



**BOROUGH OF CALDWELL
NEW JERSEY**



COUNCIL BUSINESS / CONFERENCE MEETING

February 9, 2021

Borough of Caldwell
1 Provost Square
Caldwell, New Jersey 07006
7:15PM

Borough of Caldwell



WHEREAS, in February 1926 it was the vision of Carter G. Woodson that declared the very first official celebratory acknowledgment of African Americans contributions by way of “Negro History Week” and has since evolved into “Black History Month”. One of the purposes was to share a fuller narrative of how Black people have persevered and shown tremendous tenacity to contribute and advance every area of this great nations’ existence. February has been designated as the month to highlight contributions of African-Americans; and

WHEREAS, throughout our country’s history there have been millions of African-Americans who worked, fought and sacrificed while doing so under the intense face of prejudice and hardships to create a better America; and

WHEREAS, African-Americans for centuries have made significant contributions for the advancement of all that this country has to offer and benefit from in many fields, including but not limited to fields such as business, education, politics, athletics, science, nutrition, military, medicine and the arts; and

WHEREAS, African-Americans leaders have played a significant role in altering the course of history through marching, testifying, teaching and other social justice actions; and

WHEREAS, among the roster of world-class achievers are human rights pioneer Dr. Martin Luther King Jr.; Businesswoman Sarah “Madam C.J.” Walker; inspiring artists Aretha Franklin and B.B. King; literary scholars, Maya Angelou and James Baldwin; a hero in the field of law Thurgood Marshall; Harriet Tubman, a leader in the underground railroad; NASA mathematician Katherine Johnson; Astronaut Mae Jemison; Astrophysicist Neil deGrasse Tyson; the Tuskegee Airmen; sports stars Kobe Bryant and Frank Robinson; and the first African-American President, Barack Obama; and many countless others; and

WHEREAS, it is important that we recognize and celebrate the achievements of these champions of justice and equality; and

WHEREAS, it is equally important that we address the continuing challenges facing Black people in America today, including mass incarceration, voter suppression, institutional racism, hate crimes, and be inclusive to all in our community irregardless to race, color of skin, creed, etc...

NOW, THEREFORE, BE IT RESOLVED, that I, John Kelley, Mayor of the Borough of Caldwell, on behalf of the Borough Council, do hereby proclaim the month of February 2021 as

BLACK HISTORY MONTH

in the Borough of Caldwell, and in so doing recognize the contributions of African-Americans and that we as a society pause and reflect upon the value of these contributions to us all.

John Kelley
Mayor John Kelley



BOROUGH OF CALDWELL

ORDINANCE NO. 1397-21

Ordinance to Establish Salary Ranges for Municipal Employees for the Years 2020 and 2021

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

Whereas the Borough of Caldwell wishes to establish the levels of salary to be paid to municipal employees;

Now Therefore, be it Ordained by the Mayor and Council of the Borough of Caldwell, New Jersey that

1. The ranges for the salaries for the employees of the Borough of Caldwell for the years 2020 and 2021 shall be as set forth in the attached Exhibit A.
2. The Borough Clerk is hereby authorized and directed to provide such public notice as is required by statute for the consideration and adoption of this ordinance.

DATE OF INTRODUCTION: **January 26, 2021**

DATE OF ADOPTION: **February 9, 2021**

FIRST: Council President Schmidt

FIRST:

SECOND: Councilman Cole

SECOND:

RECORD OF COUNCIL VOTE

_____ presented the following ordinance - Seconded by: _____

COUNCIL MEMBER Yes No Absent Abstain COUNCIL MEMBER Yes No Absent Abstain

Schmidt					Lace				
Rodgers					DePalma-Iozzi				
Cole					Gates				

Brittany Heun, Deputy Clerk

John Kelley, Mayor

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



BOROUGH OF CALDWELL

Resolution No: 2-57

Date of Adoption: February 9, 2021

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH OF CALDWELL TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on February 9, 2021 the governing body of the Borough of Caldwell, County of Essex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Caldwell

