



***BOROUGH OF CALDWELL
NEW JERSEY***



**ORGANIZATION MEETING
January 1, 2012**

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



BOROUGH OF CALDWELL NEW JERSEY



AGENDA

**ORGANIZATION MEETING - JANUARY 1, 2012
BOROUGH HALL COUNCIL CHAMBERS – 2:00P.M.**

Recognition of Former Councilman

- **Councilman Joseph Norton**
- **Councilman Douglas Piazza**

Administration of Oaths of Office

- **Councilman Francis Rodgers by Governor Richard J. Codey**
Councilman John Kelley by Governor Richard J. Codey
- **Call to Order - Roll Call**
- **Statement of Compliance with Open Public Meetings Act**
- **Invocation by Msgr. Michael Desmond**
- **Pledge of Allegiance to the Flag**
- **Election of Council President**
- **Oaths of Office – Caldwell Volunteer Fire Department**
 1. Fire Chief Gary Garamella
 2. First Assistant Chief Anthony Greci
 3. Second Assistant Chief Gerard Greci
 4. Captain Thomas Haight
 5. Lieutenant Andrew Intili
 6. Lieutenant Andrew Pollara
 7. Lieutenant Brian Hebrank
- **Oaths of Office – Caldwell Police Department**
 1. Police Chief James H. Bongiorno
 2. Lieutenant Anthony Marta
 3. Sergeant George Henderson
 4. Sergeant Michael Geary
 5. Probationary Patrolman Michael Kraynanski
 6. Probationary Patrolman Justin Rizzo
 7. Probationary Patrolman Justin Misano
- **Comments by Mayor Ann Dassing**



BOROUGH OF CALDWELL NEW JERSEY



Mayoral Council Committee Appointments

Council Committee	Chairman	Councilman	Areas of Responsibility
Community Center	O'Donnell	Murray	Community Center
Finance	Hauser	Kelley	Finance / Budget / Banking / Administration / Capital Projects Tax Collection / Annual Audit / Corrective Action Plan
Community Outreach	Kelley	Coyle	Downtown Organizations / Board of Education Economic Development / Municipal Alliance
Personnel / Health & Human Services	Rodgers	Hauser	Personnel Policies / Employee Handbook / Employee Benefits Senior Citizens / Board of Health / Pension / Medical
Public Safety	Murray	O'Donnell	Police Department / Fire Department / Emergency Management Municipal Court / Traffic Committee
Public Works / Utilities	Coyle	Rodgers	Streets and Roads / Building and Grounds / Engineering / Utilities Construction Dept / Sewer & Water / Environmental / Open Space

Note: Mayor Dassing is the 3rd member of each committee.

Board and Commission Appointments

I. Resolution 1-1: Planning Board - Appointment by Mayor

- Councilman Thomas O'Donnell Class III Member term expiration 12/31/2012
- Marguerite Kenney Alternate #2 term expiration 12/31/2012
- Mayor Ann Dassing Class I Member term expiration 12/31/2012
- Mr. Nathan Gardner Class IV Member term expiration 12/31/2015

II. Resolution 1-2: Zoning Board of Adjustment – Mayor, Consent of the Council

III. Resolution 1-3: Library Board of Trustees - Mayor, Consent of the Council

- Councilman Richard Hauser Council Representative term expiration 12/31/2012
- Cindy Kellenberger Designee for the Superintendent
of Schools One-Year Term term expiration 12/31/2012

IV. Resolution 1-4: Board of Health - Mayor, Consent of the Council

- Councilman Frank Rodgers Council Representative term expiration 12/31/2012
- Ann Christensen Member term expiration 12/31/2014
- Ronda DeStefano Member term expiration 12/31/2014



BOROUGH OF CALDWELL NEW JERSEY



Board and Commission Appointments

V. Resolution 1-5: Local Assistance Board - Mayor, Consent of the Council

- | | | |
|-------------------------------|------------------------|----------------------------|
| • Ms. Sandra Norgren | Four-Year Term | term expiration 12/31/2014 |
| • Maureen D'Aloia | Four-Year Term | term expiration 12/31/2014 |
| • Sandra Rock | Four-Year Term | term expiration 12/31/2014 |
| • Councilman Thomas O'Donnell | Council Representative | term expiration 12/31/2012 |

VI. Resolution 1-6: Rent Review Board - Mayor, Consent of the Council

- | | | |
|---------------------------|------------------------|----------------------------|
| • Ms. Catherine Daly | Three-Year Term | term expiration 12/31/2014 |
| • Ms. Nancy Busby | Three-Year Term | term expiration 12/31/2014 |
| • Councilman Peter Murray | Council Representative | term expiration 12/31/2012 |

VII. Resolution 1-7: Environmental Commission – Appointment by Mayor

[One of the members must be a member of the Planning Board]

- | | | |
|-------------------------|------------------------|----------------------------|
| • Councilman John Coyle | Council Representative | term expiration 12/31/2012 |
| • Christopher Brown | Member | term expiration 12/31/2014 |
| • Donald Neil Aharrah | Member | term expiration 12/31/2014 |
| • Douglas Piazza | Member | term expiration 12/31/2014 |

VIII. Resolution 1-8: Open Space Trust Committee – Mayor, Consent of the Council

- | | | |
|-------------------------|------------------------|----------------------------|
| • Mr. Paul M. Carelli | Borough Administrator | term expiration 12/31/2012 |
| • Councilman John Coyle | Council Representative | term expiration 12/31/2012 |
| • Christopher Esposito | Member | term expiration 12/31/2015 |

IX. Annual Appointments

A. Mayor's Advisory Council on Senior Citizens - Appointment by Mayor.

Maryanne Kane
Ms. Gloria Corrado
Mr. Henderson Cole
Mr. Thomas J. Gartland
Mr. Stanley C. Bestys
Mr. John Castano
Mr. James McHugh
Councilman Thomas O'Donnell, Council Representative

B. Board of Education - Appointment by Mayor.

Marie Lanfrank
Councilman John Kelley, Council Representative



BOROUGH OF CALDWELL NEW JERSEY



C. Camp Wyanokie - Appointment by Mayor.

Mr. Jeffrey Weinman
Councilman John Kelley, Council Representative

D. Official Borough Photographers - Appointment by Mayor.

Mr. Louis J. Ginefra
Ms. Janet Markman

E. Borough Arborist - Appointment by Mayor.

Mr. John Linson

F. New Jersey Council Motion Picture Development - Appointment by Mayor.

Ms. Lisa O'Neill One year term, up 2012

G. Liaison to the Grover Cleveland Birthplace - Appointment by Mayor.

Dr. David Cowell One year term, up 2012

H. Senior Citizen Transportation Committee – Mayor, Consent of the Council.

Mr. Greg Cowell
Mr. Peter Pirrello
Councilman Frank Rodgers, Council Representative

I. Tree Removal Committee - Mayor, Consent of the Council.

Mr. Edward Broheimer (Tree Expert)
Mr. Donald Neil Aharrah (Environmental Commission)
Mr. Paul M. Carelli, (Borough Administrator)
Councilman John Coyle, Council Representative

