



***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS
MEETING December 16, 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

December 16, 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

December 2, 2014

PRESENTATION

Swearing in Auxiliary Police Officers: Brian Bifalco, Alexander Burde, Robert Maguire, Christopher Virgadamo
Steven Willenborg

PUBLIC HEARING AND ADOPTION OF ORDINANCE

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

ORDINANCE #1301-14: CAPITAL ORDINANCE OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NJ AUTHORIZING PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CALDWELL, APPROPRIATING THEREFOR THE SUM OF \$250,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND

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.

12-240	RESOLUTION SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2014 YEAR END HOLIDAY CRACKDOWN
12-241	RESOLUTION AUTHORIZING REPAYMENT OF TAXES OVERPAYMENT DUE TO TAX COURT JUDGMENT WON FOR THE YEAR OF 2011- Connell Foley, LLP
12-242	RESOLUTION AUTHORIZING REPAYMENT OF TAXES OVERPAYMENT DUE TO TAX COURT JUDGMENT WON FOR THE YEAR OF 2014 - Larry Stempler Law Office
12-243	RESOLUTION AUTHORIZING REPAYMENT OF TAXES OVERPAYMENT DUE TO TAX COURT JUDGMENT WON FOR THE YEARS OF 2012, 2013 & 2014 - Howard B. Goldberg, Attorney at Law



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12-244	RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION CHAPTER 159 – 2014 Clean Communities Grant NJS 40A:4-87
12-245	RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – Chapter 159 – 2014 Drive Sober Get Pulled Over Holiday Crackdown NJS 40A:4-87
12-246	RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – Chapter 159 Body Armor Grant - 2014 NJS 40A:4-87
12-247	RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION CHAPTER 159 – 2014 Drunk Driving Enforcement Fund Grant NJS 40A:4-87
12-248	RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION CHAPTER 159 – 2013 Alcohol Ed Rehab Fund (DWI) Grant NJS 40A:4-87
12-249	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE –HSA Trinity Academy/ On Premise – Merchandise Raffle, December 6, 2014 - 8:00AM – 5:00PM
12-250	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE –HSA Trinity Academy/ Off Premise – 50/50 Raffle, March 20, 2015 - 6:00PM – 11:00PM
12-251	AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 16, 2014 FOR 2014 BILLS IN THE TOTAL AMOUNT OF \$2,653,193.00
12-252	AUTHORIZING THE AWARD OF A CONTRACT FOR THE ELIZABETH STREET WATER MAIN REPLACEMENT PROJECT TO P.M. CONSTRUCTION CORP., 1310 CENTRAL AVENUE, HILLSIDE, N.J. 07205 IN THE AMOUNT OF \$198,963.40
12-253	AUTHORIZING THE SUBMISSION OF THE ESSEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR THE YEAR 2015
12-254	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE –Parent Faculty Association of Mt. St. Dominic Academy/ Off Premise – 50/50 Raffle, June 1, 2015 – 8:00PM
12-255	AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – CONGREGATION AGUDATH ISRAEL
12-256	RESOLUTION AUTHORIZING THE PURCHASE OF SEE CLICK FIX MOBILE APPLICATION SOFTWARE FOR THE BOROUGH OF CALDWELL
12-257	APPROVING A TOW OPERATOR'S LICENSE J&M TOWING IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09



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12-258	APPROVING A TOW OPERATOR'S LICENSE CAMP AUTO & TRUCK PARTS, INC., IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
12-259	APPROVING A TOW OPERATOR'S LICENSE NAPOLI TRANSPORTATION, INC., IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
12-260	APPROVING A TOW OPERATOR'S LICENSE TRITON TOWING, LLC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
12-261	APPROVING A TOW OPERATOR'S LICENSE JML, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
12-262	APPROVING A TOW OPERATOR'S LICENSE CRIGER SERVICE, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09
12-263	RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2014

COUNCIL COMMITTEE REPORTS

Borough Council Members

Councilman Hauser
Councilman Kelley

REPORT OF MAYOR

Mayor Dassing

REPORT OF BOROUGH ADMINISTRATOR

Paul M. Carelli

REPORT OF BOROUGH ATTORNEY

Greg Mascera

REPORT OF POLICE CHIEF

Chief James Bongiorno

REPORT OF ESSEX COUNTY LIASSON

James Jude Jorgensen, QPA



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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 12/12/2014 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 12/12/2014 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – December 2, 2014**

Page 1 of 3

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:07:PM

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

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

ABSENT: Councilman Durkin

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:
November 6, 2014**

Councilman Kelley asked Lisa at the last meeting to rework the minutes and reviewing that he did not see where the Borough Attorney, Mr. Mascera, called Councilman Durkin a liar in the meeting he asked if she did not catch that and Lisa responded Councilman Kelley on the audio there was nothing that I could hear of that and Councilman Kelley responded so even though all of us, Council, heard the Borough Attorney, Mr. Marscera, call Councilman Durkin a liar you can't record that in the minutes and Lisa responded I did not hear that in the audio. **Councilman O'Donnell** responded that he did not hear that. **Councilman Hauser** responded that he thinks he said that he lied to us and he thinks that captures both of what happened and the facts. **Councilman Kelley** responded no he heard pretty clearly that he called Councilman Durkin a liar but if you can't pick that up in the meeting notes than you can't and he thanked Lisa.

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all present voted in the affirmative. Minutes approved 12/2/14.

November 18, 2014

Moved by Councilman Kelley, seconded by Council President Hauser. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 12/02/14.

PRESENTATION:

Ann Marchioni – Caldwell Environmental Commission

Mrs. Marchioni presented Sustainability awards Willing Hearts and Mario Bifalco. Mrs. Marchioni presented to the Council the Sustainable New Jersey Bronze Award.

Council President Hauser responded that those of you who may not know this, Ann Marchioni is the driving force behind all this and she has been doing it for 20 years and he thanked her for her service.

PUBLIC HEARING AND ADOPTION 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

Moved by Councilman O'Donnell, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, Councilman Capozzoli, O'Donnell and Kelley voted in the affirmative. Councilman Hauser and Rodger voted in the negative. Ordinance Adopted 12/02/14.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

Moved by Council President Hauser, seconded by Councilman Capozzoli to open to the Public for Consent Agenda

RESOLUTIONS – CONSENT AGENDA

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – December 2, 2014**

Page 2 of 3

12-238: FIRE SERVICE RESOURCE EMERGENCY DEPLOYMENT ACT

12-239: AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE - APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE –HSA Lincoln School/ On Premise – Merchandise Raffle, December 10, 2014 - 3:00PM – 8:00PM and December 11, 2014 – 3:00PM – 6:00PM

CONSENT

Moved by Council President Hauser, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 12/02/14.

