



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS
MEETING November 7, 2013**

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



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting

AGENDA

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

November 7, 2013 / 7:00pm

MAYOR
Ann Dassing

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

CALL TO ORDER

Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding

Roll Call
Statement of Compliance w/ Open Public Meetings Act
Pledge of Allegiance to the Flag

APPROVAL OF MINUTES

October 15, 2013

INTRODUCTIONS

1. Introduction – Barb Hauck-Mah / New Caldwell Public Library Director
2. Swearing in Lieutenant Michael Geary, Sergeant Chris Butchyk, and Sergeant Paul Stabile
3. Swearing in Auxiliary Police Emilyanne Smith and Matthew O'Hern

INTRODUCTION OF ORDINANCE

ORDINANCE # 1283-13: BOND ORDINANCE OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AMENDING SECTION 3(a) OF BOND ORDINANCE #1248-12, AS AMENDED BY ORDINANCE #1278-13, FINALLY ADOPTED MAY 15, 2012, AS AMENDED SEPTEMBER 3, 2013, PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$143,000 FOR VARIOUS STREET IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF \$135,850 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

PUBLIC HEARING AND ADOPTION OF ORDINANCES

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

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

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

OPEN PUBLIC COMMENTS ON RESOLUTIONS

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



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RESOLUTIONS - CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.

11-241	AUTHORIZING THE APPOINTMENT OF HISTORIC PRESERVATION COMMITTEE
11-242	AUTHORIZING THE APPOINTMENT OF THE CALDWELL AUXILIARY POLICE OFFICERS
11-243	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, 2014, February 15, March 15, April 15, May 15, June 15, July 15, August 15, September 15, October 15, November 15, December 15, 2014 – 1:00PM
11-244	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – HSA Trinity Academy - Off Premise / Tricky Tray Raffle – March 21, 2014 – 6:00PM - Midnight
11-245	AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Trinity Academy HSA
11-246	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – James Caldwell HS Swimming Chiefs Booster Club - Off Premise / Calendar Raffle – January 15, 2014, February 12, 2014, March 19, 2014 – 8:00PM – 9:00PM
11-247	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – HSA Lincoln School - Off Premise / Tricky Tray Raffle – December 4, 2013, 3:00PM – 8:00PM – December 5, 2013, 3:00PM – 6:00PM
11-248	AUTHORIZING THE APPOINTMENT OF JOAN M. KOZENIESKY, 3 ROBIN LANE, CEDAR GROVE, NEW JERSEY 07009 TO THE POSITION OF TAX ASSESSOR TO FILL THE UNEXPIRED TERM ENDING JUNE 30, 2015 IN ACCORDANCE WITH N.J.S.A.40A:9-148 WITH AN ANNUAL SALARY OF \$18,000 EFFECTIVE OCTOBER 28, 2013

COUNCIL COMMITTEE REPORTS

Borough Council Members

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

REPORT OF MAYOR

Mayor Dassing

REPORT OF BOROUGH ADMINISTRATOR

Paul M. Carelli

1. Administrator Report November 7, 2013



Council Chambers
1 Provost Square Caldwell, NJ

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Edward Durkin Jr. / Finance

REPORT OF ATTORNEY

Gregory Mascera

REPORT OF POLICE CHIEF

Chief James H. Bongiorno, CPD

REPORT OF ESSEX COUNTY LIASSON

James Jude Jorgensen, QPA

OLD BUSINESS

NEW BUSINESS

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 11/05/2013 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 11/05/2013 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 15, 2013**

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

PRESENT: Mayor Dassing, Council President Hauser, Kelley, Rodgers and Durkin

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

ABSENT ROLL CALL: Councilman Coyle and Councilman O'Donnell

Adequate notice of this Council Business/Conference meeting was given on January 1, 2013. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey. Official newspapers of the Borough were notified of this meeting by mail. Notice was posted and all persons requesting notice were sent same.