X. Annual Professional Appointments – Mayor, Consent of the Council.

1-9	Municipal Attorney:	Gregory Mascera, Esq.
1-10	Borough Prosecutor:	Joseph DeFuria, Esq.
1-11	Public Defender:	James Pomaco, Esq.
1-12	Licensed Water Operator:	William Frint
1-13	Licensed Sewer Operator:	Greg Seaman
	Sewer Director:	Greg Seaman
	Regulatory Compliance Rep:	Greg Seaman
1-14	Municipal Zoning Officer:	Paul Milani
1-15	Rent Board Attorney:	Joan Pransky, Esq.
1-16	Borough Auditors:	Nisivoccia and Company
1-17	Borough Bond Counsel:	McManimon & Scotland LLC



BOROUGH OF CALDWELL NEW JERSEY



XI. New Business

- 1-18 - Authorizing Appointment of Committee Members for the Community Development Block Grant Program for the Year 2012
- 1-19 - Authorizing the Appointment of the Caldwell Volunteer Fire Department Officers for Year 2012
- 1-20 - Designating the Official Depositories of the Borough for the Year 2012
- 1-21 - Designating Official Holidays in Year 2012
- 1-22 - Authorizing Adoption of Temporary Budget for the Year 2012
- 1-23 - Authorizing Annual Schedule of Regular Council Business-Conference Meetings for the Year 2012
- 1-24 - Authorizing Interest for Non-Payment of Taxes or Assessments
- 1-25 - Designating Official Newspapers of the Borough of Caldwell
- 1-26 - Designating Times Dates and Conduct of Meetings for the Year 2012
- 1-27 - Authorizing the Disbursement of Petty Cash Funds to Respective Borough Departments
- 1-28 - Resolution Adopting the Cash Management Plan of the Borough of Caldwell County of Essex For 2012
- 1-29 - Authorizing Adoption of the 2012 Debt Service Requirements
- 1-30 - Designating Dates And Times For The Borough Of Caldwell Quarterly Sewer Board Meetings For The Year 2012
- 1-31 - Resolution Authorizing The Borough Administrator To Enter Into An Agreement With Carr, Daley, Sullivan & Weir, Pc As A Financial Services Consultant For The Borough Of Caldwell

XII. Open Meeting – Public Comment

XIII. Adjournment

Please take notice that additional items may be added to this Agenda. Please take further notice that final action may be taken on all items listed or added to the above Agenda.

This Agenda was prepared as of December 30, 2011 with all available information as of such date.

On December 30, 2011, this Agenda was sent to four official newspapers of the Borough of Caldwell in compliance with P.L. 1975, c. 213.

Lisa O' Neill
Acting Municipal Clerk

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Francis Rodgers** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **COUNCILMAN** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **John Kelley** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **COUNCILMAN** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **James Bongiorno** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **CHIEF** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Anthony Marta** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **LIEUTENANT** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **George Henderson** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **SERGEANT** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Michael Geary** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **SERGEANT** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Michael A. Kraynanski** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **PROBATIONARY POLICE OFFICER** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Justin M. Rizzo** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **PROBATIONARY POLICE OFFICER** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Justin J. Misano** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **PROBATIONARY POLICE OFFICER** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, Gary Garamella do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of CHIEF according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS 1st

DAY OF January, 2012

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Anthony Greci** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **1st ASSITANT CHIEF** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Gerard Grenci** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **2nd ASSITANT CHIEF** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Thomas Haight** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **CAPTAIN** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, Andrew Intili do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of LIEUTENANT according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS 1st

DAY OF January, 2012

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Andrew Pollara** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **LIEUTENANT** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended

OFFICIAL OATH OF PUBLIC OFFICE

BOROUGH OF CALDWELL
STATE OF NEW JERSEY
COUNTY OF ESSEX

I, **Brian Hebrank** do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the authority of the people.

I do further solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of **LIEUTENANT** according to the best of my ability. So help me God.

(Signature)

SWORN AND SUBSCRIBED BEFORE ME

THIS **1st**

DAY OF **January, 2012**

N.J. Statutes 41:1-1 and 41:1-3 as amended



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-1

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING THE APPOINTMENT OF PLANNING BOARD MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Planning Board for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Planning Board Members

Councilman Thomas O'Donnell	Class III Member	One-Year Term	Expires December 31, 2012
Marguerite Kenney	Alternate #2	One-Year Term	Expires December 31, 2012
Mayor Ann Dassing	Class I Member	One-Year Term	Expires December 31, 2012
Nathan Gardner	Class IV Member	Four-Year Term	Expires December 31, 2015

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray					O'Donnell				
Hauser					Kelley				
Coyle					Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-2

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING THE APPOINTMENT OF ZONING BOARD OF ADJUSTMENT MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Zoning Board of Adjustment for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Zoning Board of Adjustment Members:

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-3

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING THE APPOINTMENT OF LIBRARY BOARD OF TRUSTEES

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Library Board of Trustees for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Library Board of Trustees

Ms. Cindy Kellenberger	Designee for the Superintendent of Schools One-Year Term	Expires December 31, 2012
Councilman Richard Hauser	Council Representative One-Year Term	Expires December 31, 2012

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-4

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING THE APPOINTMENT OF BOARD OF HEALTH MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Board of Health for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Board of Health Members:

Councilman Frank Rodgers	Council Representative	Expires December 31, 2012
Ann Christensen	Member	Expires December 31, 2014
Ronda DeStefano	Member	Expires December 31, 2014

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor

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



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-5

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING THE APPOINTMENT OF LOCAL ASSISTANCE BOARD MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Local Assistance Board for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Local Assistance Board Members:

Councilman Thomas O'Donnell One-Year Term	Council Representative	Expires December 31, 2012
Sandra Norgren	Member	Expires December 31, 2014
Maureen D'Aloia	Member	Expires December 31, 2014
Sandra Rock	Member	Expires December 31, 2014

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-6

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING THE APPOINTMENT OF RENT REVIEW BOARD MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Rent Review Board for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Rent Review Board Members:

Councilman Peter Murray	Council Representative	Expires December 31, 2012
Catherine Daly	Member	Expires December 31, 2014
Nancy Busby	Member	Expires December 31, 2014

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-7

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING THE APPOINTMENT OF ENVIRONMENTAL COMMISSION MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Environmental Commission for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Environmental Commission Members:

Councilman John Coyle	Council Representative	Expires December 31, 2012
Christopher Brown	Member	Expires December 31, 2014
Donald Neil Aharra	Member	Expires December 31, 2014
Douglas Piazza	Member	Expires December 31, 2014

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-8

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING THE APPOINTMENT OF OPEN SPACE COMMITTEE MEMBERS

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following persons to the Open Space Committee for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Open Space Committee Members:

Paul M. Carelli	Borough Administrator	Expires December 31, 2012
Councilman John Coyle	Council Representative	Expires December 31, 2012
Christopher Esposito	Member	Expires December 31, 2015

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-9

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING APPOINTMENT OF GREGORY MASCERA, ESQ. AS MUNICIPAL ATTORNEY FOR THE YEAR 2012

WHEREAS, the Borough of Caldwell has a need to acquire the services of a Municipal Attorney pursuant to the provisions of N.J.S.A. 40A:9-139 ; and

WHEREAS, the Borough Treasurer has determined has determined that the value of the services will exceed \$17,500; and

WHEREAS, the term of this contract shall be one (1) year; and

WHEREAS, the aforesaid contract shall be granted as a professional services contract exempt from public bidding pursuant to Local Public Contracts Law N.J.S.A. 40A:11-5(1) (a) (i), et seq.

