



***BOROUGH OF CALDWELL
NEW JERSEY***



COUNCIL BUSINESS / CONFERENCE MEETING

March 23, 2021

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

Borough of Caldwell



WHEREAS, March 8, 2021 marks the 120th year that the Caldwell Fire Department has been working as a volunteer fire department for the Borough of Caldwell, making it one of the oldest fire departments in the West Essex/ Caldwell area with its original role call including some of the founding members of our community. Today, the department has grown to 32 volunteers; and,

WHEREAS, the Caldwell Fire Department has seen many developments throughout its long years of service. Starting as a single door firehouse, the first gas light for the Borough was located in front of the original Firehouse. Originally relying on church bells to alert firefighters over the years systems and technology have progressed from an alert bell, then fire alarm boxes, to paging systems and today our firefighters use their cell phones to respond to calls; and,

WHEREAS, The Caldwell Fire Departments story has been reflected by the advancements in firefighting equipment. The first fire truck was actually a fire reel with 1000 feet of hose pushed by the members, later a horse drawn ladder wagon was purchased to haul the ladders and equipment. Today our Caldwell Fire Department has state of the art equipment such as a thermal imaging cameras and lifesaving rescue equipment; and

WHEREAS, the Caldwell Volunteer Fire Department has always stayed true to its mission; the protection, preservation and well-being of the health, safety, and property of all persons within the Borough of Caldwell. In its years of service, the department has always maintained a high standard of training over the years and has created a strong connection with the community; and,

WHEREAS, The Caldwell Fire Department was there on 9/11, one of the darkest days of recent history, as it sent an engine to cover a firehouse in Brooklyn and sent volunteers to support their brother and sister firefighters in New York; and

WHEREAS, the presence and participation of the Caldwell Fire Department has not gone unnoticed. Families appreciate that the Fire Department gives Santa a ride through town every year and collects donations for the food pantry. Its annual Tricky Tray has been a tradition which brings families together year after year; and

WHEREAS, the volunteers of the Caldwell Fire Department donate their time to keep our homes and families safe 24 hours a day, 7 days a week, 365 days a year. They spend time away from their families in order to undergo rigorous training. They leave the comfort of their own homes and put themselves at risk at any time so that we can be safe. They are unsung heroes who often go unappreciated until it's our own burning house they run into; and,

BE IT THEREFORE RESOLVED by the Caldwell Mayor and Council that they wish to bestow this sincere expression of gratitude of behalf of the entire community to the Caldwell Fire Department on their 120 years of courage, contributions and selfless service to our community the best wishes for continued success in the future.

John Kelley
Mayor Kelley

Christine Schmidt
Council President Schmidt

Henderson Cole
Councilman Cole

Jonathan Lace
Councilman Lace

Jeffery Gates
Councilman Gates

Frances DePalma-Iozzi
Councilwoman DePalma-Iozzi

Francis Rodgers
Councilman Rodgers

WOMEN'S COMMUNITY IMPACT AWARD

THIS ACKNOWLEDGES THAT

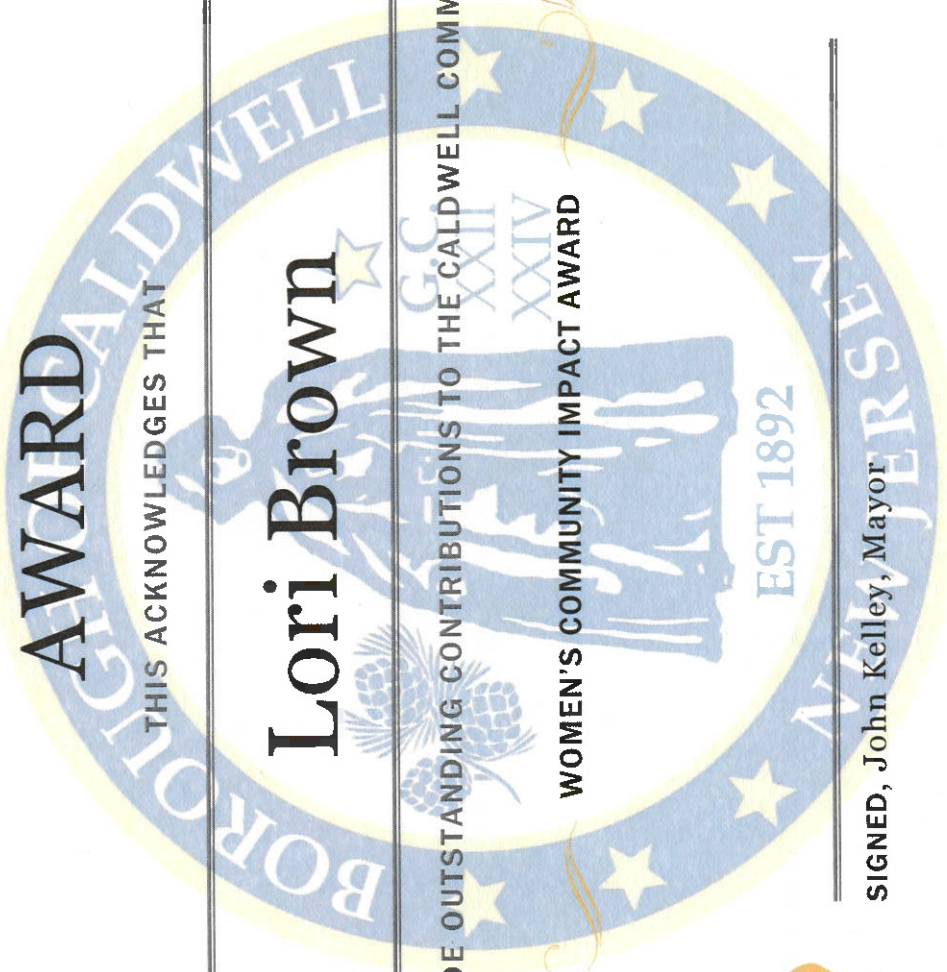
Lori Brown

HAS MADE OUTSTANDING CONTRIBUTIONS TO THE CALDWELL COMMUNITY

WOMEN'S COMMUNITY IMPACT AWARD

MARCH 23,
2021

SIGNED, John Kelley, Mayor



WOMEN'S COMMUNITY IMPACT

AWARD

THIS ACKNOWLEDGES THAT

Irene Gibbons

HAS MADE OUTSTANDING CONTRIBUTIONS TO THE CALDWELL COMMUNITY

WOMEN'S COMMUNITY IMPACT AWARD

MARCH 23,
2021

SIGNED, John Kelley, Mayor



WOMEN'S COMMUNITY IMPACT

AWARD

THIS ACKNOWLEDGES THAT

Ann Marchioni

HAS MADE OUTSTANDING CONTRIBUTIONS TO THE CALDWELL COMMUNITY

WOMEN'S COMMUNITY IMPACT AWARD

MARCH 23,
2021

SIGNED, John Kelley, Mayor





**BOROUGH OF CALDWELL
NEW JERSEY**

ORDINANCE NO. 1407-21

BOROUGH OF CALDWELL STORM WATER ORDINANCE

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

Section I. Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development," as defined below in Section II.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of Caldwell.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

"CAFRA Centers, Cores or Nodes" means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

"CAFRA Planning Map" means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

“Community basin” means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

“Compaction” means the increase in soil bulk density.