**APPROVAL OF MINUTES:
October 1, 2013**

Moved by Councilman Kelley, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 10/15/13.

PRESENTATIONS:

1. Sun Pacific Power, Inc. / Nick Campinella

7:11pm - Councilman Coyle and Councilman O'Donnell arrived

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

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

RESOLUTIONS – CONSENT AGENDA

10-231: RESOLUTION AUTHORIZING CHANGE FUNDS

10-232: RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND TAX OVERPAYMENT FOR BLOCK 36.01 LOT 71.01 & 36.01 LOT 96, 485 & 487 BLOOMFIELD AVENUE, BLOOMFIELD AVENUE, REALTY, LLC. CALDWELL, NJ 07006

10-233: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Volunteer Fire Co of Borough of Caldwell - Off Premise / Tricky Tray Raffle – December 7, 2013 – 6:00PM – 10:00PM

10-234: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Volunteer Fire Co of Borough of Caldwell - Off Premise / 50/50 Raffle – December 7, 2013 – 6:00PM – 10:00PM

CONSENT

Moved by Councilman Coyle, seconded by Councilman Kelley. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 10/15/13

10-236: RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDERS (1-4) FOR THE CEDARS ROAD IMPROVEMENT PROJECT IN THE AMOUNT OF \$25,073.12 – NEW TOTAL CONTRACT AMOUNT \$948,498.80

10-237: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH OCTOBER 15, 2013 FOR 2013 BILLS IN THE TOTAL AMOUNT OF \$3,418,975.01

CONSENT

Moved by Councilman Coyle, seconded by Councilman Kelley. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/15/13.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 15, 2013**

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COUNCIL COMMITTEE REPORTS:

Councilman Durkin reported that October is walk to school month and the Caldwell Environment Commission supports the Grover Cleveland Middle School's Eighth Grade Ecology's club initiative Walk for Earth Day which is on Friday, October 25th.

Councilman Hauser reported that they have hired a Library Director who will be starting November 4th.

REPORT OF BOROUGH ADMINISTRATOR:

1. Administrator Report October 15, 2013

Paul reported that the Cedars Road Improvements are moving along nicely. There have been some changes. They are making some last minute adjustments to the curbing that is required. The contract was for 4417 of linear feet of curbing and we are actually under that so we were able to put curbing in a couple problem areas primarily Overlook Road. The paving crew was on site yesterday raising manhole covers to get ready for the milling. Paul will check on the milling and will let the Council know a date when the milling will start and when the completion date will be. Paul handed out a sheet in regards to capital ordinances explaining where we are cleaning with old capital ordinances that have been on the books for the last almost 14 years. We are around \$600,000, from that there are things that still need to be paid, the completion of the generator, the council authorized the sidewalk repairs, the added cost for the video, the Park Avenue driveway which is completed and the last one is the computers in the Community Center and I would like the Council tonight to authorize that. The process would be to cancel all the ordinances and that would leave us with \$480,000 and no ordinances to spend money on and we would start fresh in saying what do we would like to do going forward. Before he cancels the ordinances he needs to finish these projects. Paul thanked Lisa O'Neill for training Colette in the Construction Office.

10-238: AUTHORIZING THE BOROUGH ADMINISTRATOR TO PURCHASE COMPUTERS AND NECESSARY EQUIPMENT FOR THE COMMUNITY CENTER FOR AN AMOUNT NOT TO EXCEED \$14,000.00

Moved by Councilman O'Donnell, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/15/13.

Paul reported that the Police have been using the E-ticketing for almost three years and he reached out to them and said he wasn't willing to pay what we have been paying for the price per ticket. He is waiting for the paperwork but it looks like there will be a 30% decrease.

REPORT OF ATTORNEY:

Greg Mascera reported that we took the next step on the Knights Property and we are waiting for the seller to provide a document which we received and have forward to the Land Conservancy and now we have forwarded it to the State and PSE&G. Mr. Ingris has filed another Law suit which we can talk about in private session.

