOROUGH OF CALDWELL
- 10-219:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 21, 2014 FOR 2013/2014 BILLS IN THE TOTAL AMOUNT OF \$3,108,590.94
- 10-220:** RESOLUTION AUTHORIZING AN AWARD OF CONTRACT WITH DAY CHEVROLET, INC FOR A 2014 CHEVROLET TAHOE SSV 4x4 POLICE UTILITY VEHICLE AS APPROPRIATED IN CAPITAL ORDINANCE #1295-14 FOR THE CALDWELL POLICE DEPARTMENT FOR AN AMOUNT OF \$35,288.09 UNDER STATE CONTRACT # A82926
- 10-221:** AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE BIDS FOR GRIT AND SCREENINGS DISPOSAL AT THE CALDWELL WASTERWATER TREATMENT PLANT
- 10-222:** PENDING: PURCHASE OF MASON DUMP / PLOW FOR THE PUBLIC WORKS DEPARTMENT (STATE CONTRACT)
- 10-223:** RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR A 2014 FORD MASON DUMP TRUCK AS APPROPRIATED IN CAPITAL ORDINANCE #1295-14 FOR THE CALDWELL DEPARTMENT OF PUBLIC WORKS UTILIZING THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL FOR AN AMOUNT OF \$61,484.00

CONSENT

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 10/21/14.

COUNCIL COMMITTEE REPORTS:

Council President Hauser reported that the Borough has achieved the Bronze level with Sustainable New Jersey and Ann Marchioni and Robert Edelstein worked very hard on this application. The Mayor with conjunction with the Environmental Commission has been pushing to get solar panel put in at the sewer plant and initially we did not win the application there were other organizations that were selected and those organizations failed to meet the criteria and we are back in. They are pretty sure that there will be solar panel powering at the sewer plant. **Greg Mascera** responded that the Mayor asked if we could have something on for this evening and he was unable to answer some questions that he had with regard to the procedure, yes it has been approved but he needs to discuss further with Paul and make sure whether bidding is necessary because it is a state contract and we want to make sure we follow up with everything. **Council President Hauser** reported that everyone should have received the Kiwanis Oval maintenance fund from West Caldwell. The fund is around \$90,000 as of last month which in several years that the Oval has been there it is rather low. He had questions for West Caldwell that some of the dollars were not consistent, have not been received, and there has been no advertising dollars received.

Councilman Rodgers reported that there will be Flu shots on Tuesday, November 4th from 2-3:30PM free with traditional Medicare card.

REPORT OF MAYOR:

Mayor Dassing reported that she met with a lighting expert with regards to the lights at the Community Center in the pool area and he will be looking at some drawings to figure out what is the best lighting for that are. He is also giving us some ideas about the lobby area and lighting on the 1st floor of the parking deck. The Mayor had a request from the 4H club to plant daffodil bulbs in various areas of the town and they would like to do it this weekend or the following weekend so that in the spring we can have a daffodil festival. The Council agreed to buy the daffodil bulbs for \$170.00 and they would have the Auxiliary Police out there while they are planting. The Mayor has asked Greg Mascera to prepare an ordinance for promotions of events on parking meters and she would like to have this on for the

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 21, 2014**

Page 3 of 4

November 6th Council meeting. Dr. Blattner from Caldwell University sent a letter asking the Council if they would consider naming the roadway that currently leads from Bloomfield Avenue on to the property of Caldwell University, University Drive, and she has checked with the Chief of Police and we would need to make sure the first responders are aware of this. This resolution will be on the November 6th Council meeting.

BOROUGH ADMINISTRATOR:

Paul Carelli reported on the following:

- UV for Pool will be in tomorrow.
- Pre-construction for wheel chair lift the equipment has been ordered and will be in by the first week of December.
- We are waiting for PSE&G to disconnect the electricity at the knights of Columbus.
- One of the Resolutions on tonight is for Code Red Reverse 911 Emergency Messaging news & events in towns, phone apps, texting and messaging. The cost per year is \$5,200.00.
- He met with Greg Seaman they are getting ready to close out the sewer project as far as it initially being done. Council President Hauser asked if Hatch Mott McDonald will have to sign off on approval for the solar panel project and Mayor Dassing responded no.
- He passed out the street priority list to the Council.