“Contributory drainage area” means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

“Core” means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

“County review agency” means an agency designated by the County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

“Department” means the Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

“Design engineer” means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 *et seq.*

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally constrained area” means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Environmentally critical area” means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Empowerment Neighborhoods” means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

“HUC 14” or “hydrologic unit code 14” means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

“Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“Infiltration” is the process by which water seeps into the soil from precipitation.

“Lead planning agency” means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

“Motor vehicle” means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

“Motor vehicle surface” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

“Municipality” means any city, borough, town, township, or village.

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section IV.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

“Node” means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

“Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

“Person” means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

“Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

“Regulated impervious surface” means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

“Regulated motor vehicle surface” means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or
quality treatment either by vegetation or soil, by an existing stormwater management measure,

or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

“Sediment” means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

“Site” means the lot or lots upon which a major development is to occur or has occurred.

“Soil” means all unconsolidated mineral and organic material of any origin.

“State Development and Redevelopment Plan Metropolitan Planning Area (PA1)” means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

“State Plan Policy Map” is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

“Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

“Stormwater management BMP” means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

“Stormwater management planning area” means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Section III. Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 - 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 - 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Section IV. Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.P, Q and R:
 - 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 - 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 - 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 - 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
 - 3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 - 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section IV.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management

Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section IV.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department’s website at:

https://njstormwater.org/bmp_manual2.htm.

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

<p>Table 1 <u>Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</u></p>

<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
Cistern	0	Yes	No	--
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	$\frac{2^{(e)}}{1^{(f)}}$
Green Roof	0	Yes	No	--
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	$\frac{Yes^{(b)}}{No^{(c)}}$	$\frac{2^{(b)}}{1^{(c)}}$
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	$\frac{Yes^{(b)}}{No^{(c)}}$	$\frac{2^{(b)}}{1^{(c)}}$
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

(Notes corresponding to annotations ^(a) through ^(g) are found on Page D-15)

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
Bioretention System	80 or 90	Yes	$\frac{Yes^{(b)}}{No^{(c)}}$	$\frac{2^{(b)}}{1^{(c)}}$
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

(Notes corresponding to annotations ^(b) through ^(d) are found on Page D-15)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3

<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Blue Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Extended Detention Basin</u>	<u>40-60</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Manufactured Treatment Device^(h)</u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Sand Filter^(c)</u>	<u>80</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Subsurface Gravel Wetland</u>	<u>90</u>	<u>No</u>	<u>No</u>	<u>1</u>
<u>Wet Pond</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section IV.O.2;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.

G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.

H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

I. Design standards for stormwater management measures are as follows:

1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone); Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section VIII.C;

2. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 3. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
 4. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections IV.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Essex County Register of Deeds and Mortgages. A form of deed notice shall be submitted to the municipality for approval prior to filing.

The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section X.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with in the Essex County Register of Deeds and Mortgages and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.
- O. Green Infrastructure Standards
1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
 2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section IV.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV.F. and/or an alternative stormwater management measure approved in accordance with Section IV.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

<u>Best Management Practice</u>	<u>Maximum Contributory Drainage Area</u>
<u>Dry Well</u>	<u>1 acre</u>
<u>Manufactured Treatment Device</u>	<u>2.5 acres</u>
<u>Pervious Pavement Systems</u>	<u>Area of additional inflow cannot exceed three times the area occupied by the BMP</u>
<u>Small-scale Bioretention Systems</u>	<u>2.5 acres</u>
<u>Small-scale Infiltration Basin</u>	<u>2.5 acres</u>

3. To satisfy the stormwater runoff quantity standards at Section IV.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section IV.G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section IV.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section IV.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section IV.D.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs, and

A = the TSS Percent Removal Rate applicable to the first BMP

B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section IV.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.

10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

Section V. Calculation of Stormwater Runoff and Groundwater Recharge:

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using one of the following methods:

The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55)*, dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

- i. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Section V.A.1.i and the Rational and Modified Rational Methods at Section V.A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.

In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.

4. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

- B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

Section VI. Sources for Technical Guidance:

- A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm.

- B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

Section VII. Solids and Floatable Materials Control Standards:

- A. Site design features identified under Section IV.F above, or alternative designs in accordance with Section IV.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section VII.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in A.1. above does not apply:
 - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
- b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section VIII. Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section VIII.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

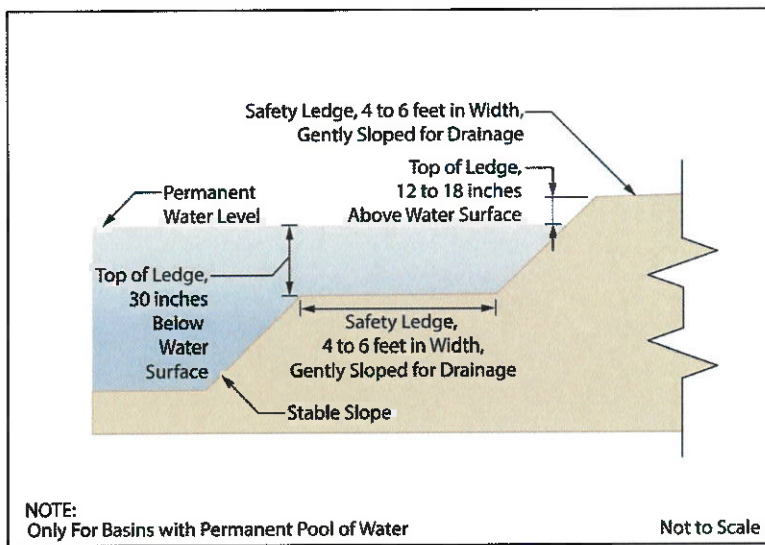
1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
 - i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;
 - ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and
 - iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Section IX. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section IX.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit 18 copies of the materials listed in the checklist for site development stormwater plans in accordance with Section IX.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections III through V are being met. The focus of this plan shall be to describe how the site is being developed to meet the

objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section IV of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section X.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section IX.C.1 through IX.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section X. Maintenance and Repair:

A. Applicability

Projects subject to review as in Section I.C of this ordinance shall comply with the requirements of Section X.B and X.C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section X.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management

measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

7. The party responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:
 - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.
 8. The requirements of Section X.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
 9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53. The applicant shall post a 2 year maintenance guarantee in accordance with 40:55D-53.

Section XI. Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties:

- A. A fine of not more than \$2,000 or
- B. Confinement in the Essex County Jail for a period not to exceed 90 days or community service for a period not to exceed 90 days.
- C. If convicted and fined for the same offense within one year of the date of a previous violation of said chapter, the owner shall be subject to an additional fine as a repeat offender. The additional fine shall not exceed \$2,500, and shall be calculated separately, and in addition to, the fine imposed for violating the chapter.

Section XII Enforcement.

This chapter shall be enforced by the Construction Department and Code Enforcement Officers of the Borough of Caldwell. Where necessary, such officers shall obtain the advice of the Borough Engineer.

Section XIII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section XIV. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

ALL OF WHICH IS ADOPTED THIS 16th day of March 2021, by the Council of the Borough of Caldwell.