REPORT OF POLICE CHIEF:

Chief Bongiorno thanked the West Caldwell, Fairfield, Roseland Police Department and the Essex County Sheriff's department for assistance to the Street Fair. They helped us supply security and it was a great event. He spoke to Rob Paterson and the Community Center is hosting the social event. It was Joanne's idea and they want to hold an Open House which is a wine tasting event. So it is geared to their adult population. Discussions Ensued.

10-235: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Caldwell Community Center

Moved by Councilman Coyle, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, Council President Hauser, Coyle, O'Donnell and Durkin voted in the affirmative. Councilman Rodgers and Kelley voted in the negative. Resolution approved 10/15/13.

Mayor Dassing reported that the Essex County Liaison was here earlier tonight and we spoke about the Roseland Avenue intersection and she expressed her concern at the response that we received from the

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – October 15, 2013**

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County. He suggested that I write a strong email to him and I talked about Tom who is in the audience and I gave him your suggestion about widening the lane.

OLD BUSINESS:

Caldwell Yard Storage

Mayor Dassing spoke about the information that she sent to Council about the revised numbers on the trucks per day for the storage at the Compost facility. It seems like it has dropped from 15 to 18 trucks a day to 5 or 6 trucks and they would like to start as soon as possible and they are willing to negotiate the price. **Greg Mascchera** responded that we talked about this and we will need West Caldwell's zoning permission as a prerequisite because outside storage would be precluded under the West Caldwell Zoning Ordinances. **Councilman O'Donnell** responded that the revenue and the harms done to the people in West Caldwell do to this situation is something we don't want to get involved in.

NEW BUSINESS:

American Express Park on Patch

Mayor Dassing explained that American Express and Patch are to separate days. American Express small business Day is a Saturday and each business has to apply. Park on Patch will bag the meters and they will give us the anticipated revenue that we would gain and it is the Saturday after Thanksgiving.

10-239: AUTHORIZING SATURDAY NOVEMBER 30, 2013 AS "PARK ON PATCH" DAY FOR A FEE TO BE DETERMINED BY THE BOROUGH ADMINISTRATOR

Moved by Councilman O'Donnell, seconded by Councilman Coyle. Discussions Ensued. On roll call, all present voted in the affirmative. Resolution approved 10/15/13.

2013 Best Practices Checklist

Paul Carelli explained the best practice checklist that is mandatory and needs to be filled out every year. Chris and Paul worked on it and they had 42 affirmative answers which is sufficient enough not to lose any state aid. **Mayor Dassing** suggested that the finance committee base their goals and objectives on the best practice checklist next year. Discussions Ensued.

Mayor Dassing thanked the Caldwell Volunteer Fire Department and the officers. Chief Garamella and the staff were at the four high rises spent time in the lobbies talking about fire safety with the residents. There were a lot of questions and answers and they plan to do it again.

OPEN PUBLIC MEETING:

Moved by Councilman Hauser, seconded by Councilman Kelley to Open Public Meeting.

Bob Christensen, 3 Ravine Avenue, asked if there will be a traffic committee next year. Mayor Dassing responded yes.

Tom Telven, 79 Roseland Avenue, he thanked Councilman O'Donnell for the follow up on the issue of the traffic congestion on Roseland Avenue and a couple of the suggestions that he made. It is refreshing to have a public official call you back to let you know that he is looking into it. He thanked everyone for their consideration and time on this matter.

On a motion made by Councilman Coyle and seconded by Councilman O'Donnell, unanimously affirmed, the Council moved into Executive Session at 8:24PM.

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

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
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in closed session, shall be disclosed upon termination of litigation or contractual matter, upon resolution of the personnel matter with consent of said person or persons and as provided by N.J.S.A. 4-12 but in no case later than two (2) years from this date. These minutes shall be available as soon as the matter is resolved or not later than two years hence. Greg Mascera responds that the Executive Session will be discussion of two litigation matters and a personnel interview for a Tax Assessor.