WHEREAS, Gregory Mascera, Esq. has indicated he will provide the services of Municipal Attorney for a retainer of \$60,000.00 + plus an additional hourly fee of \$125.00 for non-retainer services hour; and

WHEREAS, Gregory Mascera, Esq. will complete and submit a Business Entity Disclosure Certification which certifies that neither he nor the firm of Bannon, Rawding, McDonald & Mascera has made any reportable contributions to a candidate or candidate committee in the Borough of Caldwell in the previous one-year, and that this contract will prohibit him and the law firm of Bannon, Rawding, McDonald & Mascera from making any reportable contributions through the term of the contract; and

WHEREAS, the Borough Treasurer has certified that funds are available pursuant to N.J.A.C. 5:30-5.4; and

NOW THEREFORE BE IT RESOLVED that the Borough of Caldwell does hereby appoint Gregory Mascera, Esq. as the Municipal Attorney for a term to end December 31, 2012, subject to preparation and entry into a professional services contract consistent with this resolution;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that the Local Public Contracts Law N.J.S.A. 40A:11-5(1) (a) (i), et seq. requires that the resolution authorizing the award of Contracts for Professional Services without competitive bids must be publicly advertised.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray					O'Donnell				
Hauser					Kelley				
Coyle					Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-10

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING APPOINTMENT OF JOSEPH DEFURIA, ESQ. AS MUNICIPAL PROSECUTOR FOR THE YEAR 2012

BE IT RESOLVED that Joseph DeFuria, Esq. be and is hereby appointed as Municipal Prosecutor for the term of one year from January 1, 2012 to December 31, 2012 and until his successor is appointed and qualified, and subject to agreements to be approved and signed at a salary of \$9000.00.

A copy of this resolution and signed retainer agreement will be on file in the Office of the Clerk and will be available for public inspection.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-11

Date of Adoption: January 1, 2012

TITLE:

**AUTHORIZING APPOINTMENT OF JAMES V. POMACO, ESQ. AS PUBLIC DEFENDER
FOR THE YEAR 2012**

BE IT RESOLVED that James Pomaco, Jr., Esq. be and is hereby appointed as Public Defender for the term of one year from January 1, 2012 to December 31, 2012 and until his successor is appointed and qualified, and subject to agreements to be approved and signed at a salary of \$4,050.00 per annum.

A copy of this resolution and signed retainer agreement will be on file in the Office of the Clerk and will be available for public inspection.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-12

Date of Adoption: January 4, 2012

TITLE:

AUTHORIZING APPOINTMENT OF WILLIAM J. FRINT AS THE LICENSED WATER OPERATOR FOR THE YEAR 2012

BE IT RESOLVED that William J. Frint be and is hereby appointed as Licensed Water Operator for the term of one year from January 1, 2012 to December 31, 2012 and until his successor is appointed and qualified, and subject to agreements to be approved and signed.

Pursuant to N.J.S.A. 40A:11-5(1) (a) (i), this appointment and the professional services to be rendered thereunder are exempt from the public bidding requirements of the Local Public Contracts Law. Said service shall include the duties as outlined by law and directed by the Mayor and Council.

A copy of this resolution and signed retainer agreement will be on file in the Office of the Clerk and will be available for public inspection.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-13

Date of Adoption: January 1, 2012

TITLE:

**AUTHORIZING APPOINTMENT OF GREGORY SEAMAN AS THE SEWER DIRECTOR,
REGULATORY COMPLIANCE REPRESENTATIVE AND LICENSED SEWER OPERATOR
FOR THE YEAR 2012**

WHEREAS, the Borough of Caldwell desires to appoint and employ a Sewer Director and a Licensed Sewer Operator to oversee the operation of the Wastewater Treatment Plant and the Sanitary Sewer Collection System on behalf of the Borough; and

WHEREAS, N.J.S.A. 40A:11-5, provides for the awarding of a professional service contract upon resolution without public bidding; and

WHEREAS, pursuant to N.J.S.A. 40A:6-5, the appointment of the position of the Borough Sewer Director is made by the Mayor, with the advice and consent of the council; and

WHEREAS, the Mayor of the Borough of Caldwell has nominated, and the Council has consented to the appointment of Gregory Seaman as the Sewer Director, Regulatory Compliance Representative, and the Licensed Sewer Operator; and

WHEREAS, Gregory Seaman holds a Masters Degree in Public Administration, is licensed by the New Jersey Department of Environmental Protection as a S-4 Public Wastewater Treatment Professional and a, C-4 Collection Systems Professional, has 25 years experience in wastewater Management, 2` years of which is in a supervisory/management area; and

WHEREAS, the Mayor wishes to appoint Gregory Seaman as the Municipal Sewer Director, Regulatory Compliance Representative, and as the Licensed Sewer Operator; and

WHEREAS, Gregory Seaman is qualified to serve as the Licensed Sewer Operator, Regulatory Compliance Representative, and as the Municipal Sewer Director; and

WHEREAS, the parties desire to set forth in writing their agreement with reference to the compensation and duties of the Sewer Director, Regulatory Compliance Representative, and as the Licensed Sewer Operator;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Caldwell that:

A. Gregory Seaman is hereby appointed to the position of Sewer Director, Regulatory Compliance Representative, and Licensed Sewer Operator for 2012 at an annual salary of \$36,000,

B. Gregory Seaman's duties and responsibilities as the Sewer Director shall be as follows:

1. Staff professional – department head level
2. Point of contact for all matters concerning the administration of the sewer utility and of the storm water program.
3. Appraise and evaluate on a continuing basis the adequacy and efficiency of the operation and maintenance of the Sewer Utility of the Borough of Caldwell, its treatment plant, collection system, and capacity assurance program.
4. Develop policy and budget recommendations to the Mayor, Council, and Administrator.
5. Direct and coordinate activities of the Sewer Contractual Operator and Consultants retained by the Sewer Utility.
6. Serve as the Regulatory Compliance representative for the Borough regarding matters relating to the operation and maintenance of the Sewer Utility.
7. Serve as the Borough's representative in matters relating to the Sewer Utility in interactions with municipal officials in host and user communities, governmental agencies, and the public.