AUTHORITY

Pursuant to the provisions of *N. J.S.A. 40A:11-11(5)*, the Chief Financial Officer (*****Must have signature of CFO on resolution*****) is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

Chris Battaglia, Chief Financial Officer

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

RECORD OF COUNCIL VOTE

_____ presented the following resolution - Seconded by: _____

COUNCIL MEMBER Yes No Absent Abstain COUNCIL MEMBER Yes No Absent Abstain

Schmidt						Lace				
Rodgers						DePalma-Iozzi				
Cole						Gates				

Brittany Heun, Deputy Clerk

John Kelley, Mayor

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



Cranford Police Department

Chief Ryan J. Greco

8 Springfield Avenue, Cranford, New Jersey 07016

908-272-2222

www.cranfordnj.org/police-department

police@cranfordnj.org

Prospective Coop Member,

Thank you for your interest in joining the Cranford Police Cooperative Pricing System. In order to become a registered member in our cooperative we will need the following documents from you:

1. Two (2) original copies of a resolution from your governing body authorizing your membership into the cooperative.
2. Two (2) original inter-local agreements between your municipality/contracting unit and the Township of Cranford.

Once we have received your original documents, we will complete a membership application and forward it along to the New Jersey Division of Local Government Services. We will return one (1) executed copy of your inter-local agreement to your municipality/contracting unit. Once your municipality/contracting unit has been granted approval from the State of New Jersey your membership is valid and does not have an expiration date, so long as our cooperative registration remains valid.

There are also currently no fees associated with becoming a member of the Cranford Police Cooperative Pricing System. We generally receive approvals back from the state within three weeks.

Templates for both the resolution and inter-local agreement can be found on our website. Please feel free to insert your municipality/contracting unit in the appropriate fields for your convenience.

If you have any further questions please do not hesitate to contact me for additional information.

Thank you,

D/Lt. Edward Davenport
Investigative Division
Cranford Police Department
(908) 709-7331



   @CranfordPD

 @CranfordPolice

 @CranfordPoliceDepartment

 MyPD App for Apple or Android

 Nixle Alerts: Text 07016 to 888777

COOPERATIVE PRICING SYSTEM AGREEMENT

CRANFORD POLICE COOPERATIVE PRICING SYSTEM

AGREEMENT FOR A COOPERATIVE PRICING SYSTEM

This Agreement made and entered into this ____ day of _____, _____, by and between the ***Township of Cranford*** and the _____, who desire to participate in the Cranford Police Cooperative Pricing System.

WITNESSETH

WHEREAS, N.J. S.A 40A:11-11(5), specifically authorizes two or more contracting units to establish a Cooperative Pricing System for the provision and performance of goods and services and enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the Township of Cranford is conducting a voluntary Cooperative Pricing System with other contracting units; and

WHEREAS, this Cooperative Pricing System is to effect substantial economies in the provision and performance of goods and services; and

WHEREAS, all parties hereto have approved the within Agreement by Resolution in accordance with the aforesaid statute; and

WHEREAS, it is the desire of all parties to enter into such Agreement for said purposes;

NOW, THEREFORE, IN CONSIDERATION OF the promises and of the covenants, terms and conditions hereinafter set forth, it is mutually agreed as follows:

1. The goods or services to be priced cooperatively may include ***police/admin vehicles*** and such other items as two or more participating contracting units in the system agree can be purchased on a cooperative basis.
2. The items and classes of items which may be designated by the participating contracting units hereto may be purchased cooperatively for the period commencing with the execution of this Agreement and continuing until terminated as hereinafter provided.
3. The Lead Agency, on behalf of all participating contracting units, shall upon approval of the registration of the System and annually thereafter on the anniversary of the registration of the system publish a legal ad in such format as required by N.J.A.C. 5:34-7.9(a) in its official newspaper normally used for such purposes by it to include such information as:
 - (A) The name of Lead Agency soliciting competitive bids or informal quotations.

