



***BOROUGH OF CALDWELL  
NEW JERSEY***



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**COUNCIL BUSINESS MEETING  
December 5, 2017**

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



Council Chambers  
1 Provost Square Caldwell, NJ

# Borough of Caldwell Council Business Meeting AGENDA

Phone: (973) 226-6100  
Website: [www.caldwell-nj.com](http://www.caldwell-nj.com)  
December 5, 2017 / 7:00PM

MAYOR  
Ann Dassing

BOROUGH COUNCIL  
John Cascarano - President  
Richard Hauser  
Thomas O'Donnell  
Pasquale Capozzoli  
Kristian Brown  
Frank Rodgers

**CALL TO ORDER** *Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding*

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

**APPROVAL OF MINUTES**

November 21, 2017

**PRESENTATIONS**

1. Crew Engineers – Hydraulic Study Presentation
2. Ann Marchioni – Sustainable Jersey & ANJEC Award

**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.*

12-229	DISPOSAL OF AN OBSOLETE BOROUGH OF CALDWELL POLICE VEHICLE
12-230	AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 5, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$2,045,074.96
12-231	RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2017
12-232	AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH BECKMEYER ENGINEERING FOR PROVIDING DESIGN, BIDDING AND CONSTRUCTION OBSERVATION FOR ABUTMENT REPAIRS TO THE CALDWELL COMMUNITY CENTER PARKING DECK FOR A FEE NOT TO EXCEED \$10,825.00

**REPORT OF MAYOR** *Mayor Dassing*



Council Chambers

1 Provost Square Caldwell, NJ

# Borough of Caldwell Council Business Meeting

## AGENDA

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### REPORT OF BOROUGH ADMINISTRATOR

*Paul M. Carelli*

### REPORT OF BOROUGH ATTORNEY

*Greg Mascera*

### REPORT OF ESSEX COUNTY LAISON

*Patricia Keenan*

### REPORT OF POLICE CHIEF

*James Bongiorno*

### 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 12/1/2017 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 12/1/2017 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – November 21, 2017**

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

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

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

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

**PLEDGE OF ALLIGENCE**

**APPROVAL OF MINUTES  
November 9, 2017**

Moved by Councilman O'Donnell, seconded by Councilman Brown. No Discussion. On roll call, all voted in the affirmative. Minutes approved 11/21/17.

**INTRODUCTION OF ORDINANCES**

**ORDINANCE #1337-17:** AN ORDINANCE TO AMEND THE BOROUGH CODE, CHAPTER 230, BEING THE SECTION TITLED "TRAFFIC AND VEHICLES", ARTICLE III, SECTION 230-28 OF THE BOROUGH CODE ENTILED "NO PARKING, STANDING OR STOPPING"

Moved by Councilman Capozzoli, seconded by Council President Cascarano. No Discussion. On roll call, all voted in the affirmative. Ordinance Introduced 11/21/17.

**ORDINANCE #1338-17:** AN ORDINANCE TO AMEND ORDINANCE 1322-16 ESTABLISHING SALARIES OR WAGES OF OFFICIALS AND EMPLOYEES OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX

Moved by Councilman O'Donnell, seconded by Council President Cascarano. No Discussion. On roll call, Council President Cascarano, Councilman O'Donnell, Capozzoli and Brown voted in the affirmative. Councilman Hauser and Rodgers abstained. Ordinance Introduced 11/21/17.

**OPEN PUBLIC COMMENTS ON RESOLUTIONS**

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

**RESOLUTIONS – CONSENT AGENDA**

**11-223:** RESOLUTION AUTHORIZING THE BAGGING OF CALDWELL PARKING METERS FOR THE HOLIDAY SEASON FROM DECEMBER 1, 2017 TO JANUARY 1, 2018

**11-224:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00028, Block 65, Lot 1.20

**11-225:** AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #16-00019, Block 52, Lot 19.01

**11-226:** AUTHORIZING THE ISSUANCE OF A PERMIT FOR CANVASSER/SOLICIT OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – John O'Hara – Edward Jones

**11-227:** RESOLUTION MEMORIALIZING THE BOROUGH'S COMMITMENT TO THE GOALS OF THE PARIS CLIMATE ACCORD

**11-228:** RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2017

**CONSENT**

Moved by Council President Cascarano, seconded by Councilman Brown. Discussions Ensued. On roll call, all voted in the affirmative. Resolutions approved 11/21/17.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – November 21, 2017**

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**REPORT OF MAYOR:**

**Mayor Dassing** reported that she met this evening with West Caldwell's Police Committee Councilman Steve Wolsky, Councilman Docteroff and Chief Paris and we talked about the possibility of looking into shared service between two towns for public safety. Chief Paris informed us that he had been at a league workshop where there were consultants for the merging that just took place between Belmar and Lake Como who had spoken. The Mayor would like Paul Carelli to reach out to Nicole, Borough Administrator of West Caldwell along with Chief Paris and work on trying to get pricing for a consultant for next year. Mayor Dassing thanked West Caldwell for their time and the Chief for attending that workshop. Happy Thanksgiving to everyone and best wishes for our camera man who hopefully is on the road to mend and will be back at the next meeting.