BOROUGH OF CALDWELL NEW JERSEY



C. Gregory Seaman's typical tasks shall be as follows:

I. WASTEWATER TREATMENT PLANT

1. Regular inspection of equipment, facilities and activities.
2. Observe the work of the Treatment Plant contractual operator engaged in the operation and maintenance of the wastewater treatment plant to assure compliance with the provisions of the Agreement for Operation of the Wastewater Treatment Plant and to report his findings to the Mayor, Council and Administrator.
3. Consult with the Contractual Operator about current treatment practices, improvements or upgrades to the treatment process, and permit requirements, and make recommendations for adjustment of treatment processing methods to improve plant efficiency.
4. Gather information to analyze plan efficiency and the opportunity for improvement of treatment facilities through the acquisition and installation of equipment, and by utilizing improved techniques and processes, and to make such recommendations to the Mayor, Council, and Administrator.
5. Review all proposals submitted by the Contract Operator and Consultants, and to make recommendations to the Mayor, Council, and Administrator about such proposals.
6. Review the plant maintenance program undertaken by the Contact Operator, and to report to the Mayor, Council, and Administrator as to the efficiency of the program, and to make recommendations for improvements.
7. Receive and review reports on plant operations submitted by the Contract Operator to the Mayor, Council, Administrator, and regulatory agencies.
8. Research, prepare and analyze techniques and alternatives with related costs for chemical usage, sludge treatment and disposal, energy usage, to assure utilization of the most cost effective methods available.
9. Assure that the Contract Operator is functioning in compliance with regulatory agencies, by reviewing regulatory reports, reports on permit compliance and by addressing any violations of any such regulations.
10. Act as Borough representative in the Wastewater Treatment Plant expansion and upgrade project.

II. SEWER COLLECTION SYSTEM LICENSED OPERATOR

1. Ensure compliance with regulatory agencies.
2. Prepare and implement a strategic plan for collection system maintenance and repair.
3. In conjunction with the Borough Engineer, review construction plans and specifications for NJDEP and code compliance, municipal standards, policies and sound engineering principles.
4. Supervise and review designs submitted by consultants.
5. Provide technical information relating to the collection system to the Mayor, Council, Administrator, staff, consultants, contractors, and the general public.
6. Review and direct the response to residential complaints, and to recommend and initiate appropriate corrective action.
7. In conjunction with the provisions of the Treatment Plant Operations and Maintenance Agreement, administer the strategic plan for capacity assurance, and to identify and review alternatives associated with implementation of new procedures.
8. Interact with User Communities to determine the appropriate number of equivalent connections to be certified annually by resolution for each municipality. Determine annually the amount of flow appropriate to one equivalent connection.
9. Investigate and review current and potential user tariffs and makes recommendations for development of new fee ordinances.
10. Review applications for sewer service and to makes recommendations to the Mayor, Council and Administrator for additions, corrections, denials or approvals based on the application and available capacity



BOROUGH OF CALDWELL NEW JERSEY



D. In addition to the duties, tasks and responsibilities set forth above, Gregory Seaman shall from time to time be required to perform services outside of the scope of the service set forth herein, including but not limited to preparation of the Operation and Maintenance Manual, and involvement in the creation of new user agreements with user municipalities. Gregory Seaman will be compensated for such services through separate agreements with the Mayor and Council.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-14

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING APPOINTMENT OF PAUL MILANI AS MUNICIPAL ZONING OFFICER FOR THE YEAR 2012

BE IT RESOLVED THAT Paul Milani be and is hereby appointed as Municipal Zoning Officer for the term from January 1, 2012 to December 31, 2012 and until his successor is appointed and qualified, and subject to agreements to be approved and signed at a salary of \$6,000.00 per annum.

Pursuant to N.J.S.A. 40A:11-5(1) (a) (i), this appointment and the professional services to be rendered thereunder are exempt from the public bidding requirements of the Local Public Contracts Law. Said services shall include the duties as outlined by law and directed by the Mayor and Council.

A copy of this resolution and signed retainer agreement will be on file in the Office of the Clerk and will be available for public inspection.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-15

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING APPOINTMENT OF JOAN PRANSKY, ESQ. AS RENT BOARD ATTORNEY FOR THE YEAR 2012

BE IT RESOLVED that Joan Pransky, Esq. be and is hereby appointed as Rent Board Attorney, as provided by law, for the term of one year from January 1, 2012 to December 31, 2012 and until her successor is appointed and qualified, and subject to agreements to be approved and signed at a salary of \$2,000.00.

Pursuant to N.J.S.A. 40A:11-5(1) (a) (i), this appointment and the professional services to be rendered thereunder are exempt from the public bidding requirements of the Local Public Contracts Law. Said service shall include the duties as outlined by law and directed by the Mayor and Council.

A copy of this resolution and signed retainer agreement will be on file in the Office of the Clerk and will be available for public inspection.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Norton						Piazza				
Hauser						Coyle				
Murray						O'Donnell				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-16

Date of Adoption: January 1, 2012

TITLE:

**AUTHORIZING THE APPOINTMENT OF NISIVOCIA AND COMPANY AS THE
BOROUGH AUDITORS FOR THE YEAR 2012**

WHEREAS, the Borough of Caldwell has a need to acquire the services of a Borough Auditor as pursuant to the provisions of N.J.S.A. 40A: 5-4 et seq.; and

WHEREAS, the Borough Treasurer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Nisivoccia and Company indicates that they will provide the services of Borough Auditor for a price of \$30,000 per annum for preparation of the 2010 audit and compensation of \$7500 per annum for duties and services otherwise prescribed in paragraph three of the attached contract; and

WHEREAS, Nisivoccia and Company has completed and submitted a Business Entity Disclosure Certification which certifies that Nisivoccia and Company has not made any reportable contributions to a political or candidate committee in the Borough of Caldwell in the previous one-year, and that the contract will prohibit Nisivoccia and Company from making any reportable contributions through the term of the contract; and

WHEREAS, the Borough Treasurer has certified that funds are available pursuant to N.J.A.C. 5:30-5.4

NOW THEREFORE BE IT RESOLVED that the Borough of Caldwell authorizes Mayor Ann Dassing to enter into a contract with Nisivoccia and Company as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that the Local Public Contracts Law N.J.S.A. 40A:11-5(1), et seq. requires that the resolution authorizing the award of Contracts for Professional Services without competitive bids must be publicly advertised;

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-17

Date of Adoption: January 1 2012

TITLE:

**AUTHORIZING THE APPOINTMENT OF MCMANIMON & SCOTLAND, L.L.C AS THE
BOROUGH BOND COUNSEL FIRM FOR THE YEAR 2012**

WHEREAS, there exists a need for specialized legal services in connection with the authorization and the issuance of bonds or notes of the Borough of Caldwell (the "Borough") in the County of Essex, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community; and

WHEREAS, such special legal services can be provided only by a recognized Bond Counsel firm, and the law firm of McManimon & Scotland, L.L.C., Newark, New Jersey is so recognized by the financial community; and

WHEREAS, the Borough solicited proposals for bond counsel services in a competitive process in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and applicable regulations promulgated thereunder; now, therefore,

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CALDWELL, AS FOLLOWS:

1. The law firm of McManimon & Scotland, L.L.C., Newark, New Jersey is hereby retained to provide the specialized legal services necessary in connection with the authorization and the issuance of bonds or notes by the Borough in accordance with an Agreement submitted to the Borough (the "Contract").
2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough.
4. A notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in The Progress.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-18

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING APPOINTMENT OF COMMITTEE MEMBERS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE YEAR 2012

BE IT RESOLVED on the recommendation of Mayor Ann Dassing that the Borough Administrator, Paul M. Carelli and Councilman John Kelley be appointed as members of the Community Development Block Grant program for the year 2012, effective January 1, 2012, representing the Borough of Caldwell.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-19

Date of Adoption: January 1, 2012

TITLE:

**AUTHORIZING THE APPOINTMENT OF THE CALDWELL VOLUNTEER FIRE
DEPARTMENT OFFICERS FOR YEAR 2012**

BE IT RESOLVED by Mayor Ann Dassing hereby appoints the following officers to the Caldwell Volunteer Fire Department for the terms set forth below. Mayor Dassing has requested the consent of the Council, that they do hereby authorize the appointment of the following Caldwell Volunteer Fire Department officers:

Gary Garamella	Fire Chief	One-Year Term	Expires December 31, 2012
Anthony Greci	First Assistant Chief	One-Year Term	Expires December 31, 2012
Gerard Greci	Second Assistant Chief	One-Year Term	Expires December 31, 2012

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-20

Date of Adoption: January 1, 2012

TITLE:

DESIGNATING THE OFFICIAL DEPOSITORIES OF THE BOROUGH FOR THE YEAR 2012

BE IT RESOLVED that the following banking institutions be and are hereby designated official depositories of the Borough of Caldwell for the period of one year ending December 31, 2012.

PNC, 423 Bloomfield Avenue, Caldwell, NJ

Wells Fargo Bank, 333 Bloomfield Avenue, Caldwell, NJ

Bankers Trust Company- Cash Management Fund
P. O. Box 480, Jersey City, NJ

Kearny Federal Savings, 417 Bloomfield Avenue, Caldwell, NJ

Valley National Bank, 15 Roseland Avenue, Caldwell, NJ

Sovereign Bank, 378 Bloomfield Avenue, Caldwell, NJ

MBIA, 120 Wood Avenue South, Suite 300, Iselin, NJ 08830

Lakeland State Bank, 49 Bloomfield Avenue, Caldwell, NJ

J.P. Morgan Chase, 695 Rt 46 West, Suite 101, Fairfield, NJ, 07004

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-21

Date of Adoption: January 1, 2012

TITLE:

DESIGNATING OFFICIAL HOLIDAYS IN YEAR 2012

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the following be and are hereby established as official holidays in 2012

<u>HOLIDAY</u>	<u>TO BE OBSERVED ON:</u>
New Year's Day (Observed)	Monday – January 2
Martin Luther King, Jr. Day	Monday - January 16
President's Day	Monday - February 20
Good Friday	Friday - April 6
Memorial Day	Monday - May 28
Independence Day	Wednesday - July 4
Labor Day	Monday - September 3
Thanksgiving Day	Thursday - November 22
Day after Thanksgiving	Friday - November 23
Christmas Eve	Monday - December 24
Christmas Day	Tuesday - December 25

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Norton						Piazza				
Hauser						Coyle				
Murray						O'Donnell				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-22

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING ADOPTION OF TEMPORARY BUDGET FOR THE YEAR 2012

WHEREAS, Section 40A:4-19 of the Revised Statutes of the Local Budget Law provides that, where any contracts, commitments or payments are to be made prior to the adoption the 2012 Budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, N.J.S. 40A:4-19 provides for the total of appropriations so made shall not exceed 26.25% of total appropriations of the preceding budget year (2010); and

WHEREAS, the date of this Resolution is within the first thirty days of January 2012; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Caldwell, County of Essex, that the attached schedule of Temporary Budget Appropriations for 2011 is hereby adopted as the Temporary Current, Water Utility and Sewer Utility Budgets of the Borough of Caldwell for 2011 and that a certified copy of this Resolution be transmitted to the Finance Office for their records.

**Borough of Caldwell, Essex County
Schedule - Temporary Budget Appropriations 2012**

<u>CURRENT FUND</u>	<u>ACCOUNT #</u>	<u>SALARY & WAGES</u>
Administrative & Executive	2-01-20-100-010	\$14,090
Mayor & Council	2-01-20-100-010	\$2,599
Finance Administration	2-01-20-130-010	\$10,076
Municipal Clerk	2-01-20-120-010	\$6,536
Assessment of Taxes	2-01-20-150-010	\$8,143
Collection of Taxes	2-01-20-145-010	\$11,640
Police	2-01-25-240-010	\$488,544
Roads	2-01-26-290-010	\$85,448
Snow Removal	2-01-26-771-010	\$1,313
Welfare Administration (P.A.)	2-01-27-345-010	\$1,757
Senior Transportation	2-01-28-370-010	\$11,489
Construction Code	2-01-22-195-010	\$28,462
Municipal Court	2-01-43-490-010	\$30,441
Public Library	2-01-29-496-010	\$62,008
Community Center	2-01-28-372-010	\$209,474
Legal	2-01-20-155-010	\$7,088
Engineering	2-01-20-165-010	\$6,300
	TOTAL SALARY & WAGES	<u>\$985,407</u>

<u>CURRENT FUND</u>	<u>ACCOUNT #</u>	<u>OTHER EXPENSES</u>
Administrative & Executive	2-01-20-100-020	\$18,769
Mayor & Council	2-01-20-110-100	\$656
Municipal Clerk	2-01-20-120-100	\$394
Elections	1-01-20-125-100	\$788
Finance Administration	2-01-20-130-020	\$827
Audit Fees	2-01-20-135-146	\$6,954
Assessment of Taxes	2-01-20-150-020	\$1,208
Collection of Taxes	2-01-20-145-020	\$1,129
Legal	2-01-20-155-020	\$7,691
Planning Board	2-01-21-180-020	\$893