- (B) The address and telephone number of Lead Agency.
 - (C) The names of the participating contracting units.
 - (D) The State Identification Code assigned to the Cooperative Pricing System.
 - (E) The expiration date of the Cooperative Pricing System.
4. Each of the participating contracting units shall designate, in writing, to the Lead Agency, the items to be purchased and indicate therein the approximate quantities desired, the location for delivery and other requirements, to permit the preparation of specifications as provided by law.
 5. The specifications shall be prepared and approved by the Lead Agency and no changes shall be made thereafter except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.
 6. A single advertisement for bids or the solicitation of informal quotations for the goods or services to be purchased shall be prepared by the Lead Agency on behalf of all of the participating contracting units desiring to purchase any item.
 7. The Lead Agency when advertising for bids or soliciting informal quotations shall receive bids or quotations on behalf of all participating contracting units. Following the receipt of bids, the Lead Agency shall review said bids and on behalf of all participating contracting units, either reject all or certain of the bids or make one award to the lowest responsible bidder or bidders for each separate item. This award shall result in the Lead Agency entering into a Master Contract with the successful bidder(s) providing for two categories of purchases:
 - (A) The quantities ordered for the Lead Agency's own needs, and
 - (B) The estimated aggregate quantities to be ordered by other participating contracting units by separate contracts, subject to the specifications and prices set forth in the Lead Agency's Master Contract.
 8. The Lead Agency shall enter into a formal written contract(s) directly with the successful bidder(s) only after it has certified the funds available for its own needs.
 9. Each participating contracting unit shall also certify the funds available only for its own needs ordered; enter into a formal written contract, when required by law, directly with the successful bidder(s); issue purchase orders in its own name directly to successful vendor(s) against said contract; accept its own deliveries; be invoiced by and receive statements from the successful vendor(s); make payment directly to the successful vendor(s) and be responsible for any tax liability.

10. No participating contracting unit in the Cooperative Pricing System shall be responsible for payment for any items ordered or for performance generally, by any other participating contracting unit. Each participating contracting unit shall accordingly be liable only for its own performance and for items ordered and received by it and none assumes any additional responsibility or liability.
11. The provisions of Paragraphs 7, 8, 9, and 10 above shall be quoted or referred to and sufficiently described in all specifications so that each bidder shall be on notice as to the respective responsibilities and liabilities of the participating contracting units.
12. No participating contracting unit in the Cooperative Pricing System shall issue a purchase order or contract for a price which exceeds any other price available to it from any other such system in which it is authorized to participate or from bids or quotations which it has itself received.
13. The Lead Agency reserves the right to exclude from consideration any good or service if, in its opinion, the pooling of purchasing requirements or needs of the participating contracting units is either not beneficial or not workable.
14. The Lead Agency shall appropriate sufficient funds to enable it to perform the administrative responsibilities assumed pursuant to this Agreement.
15. It is agreed that each participating contracting unit shall pay the Lead Agency an annual fee of \$0 as its estimated prorated share of the administrative costs incurred by the Lead Agency. In the event this estimated prorated share should prove insufficient, each party agrees to pay an additional prorated sum to be determined by all of the participating contracting units.
16. This Agreement shall become effective immediately upon the review and approval of the Director of the Division of Local Government Services and shall continue in effect until any party to this Agreement shall give written notice of its intention to terminate its participation.
17. Additional local contracting units may from time to time, execute this Agreement by means of a Rider annexed hereto, which addition shall not invalidate this agreement with respect to other signatories. The Lead Agency is authorized to execute the Rider on behalf of the members of the System.
18. All records and documents maintained or utilized pursuant to terms of this Agreement shall be identified by the System Identifier assigned by the Director, Division of Local Government Services, and such other numbers as are assigned by the Lead Agency for purposes of identifying each contract and item awarded.
19. This Agreement shall be binding upon and ensure to the benefit of the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed the day and year above written.