REPORT OF MAYOR:

Mayor Dassing reported that the giving tree is up at the Community Center and there are tags on our tree in the hall. The giving tree has tags to hold the gift wish of children from Caldwell and West Caldwell whose parents need a little help this year. By taking a tag and bringing back an unwrapped present people can make the holidays a little brighter for a family. The presents should be returned to the Caldwell Community Center by December 14th. The Mayor congratulated the Caldwell Library Contest winners for the Caldwell Public Library Card design contest and they are Lia Byrn Grover Cleveland Middle School and Robyn Phelps James Caldwell High School each designed an original design which will be featured on the new public Library cards for ages 5 – 18. They are planning with the American Legion probably the last Saturday in April an event called American Legion vs Mayor and Council cook off. There will be homemade sampling going on at the American Legion and the money will be donated to the Wounded Warriors project. If you are ever in Caldwell on a Friday they have lunch for \$5 and its all home cooked.

REPORT OF BOROUGH ADMINISTRATOR

Paul Carelli reported on the following:

- The Borough Attorney and Paul will be in Federal court tomorrow for our ADA Compliance issues.
- On Thursday, December 4th they will be installing the new chair lift.
- At the next meeting he would like to put on the agenda to purchase a new police car and it will be funded through the Domestic Preparedness Grant.
- There was a bid opening for the Elizabeth Street Water Main Project and the low bidder was P.M. Construction Corp. for \$198,963.40 and has been reviewed by the Borough Attorney, Water operator and Crew Engineer and he would like to award at next meeting.
- The CDBG grant is due on December 12th and that is the application for the bus and we will be doing that with Roseland and West Caldwell.
- As far as Green Acres he has sent in the re-imbusement for the Demo and that application is for \$38,480.00.

Councilman Hauser asked Paul about the RFP for the snow removal in the Parking lots and Paul responded that basically it is done and he needs to advertise for it. Councilman Hauser asked about the lawn maintenance landscaping and Paul responded that he hasn't put that one out yet because it is not crucial until we get into the spring. The plan is to do it together with the Board of Ed and West Caldwell and do it separately too.

Councilman Kelley asked if there were any responses for the RFP for Professional Service appointments and Paul responded that they did but there are a couple of ways to do it and it is called a Fair and Open Process were you have to have criteria similar to what we did with the Sewer plant and we couldn't do that in the time period so we did pull the ad and we do have a stack of information that he has given to the Mayor and the Council can review and we will be awarding those contracts which is called a Non-Fair and Open Process.

REPORT OF ESSEX COUNTY LIASSON

Jim Jorgensen reported that everyone should take advantage of the Holiday Lights program that is advertised on the county website from 5-9PM on the weekends and free holiday entry to the zoo.

OPEN PUBLIC MEETING:

Moved by Councilman O'Donnell, seconded by Council President Hauser to open meeting to the Public.

Dave Cowell, 29 Brookside Avenue read to the Council a petition which was in reference to the former Woman's Club, 31 Westville Avenue.

Hilda Moore, 23 Personette Street asked about fencing on the property that the town has purchased.

Residents concerned about the property at 31 Westville Avenue:

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – December 2, 2014**

Page 3 of 3

Tim Blattner, 5 Hawthorne Road
Bruce Stieve, 35 Brookside Avenue
Kathleen Lally, 23 Brookside Avenue
Tim Lally, 23 Brookside Avenue
Nick Celoliaj, 27 Brookside Avenue
Jim Hammill, 22 Brookside Avenue
Cathy Stieve, 35 Brookside Avenue
Anthony Guerrieri, 25 Westville Avenue
Kevin Hersh, 22 Leaycraft Lane

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman O'Donnell, seconded by Council President Hauser unanimously affirmed by all members present, the meeting was adjourned at 8:50P.M.

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

DATE



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1301-14

**CAPITAL ORDINANCE OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NJ
AUTHORIZING PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CALDWELL,
APPROPRIATING THEREFOR THE SUM OF \$250,000 FROM THE SEWER CAPITAL
IMPROVEMENT FUND**

BE IT ORDAINED by the Council of the Borough of Caldwell, County of Essex, State of New Jersey, (not less than 2/3 of all members thereof affirmatively concurring) as follows:

SECTION 1 The improvements described in section 3 of this ordinance are hereby authorized as improvements to be made by the Borough of Caldwell in the County of Essex. For said improvements or purposes stated in section 3, there is hereby appropriated the sum of \$250,000.

SECTION 2 For financing of said improvements and to meet the costs and expenses in connection therewith, there is hereby appropriated the sum of \$250,000 from the following source by virtue of its availability for these purposes from funds provided in a budget or budgets of the Borough of Caldwell heretofore adopted:

Sewer Capital Improvement Fund: \$250,000

SECTION 3 The improvements hereby authorized for which the aforesaid sum is appropriated are as follows: Improvements related to the Wastewater Treatment Plant Upgrades including all labor, material costs and appurtenances necessary and suitable thereto \$250,000

SECTION 4 Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

SECTION 5 The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

SECTION 6 This capital ordinance shall take effect at the time and in the manner provided by law.

DATE OF FIRST READING: November 18, 2014
DATE OF PUBLICATION: November 26, 2014
MOVED:
SECONDED:

DATE OF SECOND READING: December 16, 2014
DATE OF ADOPTION: December 16, 2014
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						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

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: 12-240

Date of Adoption: December 16, 2014

TITLE:

**RESOLUTION SUPPORTING THE DRIVE SOBER OR GET PULLED OVER
2014 YEAR END HOLIDAY CRACKDOWN**

WHEREAS, impaired drivers on our nation’s roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and

WHEREAS, 22% of motor vehicle fatalities in New Jersey in 2013 were alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 5, 2014 through January 2, 2015; and

WHEREAS, an increase impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED by the **Borough of Caldwell** and the **Caldwell Police Department** declare its support for the *Drive Sober or Get Pulled Over 2014 Year End Holiday Crackdown* from December 5, 2014 through January 2, 2015 and pledges to increase awareness of the dangers of drinking and driving.

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: 12-241

Date of Adoption: December 16, 2014

TITLE:

RESOLUTION AUTHORIZING REPAYMENT OF TAXES OVERPAYMENT DUE TO TAX COURT JUDGMENT WON FOR THE YEAR OF 2011

WHEREAS, at the Borough of Caldwell, Tax Collector has been requested to return payments of taxes for Block 56, Lot 12.01 for 226 Bloomfield Avenue, Caldwell, NJ; and

WHEREAS, the HOMEOWNER has sent in payments in the amount of \$4,708.58 over due to the State Tax Court Judgment Awarded Appeal.

NOW THEREFORE BE IT RESOLVED, that authorization is hereby given to issue a check in the amount of \$4,708.58 payable to Connell Foley, LLP, 225 Plaza Drive, Harborside Fin. Center, Jersey City, NJ.

TOTAL.....\$ **4,708.58**

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: 12-242

Date of Adoption: December 16, 2014

TITLE:

RESOLUTION AUTHORIZING REPAYMENT OF TAXES OVERPAYMENT DUE TO TAX COURT JUDGMENT WON FOR THE YEAR OF 2014

WHEREAS, at the Borough of Caldwell, Tax Collector has been requested to return payments of taxes for Block 23, Lot 7 for 24 Park Avenue, Caldwell, NJ; and

WHEREAS, the HOMEOWNER has sent in payments in the amount of \$2,493.26 over due to the State Tax Court Judgment Awarded Appeal.

NOW THEREFORE BE IT RESOLVED, that authorization is hereby given to issue a check in the amount of \$2,493.26 payable to Larry Stempler Law Office, 704 Passaic Avenue, West Caldwell, NJ.

TOTAL.....\$ **2,493.26**

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

TAX COURT OF NEW JERSEY
COUNTY: Essex
DOCKET NO. 007768-2014

BULKA, DAVID & KATHLEEN

Plaintiff(s),

v.

CIVIL ACTION
JUDGMENT

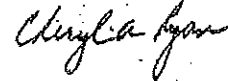
CALDWELL BOR. TWP.

Defendant(s).

The parties having agreed upon a settlement, the assessment shall be as set forth below:

Block: 23
Lot: 7
Street Address: 24 PARK AVENUE
Year: 2014

A TRUE COPY



Cheryl A. Ryan, Administrator/Clerk
Tax Court of New Jersey

TAX COURT JUDGMENT

Land:	\$284,400.00
Improvements:	\$205,600.00
Total:	\$490,000.00



Cheryl A. Ryan, Clerk/Administrator
Tax Court of New Jersey

Entered: 11/21/2014

Attorney for Plaintiff: Larry A Stempler Esq

Attorney for Defendant: Gregory Mascera Esq



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-243

Date of Adoption: December 16, 2014

TITLE:

RESOLUTION AUTHORIZING REPAYMENT OF TAXES OVERPAYMENT DUE TO TAX COURT JUDGMENT WON FOR THE YEARS OF 2012, 2013 & 2014

WHEREAS, at the Borough of Caldwell, Tax Collector has been requested to return payments of taxes for Block 56, Lot 6 for 48 Roseland Avenue, Caldwell, NJ; and

WHEREAS, the HOMEOWNER has sent in payments in the amount of \$10,828.34 over due to the State Tax Court Judgment Awarded Appeal.

NOW THEREFORE BE IT RESOLVED, that authorization is hereby given to issue a check in the amount of \$10,828.34 payable to Howard B. Goldberg, Attorney at Law, 33 Clinton Road, West Caldwell, NJ.

TOTAL.....\$ **10,828.34**

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: 12-244

Date of Adoption: December 16, 2014

TITLE:

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION CHAPTER 159 – 2014 Clean Communities Grant
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Caldwell in the county of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$12,296.49, which is now available as a revenue from Clean Communities - 2014. Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$12,296.49 is hereby appropriated under the caption Clean Communities - 2014; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$12,296.49 from the Solid Waste Administration

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: 12-245

Date of Adoption: December 16, 2014

TITLE:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION - Chapter 159 - 2014 Drive Sober Get Pulled Over - 2014 NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Caldwell in the county of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$3,400.00, which is now available as a revenue from 2014 Drive Sober Get Pulled Over -2014. Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$3,400 is hereby appropriated under the caption Drive Sober Get Pulled Over - 2014; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$3,400.00 from the Division of Highway Traffic Safety.

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 (Yes, No, Absent, Abstain). 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: 12-246

Date of Adoption: December 16, 2014

TITLE:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION - Chapter 159 Body Armor Grant - 2014 NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Caldwell in the county of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$2,355.73, which is now available as a revenue from Body Armor Grant - 2014. Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$2,355.73 is hereby appropriated under the caption Body Armor Grant - 2014; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$2,355.73 from the NJ Division of Criminal Justice

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 (Yes, No, Absent, Abstain). 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: 12-247

Date of Adoption: December 16, 2014

TITLE:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION CHAPTER 159 - 2014 Drunk Driving Enforcement Fund Grant NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Caldwell in the county of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$4,252.03, which is now available as a revenue from Drunk Driving Enforcement Fund - 2014. Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$4,252.03 is hereby appropriated under the caption Drunk Driving Enforcement Fund- 2014; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$4,252.03 from the Division of Motor Vehicles.

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 (Yes, No, Absent, Abstain). 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: 12-248

Date of Adoption: December 16, 2014

TITLE:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION CHAPTER 159 - 2014 Alcohol Ed Rehab Fund (DWI) Grant NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Caldwell in the county of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$2,540.45, which is now available as a revenue from Alcohol Ed Rehab Fund (DWI) - 2014. Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$2,540.45 is hereby appropriated under the caption Alcohol Ed Rehab Fund (DWI) - 2014; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$2,540.45 from the Alcohol Ed Rehab Enforcement Fund.

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 (Yes, No, Absent, Abstain). 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: 12-249

Date of Adoption: December 16, 2014

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, January 23, 2015 - 6:00PM – 12:00AM, Snow Date – January 30, 2015 – 6:00PM – 12:00AM

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-1299 HSA Trinity Academy
Off Premise – Tricky Tray Raffle
January 23, 2015 – 6:00PM – 12:00AM
Snow Date – January 30, 2015 – 6:00PM – 12:00AM

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						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-250

Date of Adoption: December 16, 2014

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE –HSA Trinity Academy/ Off Premise – 50/50 Raffle, March 20, 2015 - 6:00PM – 11:00PM

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-1298 HSA Trinity Academy
Off Premise – 50/50 Raffle
March 20, 2015 – 6:00PM – 11:00PM

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						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-251

Date of Adoption: December 16, 2014

TITLE:

AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 16, 2014 FOR 2014 BILLS IN THE TOTAL AMOUNT OF \$2,653,193.00

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 2014 appropriation for said purpose;

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-252

Date of Adoption: December 16, 2014

TITLE:

AUTHORIZING THE AWARD OF A CONTRACT FOR THE ELIZABETH STREET WATER MAIN REPLACEMENT PROJECT TO P.M. CONSTRUCTION CORP., 1310 CENTRAL AVENUE, HILLSIDE, N.J. 07205 IN THE AMOUNT OF \$198,963.40

WHEREAS, the Borough of Caldwell advertised for and received bids for the Elizabeth Street Water Main Replacement project on November 19, 2014; and

WHEREAS, the Borough of Caldwell received proposals from (9) contractors; and

WHEREAS, this matter was reviewed by the Borough’s Engineering professional and Licensed Water Operator; and

WHEREAS, the lowest responsible bidder was P.M. Construction Corp., 1310 Central Avenue, Hillside, N.J. 07205 with a bid of \$198,963.40; and

WHEREAS, a certification is attached hereto indicating the availability of funds within the anticipated appropriation

NOW THEREFORE, BE IT RESOLVED, that Borough Council of the Borough of Caldwell, New Jersey does hereby authorize the award of a contract for the Elizabeth Street Water Main Replacement to P.M. Construction Corp., 1310 Central Avenue, Hillside, N.J. 07205

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

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



Water
Wastewater
Environmental
Civil Engineering

Crew Engineers, Inc.

1250 Route 28 North
Butler, NJ 07405
(973) 492-3300
(973) 492-1123 (fax)

NJ Certificate of Authorization 24GA27920500

November 24, 2014

VIA EMAIL/USPS

Mr. Paul M. Carelli, Administrator
Borough of Caldwell Water Department
One Provost Square
Caldwell, NJ 07006

Re: Elizabeth Street Water Main Replacement
Borough of Caldwell, NJ
Crew Proj. No. CLD009.080B

Dear Mr. Carelli:

Bids were received by the Borough of Caldwell on November 19, 2014 for the construction of the Elizabeth Street Water Main Replacement. Nine bids were received by the Borough. Attached is the Bid Tab listing Contractors and their respective bids, from a low of \$198,963.40 to a high of \$320,444.00. The average of the bids was \$262,191.53. Bids for the three lowest bidders were checked for accuracy and completeness; other bids were not.

We found the bids submitted by P.M. Construction Corp. (PM), the apparent low bidder; Matina & Son, Inc. (Matina); and MSP Construction Corp. (MSP), to be complete as submitted.

In accordance with the requirements of the Department of Labor, we have reviewed the November 17, 2014 list of contractors in violation of the Prevailing Wage Act prepared by the New Jersey Department of Labor, and have ascertained that the three lowest bidders are not on this list and are, therefore, not prohibited in this regard from receiving a Public Works Contract award.

A review of the three lowest bids submitted indicates that there was a minor mathematical error in the bid submitted by MSP. However, there are no mathematical errors that would affect the relative positioning of the bidders. MSP's bid contained one mathematical error for one item of the Contract work. For Item 9, Cast-in-Place Concrete, MSP's bid indicates \$1.00 per cubic yard numerically, but one cent per cubic yard in written text. The Specifications indicate that the written text governs. This changes the extended total amount bid for the estimated 5 cubic yards of concrete from \$5.00 to \$0.05. As a result of this error, the total bid amount for MSP changes from \$228,708.00 to \$228,703.05.

PM listed numerous recently completed projects of similar nature to the above-referenced project. Crew has worked with PM in the past on several water system improvement projects. PM's performance in the past was considered satisfactory.

Crew Engineers, Inc. (Crew) has worked with both Matina and MSP in the past on several water system improvement projects for the Borough. Both Matina's and MSP's performance in the past was considered satisfactory.

PM listed one subcontractor for the project, Pro Tapping, Inc. PM submitted their State of New Jersey Business Registration Certificate (BRC) but did not submit their subcontractor's BRC. This can be received up to the time of award of the Contract.

Mr. Paul M. Carelli, Administrator
November 24, 2014
Page 2

Crew recommends that the construction of the Elizabeth Street Water Main Replacement project be awarded to PM, subject to the Borough Attorney's review and approval of the original Bid Documents. The Bid Bonds for the three lowest bidders should be held by the Borough until the Contract is executed.

Very truly yours,

CREW ENGINEERS, INC.

A handwritten signature in black ink, appearing to read "Alec Mittiga". The signature is written in a cursive style with a large initial "A" and "M".

Alec Mittiga, P.E.

AM:js

cc: William Frint, Water Operator, w/encl.

E:\Wpdocs\Letter\carelli CLD009.nov.doc

BID TABULATION

CLIENT: Borough of Caldwell

PROJECT: Elizabeth Street Water Main Replacement

CONTRACT: _____

BIDS RECEIVED: November 19, 2014

BIDDERS	BID SECURITY	BID	
P.M. Construction Corp. 1310 Central Ave. Hillside, NJ 07205		198,963.40	
Matina & Son, Inc. 146 English St. Hackensack, NJ 07601		204,500.00	
MSP Construction Corp. 126 Walnut St. Newark, NJ 07105		228,708.00*	
JTG Construction 188 Jefferson St. Suite 387 Newark, NJ 07105		238,981.00	
John Garcia Construction 183 Friar Lane Clifton, NJ 07013		254,936.55	
Sanitary Construction Co., Inc. 415 Franklin Ave. Rockaway, NJ 07866		288,395.00	
Jo-Med Contracting Corp. 815 Garden St. Elizabeth, NJ 071202		306,783.00	
Haskell Paving, Inc. 30 Greenwood Lake Tpke Ringwood, NJ 07456		318,017.80	
Rock Solid Construction, Inc. 83 Clifford St. Newark, NJ 07105		320,444.00	
Your Way Construction 404 Colt St. Irvington, NJ 07111		No Bid	

* Corrected to 228,703.05 upon review.

Paul Carelli

From: Greg Mascera <gmascera@veronalaw.com>
Sent: Monday, November 24, 2014 1:34 PM
To: Paul Carelli
Subject: P. M

Paul

I found the certification language regarding the use of the equipment.

The PM Construction bid legally conforms and may be accepted.