BOROUGH OF CALDWELL NEW JERSEY



<u>CURRENT FUND</u>	<u>ACCOUNT #</u>	<u>OTHER EXPENSES</u>
Zoning Board	2-01-21-185-020	\$893
Rent Review Board	2-01-22-197-020	\$525
Workman's Comp/Insurance	2-01-23-220-150	\$53,314
Health Insurance	2-01-25-240-020	\$301,974
Police	2-01-26-310-020	\$63,155
Parking Meter	2-01-25-245-020	\$860
First Aid Ambulance	2-01-25-265-020	\$3,019
Buildings & Grounds	2-01-26-315-025	\$19,359
Shade Tree	2-01-26-313-020	\$7,009
Vehicle Repairs	2-01-25-252-020	\$12,731
Emergency Management	2-01-25-265-020	\$224
Fire	2-01-25-275-028	\$11,446
Prosecutor	2-01-25-275-028	\$2,363
Roads	2-01-25-290-020	\$11,998
Solid Waste Collection	2-01-26-305-020	\$151,594
Snow Removal	2-01-26-771-020	\$6,563
Street Lighting	2-01-31-435-299	\$38,063
Telephone	2-01-31-440-075	\$9,713
Electric	2-01-31-430-071	\$24,150
Recycling	2-01-26-305-020	\$12,543
Board of Health	2-01-27-330-020	\$25,797
Environmental Commission	2-01-27-335-020	\$315
Animal Control	2-01-27-340-020	\$4,095
Welfare Department (P.A.)	2-01-27-345-020	\$39
Recreation Program	2-01-28-371-020	\$112,350
Senior Citizen Transportation	2-01-28-370-020	\$7,135
Grover Cleveland Senior Center	2-01-28-375-020	\$0
Construction Code	2-01-22-195-020	\$1,969
Social Security	2-01-36-472-000	\$39,375
Pension-PFRS	2-01-36-475-000	\$133,187
Pension-PERS	2-01-36-471-000	\$32,534
DCRP	2-01-36-476-000	\$806
Municipal Court	2-01-43-490-020	\$5,611
Sewerage Treatment	2-01-31-455-144	\$269,063
Gasoline	1-01-31-640-074	\$17,456
Verona Sewer Lines	2-01-31-445-145	\$7,350
Public Library	2-01-29-496-020	\$40,825
Refund Tax Appeals	2-01-30-410-000	\$13,125
Community Center	2-01-28-372-000	\$92,043
Public Defender	2-01-43-495-027	\$1,063
Capital Improvement Fund	2-01-44-901-000	\$13,125
Length of Service	2-01-44-500-020	\$15,343
Interlocals EF	2-01-42-100-002	\$263
Interlocals Wcald	2-01-42-100-003	\$2,100
Interlocals EF	2-01-42-100-004	\$2,100
Grants		
2011 Recycling Tonnage	2-01-41-702-307	\$ 13,695
2012 Municipal Alliance	2-01-41-708-300	\$ 28,500
Cash Match Municipal Alliance	2-01-41-708-302	\$ 11,000
Reserve for Uncollected Taxes	2-01-50-899-000	\$47,000
	TOTAL OTHER EXPENSES	\$1,708,066
	GRAND TOTAL CURRENT	\$2,693,473



**BOROUGH OF CALDWELL
NEW JERSEY**



WATER UTILITY

Salaries & Wages	2-05-55-500-510	\$75,620
Other Expenses	2-05-55-500-520	\$309,606

WATER	UTILITY TOTAL	<u>\$385,226</u>
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SEWER UTILITY

Salaries & Wages	2-07-55-500-510	\$111,247
Other Expenses	2-07-55-500-520	\$1,144,428

SEWER	UTILITY TOTAL	<u>\$1,255,675</u>
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RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray					O'Donnell				
Hauser					Kelley				
Coyle					Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-23

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING ANNUAL SCHEDULE OF REGULAR COUNCIL BUSINESS/CONFERENCE MEETINGS FOR THE YEAR 2012

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, N. J. that during the year 2012, Council Business/Conference meetings will be held on the first and third Tuesday of each month at 7:00 P.M. in the Council Conference Room, Second Floor, Municipal Building, One Provost Square, Caldwell, N. J.; and

When any of the second or fourth Tuesdays shall fall on a holiday, the meeting scheduled for said Tuesday shall be held on the next succeeding day at 7:00 P.M.; and

FURTHER BE IT RESOLVED that the order of business to be observed at said Council Business/Conference Meetings: Call to Order, Roll Call, Statement of Compliance with Open Public Meetings Act, Pledge of Allegiance to the Flag, Presentations, Introduction of Ordinances, Public Hearings, Receiving of Bids, Approval of Minutes, Open Public Comment on Resolutions, Resolutions, Old Business, Report of Council Committee Chairmen and Members, Report of Mayor, Report of Administrator/Clerk, Report of Attorney, New Business, Open Meeting, Executive Session (if any) and Adjournment; and

FURTHER BE IT RESOLVED that "Roberts Rules of Order" be established in conducting all meetings of said Borough Council and that the agenda for all Council meetings be posted on the bulletin board on the first floor of the Borough Hall, One Provost Sq., Caldwell, NJ in accordance with Public Law 1975, Chapter 214 and that at all Council meetings, final action may be taken on all matters of business coming before the Council.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-24

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING INTEREST FOR NON-PAYMENT OF TAXES OR ASSESSMENTS

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ pursuant to R.S. 54:4-67, as amended and supplemented, that the rate of interest to be charged for the non-payment of taxes or assessments on or after the date when they become delinquent shall be as follows:

1. No interest shall be charged if payment of any installment so due is made within ten (10) days of the date the same shall be payable; and
2. Upon expiration of the ten (10) day period as aforesaid, the rate of interest shall be eight (8) percent on the first \$1,500.00 of the delinquency and eighteen (18) percent thereafter on any amount in excess of \$1,500; and
3. A penalty shall be charged to a taxpayer with a delinquency in excess of \$10,000 who fails to pay that delinquency prior to the end of the calendar year in the amount of 6% of the delinquency.

FURTHER, BE IT RESOLVED that

4. Any water or sewer account remaining unpaid after due date on each billing shall be subject to a penalty of ten (10) percent of the unpaid balance.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-25

Date of Adoption: January 1, 2012

TITLE:

**DESIGNATING OFFICIAL NEWSPAPERS OF THE BOROUGH OF CALDWELL
FOR YEAR 2012**

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the following newspapers be and are hereby designated the official newspapers of the Borough of Caldwell for one year ending December 31, 2012:

The Progress, Star Ledger, Herald News and North Jersey Community Newspaper.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-26

Date of Adoption: January 1, 2012

TITLE:

DESIGNATING TIMES, DATES AND CONDUCT OF MEETINGS FOR THE YEAR 2012

Pursuant to Paragraph 13 of Public Law 1975, Chapter 231 (Open Public Meetings Act), effective January 1, 2012, the Mayor and Borough Council of the Borough of Caldwell, N. J., will conduct council business/conference meetings as set forth below.

All council business/conference meetings will begin at 7:00 P.M., unless otherwise specified. All meetings will be conducted on Tuesday evenings unless otherwise specified by this or special notice.

	<u>BUSINESS/CONFERENCE</u>	<u>BUSINESS/CONFERENCE</u>
January	1 Organizational Meeting	
January		17
February	7	21
March	6	20
April	3	17
May	1	15
June	5	19
July	3	17
August	7	21
September	4	18
October	2	16
November	8 (Thursday)	20
December	4	18

Committee meetings, where no quorum of the Council is present, may be closed to the public at the discretion of the Committee.

Final action may be taken on all matters listed on or added to the agenda or to come before the Council at any and all meetings of the Borough Council.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

<u>COUNCILMAN</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>	<u>COUNCILMAN</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
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Murray					O'Donnell				
Hauser					Kelley				
Coyle					Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-27

Date of Adoption: January 1, 2012

TITLE:

**AUTHORIZING THE DISBURSEMENT OF PETTY CASH FUNDS TO RESPECTIVE
BOROUGH DEPARTMENTS**

WHEREAS, Petty Cash Funds have been authorized for the use of various departments and in accordance with State Department regulations all such accounts were deposited with the Chief Financial Officer as of December 31, 2011.

