



***BOROUGH OF CALDWELL
NEW JERSEY***



COUNCIL BUSINESS / CONFERENCE MEETING

November 23, 2021

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



**BOROUGH OF CALDWELL
NEW JERSEY**

Resolution No: 11-253
Date of Adoption: November 23, 2021

TITLE:

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

Borough Deputy Clerk

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



BOROUGH OF CALDWELL

Resolution No: 11-255
Date of Adoption: November 23, 2021

TITLE:

RESOLUTION AUTHORIZING THE LIEN REDEMPTION OF CERTIFICATE #19-00011, BLOCK 50, LOT 34, 14 ELIZABETH STREET, 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 12/19/2019 a lien was sold on Block 50 Lot 34. The Tax Collector's Office has received payment for redemption of Tax Title Lien #19-00011 on Block 50 Lot 34 known as: 14 Elizabeth Street in the name of Flavell, Mary.

WHEREAS, the Homeowner has affected redeemed the certificate #19-00011 in the amount of \$27,612.39. With a Premium amount of \$13,5000.00 to also be returned to the Lien Holder.

WHEREAS, reimbursements are now required to be made to the following Lien Holder: Realty Solutions JV LLC, John Venutolo, Summit, NJ 07901

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

Table with 2 columns: Category (PRINCIPAL, RECORDING FEE, PREMIUM, TOTAL REDEMPTION) and Amount (\$ 27,547.39, \$ 65.00, \$ 13,500.00, \$ 41,112.39)

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 \$41,112.39 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 11/23/2021.

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 (Yes, No, Absent, Abstain) for three members: Schmidt, Rodgers, Cole and 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.	R1-00573

S H I P T O	TAX COLLECTION 1 PROVOST SQUARE CALDWELL, NJ 07006
V E N D O R	VENDOR #: 04360 REALTY SOLUTIONS JV, LLC 25 HUGHES PLACE SUMMIT, NJ 07901

ORDER DATE: 11/12/21
 DELIVERY DATE:
 STATE CONTRACT:
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	LIEN REDEMPTION # 19-00011	T-11-55-286-010	65.0000	65.00
		RECORDING FEES		
1.00	LIEN REDEMPTION # 19-00011	T-11-55-286-009	27,547.3900	27,547.39
		OUTSIDE TAX LIENS		
1.00	LIEN REDEMPTION # 19-00011	T-11-55-286-008	13,500.0000	13,500.00
		TAX SALE PREMIUMS		
			TOTAL	41,112.39

REQUESTING DEPARTMENT

DATE



BOROUGH OF CALDWELL

Resolution No: 11-256
Date of Adoption: November 23, 2021

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH OF CALDWELL TO EXECUTE THE CONTRACT FOR THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL, FOR BODY-WORN CAMERA GRANT PROGRAM

Recommended for approval by:

Thomas Banker, Administrator

Approved as to form and legality by:

Title:

WHEREAS, the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General (OAG) received funds from the SFY21 Budget to administer the Body-Worn Camera Grant Program (BWCGP), and

WHEREAS, the State of New Jersey Law and Public Safety Office of the Attorney General has given notice of availability of funds for Body-Worn Camera Grant Program, and

WHEREAS, the name of the program is "SFY21 Body-Worn Camera Grant Program" (BWC Grant Program), and

WHEREAS, the BWC Grant Program is designed to provide eligible law enforcement agencies with State funding to aid in the purchase of body-worn cameras, ancillary equipment and storage, and

WHEREAS, under the BWC Grant Program, law enforcement agencies are eligible to receive grant funding for the purchase of body-worn cameras and related expenses, and

WHEREAS, the recipients of BWC Grant Program funding will be allotted a fixed dollar amount for each camera to be purchased; this dollar amount will exceed the cost of a camera, and

WHEREAS, the excess funding is to be used for ancillary equipment such as clips, chargers, batteries, etc., as well as storage costs, and

WHEREAS, funding is to be used towards the cost of implementing the BWC Grant Program; and

WHEREAS, the Applicant must certify that all grant funds will be used exclusively for the purposes specified in the grant award; and it will pay for all costs in excess of the grant award.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council, of the Borough of Caldwell, County of Essex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby accept the SFY21 Body-Worn Grant Program (BWCGP), Award number 21-BWC-078, for the period of January 1, 2021 – December 31, 2025, in the amount of:

BWCGP	\$44,836
Cash Match	\$0
TOTAL	\$44836

2. The Borough Council acknowledges the terms and conditions for administering the Body-Warn Grant Program, including the administrative compliance and audit requirements.

APPROVED: _____

John Kelley, Mayor

CERTIFICATION

I, Brittany Heun, Deputy Municipal Clerk of the Borough of Caldwell, County of Essex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 23rd day of November, 2021.

Brittany Heun Deputy Municipal Clerk

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.



**NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL
AWARD CONTRACT**

PROJECT TITLE SFY21 Body-Worn Camera Grant Program	AWARD AMOUNT STATE: \$44,836.00 MATCH: \$0 TOTAL: \$44,836.00
IMPLEMENTING AGENCY	
RECIPIENT Caldwell	
STATE ACCOUNT NO. BFY21-100-066-1020-495	DATE OF AWARD 11/10/2021

In accordance with the provisions of P.L. 2020, c. 142, N.J.S.A. 40A:14-118.3-5, the Attorney General Law Enforcement Directive No. 2015-1, and based on the program application, the Office of the Attorney General hereby awards to the above-named Subrecipient, a subaward in the amount specified for the purposes set forth in the approved application.