Section XIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

ALL OF WHICH IS ADOPTED THIS _____ day of _____, 20___, by the
_____.

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
NEW JERSEY**

ORDINANCE NO. 1408-21

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF SPORT UTILITY VEHICLES FOR THE POLICE DEPARTMENT IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$300,000, including the sum of \$15,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$285,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of sport utility vehicles for the Police Department, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with

applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$285,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$15,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse

expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. The \$150,000 emergency temporary appropriation created by adoption of Resolution #3-85 on March 9, 2021 is hereby cancelled and rescinded, as adequate provision for the improvement or purpose authorized therein has been made by this bond ordinance. Accordingly, the amount of such emergency temporary appropriation shall not be included in the 2021 budget as adopted.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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
NEW JERSEY**

ORDINANCE NO. 1409-21

BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY IMPROVEMENTS IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF.

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,500,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various water utility improvements, including, but not limited to, water main replacement and associated street work and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year

from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,500,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under

N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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: 3-94
Date of Adoption: March 23, 2021

TITLE:

AUTHORIZING PAYMENT OF THE BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD 3/6/2021 THROUGH 3/22/2021 IN THE AMOUNT OF \$2,566,098.43

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

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 2020 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

_____ 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.

March 22, 2021
04:29 PM

BOROUGH OF CALDWELL
Purchase Order Listing By Budget Account

Page No: 1

P.O. Type: All Print Alpha, Revenue, & G/L Accounts: Y Open: N Void: N Paid: Y
Format: Condensed Held: N Aprv: Y Rcvd: Y
Range: 0-First to 1-Last Bid: Y State: Y Other: Y Exempt: Y
Rcvd Batch Id Range: First to Last Received Date Range: 03/06/21 to 03/22/21 Include Non-Budgeted: Y
DEPARTMENT Page Break: No Subtotal CAFR: No Subtotal DEPARTMENT: No

Budget Account	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Fund:	CURRENT FUND					
0-01-20-155-027	LEGAL FEES					
04253	SURRENIAN, EDWARDS + NOLAN LLC	21-00356	SPECIAL COUNSEL - DEC. 2020	1,824.00	0.00	
03107	APRUZZESE, MCDERMOTT, MASTRO	21-00367	2020 SEP. LEGAL BILLING	11,252.73	0.00	
03107	APRUZZESE, MCDERMOTT, MASTRO	21-00368	2020 OCT. LEGAL BILLING	4,645.43	0.00	
03107	APRUZZESE, MCDERMOTT, MASTRO	21-00369	2020 NOV. LEGAL BILLING	1,429.86	0.00	
03107	APRUZZESE, MCDERMOTT, MASTRO	21-00370	2020 DEC. LEGAL BILLING	<u>8,852.92</u>	0.00	
				28,004.94		
0-01-23-220-154	MEDICARE PART B					
02668	JOHNSON, HARRY W.	21-00071	REIMBURSE-2020 MEDICARE PART B	1,626.00	0.00	
0-01-25-240-148	CAR WASH					
01731	WEST CALDWELL CAR WASH	21-00365	DECEMBER 2020 CAR WASHES	13.00	0.00	
0-01-25-266-021	FIRE PREVENTION O/E					
00200	ESSEX COUNTY FIRE PREVENTION &	21-00375	2021 MEMBERSHIP DUES	125.00	0.00	
0-01-26-290-043	UNIFORMS					
02465	AMERICAN WEAR	21-00360	UNIFORM SERVICE NOV 2020	321.00	0.00	
0-01-26-305-129	PARKSIDE GARDENS					
04455	PARKSIDE GARDENS CONDOMINIUMS	21-00353	MUNICIPAL SERVICES ACT '18-'20	162,580.84	0.00	
0-01-26-305-203	MAGNOLIA LANE					
01813	MAGNOLIA CONDOMINIUM ASSOC	21-00351	MUNICIPAL SERVICES ACT '18-'20	33,952.56	0.00	
04454	PARK GLEN CONDOMINIUMS	21-00352	MUNICIPAL SERVICES ACT '18-'20	62,136.62	0.00	
04453	GROVE MANOR CONDOMINIUMS	21-00354	MUNICIPAL SERVICES ACT '18-'20	<u>13,491.62</u>	0.00	
				109,580.80		
0-01-28-371-137	RECREATION AGREEMENT					
00581	WEST CALDWELL TOWNSHIP	20-03124	4TH QTR 2020 RECREATION SERV.	100,000.00	0.00	
0-01-28-372-902	POOL CHEMICALS					
00478	REISINGER OXYGEN SERVICE INC	21-00359	CARBON DIOXIDE	64.74	0.00	
0-01-29-390-011	FULL TIME REGULAR PAY					
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	5,094.08	0.00	
0-01-29-390-036	OFFICE SUPPLIES					
01330	HERNANDEZ, LUIS F.	21-00236	SECURITY SYSTEM WORK	1,575.00	0.00	
0-01-30-413-000	SALARY ADJUSTMENT ACCOUNT					
00087	PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	38,525.52	0.00	
Fund Total: CURRENT FUND				447,510.92		

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Fund: WATER OPERATING						
0-05-20-100-537 00202	WATER PURCHASED ESSEX FELLS BOROUGH	21-00362	4TH QUARTER BULK WATER 2020	210,364.19	0.00	
0-05-20-100-542 00444	WATER ANALYSIS PASSAIC VALLEY WATER COMMISION	20-00073	2020 Water Analysis	108.00	0.00	B
Fund Total: WATER OPERATING				210,472.19		
Fund: SEWER OPERATING						
0-07-20-100-529 04433	LEGAL FEES CONNELL FOLEY LLP	21-00363	SEWER AGREEMENT LEGAL FEES	1,695.00	0.00	
04433	CONNELL FOLEY LLP	21-00364	SEWER AGREEMENT LEGAL FEES	<u>2,760.00</u>	0.00	
				4,455.00		
0-07-20-100-532 00306	PROFESSIONAL SERVICE FEES MOTT MACDONALD	21-00308	PROFESSIONAL SERVICE BILLING	39,000.00	0.00	
0-07-20-100-544 00306	CONTRACTUAL OPERATIONS MOTT MACDONALD	21-00308	PROFESSIONAL SERVICE BILLING	17,220.59	0.00	
Fund Total: SEWER OPERATING				60,675.59		
Year Total:				718,658.70		
Fund: CURRENT FUND						
1-01-20-100-011 00087	FULL TIME REGULAR PAY PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	916.15	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	916.15	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>916.15</u>	0.00	
				2,748.45		
1-01-20-100-026 00456	OFFICE EQUIPMENT/MAINTENANCE PITNEY BOWES	21-00377	LEASING CHARGE 3/30/20-3/29/21	664.61	0.00	
1-01-20-100-053 04394	XEROX COPIER DEX IMAGING LLC	21-00383	03/04/21 COPIER OVERAGES	97.58	0.00	
1-01-20-100-299 04469	MISCELLANEOUS ROMAN, KIMBERLY	21-00307	PARKING PERMIT & CAR WASH REF.	16.00	0.00	
03892	NJ LEAGUE OF MUNICIPALITIES	21-00358	2021 MEMBERSHIP DUES	<u>697.00</u>	0.00	
				713.00		
1-01-20-110-299 00979	GOVERNING BODY O/E NJ PLANNING OFFICIALS	21-00337	2021 DUES	146.67	0.00	
1-01-20-120-011 00087	FULL TIME REGULAR PAY PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	739.15	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	568.50	0.00	