NOW THEREFORE BE IT RESOLVED that the Chief Financial Officer be and is hereby authorized to reissue the following Petty Cash Funds:

Department of Finance/Tax Collector's Office \$200.00

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-28

Date of Adoption: January 1, 2012

TITLE:

RESOLUTION ADOPTING THE CASH MANAGEMENT PLAN OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX FOR 2012

WHEREAS, Chapter 148 P.L. 1997 requires the Chief Financial Officer to prepare a Cash Management Plan; and

WHEREAS, this Plan should also be in compliance with N.J.S.A. 40A:5-1 et seq.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, NJ that the attached Cash Management Plan shall serve as the Plan for the calendar year 2012 for the Borough of Caldwell.

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor

CASH MANAGEMENT PLAN OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX

I. STATEMENT OF PURPOSE.

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set for the basis of deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Borough of Caldwell, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and Permitted Investments will be done to insure the safety, liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. DEFINITIONS

"Arbitrage" refers to the rules and regulations governing the issuance of bonds or notes and the reinvestment of the proceeds at a higher yield. These regulations are promulgated by the Internal Revenue Service, Regulation 1.103.

"Certificate of Eligibility" is the certification issued by the New Jersey Department of Banking and Insurance, Division of Banking that a Public Depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, "GUDPA".

"GUDPA" (Governmental Unit Deposit Protection Act) requires a bank that accepts public funds to be a public depository. A "Public Depository" is defined as a state bank, a national bank, a savings bank or association which is located in the State of New Jersey, the deposits of which are insured by the Federal Deposit Insurance Corporation ("FDIC"), and which received or holds public funds on deposit. A local unit may make deposits in, or purchase certificates of deposit from banks which are located in New Jersey and which meet the requirements of the "GUDPA". Public funds in excess of the "FDIC" insured amounts (\$250,000) are protected by "GUDPA".

“FDIC” (Federal Deposit Insurance Corporation) in an independent US agency that protects against the loss of deposits in an FDIC-insured bank or savings association, in the event of its failure. The standard maximum deposit insurance amount of \$250,000 is in effect through December 31, 2013.

“The New Jersey Cash Management Fund”, authorized pursuant to N.J.S.A. 52-18A-90.4 to establish, maintain and operate, with the approval of the State Investment Council and the State Treasurer, a common trust fund known as the State of New Jersey – Cash Management Fund (the “Fund”). The Fund is authorized to accept deposits from all Local Units of government. According to the enabling legislation, monies of Local Units deposited in the Fund must be invested in obligations and bonds that meet the investment requirements of the statute. These obligations include, among other things, evidences of indebtedness of U.S. corporations. These obligations are less secure than those permitted to Local Units under the Act. Thus, the Fund is riskier than direct investments in federal securities or GUDPA protected deposits by Local Units.

III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

- A) The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough.

- Current Fund
- Trust Fund
- Animal Control Fund
- General Capital Fund
- Water Utility Operating Fund
- Water Utility Capital Fund
- Sewer Utility Operating Fund
- Sewer Utility Capital Fund
- Public Assistance Fund
- Community Development Block Grant Account
- Payroll Account
- Payroll Deduction Account
- Caldwell Community Center Account

- B) The Plan is not intended to cover the deposits and/or investments of the following funds and accounts of the Borough.

1. Petty Cash Funds
2. Deposit, retainage, or amounts posted by way of bond, held by the Borough for such things as faithful performance, if the Borough would be required by law to pay back any interest earned to the provider of the

deposit, except where the Borough is required by law or court decision to invest the fund.

3. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of counsel states that the earning of (full) interest would result in the bonds or notes being classified as an arbitrage (not Federally Tax Exempt) issue pursuant to federal regulations. To the extent that some interest is allowable, it shall be deposited at the best obtainable rate.

IV. DESIGNATION OF OFFICIALS OF THE BOROUGH OF CALDWELL AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS

The Chief Financial Officer/Treasurer of the Borough, (the “Designated Official”) is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan and shall thereafter be relieved of any liability for loss of such moneys due to insolvency or closing of any depository designated by, or the decrease in value of any investment authorized, by the Cash Management Plan.

V. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as Depositories for the deposit of all public funds referred to in the Plan (as authorized by Borough Council resolution on January 1, 2012), including any certificates of Deposit, which are not otherwise invested in “Permitted Investments” as provided for in this Plan.

PNC Bank
Kearny Federal Savings
Valley National Bank
Sovereign Bank
Lakeland State Bank
JPMorgan Chase Bank
New Jersey Cash Management Fund
MBIA **

(** provider of financial guarantee insurance, if applicable)

VI. AUTHORIZED INVESTMENTS

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following “Permitted Investments”

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury Bills, Notes and Bonds.
2. Government Money Market Mutual Funds that comply with N.J.S.A. 40A:5-15.1(e).
3. Any Obligations that a Federal Agency or a Federal Instrumentality has issued in accordance with an Act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located.
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
6. Local Government Investment Pools, in compliance with the "Administrative Procedure Act", P.L. 1968, c.410 (c.52:14B-1 et seq.).
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C.52:18A-90.4).
8. Agreements for the repurchase of fully collateralized securities if:
 - a. The underlying securities are permitted investments pursuant to paragraphs "1" and "3" of this subsection a;
 - b. The custody of collateral is transferred to a third party;
 - c. The maturity of the agreement is not more than 30 days;
 - d. The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c. 236 (c.17:9-41); and
 - e. A master repurchase agreement providing for the custody and security of collateral is executed.

There are no approved security broker/dealers. In the event that such a security broker/dealer should be approved during the year, the registered principal of said brokerage firm so approved shall be provided with and sign an acknowledgement that they have seen and reviewed the Cash Management Plan of the Borough of Caldwell.

VII. SAFEKEEPING CUSTODY PAYMENT

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of Caldwell, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of funds or the

Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Borough of Caldwell or by a third party custodian prior to or upon the release of the Borough of Caldwell’s funds.

VIII. REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section IV hereof shall supply to the Governing Body of the Borough of Caldwell a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- a. A summary of all investments made or redeemed for the month, including the name of the financial institution.
- b. A listing of any and all financial institutions holding the Borough of Caldwell funds.
- c. The class or type of securities purchased or funds deposited.
- d. Income earned on deposits and investments
- e. Market value of investments and disclosure as to how the value was determined, if applicable, at the end of the immediately preceding month.
- f. A listing of accounts or deposits that do not earn interest.
- g. The fees incurred to undertake such Deposits or Permitted Investments.
- h. Any other pertinent information which may be deemed reasonable from time to time by the Governing Body of the Borough of Caldwell.

IX. TERM OF PLAN

This Plan shall be in effect from January 1, 2012 to December 31, 2012. Attached to this Plan is the resolution of the Governing Body of the Borough of Caldwell approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Borough, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received a copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

X. DESIGNATION OF DEPOSITORIES

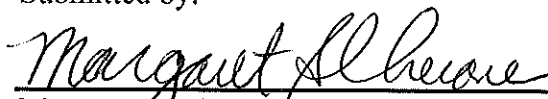
All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official referred to in Section IV above.