The subaward is subject to all applicable federal and state statutes and the requirements set forth in the general conditions, special conditions, approved budget, application authorization, and certifications attached to this program. The subaward is also subject to all applicable federal, state, and local financial accounting requirements, including the filing of single audits as required by 2 C.F.R. Part 200.500 et seq. and State Circular Letters 15-08-OMB and 07-05-OMB (if applicable). Lastly, this Subaward incorporates all conditions and representations contained or made in the application and notice of availability of funds.

FOR THE RECIPIENT



Signature of Authorizing Official

John Kelley, Mayor

Typed Name and Title of Authorizing Official

FOR THE STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY,
OFFICE OF THE ATTORNEY GENERAL

Attorney General or Designee

Date

Award Number: 21-BWC-078

Award Period:
January 1, 2021 - December 31, 2025

Recipient Fiscal Year Start Date:

Contact:
Edward Mount, Grant Analyst
Office of the Attorney General
edward.mount@njoag.gov



BOROUGH OF CALDWELL

Resolution No: 11-257

Date of Adoption: November 23, 2021

TITLE:

RESOLUTION AUTHORIZING THE SUSPENSION OF METERED PARKING PAYMENTS FOR THE HOLIDAY SEASON

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

Whereas, the Borough of Caldwell utilizes parking meters to regulate the availability of parking in the downtown area; and

Whereas, the Borough wishes to provide incentives to people throughout the West Essex region to patronize Borough businesses during the holiday shopping season; and

Whereas, the Borough believes that the availability of free parking may serve to expand the amount of economic activity in the downtown area during the holiday shopping season;

Now, Therefore be it Resolved by the Mayor and Council of the Borough of Caldwell New Jersey That:

1. The Borough Administrator is hereby authorized and directed to suspend the requirements for the making of payments for parking in all spaces regulated by parking meters;
2. The Borough Administrator is further authorized and directed to make such suspension known to all potential parking users through the use of signage and/or the use of covers installed over the parking meters.

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



BOROUGH OF CALDWELL

Resolution No: 11-258
Date of Adoption: November 23, 2021

TITLE:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87

Recommended for approval by:

Thomas Banker, Administrator

Approved as to form and legality by:

Title:

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Caldwell in the County of Essex in the State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$10,000.00, which is now available from "Sustainable NJ" in the amount of \$10,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$10,000.00 is hereby appropriated under the caption "Sustainable NJ"; and

BE IT FURTHER RESOLVED that the above is the result of funds from the Sustainable Jersey Grant funded by the PSE&G Foundation in the amount of \$10,000.

Resolution No.
Offered by
Adopted

Seconded by
Deputy Municipal Clerk

I, Brittany Heun, Deputy Municipal Clerk of the Borough of Caldwell in the County of Essex in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough of Caldwell in the County of Essex in the State of New Jersey.

RECORD OF COUNCIL VOTE

presented the following resolution - Seconded by:

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

Table with 10 columns for council members and their votes (Yes, No, Absent, Abstain). Rows include Schmidt, Rodgers, Cole, Lace, DePalma-Iozzi, and Gates.

Brittany Heun, Deputy Clerk

John Kelley, Mayor



BOROUGH OF CALDWELL

Resolution No: 11-259
Date of Adoption: November 23, 2021

TITLE:

RESOLUTION AUTHORIZING THE PURCHASE OF TWO 2022 FORD HYBRID ESCAPES FROM GENTILINI FORD, 555 JOHN S PENN BLVD, WOODBINE, NJ 08270 FOR THE BOROUGH OF CALDWELL IN THE AMOUNT OF \$67,880.14 THROUGH CRANFORD COOPERATIVE CONTRACT # 21-01.

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

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 State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury and;

WHEREAS, the Borough of Caldwell has the need for parking enforcement vehicles and;

WHEREAS, the Borough of Caldwell intends to purchase from Gentilini Ford, 555 John S Penn Blvd, Woodbine, NJ 08270 two 2022 Ford Hybrid Escapes for an amount of \$67,880.14.

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.

Chris Battaglia, Chief Financial Officer

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

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BOROUGH OF CALDWELL

Resolution No: 11-260
Date of Adoption: November 23, 2021

TITLE:

RESOLUTION AUTHORIZING THE PURCHASE OF A 2022 FORD EXPLORER AND A 2022 CHEVROLET TAHOE FROM GENTILINI FORD, 555 JOHN S PENN BLVD, WOODBINE, NJ 08270 FOR THE CALDWELL POLICE DEPARTMENT FOR AN AMOUNT OF \$107,174.54 THROUGH CRANFORD COOPERATIVE CONTRACT # 21-01.

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

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 State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury and;

WHEREAS, the Borough of Caldwell Police Department has the need for police vehicles and;

WHEREAS, the Borough of Caldwell intends to purchase from Gentilini Ford, 555 John S Penn Blvd, Woodbine, NJ 08270 two 2022 Police SUV's for an amount of \$107,174.54 from the Police Capital Account.

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.

Chris Battaglia, Chief Financial Officer

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

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