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
1-01-20-120-011 00087	FULL TIME REGULAR PAY PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	568.50 <u>1,876.15</u>	0.00	Continued
1-01-20-130-011 00087	FULL TIME REGULAR PAY PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	190.00	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	190.00	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>190.00</u>	0.00	
				570.00		
1-01-20-145-011 00087	FULL TIME REGULAR PAY PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	1,658.47	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	4,025.20	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>2,025.20</u>	0.00	
				7,708.87		
1-01-20-145-036 00361	TAX OFFICE SUPPLIES MGL PRINTING SOLUTIONS	21-00104	TAX SALE CERT FORMS	66.00	0.00	
04394	DEX IMAGING LLC	21-00383	03/04/21 COPIER OVERAGES	<u>47.17</u>	0.00	
				113.17		
1-01-20-150-011 00087	FULL TIME REGULAR PAY PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	1,537.85	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	1,414.27	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>1,414.27</u>	0.00	
				4,366.39		
1-01-20-155-027 04253	LEGAL FEES SURRENIAN, EDWARDS + NOLAN LLC	21-00357	SPECIAL COUNSEL - JAN. 2021	4,262.50	0.00	
03107	APRUZZESE, MCDERMOTT, MASTRO	21-00371	2021 JAN. LEGAL BILLING	<u>15,376.69</u>	0.00	
				19,639.19		
1-01-21-180-299 00979	PLANNING BOARD MISCELLANEOUS NJ PLANNING OFFICIALS	21-00337	2021 DUES	146.67	0.00	
1-01-21-185-299 00979	ZONING BOARD MISCELLANEOUS NJ PLANNING OFFICIALS	21-00337	2021 DUES	146.66	0.00	
1-01-22-195-011 00087	FULL TIME REGULAR PAY PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	5,968.42	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	7,126.70	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>5,686.70</u>	0.00	
				18,781.82		
1-01-23-215-138 00138	WORKMAN'S COMP/OTHER (SHARED) MCNEIL & COMPANY INC.	21-00306	2021 ACCIDENT/HEALTH RENEWAL	4,145.00	0.00	
02696	GARDEN STATE MUNICIPAL JIF	21-00381	2021 MEMBER ASSESSMENT #2	<u>90,014.45</u>	0.00	
				94,159.45		
1-01-23-220-150 04083	EMPLOYEE HEALTH BENEFITS EB EMPLOYEE SOLUTIONS, LLC	21-00382	MAR. 2021 DIFFERENCE CARD	39.80	0.00	

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
1-01-25-240-011	FULL TIME REGULAR PAY					
00087	PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	84,820.89	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	91,652.52	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>96,285.30</u>	0.00	
				272,758.71		
1-01-25-240-014	CROSSING GUARDS					
00087	PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	6,144.00	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	6,964.00	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>9,603.00</u>	0.00	
				22,711.00		
1-01-25-265-042	TRAINING/SCHOOLS					
01940	ESSEX COUNTY FIRE CHIEFS ASSOC	21-00374	ECFCA 2021 DUES	400.00	0.00	
1-01-25-266-010	FIRE PREVENTION S&W					
00087	PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	5,050.64	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	3,953.65	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>3,953.65</u>	0.00	
				12,957.94		
1-01-26-290-011	FULL TIME REGULAR PAY					
00087	PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	21,683.10	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	16,926.25	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>14,391.42</u>	0.00	
				53,000.77		
1-01-26-304-200	CONTRACT/FIRST OCCUPATIONAL					
01768	CALI CARTING INC.	21-00372	MAR. 2021 RECYCLING & WASTE	30,333.33	0.00	
1-01-26-305-079	ADDITIONAL TRANSFER CHARGES					
01801	WASTE MANAGEMENT OF NJ, INC.	21-00373	WASTE DISPOSAL ADJ. CHARGE	22.41	0.00	
00153	ECUA	21-00386	MAR. 2021 1ST HALF SOLID WASTE	12,140.38	0.00	
01801	WASTE MANAGEMENT OF NJ, INC.	21-00387	WASTE DISPOSAL JAN - MAR 2021	<u>4,296.55</u>	0.00	
				16,459.34		
1-01-27-330-011	FULL TIME REGULAR PAY					
00087	PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	3,025.79	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	2,641.94	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>2,641.94</u>	0.00	
				8,309.67		
1-01-27-330-036	OFFICE SUPPLIES					
00112	R.R. DONNELLEY	21-00140	SAFETY PAPER FOR VITAL STATS	220.50	0.00	
04394	DEX IMAGING LLC	21-00383	03/04/21 COPIER OVERAGES	<u>47.18</u>	0.00	
				267.68		
1-01-28-370-011	FULL TIME REGULAR PAY					
00087	PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	1,976.63	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	1,399.71	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>1,399.71</u>	0.00	
				4,776.05		

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
1-01-28-371-137 00581	RECREATION AGREEMENT WEST CALDWELL TOWNSHIP	21-00342	1ST QTR 2021 RECREATION SERV.	100,000.00	0.00	
1-01-28-372-011 00087	FULL TIME REGULAR PAY PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	3,436.33	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	4,007.23	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>3,830.98</u>	0.00	
				11,274.54		
1-01-28-372-803 04394	COPIER LEASE DEX IMAGING LLC	21-00383	03/04/21 COPIER OVERAGES	47.18	0.00	
1-01-28-372-804 00467	UTILITIES PSE&G	21-00344	2021 JAN. & FEB. - 4201031500	23,624.33	0.00	
1-01-28-372-806 02941	FITNESS LEASING MUNICIPAL ASSET MANAGEMENT, INC	21-00366	APR. 2021 LEASE AGREEMENT	1,124.89	0.00	
1-01-28-372-901 01337	PUBLIC WORKS SUPPLIES CAP ELECTRIC INCORPORATED	21-00350	REPAIRS CCC	1,549.35	0.00	
01542	JACK'S SUPERMARKET	21-00361	BLEACH FOR DRAINS - CCC	<u>29.94</u>	0.00	
				1,579.29		
1-01-29-390-011 00087	FULL TIME REGULAR PAY PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	8,416.05	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	8,548.05	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>9,126.69</u>	0.00	
				26,090.79		
1-01-29-390-071 00467	ELECTRIC & GAS PSE&G	21-00348	2021 JAN & FEB BATCH ACCOUNTS	1,491.53	0.00	
1-01-31-430-071 00467	BLDG & GNDS - ELECTRIC/GAS PSE&G	21-00346	2021 JAN. & FEB 6679375509	112.78	0.00	
00467	PSE&G	21-00348	2021 JAN & FEB BATCH ACCOUNTS	<u>9,734.18</u>	0.00	
				9,846.96		
1-01-31-430-072 00467	14 PARK AVE E & GAS PSE&G	21-00348	2021 JAN & FEB BATCH ACCOUNTS	808.58	0.00	
1-01-31-430-077 00467	FIRE DEPT - ELECTRIC/GAS PSE&G	21-00348	2021 JAN & FEB BATCH ACCOUNTS	3,398.29	0.00	
1-01-31-435-299 00467	MISCELLANEOUS PSE&G	21-00348	2021 JAN & FEB BATCH ACCOUNTS	24,845.45	0.00	
1-01-36-472-021 00087	SOCIAL SECURITY/MEDICARE PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	10,476.57	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	6,930.76	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>7,015.63</u>	0.00	
				24,422.96		