XI. MISCELLANEOUS

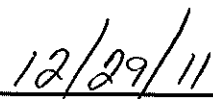
Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationship to the Borough of Caldwell's Administrator and to the Local Finance Board, or Local Ethics Board as applicable.

Any official who, in the course of his or her duties, deposits or invests in accordance with this Plan shall be relieved of any liability for loss.

Submitted by:


Margaret S. Cherone, CPA, CMFO

CFO/Treasurer


Date



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 1-29

Date of Adoption: January 1, 2012

TITLE:

AUTHORIZING ADOPTION OF THE 2012 DEBT SERVICE REQUIREMENTS

WHEREAS, N.J.S. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than the last ten day of the preceding fiscal year; and

WHEREAS, the date of this resolution is subsequent to that date; and

WHEREAS, principal and interest will be due on various dates from January 1, 2012 to December 31, 2012, inclusive, on sundry bonds issued and outstanding.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Caldwell, in the County of Essex, State of New Jersey that the following appropriations be made to cover the period from January 1, 2012 to December 31, 2012 inclusive:

DEBT SERVICE – BOROUGH OF CALDWELL

Payment of Bonds	\$831,000.00
Interest on Bonds	<u>449,237.00</u>
	<u>\$1,280,237.00</u>

DEBT SERVICE – WATER UTILITY

Payment of Bonds	\$115,000.00
Interest on Bonds	<u>43,713.00</u>
	<u>\$158,713.00</u>

DEBT SERVICE – SEWER UTILITY

Payment of Bonds	\$759,440.00
Interest on Bonds	<u>321,279.00</u>
	<u>\$1,080,719.00</u>

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-30

Date of Adoption: January 1, 2012

TITLE:

**DESIGNATING DATES AND TIMES FOR THE BOROUGH OF CALDWELL QUARTERLY
SEWER BOARD MEETINGS FOR THE YEAR 2012**

Pursuant to Paragraph 13 of Public Law 1975, Chapter 231 (Open Public Meetings Act), effective January 1, 2012, the Mayor and Borough Council of the Borough of Caldwell, N. J., will conduct quarterly Sewer Board Meetings as set forth below.

All Sewer Board meetings will begin at 6:00 P.M., unless otherwise specified. All meetings will be conducted on Tuesday evenings in the Borough of Caldwell Council Chambers, 1 Provost Square, Caldwell, New Jersey unless otherwise specified by this or special notice.

MEETING DATES AND TIMES

Tuesday, March 20, 2012 / 6:00PM

Tuesday, June 19, 2012 / 6:00PM

Tuesday, Sept. 18, 2011 / 6:00PM

Tuesday, Dec 18, 2011 / 6:00PM

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Hauser						O'Donnell				
Murray						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor

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



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 1-31

Date of Adoption: January 1, 2012

TITLE:

RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH CARR, DALEY, SULLIVAN & WEIR, PC AS A FINANCIAL SERVICES CONSULTANT FOR THE BOROUGH OF CALDWELL

WHEREAS, the Borough of Caldwell has a need to acquire the services of a financial services consultant to perform nonattest financial services; and

WHEREAS, the Borough Treasurer has determined that these services are essential to complete the upgrading of the current financial software packages, and to increase the efficiencies and utilization of these packages as they pertain to the fiscal integrity of the Borough of Caldwell on an annual and on-going basis; and

WHEREAS, the anticipated term of this contract is not more than one (1) year; and

WHEREAS, Carr, Daley, Sullivan & Weir, PC indicates that they will provide the nonattest services of a financial services consultant in an amount not to exceed \$7500 per annum for duties and services otherwise prescribed in the attached contract; and

WHEREAS, Carr, Daley, Sullivan & Weir, PC has completed and submitted a Business Entity Disclosure Certification which certifies that Carr, Daley, Sullivan & Weir, PC has not made any reportable contributions to a political or candidate committee in the Borough of Caldwell in the previous one-year, and that the contract will prohibit Carr, Daley, Sullivan & Weir, PC from making any reportable contributions through the term of the contract; and

WHEREAS, the Borough Treasurer has certified that funds are available pursuant to N.J.A.C. 5:30-5.4.

NOW THEREFORE BE IT RESOLVED that the Borough of Caldwell hereby authorizes the Borough Administrator to enter into a contract with Carr, Daley, Sullivan & Weir, PC as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that the Local Public Contracts Law N.J.S.A. 40A:11-5(1), et seq. requires that the resolution authorizing the award of Contracts for Professional Services without competitive bids must be publicly advertised;

RECORD OF COUNCIL VOTE

Councilman: _____ presented the following resolution - Seconded by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Murray						O'Donnell				
Hauser						Kelley				
Coyle						Rodgers				

Lisa O'Neill, Acting Borough Clerk

Ann Dassing, Mayor

CARR, DALEY, SULLIVAN & WEIR, PC

**CERTIFIED PUBLIC ACCOUNTANTS
& CONSULTANTS**

220 SOUTH ORANGE AVENUE
LIVINGSTON, NEW JERSEY 07039

TEL (973) 740-9100
FAX (973) 740-9102

December 21, 2011

Ms. Marge Cherone, CFO
Borough of Caldwell
Via email – Mcherone@caldwell-nj.com

Dear Ms. Cherone:

Thank you for allowing Carr, Daley, Sullivan & Weir P.C. the opportunity to provide nonattest services to the Borough of Caldwell for the year ending December 31, 2011.

It is our understanding that the Borough of Caldwell requires the following nonattest services.

We will assist the CFO in linking the General Ledger transactions to the reconciled bank reconciliations, including entries necessary on a monthly basis to ensure activity is properly posted. We will assist the CFO of the Borough of Caldwell in preparing the year end general ledger for audit. We will assist in preparing the entries needed to properly record the revenues and expenses for the year.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, typing, postage, travel, copies, telephone, etc.). Our standard hourly rates as follows:

Partner	\$150 – 250
Manager	135 – 150
Senior Associate	100 – 135
Staff Associate	75 – 100

We estimate that the number of hours required to perform services will range between 60 and 70 hours and that the fee will be approximately \$7,500. The fee estimate is based on a discussion with the Boroughs CFO and on the anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during our services. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Our invoices for these fees will be rendered as work progresses and are payable on presentation.

Our fee for this engagement will be based upon the amount of time required at billing rates plus out-of-pocket expenses. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Invoices which are past due for more than 60 days will be charged a service fee of 1.5% per month. We reserve the right to suspend our services or to withdraw from

Ms. Marge Cherone, CFO
Borough of Caldwell
December 21, 2011
Page 2 of 2

this engagement in the event that any of our invoices are deemed delinquent. In the event that any collection action is required to collect unpaid balances due to us, you agree to reimburse us for our costs of collection, including attorneys' fees.

We are confident that we can provide the highest quality of professional services and would, indeed, be most pleased to have the privilege of serving your Organization. If you have any questions, please do not hesitate to call.

Sincerely,



Judith L. Tutela, CPA, RMA, CMFO, PSA
Carr, Daley, Sullivan and Weir PC

Acknowledged:

(CLIENT NAME)

Name

Title

Date