



***BOROUGH OF CALDWELL
NEW JERSEY***



SPECIAL COUNCIL BUSINESS / CONFERENCE MEETING

November 12, 2021

Borough of Caldwell
1 Provost Square
Caldwell, New Jersey 07006
5:15PM



Borough of Caldwell Special Council Meeting

AGENDA

Phone: (973) 226-6100

Website: www.caldwell-nj.com

November 12, 2021 / 7:15PM

MAYOR
John Kelley

BOROUGH COUNCIL
Christine Schmidt - President
Francis Rodgers
Henderson Cole
Jonathan Lace
Frances DePalma-Iozzi
Jeffrey Gates

Council Chambers
1 Provost Square Caldwell, NJ

CALL TO ORDER

Honorable John Kelley, Mayor of the Borough of Caldwell Presiding

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

APPROVAL OF MINUTES

November 9, 2021

OPEN PUBLIC MEETING - COMMENTS ON RESOLUTIONS OR ANY TOPIC

Max Time: 3min per speaker

Members of the public are invited to comment at this time on ANY issues, whether or not on the agenda

INTRODUCTION OF ORDINANCE

- ORDINANCE 1422-21** BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$6,500,000 FOR AID TO THE DOWNTOWN CALDWELL REDEVELOPMENT PROJECT LOCATED IN THE DOWNTOWN CALDWELL REDEVELOPMENT AREA IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$6,500,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.
- ORDINANCE 1423-21** AN ORDINANCE AMENDING THE BOROUGH OF CALDWELL REDEVELOPMENT PLAN IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL REDEVELOPMENT AND HOUSING LAW

RESOLUTIONS - CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.

11-248	RESOLUTION AWARDED A CONTRACT TO CIFELLI & SON GENERAL CONTRACTING, INC., 81 FRANKLIN AVENUE, NUTLEY, N.J. 07110 FOR VARIOUS STREETS-2020-CALDWELL BIRKENDENE ROAD, LEAYCRAFT LANE, LOCKWARD ROAD & THOMAS STREET
11-249	RESOLUTION AWARDED A CONTRACT TO TWO BROTHERS CONTRACTING, INC., 11 VREELAND AVENUE, TOTOWA, NJ 07512 FOR THE BOROUGH PROJECT ENTITLED CALDWELL HEALTH AND HUMAN SERVICES BUILDING 14 PARK AVENUE INTERIOR DEMOLITION
11-250	RESOLUTION AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #20-00002, BLOCK 36, LOT 30, 44 RAVINE AVENUE, CALDWELL, NJ 07006
11-251	RESOLUTION AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #20-00004, BLOCK 39, LOT 2, 63 RAVINE AVENUE, CALDWELL, NJ 07006
11-252	RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED For the Meeting of November 12, 2021



Borough of Caldwell Special Council Meeting

AGENDA

Phone: (973) 226-6100

Website: www.caldwell-nj.com

November 12, 2021 / 7:15PM

MAYOR

John Kelley

BOROUGH COUNCIL

Christine Schmidt - President

Francis Rodgers

Henderson Cole

Jonathan Lace

Frances DePalma-Iozzi

Jeffrey Gates

Council Chambers
1 Provost Square Caldwell, NJ

EXECUTIVE SESSION

Closed Session

BE IT HEREBY RESOLVED in accordance with the provisions of N.J.S.A. 10:12 and 13, the public shall be excluded from the Executive Session of the Governing Body which is being held for the discussion of the following subject matters: 1. Pending or anticipated litigation or contract negotiation; 2. Personnel matters; 3. This Executive Session shall continue for an indefinite period of time and upon termination of the Executive Session, the Governing Body may choose to resume the public portion of the meeting. The discussion, which shall be conducted in closed session, shall be disclosed upon termination of litigation or contractual matter, upon resolution of the personnel matter with consent of said person or persons and as provided by N.J.S.A. 4-12 but in no case later than two (2) years from this date. These minutes shall be available as soon as the matter is resolved or not later than two years hence.

ADJOURNMENT

Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda. This agenda was prepared as of 11/10/2021 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 11/10/2021 in compliance with P. L. 1975, c 213

Brittany Heun, Deputy Clerk
Kim Conlon, Deputy Clerk



BOROUGH OF CALDWELL

ORDINANCE NO. 1422-21

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$6,500,000 FOR AID TO THE DOWNTOWN CALDWELL REDEVELOPMENT PROJECT LOCATED IN THE DOWNTOWN CALDWELL REDEVELOPMENT AREA IN AND BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$6,500,000 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:

WHEREAS, by Resolution No. 9-205 adopted on September 17, 2019, the Borough Council of the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"), designated certain properties within the Borough's commercial downtown, predominantly but not exclusively situated on Bloomfield Avenue, and all as set forth in Appendix A to the hereinafter defined Redevelopment Plan by Block and Lot on the official Tax Maps of the Borough, as an area in need of rehabilitation (the "Redevelopment Area") in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Redevelopment Law"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, by Ordinance No. 1394-20 adopted on December 15, 2020, as amended by Ordinance No. 1410-21 adopted on May 4, 2021 and as further amended by Ordinance No. 1422-21 adopted on December 14, 2021, the Borough Council of the Borough has duly adopted, as amended from time to time, the "Downtown Caldwell Redevelopment Plan" (collectively, and as the same may be further amended from time to time, the "Redevelopment Plan"), which sets forth the Borough's plan for the redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to the Redevelopment Law, the Borough has elected to act as redevelopment entity (the "Redevelopment Entity") to implement the Redevelopment Plan and carry out the hereinafter defined Redevelopment Project described therein, within the Redevelopment Area; and

WHEREAS, on June 22, 2021, the Borough finally adopted Bond Ordinance No. 1411-21, appropriating \$17,000,000 and authorizing the issuance of \$17,000,000 in bonds and bond anticipation notes to provide aid of the redevelopment project described in the Redevelopment Plan; and

WHEREAS, the Borough now wishes to provide an additional appropriation in the amount of \$6,500,000 and authorize the issuance of bonds and bond anticipation notes in a like amount to further aid the redevelopment project described in the Redevelopment Plan.

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 recitals to this bond ordinance are hereby incorporated as if set forth in full herein.

Section 2. The improvement described in Section 4 of this bond ordinance has heretofore been authorized to be undertaken by the Borough as a general improvement. For the improvement or purpose described in Section 4, there is hereby appropriated the supplemental amount of \$6,500,000, such sum being in addition to the \$17,000,000 appropriated therefor by Bond Ordinance No. 1411-21 of the Borough, finally adopted June 22, 2021 (the "Original Bond Ordinance"). No down payment is required pursuant to N.J.S.A. 40A:12A-37(c) as this bond ordinance authorizes obligations for the purpose of aiding the Redevelopment Entity with respect to the Redevelopment Project within the Borough.

Section 3. In order to finance the additional cost of the improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$6,500,000 pursuant to the Redevelopment 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 Redevelopment Law.

Section 4. (a) The improvements hereby authorized and the purposes for which the bonds are to be issued is to aid in the redevelopment project described in the Redevelopment Plan, including, but not limited to, acquisition of land, construction and/or renovation, as applicable, of Borough Hall, Police Headquarters, Health and Human Services Center, Community Center, Library structured and surface parking, pedestrian improvements, roadways, including but not limited to the re-alignment of Bloomfield Avenue, and signalization of intersections, including all work and materials necessary therefore and incidental thereto (collectively, and as further described in the Redevelopment Plan, the "Redevelopment Project").

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$23,500,000, including the \$17,000,000 authorized by the Original Bond Ordinance and the \$6,500,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$23,500,000, including the \$17,000,000 appropriated by the Original Bond Ordinance and the \$6,500,000 appropriated herein.

Section 5. 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 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 Redevelopment 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 6. 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 7. 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) Pursuant to N.J.S.A. 40A:12A-37(c), the obligations authorized herein shall mature in annual installments ending not more than forty years from the date of issuance.

(c) The Supplemental Debt Statement required by the Redevelopment 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 Redevelopment Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$6,500,000, and the obligations authorized herein will be within all debt limitations prescribed by the Redevelopment Law.

(d) An aggregate amount not exceeding \$4,500,000 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. Of this amount, \$4,000,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$500,000 is estimated therefor herein.

(e) The obligations of the Borough authorized by this bond ordinance shall bear interest at a maximum rate of not to exceed six (6.00%) per centum per annum.

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 Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 4 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 10. 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 11. 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 property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption.

DATE OF FIRST READING: **November 12, 2021**

DATE OF ADOPTION:

MOVED:

MOVED:

SECONDED:

SECONDED:

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: 11-248

Date of Adoption: November 11, 2021

TITLE:

RESOLUTION AWARDING A CONTRACT TO CIFELLI & SON GENERAL CONTRACTING, INC., 81 FRANKLIN AVENUE, NUTLEY, N.J. 07110 FOR VARIOUS STREETS-2020-CALDWELL BIRKENDENE ROAD, LEAYCRAFT LANE, LOCKWARD ROAD & THOMAS STREET

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

- WHEREAS,** the Borough of Caldwell advertised for and received bids for Various Streets-2020 Birkendene Road, Leaycraft Lane, Lockward Road & Thomas Street on November 9, 2021 and
- WHEREAS,** the Borough of Caldwell received proposals from (6) proposers; and
- WHEREAS,** this matter was reviewed by the Mayor and Council of the Borough of Caldwell; and
- WHEREAS,** the lowest responsible bidder was Cifelli & Sons General Contracting, Inc., 81 Franklin Avenue, Nutley, N.J. 07110 with a Base Bid of \$974,840.77 and a Contingency of \$146,226.12 and Total Bid of \$1,121,066.89 and
- WHEREAS,** the Contract is to be funded by The New Jersey Transportation Trust Fund Authority Act Fiscal Year 2020 Municipal Aid, MA-2020,
- WHEREAS,** Cifelli & Sons General Contracting, Inc. agrees to fully complete the work described in the Plans and Specifications in One Hundred and Twenty (#120) Days from the execution of the Contract and follow the "New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction, 2019" and applicable Special Provisions and Supplemental Specifications,
- WHEREAS,** Cifelli & Sons General Contracting, Inc. agrees that if the project is delayed beyond the time stipulated within the Contract the Contractor shall pay the Borough of Caldwell \$1,000.00 for each day that the project Various Streets-2020-Caldwell Birkendene Road, Leaycraft Lane, Lockward Road & Thomas Street is delayed,
- WHEREAS,** the governing body of the Borough of Caldwell pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

NOW THEREFORE, BE IT RESOLVED, that Borough Council of the Borough of Caldwell, New Jersey does hereby authorize the award of a contract for Various Streets-2020 Birkendene Road, Leaycraft Lane, Lockward Road & Thomas Street To Cifelli & Sons General Contracting, Inc., 81 Franklin Avenue, Nutley, N.J. 07110 as specified in the bid specification in the contract amount of Base Bid of \$974,840.77 and Contingency of \$146,226.12 and Total Bid of \$1,121,066.89 **CONTINGENT** upon Cifelli & Sons General Contracting, Inc. completing all remaining work and punch lists related to prior Caldwell Projects "2017 Roadway Improvement Program Gould Place, Wakefield Place and Ward Place" and "Various Streets - 2018 - Caldwell Central Place, Francis Place, Kirkwood Place, Overlook Road and Westover Avenue" by end of day November 30, 2021. Failure of Cifelli & Sons General Contracting, Inc. to complete all prior Projects by said date renders this resolution **null and void**.

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

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

Line Item	Description	Amount

Christopher Battaglia, CFMO

Date

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: 11-249
 Date of Adoption: November 12, 2021

TITLE:

**RESOLUTION AWARDING A CONTRACT TO TWO BROTHERS CONTRACTING, INC.,
 11 VREELAND AVENUE, TOTOWA, NJ 07512 FOR THE BOROUGH PROJECT ENTITLED
 "CALDWELL HEALTH AND HUMAN SERVICES BUILDING 14 PARK AVENUE INTERIOR
 DEMOLITION"**

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

- WHEREAS,** the Borough of Caldwell advertised for and received bids for "Caldwell Health and Human Services Building 14 Park Avenue Interior Demolition" on October 26, 2021 and
- WHEREAS,** the Borough of Caldwell received proposals from (4) proposers; and
- WHEREAS,** this matter was reviewed by the Mayor and Council of the Borough of Caldwell; and
- WHEREAS,** the lowest responsible bidder was **Two Brothers Contracting, 11 Vreeland Avenue, Totowa, NJ 07512** with a Base Bid of \$71,200.00 and a Contingency of \$7,210.00 and Total Bid of \$79,310.00 and
- WHEREAS,** **Two Brothers Contracting agrees to fully complete the work described in the Plans and Specifications in Forty-Five (#45) Days from the execution of the Contract,**
- WHEREAS,** **Two Brothers Contracting agrees that if the project is delayed beyond the time stipulated within the Contract the Contractor shall pay the Borough of Caldwell \$250.00 for each day that the project Caldwell Health and Human Services Building 14 Park Avenue Interior Demolition is delayed,**
- WHEREAS,** the governing body of the Borough of Caldwell pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

NOW THEREFORE, BE IT RESOLVED, that Borough Council of the Borough of Caldwell, New Jersey does hereby authorize the award of a contract for Caldwell Health and Human Services Building 14 Park Avenue Interior Demolition to Two Brothers Contracting, 11 Vreeland Avenue, Totowa, NJ 07512 as specified in the bid specification in the contract amount with a Base Bid of \$71,200.00 and a Contingency of \$7,210.00 and Total Bid of \$79,310.00

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

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

Line Item	Description	Amount
Christopher Battaglia, CFMO		Date

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: 11-250
Date of Adoption: November 12, 2021

TITLE:

RESOLUTION AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #20-00002, BLOCK 36, LOT 30, 44 RAVINE AVENUE, 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 36 Lot 30. The Tax Collector's Office has received payment for redemption of Tax Title Lien # 20-00002 on Block 36 Lot 30 known as: 44 Ravine Avenue in the name of Graham, Agnes T.