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
1-01-36-476-021	DCRP					
02930	PRUDENTIAL RETIREMENT	21-00323	EMPLOYER CONTRIBUTIONS-DCRP	45.08	0.00	
02930	PRUDENTIAL RETIREMENT	21-00329	EMPLOYER CONTRIBUTIONS-DCRP	61.38	0.00	
02930	PRUDENTIAL RETIREMENT	21-00339	EMPLOYER CONTRIBUTIONS-DCRP	<u>65.28</u>	0.00	
				171.74		
1-01-43-490-011	FULL TIME REGULAR PAY					
00087	PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	5,882.51	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	5,120.12	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>5,025.57</u>	0.00	
				16,028.20		
	Fund Total: CURRENT FUND			818,647.70		
Fund:	WATER OPERATING					
1-05-20-100-011	S&W ALLOCATED TO WATER					
00087	PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	12,684.44	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	9,747.40	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>9,030.59</u>	0.00	
				31,462.43		
	Fund Total: WATER OPERATING			31,462.43		
Fund:	SEWER OPERATING					
1-07-20-100-011	S&W ALLOCATED TO SEWER					
00087	PAYROLL ACCOUNT	21-00311	02/18/21 PAYROLL	6,316.07	0.00	
00087	PAYROLL ACCOUNT	21-00319	03/04/21 PAYROLL	5,195.96	0.00	
00087	PAYROLL ACCOUNT	21-00326	03/18/21 PAYROLL	<u>4,915.94</u>	0.00	
				16,427.97		
1-07-20-100-521	CHEMICAL TREATMENT					
03848	UNIVAR USA INC	21-00379	DELPAC 1525 TECH LIQ 03/01/21	11,028.10	0.00	
1-07-20-100-522	TELEPHONE					
00884	AVAYA INC.	21-00380	SEWER PHONE 03/11/21-06/10/21	34.17	0.00	
1-07-20-100-524	ELECTRIC & GAS (DIRECT ELECTRICITY)					
00467	PSE&G	21-00345	2021 JAN. & FEB. 4201058409	16,106.04	0.00	
00467	PSE&G	21-00347	2021 JAN. & FEB. 6946298802	2,402.54	0.00	
00467	PSE&G	21-00349	2021 JAN. & FEB. 7493812306	<u>34.38</u>	0.00	
				18,542.96		
1-07-20-100-529	LEGAL FEES					
04433	CONNELL FOLEY LLP	21-00020	2021 SEWER UTILITY LEGAL SRVCS	5,070.00	0.00	B
1-07-20-100-538	DIRECT SLUDGE REMOVAL COST					
03709	PASSAIC VALLEY SEWERAGE COMMIS	21-00376	SLUDGE REMOVAL 02/01-02/28/21	19,082.00	0.00	
04308	SPECTRASERV INC.	21-00378	WASTE HAULING SERVICE FEB. '21	20,987.42	0.00	

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
1-07-20-100-538	DIRECT SLUDGE REMOVAL COST		Continued			
04149	WUESTCO WASTE SOLUTIONS LLC	21-00384	WASTE HAULING 02/11/21-3/11/21	<u>4,260.00</u>	0.00	
				44,329.42		
	Fund Total: SEWER OPERATING			95,432.62		
	Year Total:			945,542.75		
Fund:	GENERAL CAPITAL					
C-04-15-130-900	VARIOUS ROAD IMPROVEMENTS					
03210	BECKMEYER ENGINEERING PC	16-02091	ROAD IMPROVEMENTS RES. 12-214	27,740.25	0.00	B
03210	BECKMEYER ENGINEERING PC	19-00955	2018 ROAD IMPROV. - RES 9-193	12,850.00	0.00	B
03210	BECKMEYER ENGINEERING PC	20-03059	2019 DOT (WESTOVER, CRANE, HILLS)	<u>1,796.43</u>	0.00	B
				42,386.68		
C-04-18-135-302	IMPROVEMENTS TO BOROUGH HALL					
04461	PROFESSIONAL APPRAISAL ASSOC.	21-00385	COMMERCIAL REVIEW	2,000.00	0.00	
C-04-20-138-902	BOROUGH HALL COMPLEX					
04473	POLTON REAL ESTATE ADVISORY	21-00355	MAMCHUR ENTERPRISES	4,750.00	0.00	
C-04-20-138-903	2020 ROAD IMPROVEMENT PROGRAM					
03210	BECKMEYER ENGINEERING PC	20-03059	2019 DOT (WESTOVER, CRANE, HILLS)	34,968.57	0.00	B
03210	BECKMEYER ENGINEERING PC	20-03060	2020 DOT (BIRKENDENE LEYCRAFT)	<u>16,115.63</u>	0.00	B
				51,084.20		
	Fund Total: GENERAL CAPITAL			100,220.88		
Fund:	WATER CAPITAL					
C-06-14-129-601	WATER MAIN IMPROVEMENTS					
03210	BECKMEYER ENGINEERING PC	20-03061	WATER PROJECT "A" - RES 9-193	30,397.17	0.00	B
C-06-17-132-601	VARIOUS WATER SYSTEM IMPROVEMENTS					
03210	BECKMEYER ENGINEERING PC	20-03061	WATER PROJECT "A" - RES 9-193	52,372.83	0.00	B
03210	BECKMEYER ENGINEERING PC	20-03062	WATER PROJECT "B" - RES. 9-193	<u>2,427.17</u>	0.00	B
				54,800.00		
C-06-20-138-701	VARIOUS WATER SYSTEM IMPROVEMENTS					
03210	BECKMEYER ENGINEERING PC	20-03062	WATER PROJECT "B" - RES. 9-193	23,072.83	0.00	B
00581	WEST CALDWELL TOWNSHIP	21-00314	EXTRA DUTY - BLMFLD & FOREST	<u>847.80</u>	0.00	
				23,920.63		
	Fund Total: WATER CAPITAL			109,117.80		
Fund:	SEWER CAPITAL					
C-08-19-136-901	TREATMENT PLANT UPGRADES					
00306	MOTT MACDONALD	20-03127	RESOLUTION NO: 3-88	14,722.50	0.00	B