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 8:47P.M.

10-240: AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXTEND AN OFFER FOR THE TAX ASSESSOR POSITION AT AN ANNUAL SALARY NOT TO EXCEED \$20,000

Moved by Councilman Kelley, seconded by Councilman Rodgers. No Discussion. On roll call, all present voted in the affirmative. Resolution approved 10/15/13.

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

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1280-13

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

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

That Chapter 230, Section 59 of the Code of the Borough of Caldwell, New Jersey, “Schedule V: Prohibited Turns at Intersections” be amended as herein set forth:

Chapter 230, the Chapter governing Vehicles and Traffic is amended as follows so as to remove the prohibition from turning left while exiting the southerly intersection of the Caldwell College Service Road at Ryerson Avenue:

Amend Section 59, Article VII, Schedule V Prohibited Turns at Intersections, by amending “Caldwell College service roads” to “Caldwell College Service Road where it intersects Ryerson Avenue at the Ashland Street intersection.

2. All Ordinances and/or Resolutions 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: October 1, 2013
DATE OF PUBLICATION: October 10, 2013
MOVED:
SECONDED:

DATE OF SECOND READING: November 7, 2013
DATE OF ADOPTION: November 7, 2013
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					Kelley				
Coyle					Rodgers				
O'Donnell					Durkin				

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# 1281-13

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

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

That Chapter 230, Section 58 of the Code of the Borough of Caldwell, New Jersey, "Schedule IV: U-Turns" be amended as herein set forth:

Chapter 230, the Chapter governing Vehicles and Traffic is amended as follows so as to prohibit U-Turns on Ryerson Avenue:

Add to Section 58, Article VII, Schedule IV U-Turns, the following:

RYERSON AVENUE ENTIRE LENGTH

2. All Ordinances and/or Resolutions 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: October 1, 2013
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DATE OF SECOND READING: November 7, 2013
DATE OF ADOPTION: November 7, 2013
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						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

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# 1282-13

AN ORDINANCE TO FIX SALARIES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF CALDWELL FOR THE YEAR 2013

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Caldwell that the following be and are hereby established as salaries and compensation of the Officers and Employees of the Borough of Caldwell for the year 2013:

FULL TIME SALARIED POSITIONS	MINIMUM	MAXIMUM
Senior Citizen Bus Driver	\$15,000.00	\$30,000.00
Library Assistant	\$15,000.00	\$40,000.00
Administrative/Clerical Assistant	\$15,000.00	\$40,000.00
Utility Clerk	\$20,000.00	\$45,000.00
Violations Clerk	\$20,000.00	\$45,000.00
Children's Librarian	\$20,000.00	\$45,000.00
Code Enforcement Officer	\$20,000.00	\$45,000.00
Maintenance/Facilities Person	\$20,000.00	\$45,000.00
Librarian	\$25,000.00	\$65,000.00
Assistant Treasurer	\$25,000.00	\$65,000.00
Deputy Clerk	\$25,000.00	\$65,000.00
Deputy Court Administrator	\$25,000.00	\$65,000.00
Deputy Tax Collector	\$25,000.00	\$65,000.00
Fitness Supervisor	\$25,000.00	\$65,000.00
Front Desk Supervisor	\$25,000.00	\$65,000.00
Sports Program/Membership Supervisor	\$25,000.00	\$65,000.00
Aquatics Supervisor	\$25,000.00	\$65,000.00
Foreman of Public Works	\$25,000.00	\$65,000.00
Library Director	\$35,000.00	\$95,000.00
Tax Collector	\$35,000.00	\$95,000.00
Community Center Director	\$35,000.00	\$95,000.00
Construction Code Official	\$35,000.00	\$95,000.00
Public Works Superintendant	\$35,000.00	\$95,000.00
Human Services Director	\$35,000.00	\$95,000.00
Municipal Court Administrator	\$35,000.00	\$95,000.00
Registered Municipal Clerk	\$35,000.00	\$95,000.00
Borough Administrator	\$65,000.00	\$140,000.00
Certified Chief Financial Officer	\$65,000.00	\$140,000.00
Chief of Police	\$65,000.00	\$140,000.00
Police Captain	\$65,000.00	\$140,000.00