Council President Hauser asked about the Council getting a note pad so they can do away with all the paper.

REPORT OF BOROUGH ATTORNEY:

Greg Mascera reported that he met with George Librizzi who is a tax assessor in many municipalities, in preparation of our revaluation George has been through many revaluations and he has enlightened him with certain procedures that need to be put in place. In speaking with George in his opinion we should utilize the services of someone in conjunction with our Assessor. George has sent a proposal to Paul for \$5,000.00 for his services. Discussions Ensued.

REPORT OF ESSEX COUNTY LIASSON:

James Jorgensen on behalf of the County Executive and the Essex County Recreation and Open Space Trust Fund he brings to Council an award for the multi-sport field and improvements that Caldwell and West Caldwell were working on and there is a check for \$150,000.00. He placed brochures on the counter in the Lobby which has a copy of a map of Essex County and the different towns and a great list of all the different activities that you can do.

OLD BUSINESS:

1. SID Feasibility Study

10-224: AUTHORIZING THE AWARD OF A CONTRACT FOR A FEASIBILITY STUDY – SPECIAL IMPROVEMENT DISTRICT TO MILLENNIUM STRATEGIES, 60 ROSELAND AVENUE, CALDWELL, NEW JERSEY 07006 FOR AN AMOUNT OF \$24,000.00

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/21/14.

NEW BUSINESS:

1. Best Practices Checklist 2014

Paul Carelli advised the Council on the Best Practice checklist and it is a series of fifty questions and its tide into how much state aid you have and if you answer well none of that will be held up. We had a total of 43 out of 50 which is 86% and this means that state aid will not be held.

Councilman Durkin reported that Cory Booker will be in Caldwell on a special event called run with Cory and it will be on Friday night at 8PM. He will be starting at the Grover Cleveland Middle School and ending at the Grover Cleveland Birthplace. Senator Booker will be buying ice cream after the event at Gelotti's for everyone.

OPEN PUBLIC MEETING:

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli to open meeting to the Public.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 21, 2014**

Page 4 of 4

Hilda Moore, 23 Personette Street asked when the Knights of Columbus building was being taken down and if the debris would be removed. She had questions about the street cleaner and read a statement from Earl Carter, Jr.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman O'Donnell, seconded by Councilman Capozzoli unanimously affirmed by all members present, the meeting was adjourned at 8:26P.M.

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

DATE



BOROUGH OF CALDWELL NEW JERSEY



ORDINANCE# 1299-14

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$310,000 FOR VARIOUS WATER MAIN IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$310,000, such sum being in addition to the \$290,000 appropriated therefor by bond ordinance #1296-14 of the Borough, finally adopted July 1, 2014 (the "Original Bond Ordinance"). No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$310,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is various water main improvements, including all work and materials necessary therefor and incidental thereto, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$600,000, including the \$290,000 authorized by the Original Bond Ordinance and the \$310,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$600,000, including the \$290,000 appropriated by the Original Bond Ordinance and the \$310,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office

of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$310,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$120,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$58,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$62,000 is estimated therefor herein.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Borough hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Borough to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

DATE OF FIRST READING: October 7, 2014 DATE OF SECOND READING: November 6, 2014
 DATE OF PUBLICATION: October 16, 2014 DATE OF ADOPTION: November 6, 2014
 MOVED:
 SECONDED:

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following - Seconded by Councilman _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

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



BOROUGH OF CALDWELL NEW JERSEY



ORDINANCE# 1300-14

AN ORDINANCE AMENDING CHAPTER 207 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION REGULATING STREETS AND SIDEWALKS

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

That Chapter 207 of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

That Chapter 207 of the Code of the Borough of Caldwell, the Chapter governing streets and sidewalks is modified as follows:

Repeal Section 207 – 25 and replace with the following:

1. A. No person shall place upon or attach to any Borough property, any tree, any telephone pole, any electric light pole, any parking meter, and street sign, or any other structure or any other part of a structure that is on Borough property or that is within an easement in favor of the Borough, any notice or sign of any kind except such notices as are required by law to be posted or except as otherwise allowed by this Section.