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
C-08-20-138-801 00306 MOTT MACDONALD	VARIOUS SEWER IMPROVEMENTS	21-00308	PROFESSIONAL SERVICE BILLING	60,848.08	0.00	
	Fund Total: SEWER CAPITAL			75,570.58		
	Year Total:			284,909.26		
Fund:	GRANT FUND					
G-02-41-030-005 03328 SOURCE DIRECT GROUP	CLEAN COMMUNITIES - PRIOR YEARS	21-00305	FALL LEAFCOLLECTION PROCESSING	239.13	0.00	
G-02-41-042-018 00087 PAYROLL ACCOUNT	DRUNK DRIVING ENFORCEMENT FUND - 2018	21-00311	02/18/21 PAYROLL	194.27	0.00	
	Fund Total: GRANT FUND			433.40		
	Year Total:			433.40		
Fund:	TRUST OTHER					
T-11-55-286-007 04471 MMC CONSTRUCTION LLC	ESCROW FEES	21-00334	ESCROW REFUND - RES. 3-83	22,817.50	0.00	
T-11-55-286-008 04470 BALA PARTNERS LLC	TAX SALE PREMIUMS	21-00343	LIEN REDEEM CERT # 20-00005	44,200.00	0.00	
T-11-55-286-009 04470 BALA PARTNERS LLC	OUTSIDE TAX LIENS	21-00343	LIEN REDEEM CERT # 20-00005	4,413.95	0.00	
T-11-55-286-010 04470 BALA PARTNERS LLC	RECORDING FEES	21-00343	LIEN REDEEM CERT # 20-00005	65.00	0.00	
T-11-55-286-026 00087 PAYROLL ACCOUNT	POLICE OUTSIDE DUTY	21-00319	03/04/21 PAYROLL	3,520.00	0.00	
00083 CURRENT ACCOUNT		21-00320	03/04/21 PAYROLL- OUTSIDE DUTY	1,430.00	0.00	
				<u>4,950.00</u>		
T-11-55-286-031 00087 PAYROLL ACCOUNT	FOOD PANTRY DONATIONS	21-00311	02/18/21 PAYROLL	277.50	0.00	
00087 PAYROLL ACCOUNT		21-00319	03/04/21 PAYROLL	247.50	0.00	
00087 PAYROLL ACCOUNT		21-00326	03/18/21 PAYROLL	352.50	0.00	
				<u>877.50</u>		
T-11-55-286-033 04006 GTM SPORTSWEAR	CALDWELL CANNONS (SPEC. OLY) TRUST	20-00418	CALDWELL CANNONS	812.00	0.00	
	Fund Total: TRUST OTHER			78,135.95		
Fund:	PAYROLL FUND					
T-13-55-160-001 00087 PAYROLL ACCOUNT	DUE TO/FROM CURRENT	21-00313	TO RECORD 2/18 PAYROLL REVERSE	198,712.54	0.00	

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
T-13-55-160-011 00087	DUE TO/FROM TRUST PAYROLL ACCOUNT	21-00313	TO RECORD 2/18 PAYROLL REVERSE	277.50	0.00	
T-13-55-286-010 03240	ADP - NET PAYROLL ADP, INC.	21-00321	03/04/21 NET PAYROLL/PR TAXES	115,750.65	0.00	
03240	ADP, INC.	21-00327	03/18/21 NET PAYROLL/PR TAXES	<u>118,610.08</u>	0.00	
				234,360.73		
T-13-55-286-020 03240	ADP - PAYROLL TAXES ADP, INC.	21-00321	03/04/21 NET PAYROLL/PR TAXES	38,380.26	0.00	
03240	ADP, INC.	21-00327	03/18/21 NET PAYROLL/PR TAXES	<u>37,536.51</u>	0.00	
				75,916.77		
T-13-55-286-110 03444	MASS MUTUAL CONTRIBUTIONS MASSMUTUAL RETIREMENT SERVICES	21-00325	EE CONTRIBUTIONS w/E 03/04/21	1,545.86	0.00	
03444	MASSMUTUAL RETIREMENT SERVICES	21-00331	EE CONTRIBUTIONS w/E 03/18/21	<u>1,545.86</u>	0.00	
				3,091.72		
T-13-55-286-250 03447	AFLAC INSURANCE AFLAC INSURANCE	21-00341	MAR. 2021 EE CONTRIBUTION	1,003.20	0.00	
T-13-55-286-260 03955	NY LIFE INSURANCE NEW YORK LIFE INSURANCE	21-00340	MARCH 2021 BILLING	72.78	0.00	
T-13-55-286-510 02930	DCRP PRUDENTIAL RETIREMENT	21-00322	EMPLOYEE CONTRIBUTIONS-DCRP	82.64	0.00	
02930	PRUDENTIAL RETIREMENT	21-00328	EMPLOYEE CONTRIBUTIONS-DCRP	112.53	0.00	
02930	PRUDENTIAL RETIREMENT	21-00338	EMPLOYEE CONTRIBUTIONS-DCRP	<u>119.68</u>	0.00	
				314.85		
T-13-55-286-610 03446	UNION DUES - TEAMSTERS TEAMSTERS LOCAL 97 OF NJ	21-00332	MARCH 2021 EE CONTRIBUTION	408.00	0.00	
T-13-55-286-620 03445	UNION DUES - PBA WEST ESSEX PBA LOCAL	21-00324	PBA DUES w/E 03/04/2021	340.00	0.00	
03445	WEST ESSEX PBA LOCAL	21-00330	PBA DUES w/E 03/18/2021	<u>340.00</u>	0.00	
				680.00		
	Fund Total: PAYROLL FUND			514,838.09		
	Year Total:			592,974.04		

Revenue Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
1-01-08-111-002 04469	ROMAN, KIMBERLY					
	PARKING PERMITS					
		21-00307	PARKING PERMIT & CAR WASH REF.	150.00	0.00	
1-01-17-106-000 04472	BRODIE, MATHEW & DANIELLE					
	CURRENT YEAR TAXES RECEIVABLE					
		21-00335	OVERPAYMENT REFUND - RES. 3-81	2,500.00	0.00	
	Revenue Total:			2,650.00		

G/L Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
1-13-160-005 00087	DUE TO/FROM WATER UTILITY PAYROLL ACCOUNT	21-00316	2/18/2021 PAYROLL ADJ.	13,970.94	0.00	
1-13-160-007 00087	DUE TO/FROM SEWER UTILITY PAYROLL ACCOUNT	21-00316	2/18/2021 PAYROLL ADJ.	6,959.34	0.00	
	G/L Total:			20,930.28		

Total Charged Lines: 206 Total List Amount: 2,566,098.43 Total Void Amount: 0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	0-01	447,510.92	0.00	0.00	447,510.92
WATER OPERATING	0-05	210,472.19	0.00	0.00	210,472.19
SEWER OPERATING	0-07	<u>60,675.59</u>	<u>0.00</u>	<u>0.00</u>	<u>60,675.59</u>
Year Total:		718,658.70	0.00	0.00	718,658.70
CURRENT FUND	1-01	818,647.70	2,650.00	0.00	821,297.70
WATER OPERATING	1-05	31,462.43	0.00	0.00	31,462.43
SEWER OPERATING	1-07	95,432.62	0.00	0.00	95,432.62
PAYROLL FUND	1-13	<u>0.00</u>	<u>0.00</u>	<u>20,930.28</u>	<u>20,930.28</u>
Year Total:		945,542.75	2,650.00	20,930.28	969,123.03
GENERAL CAPITAL	C-04	100,220.88	0.00	0.00	100,220.88
WATER CAPITAL	C-06	109,117.80	0.00	0.00	109,117.80
SEWER CAPITAL	C-08	<u>75,570.58</u>	<u>0.00</u>	<u>0.00</u>	<u>75,570.58</u>
Year Total:		284,909.26	0.00	0.00	284,909.26
GRANT FUND	G-02	433.40	0.00	0.00	433.40
TRUST OTHER	T-11	78,135.95	0.00	0.00	78,135.95
PAYROLL FUND	T-13	<u>514,838.09</u>	<u>0.00</u>	<u>0.00</u>	<u>514,838.09</u>
Year Total:		592,974.04	0.00	0.00	592,974.04
Total of All Funds:		<u>2,542,518.15</u>	<u>2,650.00</u>	<u>20,930.28</u>	<u>2,566,098.43</u>



BOROUGH OF CALDWELL

Resolution No: 3-95

Date of Adoption: March 9, 2021

TITLE:

**RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED
For the Meeting of March 23, 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 March 23, 2021, the foregoing Resolution was duly adopted.

Borough Deputy Clerk

The foregoing Resolution, having been duly presented to me on March 23, 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

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



BOROUGH OF CALDWELL

Resolution No: 3-96

Date of Adoption: March 23, 2021

TITLE:

AUTHORIZING THE ISSUANCE OF A PERMIT FOR PEDDLER LICENSE OR IN ACCORDANCE WITH APPLICATION FILED. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE BOROUGH CLERK'S OFFICE – The Towne Scoop

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby approve the application for the issuance of a peddler license permit to The Towne Scoop, 542B Bloomfield Avenue, Verona, NJ 07044 in accordance with the application filed. Applicant and application have been investigated and approved by the Police Department and the Borough Clerk's Office.

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.

**BOROUGH OF CALDWELL
OFFICE OF THE ADMINISTRATOR**

March 23, 2021

To: Honorable Mayor and Borough Council

From: Brittany Heun, Deputy Clerk

Subject: Application for Peddler's License

Attached please find a copy of an Application for a Peddler's License from Jack O'Neil, 29 Elizabeth Street, Caldwell, NJ 07006 of The Towne Scoop, 8 Park Place, Verona, NJ 07044, 201-675-7465. A copy of this application has been forwarded to the Police Department for their review and report.

The applicant and application have been approved by the Clerks office and the Police Department. I will include a resolution on the agenda of the Council Business meeting on March 23, 2021

If you have any questions or require additional information do not hesitate to contact my office.

CALDWELL POLICE DEPARTMENT
1 PROVOST SQUARE • CALDWELL, NJ 07006
(973) 226-2602 • FAX (973) 364-0511



James H. Bongiorno
Chief of Police

TO: Brittany Heun, Deputy Borough Clerk

FROM: Sergeant Michael Pellegrino #442

REFERENCE: Application for Peddler License
Jack O'Neil The Towne Scoop
29 Elizabeth Street 8 Park Place
Caldwell, NJ 07006 Verona, NJ 07044

DATE: March 15, 2021

As per your request, regarding the above referenced matter, I have conducted an investigation into the company in question. The investigation of the proprietor listed produced no questionable findings and all licensed drivers and vehicles contained within the application are properly licensed, registered and insured. Therefore, I find no reason as to why this application should not be approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Pellegrino #442", is written over the typed name and number.

Sergeant Michael Pellegrino #442



BOROUGH OF CALDWELL

Resolution No: 3-97
Date of Adoption: March 23, 2021

TITLE:

RESOLUTION AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #20-00005, Block 41.01, Lot 32, 18 HIGHVIEW ROAD CALDWELL, NJ 07006

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

WHEREAS, at the Borough of Caldwell Tax sale held on 12-22-2020 a lien was sold on Block 41.01 Lot 32, The Tax Collector's Office has received payment for redemption of Tax Title Lien # 20-00005 on Block 41.01 Lot 32 known as: 18 Highview Road in the name of McGowan, Christopher & Michelle

WHEREAS, the Homeowner has effected redeemed the certificate # 20-00005 in the amount of \$4,478.95 With a Premium amount of \$44,200.00 to also be returned to the Lien Holder.

WHEREAS, reimbursements are now required to be made to the following Lien Holder:
Bala Partners LLC
PO BOX 30
Pottersville, NJ 07979

From Tax Lien Redemption Account, Lien, Penalty, Interest and Costs:

Table with 2 columns: Category and Amount. Rows include PRINCIPAL (\$ 4,413.95), RECORDING FEE (\$ 65.00), PREMIUM (\$ 44,200.00), and TOTAL REDEMPTION (\$ 48,678.95).

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey that the borough Treasurer is authorized to prepare a check in the amount of \$49,751.94 made payable to:

"ABOVE LIEN HOLDER"

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Township Treasurer.

I HEREBY CERTIFY the above to be a true copy of the Resolution adopted by the Borough Council of the Borough of Caldwell at a duly convened meeting held on 3-23-2021

RECORD OF COUNCIL VOTE

presented the following resolution - Seconded by:

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

Table with 10 columns for council members and their votes. Rows include Schmidt, Lace, Rodgers, DePalma-Iozzi, and Cole, Gates.

Brittany Heun, Deputy Clerk

John Kelley, Mayor

BOROUGH OF CALDWELL
 1 PROVOST SQUARE
 CALDWELL, NJ 07006
 TEL (973)403-4632 FAX (973)226-6102

REQUISITION	
NO.	R1-00108

S H I P T O	TAX COLLECTION 1 PROVOST SQUARE CALDWELL, NJ 07006
V E N D O R	VENDOR #: 04470 BALA PARTNERS LLC PO BOX 30 POTTERSVILLE, NJ 07979

ORDER DATE: 03/16/21
 DELIVERY DATE:
 STATE CONTRACT:
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	LIEN REDEEM CERT # 20-00005	T-11-55-286-009	4,413.9500	4,413.95
		OUTSIDE TAX LIENS		
1.00	LIEN REDEEM CERT # 20-00005	T-11-55-286-010	65.0000	65.00
		RECORDING FEES		
1.00	LIEN REDEEM CERT # 20-00005	T-11-55-286-008	44,200.0000	44,200.00
		TAX SALE PREMIUMS		
			TOTAL	48,678.95

 REQUESTING DEPARTMENT

 DATE



BOROUGH OF CALDWELL

Resolution No: 3-98
 Date of Adoption: March 23, 2021

TITLE:

RESOLUTION AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE –Sisters of Saint Dominic -Off Premise – Calendar Raffle – 8/31/21,9/7/21, 9/14/21, 9/21/21, 9/28/21, 10/5/21, 10/12/21, 10/19/21, 10/26/21, 11/2/21, 11/9/21, 11/16/21, 11/23/21 – 2 PM

Recommended for approval by:

Approved as to form and legality by:

 Thomas Banker, Administrator

 Title:

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-1448 Sisters of Saint Dominic
 Off-Premise – Calendar Raffle
 August 31, 2021, September 7, 2021, 9/14/21, 9/21/2021,
 9/28/2021, October 5, 2021, 10/12/2021, 10/19/2021,
 10/26/2021, November 2, 2021, 11/9/2021, 11/16/2021,
 11/23/2021 – 2 pm

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

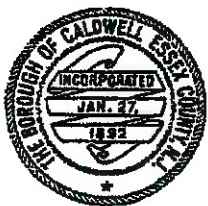
_____ presented the following resolution - Seconded by: _____

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

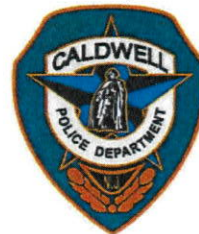
Schmidt					Lace				
Rodgers					DePalma-Iozzi				
Cole					Gates				

Brittany Heun, Deputy Clerk

John Kelley, Mayor



CALDWELL POLICE DEPARTMENT
DETECTIVE BUREAU




One Provost Square – Caldwell, NJ 07006
(973) 226-2600 – Fax (973) 226-0026

James H. Bongiorno - Chief of Police

TO: Brittany Heun, Deputy Clerk
FROM: Sergeant Mike Pellegrino #442
DATE: March 18, 2021
SUBJECT: Raffle License Applications
REFERENCE: RA -1448 Sisters of Saint Dominic
Off-Premise – Calendar Raffle
August 31, 2021, September 7,14,21, 28, 2021, October
5,12,19,26,2021, November 2,9,16,23, 2021 – 2PM

As per your request, regarding the above referenced matter, I have investigated all parties involved and have found no reasons so as to the denial of this application. If there are any questions please do not hesitate to contact me. Thank you.