BOROUGH OF CALDWELL NEW JERSEY



PART-TIME SALARIED POSITIONS	MINIMUM	MAXIMUM
Tax Assessor	\$15,000.00	\$30,000.00
Municipal Court Judge	\$15,000.00	\$30,000.00
Administrative/Clerical Assistant	\$15,000.00	\$30,000.00
Community Center Swim Coach	\$15,000.00	\$20,000.00
Building Sub Code/Inspector	\$7,000.00	\$10,000.00
Summer Camp Director	\$6,000.00	\$9,000.00
Construction Code Official	\$6,000.00	\$8,000.00
Plumbing Sub Code/Inspector	\$6,000.00	\$8,000.00
Electrical Sub Code/Inspector	\$6,000.00	\$8,000.00
Zoning Officer	\$6,000.00	\$8,000.00
Code Enforcement Officer	\$6,000.00	\$8,000.00
School Crossing Guards	\$5,200.00	\$8,500.00
Sewer Commissioners	\$4,300.00	\$5,000.00
Chief Financial Officer	\$4,000.00	\$6,000.00
Registered Municipal Clerk	\$4,000.00	\$6,000.00
Fire Sub Code/Inspector	\$4,000.00	\$6,000.00
Mayor	\$2,000.00	\$2,000.00
Councilman	\$1,500.00	\$1,500.00
PART-TIME HOURLY POSITIONS	MINIMUM	MAXIMUM
Community Center Instructors	\$25.00	\$40.00
Code Enforcement Officer	\$15.00	\$25.00
Substitute Crossing Guards	\$15.00	\$20.00
Violations Clerk	\$15.00	\$20.00
Parking Enforcement Officer	\$15.00	\$20.00
CCC Contract Specialists	\$10.00	\$40.00
Cashier	\$7.25	\$30.00
Bookkeeper	\$7.25	\$30.00
Administrative Assistants	\$7.25	\$30.00
Substitute Bus Drivers	\$7.25	\$20.00
Front Desk Receptionists	\$7.25	\$15.00
Summer Help	\$7.25	\$15.00
Library Assistants	\$7.25	\$15.00
Fitness/Gymnasium Attendants	\$7.25	\$12.00
Lifeguards	\$7.25	\$12.00



BOROUGH OF CALDWELL NEW JERSEY



STIPENDS/ALLOWANCES	MINIMUM	MAXIMUM
Fire Department Allowances	\$250.00	\$2,000.00
Rent Board Secretary	\$500.00	\$1,000.00
Licensed Pool Operator	\$1,000.00	\$2,400.00
Welfare - West Caldwell	\$1,000.00	\$4,000.00
Planning/Zoning Secretary	\$1,000.00	\$4,000.00
Qualified Purchasing Agent	\$1,000.00	\$4,000.00
Certified Technical Assistant to Construction	\$1,000.00	\$4,000.00

1. Allowance for fire department officers shall be paid with written certification from the Fire Chief that these officers have served in the year that they are eligible, unless otherwise specifically designated.
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: October 1, 2013
 DATE OF PUBLICATION: October 10, 2013
 MOVED:
 SECONDED:

DATE OF SECOND READING: November 7, 2013
 DATE OF ADOPTION: November 7, 2013
 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						Kelley				
O'Donnell						Rodgers				
Coyle						Durkin				

 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# 1283-13

BOND ORDINANCE OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AMENDING SECTION 3(a) OF BOND ORDINANCE #1248-12, AS AMENDED BY ORDINANCE #1278-13, FINALLY ADOPTED MAY 15, 2012, AS AMENDED SEPTEMBER 3, 2013, PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$143,000 FOR VARIOUS STREET IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF \$135,850 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