**REPORT OF BOROUGH ADMINISTRATOR:**

**Paul Carelli** reported:

- At the last meeting it was discussed about cornering off the parking deck and the fencing is up.
- He did receive a proposal from Glenn Beckmeyer to start the deck and he will get that out to the Council.
- The roadwork will start milling next week. All the curbing and handicap sidewalks are done in Jacks lot and at some point that lot needs to be done.
- He reached out to the company for the generator and he was able to get them to lower the price to \$5400.00. They will hopefully start next week after the holiday.
- The goal is to do the load testing let us know what are needs are, spec out the size of the generator and be the responsible party.
- Paul went over a chart on debt service that he handed out to the Mayor and Council.
- The Mayor had a question about the street signs and they are laminated so the pricing is with the laminating included.

**Councilman Brown** asked Paul about the grits and screening and whether we have moved forward with Cali picking that up and Paul responded that Greg Seaman has been meeting with Cali and they are just working out the logistics. There was discussion on the sand filters and Paul stated that probably should do two more.

**Councilman Hauser** asked about the Street Sweeper and Paul responded that Mario had picked out one and they were going to go over to Fairfield to take a look at it. It is under State contract Co-Op pricing is \$250,000.00. There was a demo which they used at the Street Fair and one of the DPW workers was inside the vehicle according to the Chief.

**REPORT OF ESSEX COUNTY LIASON:**

**Patricia Keenan** invited everyone to Holiday at Essex County Kip's Castle during the month of December and you can get a glimpse of how the holidays were celebrated in 1928. You can visit the county website at [www.essexcountynj.org](http://www.essexcountynj.org) for this event and other holiday events.

**REPORT OF POLICE CHIEF:**

**James Bongiorno** invited everyone to the 2<sup>nd</sup> Coffee with a Cop event on Wednesday, December 6<sup>th</sup> from 5PM – 7PM at the Community Center. We ask our residents to come visit us and he believes that there will be an appearance of Santa Claus. They also will be participating in the Toys for Tots again. Some of the officers are wearing beards they are doing No Shave November to raise money for cancer awareness. On behalf of the Police Department the Chief wished everyone a Happy Thanksgiving.

**OPEN PUBLIC MEETING:**

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

**Henderson Cole, 63 Crane Street**, asked if there was a schedule of the County Roads that could be distributed to residents. There are residents that are especially concerned with Roseland Avenue and Westville Avenue. Patricia Keenan responded that she will check to see if there is a schedule county wide but the last time she had checked the schedule was Roseland Avenue for next year. She will let him know about Westville Avenue. The curbing is the property owners responsibility.

On a motion made by Councilman Brown, seconded by Council President Cascarano unanimously affirmed, the Council moved into Executive Session at 7:21P.M.

**Mayor Dassing** read the following statement: BE IT HEREBY RESOLVED in accordance with the provisions of N.J.S.A. 10:12 and 13, the public shall be excluded from the Executive Session of the

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – November 21, 2017**

**Page 3 of 3**

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

The Executive Session was adjourned and upon a motion by Councilman Capozzoli seconded by Councilman Brown, the Council Business Conference Meeting was opened to the public and the press at 8:02PM.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Brown, seconded by Councilman Capozzoli unanimously affirmed by all members present, the meeting was adjourned at 8:02PM.

Prepared by: \_\_\_\_\_  
Lisa O'Neill, Deputy Borough Clerk

\_\_\_\_\_  
DATE



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 12-229

Date of Adoption: December 5, 2017

**TITLE:**

**DISPOSAL OF AN OBSOLETE BOROUGH OF CALDWELL POLICE VEHICLE**

**WHEREAS**, the Borough Administrator has advised the Borough Council that there is an obsolete Borough Of Caldwell Police Department vehicle that is no longer needed for public use; and

**WHEREAS**, N.J.S.A. 40A:11-36 authorizes the disposition of personal property not needed for public use without public sale when the fair market value of the property is less than \$3,750.00; and

**WHEREAS**, the Borough of Caldwell vehicle being disposed of below, has a value of less than \$3,750.00; and

**WHEREAS**, it is in the best interest of the Borough of Caldwell to dispose of said equipment

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Caldwell that the obsolete Borough of Caldwell vehicle referenced by the Borough Administrator is no longer needed for public use by the Borough and shall be disposed of according to the manner as prescribed by law.

VEHICLE / EQUIPMENT	DEPARTMENT	VIN# / ASSET TAG#
2006 Dodge	Police Department	2B3KA43H06H503502

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes   No   Absent   Abstain    COUNCILMAN    Yes   No   Absent   Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor

DEAR REGISTERED OWNER:  
HERE IS YOUR NEW REGISTRATION. WE APPRECIATE THE OPPORTUNITY TO SERVE YOU.