FOR THE TOWNSHIP OF CRANFORD

BY: _____
Township Administrator

ATTEST BY: _____

FOR THE BOROUGH OF CALDWELL

BY: _____
Borough Administrator

ATTEST BY: _____



BOROUGH OF CALDWELL

Resolution No: 2-58

Date of Adoption: February 9, 2021

TITLE:

**RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED
For the Meeting of February 9, 2021**

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

WHEREAS, The Borough of Caldwell (the "Borough" or the "public body" has been duly created and is validly existing as a public body corporate and politic of the State of New Jersey pursuant to applicable laws of the State of New Jersey; and

WHEREAS, The Borough constitutes a "public body" as such term is defined in the New Jersey Open Public Meetings Act, constituting Chapter 231 of the Pamphlet Laws of 1975 of the State of New Jersey, N.J.S.A. 10:4-6 et seq. and the acts amendatory thereof and supplemental thereto (the "Open Public Meetings Act"); and

WHEREAS, the Open Public Meetings Act permits a public body, as such term is defined therein, to exclude members of the public from portions of any "meeting", as such term is defined therein including N.J.S.A. 10:4-12(b) et seq., under certain limited circumstances which include, but are not limited to, (a) a discussion of pending or anticipated litigation in which the public body is or may become a party, or (b) a discussion of any matters which fall within the attorney-client privilege, or (c) a discussion of a collective bargaining agreement including the negotiation of the terms and conditions thereof, or (d) a discussion regarding the purchase, acquisition or lease of real property with public funds or (e) a discussion of involving the employment, appointment or termination of employment of an existing or prospective public officer or employee; and

WHEREAS, the governing body of the Borough has determined that and is of the opinion that such circumstances presently exist that permit the governing body of the Borough to discuss the matters set forth in this Resolution in executive session; and

WHEREAS, the matters set forth in this Resolution are within the exceptions and the limited circumstances set forth in N.J.S.A. 10:4-12(b) et seq., the governing body of the Borough desires to conduct a portion of the meeting in an executive session from which members of the public will be excluded.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CALDWELL, in accordance with the provisions of The Open Public Meetings Act, that the governing body of the Borough hereby determines to conduct a portion of the meeting in an executive session from which members of the public will be excluded in accordance with the provisions of Open Public Meetings Act; and

BE IT FURTHER RESOLVED, that the aforementioned executive session will be limited to matters relating to the following items and which matters involve, as applicable, pending and anticipated litigation involving or expected to involve the Borough, matters which fall within the attorney-client privilege, matters regarding the discussion of a collective bargaining agreement, matters relating to purchase, acquisition or lease of real property with public funds or matters relating to personnel.

BE IT FURTHER RESOLVED, that the minutes of each executive session will be prepared and maintained by the Township and with regard to each of the matters discussed in executive session; and

BE IT FURTHER RESOLVED, that the minutes relating to a particular matter discussed will be made available to members of the public - (a) at such time as the matter no longer requires confidentiality as permitted by applicable laws, (b) upon the completion of a pending or anticipated litigation, or (c) upon such matter no longer falling within the attorney-client privilege, (d) upon the completion of a collective bargaining agreement including the negotiation of the terms and conditions thereof, or (e) upon the completion of a purchase, acquisition or lease of real property with public funds, or (f) as such disclosure may otherwise may be required by the Open Public Meetings Act.

It is hereby certified that at a regular meeting of the Mayor and Council of the Borough of Caldwell, New Jersey being held on the date of February 9, 2021, the foregoing Resolution was duly adopted.

Borough Deputy Clerk

The foregoing Resolution, having been duly presented to me on January 26, 2021 I hereby approve the same.

Mayor

RECORD OF COUNCIL VOTE

_____ presented the following resolution - Seconded by _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Schmidt						Lace				
Rodgers						DePalma-Iozzi				
Cole						Gates				

Brittany Heun, Deputy Clerk

John Kelley, Mayor

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