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. Section 3(a) of bond ordinance #1248-12, as amended by ordinance #1278-13 of the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"), finally adopted May 15, 2012, as amended September 3, 2013 (together, "Bond Ordinance #1248-12"), is hereby amended in its entirety to read as follows:

"The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various street improvements, including, but not limited to, improvements to Brookside Avenue, Cedars Road, Knollwood Terrace, Gould Place, Oak Ridge Road, Overlook Road, Cherry Lane, Grove Street, Jackson Place and Washburn Place, including all work and materials necessary thereto and incidental thereto"

Section 2. For the improvement or purpose described in Section 3(a) of Bond Ordinance #1248-12 as amended by Section 1 hereof, there is hereby appropriated the supplemental amount of \$143,000, such sum being in addition to the \$1,375,900 appropriated therefor by Bond Ordinance #1248-12 and including the sum of \$7,150 as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 3. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$135,850 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.



BOROUGH OF CALDWELL NEW JERSEY



Section 4. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is as set forth in Section 3(a) of Bond Ordinance #1248-12, as amended by Section 1 hereof.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$1,462,455, including the \$1,326,605 bonds or notes authorized by Bond Ordinance #1248-12 and the \$135,850 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$1,518,900, including the \$1,375,900 appropriated by Bond Ordinance #1248-12 and the \$143,000 appropriated herein.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The 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 notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All 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 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 notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 6. 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 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of Bond Ordinance #1248-12, as amended by Section 1 of this bond ordinance, is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.



BOROUGH OF CALDWELL NEW JERSEY



(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 10 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 \$135,850, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$303,780 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, \$275,180 was estimated for these items of expense in Bond Ordinance #1248-12 and an additional \$28,600 is estimated therefor herein.

Section 8. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of Bond Ordinance #1248-12, as amended by Section 1 of this bond ordinance. This Section 8 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 9. Any grant moneys received for the purpose described in Section 3(a) of Bond Ordinance #1248-12, as amended by Section 1 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 10. 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 "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such



BOROUGH OF CALDWELL NEW JERSEY



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 11. 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 12. 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: November 7, 2013 DATE OF SECOND READING: December 17, 2013
DATE OF PUBLICATION: November 14, 2013 DATE OF ADOPTION: December 17, 2013
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						Kelley				
O'Donnell						Rodgers				
Coyle						Durkin				

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: 11-241

Date of Adoption: November 7, 2013

TITLE:

AUTHORIZING THE APPOINTMENT OF HISTORIC PRESERVATION COMMITTEE

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Historic Preservation Committee for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Historic Preservation Committee:

Paul Anthony Yauch

Member

Expires December 31, 2016

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-242

Date of Adoption: November 7, 2013

TITLE:

AUTHORIZING THE APPOINTMENT OF THE CALDWELL AUXILIARY POLICE OFFICERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following Auxiliary Police Officers to the Caldwell Police Department. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Auxiliary Police Officers:

Emily Ann Smith

Matthew O'Hern

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-243

Date of Adoption: November 7, 2013

TITLE:

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, 2014, February 15, March 15, April 15, May 15, June 15, July 15, August 15, September 15, October 15, November 15, December 15, 2014 – 1:00PM

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-1276 Saint Aloysius Roman Catholic Church
Off Premise – Calendar Raffle
January 15, 2014, February 15, March 15, April 15, May 15
June 15, July 15, August 15, September 15, October 15, November 15,
December 15, 2014 – 1:00PM

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 11-244

Date of Adoption: November 7, 2013

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – HSA Trinity Academy - Off Premise / Tricky Tray Raffle – March 21, 2014 – 6:00PM - Midnight

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-1277 HSA Trinity Academy
Off Premise – Tricky Tray Raffle
March 21, 2014 – 6:00PM - Midnight

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-245

Date of Adoption: November 7 , 2013

TITLE:

AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – Trinity Academy HSA

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that the Borough Council be an is hereby authorized and directed to certify that the Mayor and Council have no objection to the granting of a Special Liquor permit to offer alcoholic beverages at a special social affair to be conducted by the following:

Trinity Academy HSA
235 Bloomfield Avenue
Caldwell, NJ 07006

Event to Be Held:

Trinity Academy / St. Aloysius Church
235 Bloomfield Avenue
Caldwell, New Jersey 07006

March 21, 2014
6:00PM - Midnight

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-246

Date of Adoption: November 7, 2013

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – James Caldwell HS Swimming Chiefs Booster Club - Off Premise / Calendar Raffle – January 15, 2014, February 12, 2014, March 19, 2014 – 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-1278 James Caldwell HS Swimming Chiefs Booster Club
Off Premise – Calendar Raffle
January 15, 2014, February 12, 2014, March 19, 2014
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						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-247

Date of Adoption: November 7, 2013

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – HSA Lincoln School - Off Premise / Tricky Tray Raffle – December 4, 2013, 3:00PM – 8:00PM – December 5, 2013, 3:00PM – 6:00PM

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

RA-1279 HSA Lincoln School
Off Premise – Tricky Tray Raffle
December 4, 2013 – 3:00PM – 8:00PM
December 5, 2013 - 3:00PM – 6:00PM

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 11-248

Date of Adoption: November 7, 2013

TITLE:

AUTHORIZING THE APPOINTMENT OF JOAN M. KOZENIESKY, 3 ROBIN LANE, CEDAR GROVE, NEW JERSEY 07009 TO THE POSITION OF TAX ASSESSOR TO FILL THE UNEXPIRED TERM ENDING JUNE 30, 2015 IN ACCORDANCE WITH N.J.S.A.40A:9-148 WITH AN ANNUAL SALARY OF \$18,000 EFFECTIVE OCTOBER 28, 2013

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey, that they do hereby authorize the appointment of Joan Kozeniesky to the position of Tax Assessor to fill the unexpired term ending June 30, 2015 in accordance with N.J.S.A.40A:9-148 with an annual salary of \$18,000 effective October 28, 2013.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

(UPDATED THROUGH P.L. 2013, ch.169 and JR13 of 2013)

TITLE 40A MUNICIPALITIES AND COUNTIES

40A:9-148. Tax and deputy assessors; term of office; vacancies

▶▶40A:9-148 ◀ Tax and deputy assessors; term of office; vacancies

Every municipal tax assessor and deputy assessor shall hold his office for a term of 4 years from the first day of July next following his appointment.

Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term.

L.1971, c. 200, s. 1, eff. July 1, 1971. Amended by L.1978, c. 128, s. 2; L.1981, c. 393, s. 2, eff. Jan. 6, 1982.

40A:9-148.1. Tax and deputy assessors; qualifications and duties

A municipal tax assessor shall hold a tax assessor certificate provided for in P.L.1967, c. 44 (C. 54:1-35.25 et seq.) and shall have the duty of assessing property for the purpose of general taxation. A deputy tax assessor shall hold a tax assessor certificate and shall act under the direct supervision of and assist the tax assessor.

L.1981, c. 393, s. 3, eff. Jan. 6, 1982.

40A:9-149. Tax assessors; appointment by Governor in certain cases

In any municipality wherein there shall be the office of tax assessor and no qualified person shall be in such office on the first day of October to perform said duties or the tax assessor holding such office shall neglect or fail to assess the taxes as required by law, the Governor shall cause notice to be given to the mayor or other chief executive officer of the governing body that within 10 days after service of said notice he will appoint an assessor. At the expiration of the 10 days, if the Governor shall be satisfied that said vacancy still exists or the tax assessments were not made, the Governor shall appoint and commission an assessor to perform all the duties of such office. Such appointee shall receive the compensation provided by law for the tax assessor.

L.1971, c. 200, s. 1, eff. July 1, 1971.