R123730405



Raymond P. Martinez, Chief Administrator



VEHICLE REGISTRATION



PLATE NO: MG72282 GOOD THRU: 11/2018  
VIN: 2B3KA43H06H503502  
DOD 2006 4 DR WH CHA GW:8 AX:2  
BOROUGH OF CALDWELL TOWNSHIP NO FEE VEH 12  
1 PROVOST SQ CC:111139915070060  
CALDWELL NJ 07006 RENEWAL PT:MG  
FEE: 0.00 RP201525211986401

BOROUGH OF CALDWELL TOWNSHIP  
1 PROVOST SQ  
CALDWELL NJ 07006

2015256000655



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 12-230

Date of Adoption: December 5, 2017

**TITLE:**

**AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 5, 2017 FOR 2017/2016 BILLS IN THE TOTAL AMOUNT OF \$2,045,074.96**

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

**WHEREAS**, certain bills which are contained on the bills list which is annexed hereto and incorporated herein have been submitted to the Borough of Caldwell for payment, and;

**WHEREAS**, pursuant to N.J.S.A. 40A:5:16, it has been certified to the governing body that the goods or services for which said bills were submitted have been received by or rendered to the Borough of Caldwell, and;

**WHEREAS**, the Director of Finance of the Borough of Caldwell has certified to the governing body that there are funds legally appropriated and available in the current operating budget for the payment of said bills and that the said payment will not result in the disbursement of public monies or in the encumbering of same in excess of the 2016 and/or 2017 appropriation for said purpose;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Caldwell that the, Borough Administrator and Deputy Clerk be and are hereby authorized to sign checks in payment of the bills set forth in the annexed schedule.

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes   No   Absent   Abstain    COUNCILMAN    Yes   No   Absent   Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 12-231

Date of Adoption: December 5, 2017

**TITLE:**

**RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2017**

**WHEREAS**, certain appropriations were required and provided for during the calendar year 2017 and will require additional sums for expenditures to the end of 2017; and

**WHEREAS**, other appropriations reflect that balances do exist as of the end of the year 2017; and

**WHEREAS**, it is provided per N.J.S.A. 40A:4-58 that municipalities may make transfers from appropriations having excesses to those requiring additional sums.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Caldwell that the list of transfers herein and below be and they are authorized to be made upon records of appropriations in the keeping of the Finance Director as per the amounts listed herein and below, provided this resolution is adopted by not less than 2/3 vote of the full membership of the Governing Body as required by Statute.

<u>ACCOUNT</u>	<u>TRANSFER IN</u>	<u>TRANSFER OUT</u>
COMMUNITY CENTER O/E	\$ 8,250.00	
PARKING METER MAINTENANCE O/E		\$ 3,250.00
STREETS & ROADS S&W		\$ 5,000.00
<b>TOTALS</b>	<b>\$ 8,250.00</b>	<b>\$ (8,250.00)</b>

**RECORD OF COUNCIL VOTE**

Councilman: \_\_\_\_\_ presented the following resolution - Seconded by Councilman: \_\_\_\_\_

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

Cascarano						Capozzoli				
Hauser						Brown				
O'Donnell						Rodgers				

\_\_\_\_\_  
Lisa O'Neill, Deputy Clerk

\_\_\_\_\_  
Ann Dassing, Mayor



BOROUGH OF CALDWELL
NEW JERSEY



Resolution No: 12-232

Date of Adoption: December 5, 2017

TITLE:

AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH BECKMEYER ENGINEERING FOR PROVIDING DESIGN, BIDDING AND CONSTRUCTION OBSERVATION FOR ABUTMENT REPAIRS TO THE CALDWELL COMMUNITY CENTER PARKING DECK FOR A FEE NOT TO EXCEED \$10,825.00

WHEREAS, the Borough of Caldwell has a need to acquire engineering services as pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, Beckmeyer Engineering has submitted a proposal dated indicating that they will provide design, bidding and construction services for abutment repairs to the Caldwell Community Center parking deck for a fee not to exceed \$10,825.00; and

WHEREAS, Beckmeyer Engineering has completed and submitted a Business Entity Disclosure Certification which certifies that Beckmeyer Engineering has not made any reportable contributions to a political or candidate committee in the Borough of Caldwell in the previous one-year, and that the contract will prohibit Beckmeyer Engineering from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that funds are available pursuant to N.J.A.C. 5:30-5.4

NOW THEREFORE BE IT RESOLVED that the Borough of Caldwell authorizes the Borough Administrator to enter into a contract for the Borough of Caldwell as described herein; and

BE IT FUTHER RESOLVED that the Local Public Contracts Law N.J.S.A. 40A:11-5(1), et seq. requires that the resolution authorizing the award of Contracts for Professional Services without competitive bids must be publicly advertised;

CERTIFICATION OF AVAILABLE FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq. and any other applicable requirement, I, Chris Battaglia, Chief Financial Officer of the Borough of Caldwell, have ascertained that there are available sufficient uncommitted funds in the line item specified below to award the contract specified in the above resolution, in the amount specified below. I further certify that I will encumber these finds upon the passage of this resolution.

Table with 3 columns: Line Item, Description, Amount. Row 1: C-04-14-129-520, Ordinance #1295-14, \$10,825.00

Chris Battaglia, Chief Financial Officer Date

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 Cascarano, Hauser, O'Donnell, Capozzoli, Brown, and Rodgers.

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor