



***BOROUGH OF CALDWELL  
NEW JERSEY***



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**COUNCIL BUSINESS MEETING  
December 18, 2012**

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



Council Chambers  
1 Provost Square Caldwell, NJ

# Borough of Caldwell Council Business Meeting

## AGENDA

Phone: (973) 226-6100  
Website: [www.caldwell-nj.com](http://www.caldwell-nj.com)

December 18, 2012 - Revised

MAYOR  
Ann Dassing

BOROUGH COUNCIL  
Richard Hauser – President / Finance  
Peter Murray / Public Safety  
John Coyle / Public Works  
Thomas O'Donnell / Community Center  
John Kelley / Community Relations  
Frank Rodgers / Personnel

### 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 4, 2012

### 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.*

- 12-256:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Trinity Academy HSA, Tricky Tray Raffle, January 25, 2013 - 6:00PM – 11:00PM. Snow Date – February 1, 2013 – 6:00PM – 11:00PM
- 12-257:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Trinity Academy HSA, 50/50 Raffle, January 25, 2013 - 6:00PM – 11:00PM. Snow Date – February 1, 2013 – 6:00PM – 11:00PM
- 12-258:** AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – Hadassah Caldwell, Inc., March 12, 2013 - 7:30PM – 10:00PM
- 12-259:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 18, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$2,385,539.03
- 12-260:** AUTHORIZING THE EMPLOYMENT OF NICHOLAS P. ADAMO, 76 LIBERTY AVENUE, BELLEVILLE, N.J. 07109 AS A PROBATIONARY POLICE OFFICER IN THE CALDWELL POLICE DEPARTMENT EFFECTIVE JANUARY 1, 2013 WITH AN ANNUAL BASE SALARY OF \$35,000 IN ACCORDANCE WITH THE CURRENT PBA CONTRACT
- 12-261:** AUTHORIZING THE AWARD OF A CONTRACT FOR FINANCIAL MANAGEMENT SERVICES TO BATTAGLIA ASSOCIATES LLC, 25 SANDALWOOD DRIVE, WARREN, N.J. 07059 EFFECTIVE DECEMBER 19, 2012 THROUGH JUNE 30, 2013
- 12-262:** RESOLUTION OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 FOR THE CLEARING AND REPAIR OF BOROUGH STREETS AND PROPERTY DAMAGED BY HURRICANE SANDY



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 18, 2012 - Revised

MAYOR  
Ann Dassing

BOROUGH COUNCIL  
Richard Hauser – President / Finance  
Peter Murray / Public Safety  
John Coyle / Public Works  
Thomas O'Donnell / Community Center  
John Kelley / Community Relations  
Frank Rodgers / Personnel

### COUNCIL COMMITTEE REPORTS

*Borough Council Members*

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

### REPORT OF MAYOR

*Mayor Dassing*

### REPORT OF ADMINISTRATOR

*Paul M. Carelli*

Administrator Report – December 18, 2012

### REPORT OF ATTORNEY

*Gregory Mascera*

### OLD BUSINESS

### NEW BUSINESS

*Members of the Governing Body may choose to bring up new items at this time.*

### 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 12/14/2012 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 12/14/2012 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – December 4, 2012**

The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:06 PM

**PRESENT:** Mayor Dassing, Council President Hauser, Councilman Murray, O'Donnell, Coyle, Kelley and Rodgers

**ALSO PRESENT:** Lisa O'Neill, Deputy Clerk, and Paul Carelli, Borough Administrator and Gregory Mascara, Borough Attorney

**ABSENT:**

Adequate notice of this Council Business/Conference meeting was given on January 1, 2012. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey on January 1, 2012. Four official newspapers of the Borough were notified of this meeting by mail on January 1, 2012. Notice was posted and all persons requesting notice were sent same.

**APPROVAL OF MINUTES:**

**November 20, 2012**

Moved by Councilman Murray, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Minutes approved 12/04/12.

**PRESENTATIONS:**

1. **Crew Engineering – Borough of Caldwell Water Improvement Projects**  
**Presented by: Alec Mittiga/Project Engineer**
2. **William Frint – Caldwell College Water Main Emergency Repair (as a result of water main break 11-16-2012)**

**INTRODUCTION OF ORDINANCES:**

**ORDINANCE# 1269-12:** AN ORDINANCE AMENDING CHAPTER 20, THE CHAPTER ESTABLISH THE CODE OF ETHICS, OF THE CODE OF THE BOROUGH OF CALDWELL

Moved by Councilman Kelley, seconded by Councilman Hauser. Discussions Ensued. On roll call, Councilman Rodgers, Murray, Hauser, Kelley voted in the affirmative. Councilman Coyle voted in the negative. Councilman O'Donnell abstained. Ordinance Introduced 12/04/12.

**ORDINANCE# 1270-12:** AN ORDINANCE AMENDING CHAPTER 37, THE CHAPTER GOVERNING PERSONNEL POLICIES, OF THE CODE OF THE BOROUGH OF CALDWELL

**Councilman O'Donnell** responded that this ordinance was brought out by a political hatchet job and was unleashed by Councilman Kelley. This Council has done some good things and we have done some good work. In the beginning of the year we reached out to Councilman Kelley and invited him to breakfast, we said we wanted to work together we extended ourselves and he chose to take a different route. This is garbage. We get to meet a couple of hours every couple of weeks we do a lot of work outside the Borough Hall, we earn \$20 a day. I have a real job, I have a family, I have a daughter who is lying in a hospital bed in Italy for nine days and I have to deal with this garbage. Murray and Hauser conduct themselves like gentlemen since I have been here. Last year's campaign they campaigned cleanly and stuck to the issues. The other side didn't. This year we conducted ourselves as professionals. I'm running next year I'm not going to play by those rules; I'm going to smash him every time he gets out of line. Let it be known that whoever tries to run against me I anticipate attacks coming from Councilman Kelley and I'm going to smash people before, during and after the election. If that's how they want to play the game they are going to play by my rules. So as far as this ordinance is concerned I'm voting no. I'm going to use my Borough email address when I campaign next year. I'm not going to put up with this nonsense its garbage. Nothing that Mr. Kelley has been involved with has been of any substance or import to

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – December 4, 2012**

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this Borough. He has a history, he has a track record. Everything he has campaigned on he hasn't even attempted to do but he has attacked others and he has questioned others. He is an embarrassment and I vote no.

Moved by Councilman Kelley, seconded by Councilman Rodgers. Discussions Ensued. On roll call, Councilman Hauser, Kelley and Rodgers voted in the affirmative. Councilman Murray, O'Donnell and Coyle voted in the negative. Mayor Dassing voted in the negative.

**ORDINANCE# 1271-12: AN ORDINANCE AMENDING CHAPTER 37, THE CHAPTER GOVERNING PERSONNEL POLICIES, OF THE CODE OF THE BOROUGH OF CALDWELL**

Moved by Councilman Murray, seconded by Councilman O'Donnell. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance Introduced 12/04/12.

**OPEN PUBLIC COMMENTS ON RESOLUTION:**

**RESOLUTIONS – CONSENT AGENDA**

**11-252:** AUTHORIZING THE REFUND OF A TAX OVERPAYMENT PAYABLE TO: CURTIS GEIB

**11-253:** AUTHORIZING THE REFUND OF A TAX OVERPAYMENT PAYABLE TO: DAVID TANGO

**11-254:** AUTHORIZING THE REFUND OF A TAX OVERPAYMENT PAYABLE TO: WELLS FARGO REAL ESTATE TAX SERVICE

**11-255:** AUTHORIZING THE REFUND OF A TAX SALE CERTIFICATE 11-00006 PAYABLE TO: US BANK CUST. FOR PHOENIX FUNDING

**CONSENT**

Moved by Councilman Coyle, seconded by Councilman Kelley. No Discussion. On roll call, all present voted in the affirmative. Resolutions approved 12/04/12.

**Councilman Murray** thanked the Fire Department for the tree lighting and bringing Santa Clause. Their tricky tray which is always a big fundraiser and I know the turnout for that was very good. We also got a delivery of the new incident command vehicle. They are very happy and very appreciative. The fire department will be bringing Santa around for Christmas I don't have that date yet but will let everyone know at the next meeting.

**Chief Bongiorno** reported that this holiday season the police department will be participating in the Toys for Tots program and we are one of the drop off sites. This Thursday we are having a crossing guard appreciation breakfast at 9:15am. **Councilman Murray** responded that the bags for the meters will be in tomorrow. When you are reporting this please remind the residents that it is not a free 24 hour parking there is a 3 hour limit.

**Councilman Hauser** reported that there is a Library Board meeting this Thursday evening.

**Mayor Dassing** thanked the Caldwell Presbyterian church choir and the youth choir. They were both there on Saturday night as Santa arrived. Santa has a beautiful voice and so does the choir it helped so that the Mayor and Council didn't have to sing Christmas carols. Joe Garamella our DJ was great at keeping things going and thank you to the Kiwanis who gave out candy canes. It was a real feel good night it's a nice tradition. Thank you to Tamara Bross for putting together the tricky tray this was her 17<sup>th</sup> year of doing it. She thanked Greg Mascara and Paul Carelli for working very diligently to come to an agreement with Hatch Mott McDonald which I signed this week in regards to working out the details of finishing the plant and coming to an agreement on that.

**REPORT OF ADMINISTRATOR:**

**Paul Carelli** reported that they had a meeting with one of the firms that submitted and RFP for financial management services which we will discuss in executive. He asked about the Re-org meeting and the Mayor responded that they were thinking January 1<sup>st</sup> at noon. There was discussion about moving the venue to the Community Center. Paul continued with his report. He

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – December 4, 2012**

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received the bid specs for the recycling and he gave a copy to Councilman Coyle. There was discussion with Jim Jorgensen about the tipping fees. The contractor did come out and look at the trees and I had him break up the quote to the immediate safety issues which were \$4850.00 which I am authorizing him to take care of that. The complete clean-up to the Elm Road property was about \$12,000. All of the computers have been delivered and will be installed. The Mayor and I along with the Borough Engineer walked over to the library he is in the midst of designing the ramp from the parking deck down to the side of the library and we are looking to expand the scope of that project to fixing the front porch of the library and the sidewalk in front of the library. Paul reported that he has been in contact with Matt Jessup our bond counsel and Bill Frint and has gone over with the finances of this work. We are working up a number and Matt suggested borrowing enough to get through the next six months. The bond sale will be on December 14<sup>th</sup>. It would be enough to cover the Brookside water main and the completion of the interconnection.

**OLD BUSINESS:**

**Councilman O'Donnell** spoke about the resident that asked him what Councilman Kelley has done to secure funding at the Oval that was one of his campaign promises. I asked the Councilman what he has done and I reported back to the resident your response that you have done nothing. The resident then asked me is Councilman Kelley going to move forward on his promise to secure funding for the Oval. Councilman O'Donnell asked Councilman Kelley if he had an answer. **Councilman Kelley** responded Councilman O'Donnell you can ask all the questions you want, you won't speak to me outside the council meeting I have no desire to entertain any questions, dialog or questions with you whatsoever. We are well aware of your views Councilman O'Donnell. I don't desire to get down to your level. Councilman O'Donnell asked Councilman Kelley are you going to fulfill your promise of the Oval. It's a simple yes or no, you campaigned on it. You spend time attacking people.

**NEW BUSINESS:**

1. Draft Ordinance – Tax Appeals (by Greg Mascera)

Greg reported that he started drafting the ordinance and he still needs to make some changes to the ordinance.

**Councilman O'Donnell** spoke about subject of nepotism another issue that Councilman Kelley ran on. "It is nepotism in any form what we really want from a council person" Mr. Kelley went next door after five months into office and requested that a family member be given a position. Can you explain that? **Councilman Kelley** responded that I don't know what you are talking about Councilman O'Donnell you will have to clarify that. **Councilman O'Donnell** responded that he wants to look further into it with the assistance of the Borough Attorney. My impression is that possibly if you make oppression to an employee of the Borough to hire someone in your family and if that's the case then I'm going to call for you to resign. **Councilman Kelley** responded that you don't have the facts Councilman O'Donnell. **Councilman O'Donnell** responded we will get the facts. **Councilman Kelley** responded we are glad that you are running for election next year Councilman O'Donnell it will be a welcome campaign.

**OPEN PUBLIC MEETING:**

**James Jorgensen, Liaison for Essex County** spoke about the Essex County Holiday Lights Spectacular the nights still available are the 7<sup>th</sup>, 8<sup>th</sup> & 9<sup>th</sup> and then from December 14<sup>th</sup> – January 1<sup>st</sup>.

Bob Christensen, 3 Ravine Avenue, spoke about the storm and how there was a live wire in front of his house and how he did not feel safe. He contacted the Police and Fire Department because the lived wire took off and lit up. They stayed until PSE&G came. He felt very safe with the departments hanging out and Sgt. Pellegrino came to the door to tell him he could go back to bed. Mr. Christensen thanked Mr. Jorgensen for a great job on Central Avenue.

On a motion made by Councilman Coyle and seconded by Councilman Murray, unanimously affirmed, the Council moved into Executive Session at 8:29PM.

**BOROUGH OF CALDWELL  
COUNCIL BUSINESS/CONFERENCE MEETING  
MINUTES – December 4, 2012**

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

The Executive Session was adjourned and upon a motion by Councilman Coyle, seconded by Councilman Rodgers, the Council Business Conference Meeting was opened to the public and the press at 9:16P.M.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Coyle, seconded by Councilman Murray, unanimously affirmed by all members present, the meeting was adjourned at 9:16PM.

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

\_\_\_\_\_  
DATE



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 12-256

Date of Adoption: December 18, 2012

**TITLE:**

**AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Trinity Academy HSA, Tricky Tray Raffle, January 25, 2013 - 6:00PM – 11:00PM. Snow Date – February 1, 2013 – 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-1252 Trinity Academy HSA  
On Premise – Tricky Tray Raffle  
January 25, 2013 – 6:00PM – 11:00PM  
Snow Date – February 1, 2013 – 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						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

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

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





**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 12-257

Date of Adoption: December 18, 2012

**TITLE:**

**AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Trinity Academy HSA, 50/50 Raffle, January 25, 2013 - 6:00PM – 11:00PM. Snow Date – February 1, 2013 – 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-1253 Trinity Academy HSA  
On Premise – 50/50 Raffle  
January 25, 2013 – 6:00PM – 11:00PM  
Snow Date – February 1, 2013 – 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						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 12-258

Date of Adoption: December 18, 2012

**TITLE:**

**AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – Hadassah Caldwell, Inc., March 12, 2013 - 7:30PM – 10:00PM**

**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-1254 Hadassah Caldwell, Inc.  
Off Premise – Merchandise Raffle  
March 12, 2013 – 7:30PM – 10:00PM

**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					O'Donnell				
Murray					Kelley				
Coyle					Rodgers				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 12-259

Date of Adoption: December 18, 2012

**TITLE:**

**AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH DECEMBER 18, 2012 FOR 2012 BILLS IN THE TOTAL AMOUNT OF \$2,385,539.03**

**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 2011 and/or 2012 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

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 12-260

Date of Adoption: December 18, 2012

**TITLE:**

**AUTHORIZING THE EMPLOYMENT OF NICHOLAS P. ADAMO, 76 LIBERTY AVENUE, BELLEVILLE, N.J. 07109 AS A PROBATIONARY POLICE OFFICER IN THE CALDWELL POLICE DEPARTMENT EFFECTIVE JANUARY 1, 2013 WITH AN ANNUAL BASE SALARY OF \$35,000 IN ACCORDANCE WITH THE CURRENT PBA CONTRACT**

**BE IT RESOLVED** by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the employment of Nicholas P. Adamo, 76 Liberty Avenue, Belleville, N.J. 07109 as a Probationary Police Officer in the Caldwell Police Department effective January 1, 2013 with an annual base salary in the amount of \$35,000.00 in accordance with the current PBA contract.

**BE IT FURTHER RESOLVED** that the Borough of Caldwell has authorized the hire of the police officer to be effective on January 1, 2013.

**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

Hauser						Coyle				
Murray						Kelley				
O'Donnell						Rodgers				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 12-261

Date of Adoption: December 18, 2012

**TITLE:**

**AUTHORIZING THE AWARD OF A CONTRACT FOR FINANCIAL MANAGEMENT SERVICES TO BATTAGLIA ASSOCIATES LLC, 25 SANDALWOOD DRIVE, WARREN, N.J. 07059 EFFECTIVE DECEMBER 19, 2012 THROUGH JUNE 30, 2013**

**WHEREAS,** the Borough of Caldwell advertised for and received proposals for Financial Management Services on November 16, 2012; and

**WHEREAS,** the Borough of Caldwell received proposals from (3) Financial Management Services vendors; and

**WHEREAS,** Battaglia Associates LLC, 25 Sandalwood Drive, Warren, N.J. 07059 submitted the lowest conforming proposal in an amount of \$38,750.00

**NOW THEREFORE, BE IT RESOLVED,** that Borough Council of the Borough of Caldwell, New Jersey does hereby authorize the award of contract for Financial Management Services to Battaglia Associates LLC.

**BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Caldwell that the Borough Administrator is authorized to execute the necessary contacts 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						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

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

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



**BOROUGH OF CALDWELL  
NEW JERSEY**



Resolution No: 12-262

Date of Adoption: December 18, 2012

**TITLE:**

**RESOLUTION OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX,  
NEW JERSEY AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO  
N.J.S.A. 40A:4-46 FOR THE CLEARING AND REPAIR OF BOROUGH STREETS AND  
PROPERTY DAMAGED BY HURRICANE SANDY**

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**WHEREAS**, an emergency has arisen resulting from significant damage within the Borough caused by Hurricane Sandy requiring the appropriation of funds of the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"), in the amount of \$215,000 to provide for the clearing and repair of Borough streets and property and operating and personnel expenses incurred in order to deal with the emergency, including all work and materials necessary therefore and incidental thereto, and further including all related costs and expenditures incidental thereto; and

**WHEREAS**, adequate provision was not made in the 2012 budget of the Borough for the aforesaid purposes, and N.J.S.A. 40A:4-46 provides authorization for the undertaking of emergency appropriations for the purposes mentioned above; and

**WHEREAS**, the total amount of emergency appropriations, including the appropriation to be created by this resolution, is \$215,000.00, and 3% of the total operating appropriations in the budget for 2012 is \$464,863; and

**WHEREAS**, the foregoing emergency together with prior appropriations does not exceed 3% of the total operating appropriations (including utility operation appropriations) in the budget for 2012.

**NOW THEREFORE BE IT RESOLVED (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:**

1. Pursuant to N.J.S.A. 40A:4-48, an emergency appropriation is hereby made in the amount of \$215,000 for the clearing and repair of Borough streets and property and operating and personnel expenses incurred in order to deal with the emergency, including all work and materials necessary therefore and incidental thereto, and further including all related costs and expenditures incidental thereto. The \$215,000 appropriated herein is sufficient to fund the emergency appropriations.
2. That said emergency appropriation shall be provided for in full in the budget of the 2013 year, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1).
3. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.
4. The statement required by the Local Finance Board has been filed with the Borough Council and a copy transmitted to the Director of the Divisions of Local Government Services.
5. This resolution shall take effect immediately.

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**RECORD OF COUNCIL VOTE**

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

COUNCILMAN    Yes    No    Absent    Abstain    COUNCILMAN    Yes    No    Absent    Abstain

Hauser						Coyle				
Murray						Kelley				
O'Donnell						Rodgers				

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

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

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

## EMERGENCY APPROPRIATION – 3% CALCULATION

<u>Current Fund</u>	<u>Prior year</u>	<u>Current Year</u>
Total Operations including Contingent <i>(Budget Sheet 17)</i>	\$6,457,461	\$6,470,982
Statutory Expenditures <i>(Budget Sheet 19)</i>	\$784,390	\$658,361
Total Operations Excluded From CAPS <i>(Budget 25)</i>	<u>\$2,951,544</u>	<u>\$3,232,782</u>
Totals	\$10,193,394	\$10,362,125

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### Utility Fund

Total Operating Expenditures :		
Water Utility		\$1,439,743
Sewer Utility		\$3,560,107
Statutory Expenditures:		
Water Utility		\$49,560
Sewer Utility		<u>\$83,898</u>
Totals		\$5,133,308

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#### *For CAP Purposes:*

For Current Fund Emergency Appropriation: Use **prior** year appropriations of **current fund** only. Example: \$10,193,394 x 3% = \$305,802

#### *For Expenditure Purposes:*

For Utility Fund Emergency Appropriation: Use **current** year total budget for both **Current Fund** and **Utility Fund**

Example: \$10,362,125 + \$5,133,308 = \$15,495,433 x 3% = **\$464,863**



**EMERGENCY APPROPRIATION - 3% CALCULATION**

	<u>Current Year</u>	
<u>Current Fund</u>		
Total Operations including Contingent	6,470,981.50	
Statutory Expenditures	658,360.54	
Total Operations Excluded from CAPS	<u>3,232,782.01</u>	
Total		10,362,124.05
<u>Water Utility Fund</u>		
Total Operating Expenditures	1,439,743.00	
Statutory Expenditures	<u>49,560.00</u>	
Total		1,489,303.00
<u>Water Utility Fund</u>		
Total Operating Expenditures	3,560,106.86	
Statutory Expenditures	<u>83,898.00</u>	
		<u>3,644,004.86</u>
		15,495,431.91
		<u>3%</u>
		<u>464,862.96</u>

**CERTIFICATION FOR EMERGENCY APPROPRIATION FORM  
CHIEF FINANCIAL OFFICER**

This statement must be prepared in duplicate by the chief financial officer and filed with the municipal clerk **prior to the adoption** of the emergency resolution. The duplicate must be filed with the Director of the Division of Local Government Services together with the emergency resolution.

**Please answer all questions:**


Purpose of emergency appropriation: To provide for the clearing, repair and/or reconstruction of Borough streets and property and operating and personnel expenses incurred in order to deal with the emergencies, including all work and materials necessary therefore and incidental thereto, and further including all related costs and expenditures incidental thereto as a result of Hurricane Sandy event of October 2012. This includes Debris and Wreckage, Emergency Protective Measures, Public Buildings, and Publicly Owned Utility Systems,

Document fully the circumstances for  
The emergency resolution  
Statements such as “insufficient appropriation” or  
“roads need repair” are not acceptable and  
delay the review of the emergency

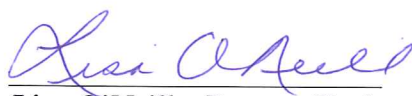
Date of  
occurrence: October 29, 2012 – November 5, 2012

Have any contracts been awarded or purchase orders placed in connection with this  
Emergency appropriation? Yes

Date: 12/18/2012

Acting Chief Financial Officer:   
**Paul M. Carelli**

Municipality: Borough of Caldwell, Essex County, New Jersey

  
**Lisa O'Neill – Deputy Clerk**