Greg Mascera

Bannon Rawding McDonald & Mascera
10 South Prospect Street
Verona, NJ 07044
973 239 2800

BID TABULATION

CLIENT: Borough of Caldwell

PROJECT: Elizabeth Street Water Main Replacement

CONTRACT: _____

BIDS RECEIVED: November 19, 2014

BIDDERS	BID SECURITY	BID	
John Garcia Construction 183 Friar Lane Clifton, NJ 07013		254,936.55	
Haskell Paving, Inc. 30 Greenwood Lake Tpke Ringwood, NJ 07456		318,017.80	
Jo-Med Contracting Corp. 815 Garden St. Elizabeth, NJ 071202		306,783.00	
JTG Construction 188 Jefferson St. Suite 387 Newark, NJ 07105		238,981.00	
Matina & Son, Inc. 146 English St. Hackensack, NJ 07601		204,500.00	
MSP Construction Corp. 126 Walnut St. Newark, NJ 07105		228,708.00	
P.M. Construction Corp. 1310 Central Ave. Hillside, NJ 07205		198,963.40	
Rock Solid Construction, Inc. 83 Clifford St. Newark, NJ 07105		320,444.00	
Sanitary Construction Co., Inc. 415 Franklin Ave. Rockaway, NJ 07866		288,395.00	
Your Way Construction 404 Colt St. Irvington, NJ 07111			

Chris A. April
William J. Frantz
Chris Matt

Crew Engineers, Inc.
Butler, NJ



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-253

Date of Adoption: December 16, 2014

TITLE:

**AUTHORIZING THE SUBMISSION OF THE ESSEX COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION FOR THE YEAR 2015**

WHEREAS, the borough Council of the Borough of Caldwell, New Jersey was advised that the Essex County Block Grant program is accepting applications for the year 2015, and;

WHEREAS, it is the desire of the Borough Council to make application for funding under the Essex County Block Grant program for various projects,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell that they do hereby authorize the submission of the Community Development Block Grant Application for the year 2015 as follows:

1. Caldwell / West Caldwell / Roseland Senior Transportation Bus

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: 12-254

Date of Adoption: December 16, 2014

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE –Parent Faculty Association of Mt. St. Dominic Academy/ Off Premise – 50/50 Raffle, June 1, 2015 – 8:00PM

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-1300 Parent Faculty Association of Mt. St. Dominic Academy
Off Premise – 50/50 Raffle
June 1, 2015 – 8:00PM

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						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-255

Date of Adoption: December 16, 2014

TITLE:

AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – CONGREGATION AGUDATH ISRAEL

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:

Congregation Agudath Israel
20 Academy Road
Caldwell, New Jersey 07006

Event to Be Held:

Congregation Agudath Israel Social Hall
20 Academy Road
Caldwell, New Jersey 07006

January 30, 2015
5:00PM – 10:0PM

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: 12-256

Date of Adoption: December 16, 2014

TITLE:

RESOLUTION AUTHORIZING THE PURCHASE OF SEE CLICK FIX MOBILE APPLICATION SOFTWARE FOR THE BOROUGH OF CALDWELL

WHEREAS, the Borough of Caldwell wishes to enter into an agreement for a mobile application with See Click Fix and;

WHEREAS, the Mayor has recommended entering into an agreement with See Click Fix with a \$5,000.00 annual cost to be paid from the operating budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Caldwell, New Jersey authorizing the Borough Administrator to execute the agreement with See Click Fix for \$5,000.00 annual cost.

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

Caldwell, NJ

Scope of Services Proposal

Effective Date: Date Signed

Valid until: December 23, 2014



Tucker D Severson

Government Partnerships

tucker@seeclickfix.com

203-752-0777

SeeClickFix Package for Caldwell, NJ	Annual Cost	Set-up Cost
<ul style="list-style-type: none">● Citizen Engagement Channels<ul style="list-style-type: none">○ Caldwell, NJ branded mobile application (iPhone and Android)○ Mobile web service○ Embedded, interactive map widget/report submission form - example○ Embedded, interactive knowledge-base widget○ Facebook app● Hosted Citizen Relationship Management (CRM) Platform<ul style="list-style-type: none">○ Unlimited user accounts○ Mobile app CMS tools (add/change the buttons in real time)○ Internal routing○ Secondary questions○ Service level agreement (SLA) tracking○ Custom, automated email templates to residents○ Robust workflow management features○ Dynamic mapping and data visualization tools○ Geo-based reverse 311○ Insight performance reporting○ Data export features● Customer service<ul style="list-style-type: none">○ Assigned implementation project lead○ 4-hours of web-training○ Set-up and User Guides○ Assigned Account Manager○ Phone/Email support 9 am EST – 5 pm EST○ Public launch support		
Total Price	\$8,000	\$3,000
Promotion Discount (expires 12/23)	(\$3,000)	(\$3,000)
Total Price Due at Signing	\$5,000	\$0

SeeClickFix Terms and Conditions

This Contract (the "Contract") is entered into as of the Effective Date between the Borough of Caldwell NJ ("the City") and SeeClickFix Inc, a Delaware Corporation located at 746 Chapel St, New Haven, CT 06510 ("SeeClickFix", and together "the Parties").

WHEREAS, the City desires that SeeClickFix provide certain software services as described herein.

WHEREAS, SeeClickFix desires to deliver such software services under the terms set forth in this Contract.

A. Term and Termination.

1. SeeClickFix and the City will implement the services described in the Appendix as soon as reasonable. The initial term of this Contract will be through one (1) year following the Effective Date. This Contract will be automatically renewed on an annual basis each succeeding year. Fees for successive renewal periods may increase by up to 10% over each prior period. Should either party decide not to extend the term, such party must notify, in writing, the other party at least 90 days prior to the end of the current term.

2. Termination for Cause. If either party fails to perform any of its material obligations under this Contract and does not cure such failures within thirty (30) days after being given written notice specifying the nature of the failure, then the non-defaulting party may, by giving written notice to the other party, terminate this Contract as of the date specified in such notice of termination.

3. Survival. The following Sections of this Contract and any payment obligations hereunder shall survive any expiration or termination of this Contract: A(3), C, D, E and and F (except F.3).

B. Services of SeeClickFix. SeeClickFix will provide on a hosted, software-as-a-service basis, access to the Services described in the Order Form, via mobile applications, internet, and an embeddable interactive widget for public reporting, alerts on discussing non-emergency issues ("the Software"). Users will be able to interact with the Software and post various content including words, photos and videos. While the content of users of the Software is governed by SeeClickFix's published Terms of Use, SeeClickFix may not be able to control the exact nature of this content. SeeClickFix reserves the right to edit User Content, but does not have an obligation to edit the content. Although SeeClickFix may from time to time make enhancements or bug fixes to the Software, it is under no obligation to make any particular modifications, enhancements or bug fixes.

C. Ownership. With the exception of City's trademarks and logos, SeeClickFix shall be the sole and exclusive owner of any and all SeeClickFix Materials, including the Software and all Intellectual Property Rights in and to them and their derivative works and improvements (as each of those terms is defined and applied under Title 17 and Title 35 U.S.C., respectively) by whomever developed or created them. No ownership of any SeeClickFix Materials including the Software or the Intellectual Property Rights in and to them shall be transferred to the City. "Intellectual Property Rights" shall mean any and all proprietary rights or moral rights in any trademarks, copyrights, trade secrets, patents and patent applications, renewals, extensions, continuations, divisions or reissues, in whole or in part, now or

hereafter in force, and any foreign counterparts.

D. Exclusions of Warranties and Limitations of Liability. SECLICKFIX MAKES NO, AND HEREBY DISCLAIMS ALL, REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, AT LAW OR IN EQUITY (INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE OR NONINFRINGEMENT) TO CITY, OR TO ANY OTHER PERSON, WITH RESPECT TO THE SERVICES, SECLICKFIX MATERIALS, OR ANY OTHER SERVICES OR MATERIALS PROVIDED HEREUNDER. (I) NEITHER SECLICKFIX NOR THE CITY SHALL HAVE ANY LIABILITY TO THE OTHER PARTY FOR ANY INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES, UNDER ANY THEORY OF LIABILITY (WHETHER LEGAL OR EQUITABLE), AND (II) IN NO EVENT SHALL THE AGGREGATE LIABILITY OF EITHER PARTY TO THE OTHER PARTY UNDER THIS CONTRACT EXCEED THE TOTAL AMOUNT OF FEES RECEIVED BY SECLICKFIX UNDER THIS CONTRACT.

E. Arbitration, Governing Law and Venue

1. **Arbitration.** The Parties agree that except for the right of either party to seek declaratory, injunctive or other equitable relief, or for claims related to a party's Intellectual Property Rights, any dispute or controversy arising out of or in connection with this Contract shall be referred to arbitration for final and binding resolution. Either party to this Contract may initiate arbitration of the dispute by the filing of an application for resolution by one arbitrator appointed by and in accordance with the rules of the American Arbitration Association. The arbitration shall be conducted in the City and state in which the non-filing Party is located. The award in the arbitration shall be final, binding and non-appealable. The award may be entered as a final, non-appealable judgment in any court having jurisdiction. Each party specifically agrees and acknowledges that this Section is a material term of this Contract and acknowledges that it would not enter into this Contract in the absence of this Section. Each party warrants and represents to the other party that this Section is valid and enforceable and the other party will incur damages if such representation is false.

2. **Law.** The laws of United States and the State of Connecticut shall govern this Contract, without regard to conflicts of laws principles. Each of the parties hereby submits to the jurisdiction of the State of Connecticut and federal courts located in the State of Connecticut.

F. General

1. **Independent Contractor Relationship.** SeeClickFix is acting as an independent contractor under this Contract and nothing in this Contract shall be deemed or construed to create the relationship of partnership, joint venture or employer-employee between the parties. Neither party has, and shall not hold itself out as having, any authority to enter into any contract or create any obligation or liability on behalf of, in the name of, or binding upon the other party.

2. **Notices.** Any notice to be given hereunder to any other party, including any notice of a change of address, shall be in writing and shall be deemed validly given if (i) delivered personally or (ii) sent by express delivery service, registered or certified mail, postage prepaid, return receipt requested or (iii) sent by email, as follows: If to SeeClickFix: SeeClickFix Inc., Attn: Contract Administrator to team@seeclickfix.com, with an email response confirming receipt by

SeeClickFix. If to City: see City Address on first page of this Contract. All such notices shall be deemed given on the date of actual receipt by the addressee if delivered personally, on the date of deposit with the express delivery service or the postal authorities if sent in either such manner, on the date the facsimile or email is sent if sent in such manner, and on the date of actual receipt by the addressee if delivered in any other manner.

3. Publicity. The Parties agree that the Parties may reference the other party as a City or vendor, including using the City name, service marks, licenses, trademarks, logos, sales and marketing materials, and website. Any reference to the SeeClickFix Software or its features will be accompanied by a reference that it is provided by SeeClickFix.

4. Amendment or Waiver. No amendment or modification of this Contract shall be valid unless it is in writing and signed by both parties.

5. Headings and Captions. The headings and captions of this Contract are included for convenience only and shall not be considered in construction of the provisions hereof.

6. Severability. If any provision of this Contract shall be determined to be invalid or unenforceable, such invalidity or unenforceability shall not affect the remainder of this Contract, which shall be construed as if such invalid or unenforceable provision had never been a part of this Contract but in a manner so as to carry out as nearly as possible the parties' original intent.

7. Counterparts. This Contract may be executed simultaneously in several counterparts, each of which shall be deemed an original but which together shall constitute one and the same instrument.

8. Entire Contract. This Contract constitutes the entire Contract between the parties regarding the subject matter hereof and supersedes any letters of intent, memorandums of understanding, confidentiality Contracts, and other Contracts and communications, oral or written, between the parties regarding such subject matter.

9. Assignment. SeeClickFix may assign this Contract, and then notify the City within 30 days thereof.

IN WITNESS WHEREOF SeeClickFix and City have caused this Contract to be executed as of the date signed by the City, which will be the Effective Date.

SeeClickFix

City of

Name: _____ Name: _____

Title: _____ Title: _____

Date: _____ Date: _____

Signature: _____ Signature: _____

BILLING INFORMATION ON FILE
Client:
Billing Address:
City, State, Zip:
Billing Contact:
Contact Title:
Contact Phone:
Contact Email:

HOW IT WORKS

- Media
- Community Groups
- Mobile Apps

RESOURCES

- Developers
- Press

SUPPORT

- FAQs
- Forums
- Contact Us

NEIGHBORS COMMUNITY

Most citizens get started by reporting issues. Neighbors provide suggestions through comments, photos. Follow your community to stay informed.

Communities are strengthened and new partners with local Governments are formed through working together. Utility companies, based orgs and citizens are reported. These widgets are most widely used by the cities. These widgets are used by the cities. These widgets are used by the cities.



THREE BASIC PRINCIPLES

Empowerment. SeeClickFix allows anyone to report and track non-emergency issues anywhere in the world via the internet. This empowers citizens, [community groups](#), [media organizations](#) and [governments](#) to take care of and improve their neighborhoods.

Efficiency. Two heads are better than one and [300 heads](#) are better than two. In computer terminology, distributed sensing is particularly powerful at recognizing patterns, such as those that gradually take shape on a street. Besides, the government can't be in all places at all times. We make it easy and fun for everyone to see, click and fix.

Engagement. Citizens who take the time to report even minor issues and see them fixed are likely to get more engaged in their local communities. It's called a self-reinforcing loop. This also makes people happy and everyone benefits from that.

WORK: WE PROVIDE THE TECHNOLOGY...

but engaged communities do the hard work by collaborating to get stuff done: See a non-emergency issue anywhere in the world, and [file a public report](#) online or via mobile phone. Or see them as they are reported by creating keyword and geography-based [watch areas](#). For example:

- Citizens report issues on the go, and set up watch areas to monitor their block (aka "eyes

on the street").

- Neighborhood groups and advocates follow reports of blocked bike lanes, broken windows or idling vehicles.
- Governments watch for potholes and cracked sidewalks, while a police captain can monitor crime issues being reported within his/her precinct.
- Media outlets and local bloggers are the first to know when issues "pop up" in their areas.

TRACK ISSUES IN YOUR NEIGHBORHOOD

- Citizens vote on neighborhood issues, or promote more efficient community governance by instantly forwarding them to a person who might be able to help.
- Neighborhood groups, elected officials and advocates monitor key issues, and publicly propose solutions on how to resolve them.
- Governments and other entities responsible for the public space (such as utilities and property owners) become more accountable to the public by acknowledging problems and providing effective communication about solutions.
- Media outlets use SeeClickFix to build upon citizen-driven news content and attract readership.

Fix a problem by publicly broadcasting the issue to the appropriate parties for resolution, working collectively to raise the profile of key concerns, or by taking direct action. Here are a few examples:

In [Dallas](#), a thoughtful citizen [reported a traffic light timing problem](#) on SeeClickFix, and saw an immediate improvement in traffic flow after government officials watching the area took quick action.

In [Philadelphia](#), an engaged citywide [advocacy group](#) used SeeClickFix to mobilize citizens to document instances of vehicle idling, leading to new initiatives to help clean the air.

Astute police officers in [New Haven](#), receiving direct alerts on their BlackBerries from citizens reporting quality-of-life crime issues within their SeeClickFix "watch areas," have spearheaded a number of major arrests.

In Hartford, a local news outlet helped mobilize citizens to do something about speeding on their streets by tracking citizen-reported issues and writing a weekly "SeeClickFix" column about the citizen-generated content.

Now, imagine a world in which every resident feels empowered and can play an active role in their neighborhood. Imagine if everyone trusted and felt taken care of by their local government. We know that there are already a lot of involved citizens and hard-working local authorities out there. We seek to use the power of the internet to bring them closer together and make our neighborhoods better places to live and work.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-257

Date of Adoption: December 16, 2014

TITLE:

APPROVING A TOW OPERATOR’S LICENSE J&M TOWING IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

WHEREAS, Chapter 231 of the Borough Ordinances titled “Towing and Storage of Vehicles” sets forth the means and manner by which tow operators shall be qualified to conduct business as licensees (known as “Towing Operators”) within the Borough; and

WHEREAS, J&M Towing, has submitted an application pursuant to section 231-5 of the Borough Ordinances to be designated as a Towing Operator; and

WHEREAS, the Chief of Police has determined that J&M Towing, Inc. has fulfilled the application requirements set forth in Chapter 231-5 and as further set forth in Chapter 231; and

WHEREAS, the Chief of Police has recommended to the Mayor and Borough Council that J&M Towing be designated as a Towing Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

That the Mayor and Borough Council do hereby authorize J&M Towing as a Towing Operator pursuant to Borough Ordinance 231-4, effective upon passage of this Resolution and ending on December 31, 2015.

BE IT FURTHER RESOLVED, that the Borough Municipal Clerk and the Borough Attorney and all municipal officials are hereby authorized to take such action as is necessary to implement the purposes of the resolution, that a copy of the resolution certified by the Borough Clerk..

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Kelley				
Coyle						Rodgers				
O'Donnell						Durkin				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-258

Date of Adoption: December 16, 2014

TITLE:

APPROVING A TOW OPERATOR’S LICENSE CAMP AUTO & TRUCK PARTS, INC., IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

WHEREAS, Chapter 231 of the Borough Ordinances titled “Towing and Storage of Vehicles” sets forth the means and manner by which tow operators shall be qualified to conduct business as licensees (known as “Towing Operators”) within the Borough; and

WHEREAS, Camp Auto & Truck Parts, Inc, has submitted an application pursuant to section 231-5 of the Borough Ordinances to be designated as a Towing Operator; and

WHEREAS, the Chief of Police has determined that Camp Auto & Truck Parts, Inc. has fulfilled the application requirements set forth in Chapter 231-5 and as further set forth in Chapter 231; and

WHEREAS, the Chief of Police has recommended to the Mayor and Borough Council that Camp Auto & Truck Parts, Inc. be designated as a Towing Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

That the Mayor and Borough Council do hereby authorize Camp Auto & Truck Parts, Inc. as a Towing Operator pursuant to Borough Ordinance 231-4, effective upon passage of this Resolution and ending on December 31, 2015.

BE IT FURTHER RESOLVED, that the Borough Municipal Clerk and the Borough Attorney and all municipal officials are hereby authorized to take such action as is necessary to implement the purposes of the resolution, that a copy of the resolution certified by the Borough Clerk..

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-259

Date of Adoption: December 16, 2014

TITLE:

APPROVING A TOW OPERATOR’S LICENSE NAPOLI TRANSPORTATION, INC., IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

WHEREAS, Chapter 231 of the Borough Ordinances titled “Towing and Storage of Vehicles” sets forth the means and manner by which tow operators shall be qualified to conduct business as licensees (known as “Towing Operators”) within the Borough; and

WHEREAS, Napoli Transportation, Inc. has submitted an application pursuant to section 231-5 of the Borough Ordinances to be designated as a Towing Operator; and

WHEREAS, the Chief of Police has determined that Napoli Transportation, Inc. has fulfilled the application requirements set forth in Chapter 231-5 and as further set forth in Chapter 231; and

WHEREAS, the Chief of Police has recommended to the Mayor and Borough Council that Napoli Transportation, Inc. be designated as a Towing Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

That the Mayor and Borough Council do hereby authorize Napoli Transportation, Inc. as a Towing Operator pursuant to Borough Ordinance 231-4, effective upon passage of this Resolution and ending on December 31, 2015.

BE IT FURTHER RESOLVED, that the Borough Municipal Clerk and the Borough Attorney and all municipal officials are hereby authorized to take such action as is necessary to implement the purposes of the resolution, that a copy of the resolution certified by the Borough Clerk..

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser							Rodgers				
O'Donnell							Durkin				
Kelley							Capozzoli				

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-260

Date of Adoption: December 16, 2014

TITLE:

APPROVING A TOW OPERATOR’S LICENSE TRITON TOWING, LLC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

WHEREAS, Chapter 231 of the Borough Ordinances titled “Towing and Storage of Vehicles” sets forth the means and manner by which tow operators shall be qualified to conduct business as licensees (known as “Towing Operators”) within the Borough; and

WHEREAS, Triton Towing, LLC. has submitted an application pursuant to section 231-5 of the Borough Ordinances to be designated as a Towing Operator; and

WHEREAS, the Chief of Police has determined that Triton Towing, LLC. has fulfilled the application requirements set forth in Chapter 231-5 and as further set forth in Chapter 231; and

WHEREAS, the Chief of Police has recommended to the Mayor and Borough Council that Triton Towing, LLC. be designated as a Towing Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

That the Mayor and Borough Council do hereby authorize Triton Towing, LLC. as a Towing Operator pursuant to Borough Ordinance 231-4, effective upon passage of this Resolution and ending on December 31, 2015.

BE IT FURTHER RESOLVED, that the Borough Municipal Clerk and the Borough Attorney and all municipal officials are hereby authorized to take such action as is necessary to implement the purposes of the resolution, that a copy of the resolution certified by the Borough Clerk..

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser							Rodgers				
O'Donnell							Durkin				
Kelley							Capozzoli				

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-261

Date of Adoption: December 16, 2014

TITLE:

APPROVING A TOW OPERATOR’S LICENSE JML, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

WHEREAS, Chapter 231 of the Borough Ordinances titled “Towing and Storage of Vehicles” sets forth the means and manner by which tow operators shall be qualified to conduct business as licensees (known as “Towing Operators”) within the Borough; and

WHEREAS, JML, Inc. has submitted an application pursuant to section 231-5 of the Borough Ordinances to be designated as a Towing Operator; and

WHEREAS, the Chief of Police has determined that JML, Inc. has fulfilled the application requirements set forth in Chapter 231-5 and as further set forth in Chapter 231; and

WHEREAS, the Chief of Police has recommended to the Mayor and Borough Council that JML, Inc. be designated as a Towing Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

That the Mayor and Borough Council do hereby authorize JML, Inc. as a Towing Operator pursuant to Borough Ordinance 231-4, effective upon passage of this Resolution and ending on December 31, 2015.

BE IT FURTHER RESOLVED, that the Borough Municipal Clerk and the Borough Attorney and all municipal officials are hereby authorized to take such action as is necessary to implement the purposes of the resolution, that a copy of the resolution certified by the Borough Clerk..

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser							Rodgers				
O'Donnell							Durkin				
Kelley							Capozzoli				

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-262

Date of Adoption: December 16, 2014

TITLE:

APPROVING A TOW OPERATOR’S LICENSE CRIGER SERVICE, INC. IN ACCORDANCE WITH THE PROVISIONS OF BOROUGH ORDINANCE 1201-09

WHEREAS, Chapter 231 of the Borough Ordinances titled “Towing and Storage of Vehicles” sets forth the means and manner by which tow operators shall be qualified to conduct business as licensees (known as “Towing Operators”) within the Borough; and

WHEREAS, Criger Service, Inc. has submitted an application pursuant to section 231-5 of the Borough Ordinances to be designated as a Towing Operator; and

WHEREAS, the Chief of Police has determined that Criger Service, Inc. has fulfilled the application requirements set forth in Chapter 231-5 and as further set forth in Chapter 231; and

WHEREAS, the Chief of Police has recommended to the Mayor and Borough Council that Criger Service, Inc. be designated as a Towing Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

That the Mayor and Borough Council do hereby authorize Criger Service, Inc. as a Towing Operator pursuant to Borough Ordinance 231-4, effective upon passage of this Resolution and ending on December 31, 2015.

BE IT FURTHER RESOLVED, that the Borough Municipal Clerk and the Borough Attorney and all municipal officials are hereby authorized to take such action as is necessary to implement the purposes of the resolution, that a copy of the resolution certified by the Borough Clerk..

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						Rodgers				
O'Donnell						Durkin				
Kelley						Capozzoli				

Lisa O’Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 12-263

Date of Adoption: December 16, 2014

TITLE:

RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR CALENDAR YEAR 2014

WHEREAS, certain appropriations were required and provided for during the calendar year 2014 and will require additional sums for expenditures to the end of 2014; and

WHEREAS, other appropriations reflect that balances do exist as of the end of the year 2014; 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.

Account Name	Amount IN	Amount OUT
Municipal Clerk S&W	\$ 5,000.00	
Financial Administration S&W	\$ 2,700.00	
Collection of Taxes S&W	\$ 2,500.00	
Legal O/E	\$ 20,000.00	
Employee Health Insurance O/E	\$ 5,000.00	
Office of Emergency Management O/E	\$ 4,395.00	
Fire Department O/E	\$ 500.00	
Streets and Roads Maintenance O/E	\$ 30,700.00	
Buildings and Grounds O/E	\$ 4,000.00	
Public Health Services S&W	\$ 4,000.00	
Telephone	\$ 7,500.00	
Gasoline	\$ 7,500.00	
Pension - PFRS	\$ 1.00	
Pension - PERS	\$ 37,070.00	
Uniform Construction Code S&W		\$ 27,000.00
Police S&W		\$ 65,000.00
Fire Prevention O/E		\$ 2,500.00
Recycling O/E		\$ 15,000.00
Solid Waste Collection O/E		\$ 8,000.00
Shade Tree O/E		\$ 12,000.00
Public Health Services O/E		\$ 1,366.00
Current Fund Total	\$ 130,866.00	\$ 130,866.00

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