B. Despite the restrictions set forth subsection A 1 hereof, upon compliance with the requirements otherwise set forth in this Section 207-25, the Administrator shall issue a permit allowing signs that advertise, or provide notice of an activity, event, or gathering to be placed on Borough parking meter poles if the activity, event or gathering is to be held within the Borough of Caldwell and is for the benefit of a 501(c) charitable organization, or is for the purpose of collecting donations for a Caldwell resident.
2. Any person seeking to obtain a permit as required by paragraph 1, above, shall file an application for a permit on a form furnished by the Borough Administrator at least ten days prior to the first day that an advertisement, notice or sign shall be posted.
3. The application shall require that the applicant specify the proposed locations of the notices or signs to be posted, the number of such notices or signs to be posted, the size thereof, and the period of time that the notices or signs will be posted, (which shall not exceed 14 days). The application shall further request the name and address of the person responsible for posting the notices or signs and the person who will be responsible for removing the notices or signs.
4. The application will require the applicant to provide a copy of the notice or sign to be posted, provide a general description of the activity, event, or gathering to be advertised and provide proof that the activity, event, or gathering meets the criteria set forth in Section 207-25B.
5. The applicant shall, upon making application with the Administrator, deposit \$100 by check payable to the Borough of Caldwell. The Administrator will return the check to the applicant upon the applicant removing the notice or sign from the parking meter poles upon the date set for removal in the application. In the event that the notice or signs remain after the date or removal set forth in the application, the Borough Administrator shall negotiate the check on behalf of the Borough and the notices or signs will be removed by Borough employees.

6. Despite anything contained in the General Ordinance of the Borough of Caldwell to the contrary, the Borough Administrator shall, in the Administrator's sole discretion, determine whether to approve an application that is submitted pursuant to this Section 207-25 so as to allow the posting of notices or signs on parking meter poles. If the Administrator approves an application the Administrator shall have sole discretion to determine the location and the number of notices or signs to be posted.

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.

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

DATE OF FIRST READING: November 6, 2014
 DATE OF PUBLICATION: November 13, 2014
 MOVED:
 SECOND:

DATE OF SECOND READING: December 2, 2014
 DATE OF ADOPTION: December 2, 2014
 MOVED:
 SECONDED:

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following - Seconded by Councilman _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

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



BOROUGH OF CALDWELL
NEW JERSEY



Resolution No: 11-225

Date of Adoption: November 6, 2014

TITLE:

AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #13-00017 BLOCK 54, LOT 20

WHEREAS, at the Borough of Caldwell Tax Sale held on December 27, 2013, a lien was sold on Block 54, Lot 20 also known as 16 Westville Avenue in Caldwell, NJ for delinquent Water; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00017, was sold to US BANK CUST-PROCAPITAL 11, LLC US TLSG; and

WHEREAS, the HOMEOWNERS BANK has effected redeemed the Certificate 13-00017 in the amount of \$912.46; and

WITH A PREMIUM AMOUNT OF \$600.00 TO ALSO BE RETURNED TO THE LIEN HOLDER.

NOW THEREFORE BE IT RESOLVED that authorization is hereby given to issue a check in the amount of \$1,512.46 payable to US BANK CUST-PROCAPITAL 11, LLC US BANK TLSG for the redemption of Tax Sale Certificate 13-00017

Certificate 13-00017

Table with 2 columns: Description and Amount. Rows include PRINCIPAL (\$ 860.46), RECORDING FEES (\$ 52.00), PREMIUM (\$ 600.00), and TOTAL REDEMPTION (\$ 1,512.46).

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Table with 10 columns for council members and their votes. Rows include Hauser, O'Donnell, Kelley, Rodgers, Durkin, and Capozzoli.

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-226

Date of Adoption: November 6, 2014

TITLE:

**RESOLUTION APPROVING AN APPLICATION FOR A SEWER CONNECTION Block 51,
Lot 6, Russell Serpe, 3 Ford Lane, Roseland, NJ 07068**

WHEREAS, Russell Serpe, (“Applicant”) requires approval from the Borough of Caldwell Sewer Utility for a SANITARY SEWER INCREASE IN FLOW to service property known as B51, Lot 6; and

WHEREAS, the project is more specifically known as 3 Ford Lane, Roseland, New Jersey; and

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

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

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

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

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

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE BOROUGH OF CALDWELL, ESSEX COUNTY, NEW JERSEY, AT A REGULAR MEETING HELD ON October 7, 2014.

Lisa O’Neill, Deputy Clerk

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O’Donnell						Durkin				
Kelley						Capozzoli				

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: 11-227

Date of Adoption: November 6, 2014

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO PROCEED WITH THE DEVELOPMENT OF AN RFQ TO INSTALL A GRID-TIED PHOTOVOLTAIC SYSTEM AT THE CALDWELL WASTEWATER TREATMENT FACILITY

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the Borough Administrator to Proceed with the Development of an RFQ to Install a Grid-Tied Photovoltaic System at the Caldwell Wastewater Treatment Facility.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-228

Date of Adoption: November 6, 2014

TITLE:

AUTHORIZING THE 2014 EQUIVALENT CONNECTION CHARGE OF \$346.73 PER EQUIVALENT CONNECTION, BASED ON THE NUMBER OF EQUIVALENT CONNECTIONS AND THE APPLICATION OF THE SEWER USER AGREEMENTS BETWEEN THE BOROUGH OF CALDWELL AND THE SEWER USER MUNICIPALITIES OF WEST CALDWELL, NORTH CALDWELL, ESSEX FELLS, FAIRFIELD AND ROSELAND

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby adopt the 2014 equivalent connection charge based on the Sewer User Agreements with West Caldwell, North Caldwell, Essex Fells, Fairfield and Roseland and the calculations performed by the Borough Administrator and Borough Sewer Director.

BE IT RESOLVED by the Borough Council of the Borough of Caldwell that the number of equivalent connections per sewer user municipality used for the purposes of the calculations shall be in accordance with the number of connections adjusted through the implementation of the 2014 Caldwell Sewer Utility sewer connection audit and connections reported by each municipality through October 31, 2014 as follows:

Caldwell	3,069.3
West Caldwell	4,506.0
North Caldwell	2,023.6
Essex Fells	787.9
Roseland	3,215.1
<u>Fairfield</u>	<u>110.0</u>
TOTAL:	13,771.8

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that the equivalent connection charge is set at \$ 346.73 per equivalent connection and that the Borough Administrator be authorized to forward bills to the sewer user municipalities.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

**2014 CALDWELL CONNECTION AUDIT
EQUIVALENT UNIT SUMMARY**

MUNICIPALITY	2013 DATA		2014 REVISED AUDIT			
	2013 EDU'S	2013 PERCENT	Residential EDU'S	Non- Residential EDU'S	TOTAL EDU'S	NEW PERCENT
CALDWELL	2,944.6	22.49%	2,200.0	869.3	3,069.3	22.38%
ESSEX FELLS	738.0	5.64%	745.0	42.9	787.9	5.75%
FAIRFIELD	110.0	0.84%	110.0	0.0	110.0	0.80%
NORTH CALDWELL	1,967.6	15.03%	1,935.0	88.6	2,023.6	14.76%
ROSELAND	2,600.0	19.86%	2,050.0	1,165.1	3,215.1	23.45%
WEST CALDWELL	4,731.6	36.14%	3,550.0	956.0	4,506.0	32.86%
TOTALS	13,091.8	100.0%	10,590.0	3,121.8	13,711.8	100.0%



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-229

Date of Adoption: November 6, 2014

TITLE:

**AUTHORIZING THE APPOINTMENT OF Nicolas Trukmen AS A JUNIOR FIREFIGHTER
IN THE CALDWELL VOLUNTEER FIRE DEPARTMENT**

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of Nicolas Trukmen, as a junior firefighter in the Caldwell Volunteer Fire Department effective immediately.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-230

Date of Adoption: November 6, 2014

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH REVALUATION ADVISORY SERVICES, LLC FOR PREPARATION OF BID SPECIFICATIONS, REVALUATION CONTRACT, AND A PROPOSAL WEIGHTING CHECKLIST FOR THE BOROUGH OF CALDWELL

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that,

WHEREAS, the Borough of Caldwell has a need for revaluation advisory services; and

WHEREAS, a proposal was submitted by Revaluation Advisory Services, LLC, 105 Stephanie Drive, North Caldwell, New Jersey; and

WHEREAS, this matter was reviewed by the Chief Financial Officer and the Borough Administrator, and;

WHEREAS, the Borough Council of the Borough of Caldwell, New Jersey hereby authorizes the Borough Administrator to enter into an agreement with Revaluation Advisory Services, LLC for the preparation of bid specifications, revaluation contracts, and a proposal weighting checklist for the Borough of Caldwell for consultant fees not to exceed \$5,000.00

NOW THEREFORE BE IT 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						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

Revaluation Advisory Services, LLC.

**105 Stephanie Drive
North Caldwell, NJ 07006
973-650-3342**

September 8, 2014

Joan M. Kozeniesky, Tax Assessor
Borough of Caldwell
1 Provost Square
Caldwell, NJ 07006

I am please to submit the following proposal to prepare the following revaluation documents necessary for the Borough to successfully complete their revaluation.

Preparation of the following documents:

- Bid specifications.
- Revaluation contract.
- Revaluation proposal weighting checklist.

Cost: \$5,000.00

If you have any questions or need additional information do not hesitate to contact me.

Very truly yours,

George F. Librizzi,
CTA, IFAS, SCGRE

Visit us at: revaluationadvisoryservices.com



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-231

Date of Adoption: November 6, 2014

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH VANTAGE WASTE & RECYCLING, INC FOR WASTE REMOVAL SERVICES OF GRITS AND SCREENINGS AT THE CALDWELL WASTEWATER TREATMENT PLANT

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that,

WHEREAS, the Borough of Caldwell has a need for grits and screenings removal at the Caldwell Wastewater Treatment Plant; and

WHEREAS, a proposal was submitted by Vantage Waste & Recycling, Inc., 13 Hilton Street, Belleville, New Jersey 07109 for a monthly fee of \$1,400.00 (\$16,800.00 annually); and

WHEREAS, this matter was reviewed by the Licensed Sewer Director and the Borough Administrator, and;

WHEREAS, the Borough Council of the Borough of Caldwell, New Jersey hereby authorizes the Borough Administrator to enter into an agreement with Vantage Waste & Recycling, Inc. for grits and screenings removal at the Caldwell Wastewater Treatment Plant.

NOW THEREFORE BE IT 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						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-232

Date of Adoption: November 6, 2014

TITLE:

RESOLUTION DESIGNATING THE NAME OF UNIVERSITY DRIVE AT CALDWELL UNIVERSITY

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that,

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



September 19, 2014

Mayor Ann Dassing and Members of the Caldwell Council
One Provost Square
Caldwell, NJ 07006

Dear Mayor Dassing and Council Members:

I am writing on behalf of Caldwell University to request your assistance in assigning a name to the roadway that currently leads from Bloomfield Avenue onto the property of Caldwell University. As of now, this roadway does not have an official name and is simply referred to as the loop road or access road by those of us on campus.

With Caldwell's change in title and designation to university status this past summer, it seems appropriate if the described roadway could be designated University Drive. The institutions on the campus—Caldwell University, the Sisters of St. Dominic and Mount St. Dominic Academy—would all retrain their current mailing addresses, Bloomfield Ave. and Ryerson Ave., respectively. This designation of University Drive would be for internal use only.

We understand that first responders, as well as emergency personnel, would need to be notified of the signage, and if the Caldwell Council is pre-disposed to designating the loop/access road as University Drive, then we will immediately indicate this to all emergency personnel through our Safety and Security Office.

Thank you for considering this request. If you need any additional information or would like me to appear before the Council at a scheduled meeting, I am more than happy to oblige.

Sincerely,

Nancy H. Blattner, Ph.D.
President