WHEREAS, the Homeowner has effected redeemed the certificate # 20-00002 in the amount of \$10,381.44. With a Premium amount of \$25,900 to also be returned to the Lien Holder.

WHEREAS, reimbursements are now required to be made to the following Lien Holder:
Daxuan Wang
11 Walnut Street
Livingston, NJ 07039

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

Table with 2 columns: Category and Amount. Rows include PRINCIPAL (\$10,369.44), RECORDING FEE (\$12.00), PREMIUM (\$25,900.00), and TOTAL REDEMPTION (\$36,281.44).

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 \$36,281.44 made payable to:

"ABOVE LIEN HOLDER"

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough 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 11/12/2021.

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, Rodgers, Cole, Lace, DePalma-Iozzi, and 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

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

REQUISITION	
NO.	R1-00540

S H I P T O	TAX COLLECTION 1 PROVOST SQUARE CALDWELL, NJ 07006
V E N D O R	VENDOR #: 04457 WANG, DAXUAN 11 WALNUT ST. LIVINGSTON, NJ 07039

ORDER DATE: 11/04/21
 DELIVERY DATE:
 STATE CONTRACT:
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	LIEN REDEMPTION # 20-00002	T-11-55-286-010	12.0000	12.00
1.00	LIEN REDEMPTION # 20-00002	T-11-55-286-008 RECORDING FEES	25,900.0000	25,900.00
1.00	LIEN REDEMPTION # 20-00002	T-11-55-286-009 TAX SALE PREMIUMS	10,369.4400	10,369.44
		OUTSIDE TAX LIENS		
			TOTAL	36,281.44

 REQUESTING DEPARTMENT

 DATE



BOROUGH OF CALDWELL

Resolution No: 11-251
Date of Adoption: November 12, 2021

TITLE:

RESOLUTION AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #20-00004, BLOCK 39, LOT 2, 63 RAVINE AVENUE, 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 39 Lot 2. The Tax Collector's Office has received payment for redemption of Tax Title Lien # 20-00004 on Block 39 Lot 2 known as: 63 Ravine Avenue in the name of NJRE Development LLC.

WHEREAS, the Homeowner has effected redeemed the certificate # 20-00004 in the amount of \$11,403.86. With a Premium amount of \$30,300.00 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 303
Pottersville, NJ 07979

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

Table with 2 columns: Item, Amount. Rows: PRINCIPAL \$ 11,339.86, RECORDING FEE \$ 65.00, PREMIUM \$ 30,300.00, TOTAL REDEMPTION \$ 41,703.86

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 \$41,703.86 made payable to:

"ABOVE LIEN HOLDER"

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough 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 11/12/2021.

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 for Schmidt, Rodgers, Cole, Lace, DePalma-Iozzi, 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
 1 PROVOST SQUARE
 CALDWELL, NJ 07006
 TEL (973)403-4632 FAX (973)226-6102

REQUISITION	
NO.	R1-00554

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: 11/10/21
 DELIVERY DATE:
 STATE CONTRACT:
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	LIEN REDEMPTION # 20-00004	T-11-55-286-010	65.0000	65.00
1.00	LIEN REDEMPTION # 20-00004	T-11-55-286-009 RECORDING FEES	11,338.8600	11,338.86
1.00	LIEN REDEMPTION # 20-00004	T-11-55-286-008 OUTSIDE TAX LIENS	30,300.0000	30,300.00
		TAX SALE PREMIUMS		
			TOTAL	41,703.86

 REQUESTING DEPARTMENT

 DATE



**BOROUGH OF CALDWELL
NEW JERSEY**

Resolution No: 11-252
Date of Adoption: November 12, 2021

TITLE:

**RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED
For the Meeting of November 12, 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 November 12, 2021, the foregoing Resolution was duly adopted.

Borough Deputy Clerk

The foregoing Resolution, having been duly presented to me on November 12, 2021 I hereby approve the same.

Mayor

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.