Respectfully submitted,



Sergeant Mike Pellegrino #442

**BOROUGH OF CALDWELL
OFFICE OF THE ADMINISTRATOR**

March 17, 2021

MEMORANDUM

To: Honorable Mayor and Borough Council

From: Brittany Heun, Deputy Clerk

Subject: **Raffle License Application**

Attached please find copies of the following Raffle license application that has been submitted to the Borough for our approval:

RA-1448 Sisters of Saint Dominic
Off-Premise – Calendar Raffle
August 31, 2021, September 7, 2021, 9/14/21, 9/21/2021,
9/28/2021, October 5. 2021, 10/12/2021, 10/19/2021,
10/26/2021, November 2, 2021, 11/9/2021, 11/16/2021,
11/23/2021 – 2 pm

The applicant and applications have been approved by the Clerk's office and Police Department. I will include a resolution on the agenda of the Council Business meeting on March 9, 2021.

If you have any questions or require any additional information please do not hesitate to call my office.



BOROUGH OF CALDWELL

Resolution No: 3-101
 Date of Adoption: March 23, 2021

TITLE:

RESOLUTION AUTHORIZING THE PURCHASE OF A 2021 SINGLE AXLE HOOK LOADER, CONTAINER BODY FROM TONY SANCHEZ LTD., 1685 U.S. ROUTE 46, LEDGEWOOD, NJ 07852 FOR THE CALDWELL DEPARTMENT OF PUBLIC WORKS UNDER THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR AN AMOUNT OF \$135,340.52

Recommended for approval by:

 Thomas Banker, Administrator

Approved as to form and legality by:

 Title:

WHEREAS, the Borough of Caldwell, pursuant to N.J.S.A 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any contracts entered into on behalf of an authorized Cooperative purchasing organization and;

WHEREAS, The Morris County Cooperative Pricing Council is such an organization and has established pricing for certain heavy duty truck bodies; and

WHEREAS, the Borough of Caldwell Department of Public Works has the need for a 2021 Single axle Hook Loader, Container Body and;

WHEREAS, the Borough of Caldwell intends to purchase with Tony Sanchez Ltd, 1685 U.S. Route 46, Ledgewood, NJ 07852 a 2021 Single axle Hook Loader, Container Body for an amount of \$135,340.52, as detailed in the attached price quotation;

NOW THEREFORE BE IT RESOLVED that the Borough of Caldwell authorizes the Borough Administrator to purchase the goods and services for the Borough of Caldwell as described herein;

CERTIFICATION OF AVAILABLE FUNDS

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

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.



BOROUGH OF CALDWELL

Resolution No: 3-102
Date of Adoption: March 23, 2021



Tony Sanchez Ltd. 

Sales / Service Of Heavy Duty Truck Equipment
1685 U.S. Rt. 46
Ledgewood, New Jersey 07852
973-398-3398
Fax 973-328-3607

Caldwell Township
Provost Square
Caldwell N.J. 07006

March 11, 2021
Att: Mario Bifalco

2021 Single axle Hook Loader, Container Body

- Ampliroll A1120S-14 Hook Loader:Included
 - Lifting Capacity 26,000 Lb
 - 11'-116' Ft Containers
 - Dual Arm Cylinders
 - 54" Hook
 - Installed On Truck Chassis
 - Poly Fenders
- Roll Rite Electric Hydraulic Tarp System:Included
 - Raising Gantry
 - Fixed Aluminum Side Arms
- Safety Lighting:Included
 - 2 Yellow L.E.D. Oval Strobes Mounted In Icc Bar
 - 48" Roof Mount LED Light Bar
 - 2 Red L.E.D. Oval Stop-Turn Tail, In Icc Bar
 - Snow Plow Lights-Dual Beam All Weather Low Profile
 - 2 Salt Spreader Flood Light
 - Icc Lights And Reflective Tape
- Hydraulic System:Included
 - Pto & Direct Mount Pump Axial Piston -5,700 Psi 15 Gpm @ 1,500 (Rpm) Sae B,
 - 35 Gallon Ss Tank And Valve Enclosure
 - Air Control Operated Hook Loader & Plow
 - SS Hydraulic Tank & Valve Enclosure
 - Electronic Spreader Control & Prewtting
- Diamond Aluminum Tool Box:.....Included
 - Saddle Mounted
 - 24"x 24" x24"
- Front Hitch:.....Included
 - Gledhill Road Machinery Company Hitch
 - Hitch Will Be A Front Frame Low Profile Type Design.
 - Hitch Will Have 5/8" Thick Custom Built Side Plates. QCP Receiver
- Pintle Hook 25 Ton & H.D. D Rings:.....Included
 - ICC Bar - Led Stop / Turn / Tail Lights Mounted In ICC Step
 - Icc Lights And Reflective Tape
- Gled Hill H.D. Snow Plow.....Included



BOROUGH OF CALDWELL

Resolution No: 3-103
Date of Adoption: March 23, 2021

CALDWELL POLICE DEPARTMENT
1 PROVOST SQUARE • CALDWELL, NJ 07006
(973) 226-2602 • FAX (973) 364-0511
DETECTIVE BUREAU



James H. Bongiorno
Chief of Police

TO: Brittany Heun, Borough Clerk
FROM: Sergeant Mike Pellegrino #442
DATE: March 22, 2021
SUBJECT: Application for Canvasser and/or Solicitor Permit
REFERENCE: Power Home Remodeling
c/o Josh Peltz
2147 Route 27 South
Edison, New Jersey 08817

Stephen Lauro 9 Hampton Road Airmont, New York 10901 (Employee)
James Conlon 60 Sickletown Road West Nyack, New York 10994 (Employee)
John Doran 521 Willow Avenue Apt 1R Hoboken, New Jersey 07030 (Employee)
Dominick Parrinello 1831 Ludlow Street Rahway, New Jersey 07065 (Employee)

As per your request, regarding the above referenced matter, I have investigated all parties involved and have found no reasons as to the denial of this application. If you wish to discuss this matter further please contact me at your earliest convenience.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mike Pellegrino #442", written over a horizontal line.
Sergeant Mike Pellegrino #442

Brittany Heun, Deputy Clerk

John Kelly, Mayor