

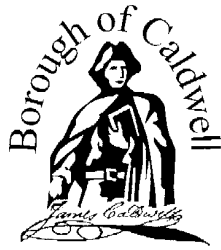


***BOROUGH OF CALDWELL
NEW JERSEY***



**COUNCIL BUSINESS MEETING
October 6, 2015**

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



Council Chambers
1 Provost Square Caldwell, NJ

Borough of Caldwell Council Business Meeting AGENDA

Phone: (973) 226-6100
Website: www.caldwell-nj.com
October 7, 2015 / 7:00PM

MAYOR
Ann Dassing

BOROUGH COUNCIL
Thomas O'Donnell - President
Richard Hauser
Edward Durkin
Pasquale Capozzoli
Kristian Brown
John Cascarano

CALL TO ORDER

Honorable Ann Dassing, Mayor of the Borough of Caldwell Presiding

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

APPROVAL OF MINUTES

September 15, 2015

PRESENTATION

1. Proclamation – James Jorgensen

INTRODUCTION OF ORDINANCE

- Ordinance #1313-15:** AN ORDINANCE AMENDING CHAPTER 130 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE ORDINANCE GOVERNING THE OPERATION OF THE HISTORICAL PRESERVATION COMMISSION
- Ordinance #1314-15:** AN ORDINANCE AMENDING CHAPTER 53 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION REGULATING LICENSING OF ALCOHOLIC BEVERAGES
- Ordinance #1315-15:** CAPITAL ORDINANCE OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NJ AUTHORIZING PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CALDWELL, APPROPRIATING THEREFOR THE SUM OF \$600,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND

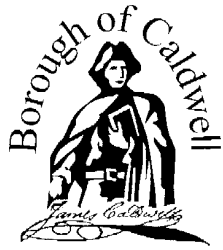
OPEN PUBLIC COMMENTS ON RESOLUTIONS

Members of the public are invited to comment at this time on any resolution.

RESOLUTIONS - CONSENT AGENDA

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

10-184	RESOLUTION ESTABLISHING SALARIES, WAGES, AND ALLOWANCES OF OFFICIALS AND EMPLOYEES OF THE BOROUGH OF CALDWELL FOR THE CALENDAR YEAR 2015
10-185	RESOLUTION SUPPORTING <i>PUT THE BRAKES ON FATALITIES DAY</i> , OCTOBER 10, 2015. October 10, 2015 has been declared <i>Put the Brakes On Fatalities Day</i> by the BOROUGH OF CALDWELL AND THE CALDWELL POLICE DEPARTMENT



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10-186	AUTHORIZING THE APPOINTMENT OF ENVIRONMENTAL COMMISSION MEMBER- ALFONSO FERRENTINO
10-187	AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK'S OFFICE – St. Aloysius Roman Catholic Church, Off Premise – 50/50 Raffle, October 17, 2015 – 6:30PM – 11:00PM
10-188	AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – ST. ALOYSIUS ROMAN CATHOLIC CHURCH
10-189	RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$430,500 SEWER UTILITY BOND, SERIES 2015, OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.
10-190	RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AND THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

COUNCIL COMMITTEE REPORTS

Borough Council Members

1. Councilman Hauser

OLD BUSINESS

1. 2015 School District Tax Analysis

REPORT OF MAYOR

Mayor Dassing

REPORT OF BOROUGH ADMINISTRATOR

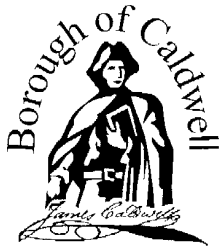
Paul M. Carelli

REPORT OF BOROUGH ATTORNEY

Greg Mascera

REPORT OF POLICE CHIEF

Chief James Bongiorno



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John Cascarano

REPORT OF COUNTY LIAISON

Patricia Keenan

OPEN PUBLIC MEETING

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

EXECUTIVE SESSION

Closed Session

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

1. Litigation
2. Agreements
3. Personnel

ADJOURNMENT

Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda. This agenda was prepared as of 10/02/2015 with all available information as of this date. This agenda has been sent to four official newspapers of the Borough on 10/02/2015 in compliance with P. L. 1975, c 213

Lisa O'Neill, Deputy Clerk.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
MINUTES – September 15, 2015**

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The council Business meeting of the Borough Council of the Borough of Caldwell was called to order in the Council Chambers at 7:01PM.

PRESENT: Mayor Dassing, Council President O'Donnell, Councilman Hauser, Durkin Capozzoli, Brown and Cascarano

ALSO PRESENT: Deputy Clerk, Lisa O'Neill, Borough Attorney, Greg Mascera

ABSENT: Borough Administrator, Paul Carelli

Adequate notice of this Council Business/Conference meeting was given on January 1, 2015. Notice was posted on the bulletin board on the first floor of the Borough Hall, One Provost Square, Caldwell, New Jersey. Official newspapers of the Borough were notified of this meeting by mail. Notice was posted and all persons requesting notice were sent same.

PLEDGE OF ALLIGENCE

**APPROVAL OF MINUTES:
August 18, 2015**

Moved by Council President O'Donnell, seconded by Councilman Cascarano. No Discussion. On roll call, Council President O'Donnell, Councilman Hauser, Durkin, Capozzoli, and Cascarano voted in the affirmative. Councilman Brown abstained. Minutes approved 09/15/15.

INTRODUCTION OF ESSEX COUNTY LIAISON:

Welcome to Patricia Keenan as the new Essex County Liaison to the Borough of Caldwell

PRESENTATION:

1. Don Richardson – President EWMA / discussion of proposed remediation of the Caldwell Police Shooting Range

PUBLIC HEARING AND ADOPTION OF ORDINANCES:

ORDINANCE# 1311-15: AN ORDINANCE AMENDING CHAPTER 230 – ARTICLE V OF THE CODE OF THE BOROUGH OF CALDWELL, TRAFFIC REGULATIONS

Moved by Council President O'Donnell, seconded by Councilman Cascarano. Discussions Ensued. On roll call, all present voted in the affirmative. Ordinance adopted on 9/15/15.

OPEN TO PUBLIC:

Stacey Docteroff, 69 Ravine Avenue, West Caldwell asked for the Mayor and Council to look at other avenues.

Don Allen, 24 Westover Avenue, Caldwell is not in favor of the 4-way stop sign.

Elaine LaDato, 88 Ravine Avenue, West Caldwell is in favor for the 4-way stop sign.

Mr. Mc Mahon, 26 Westover Avenue, Caldwell in not in favor of the 4-way stop sign.

Mrs. Wank, 82 Ravine Avenue, West Caldwell is in favor of the 4-way stop sign she has trouble getting out of her driveway because of the speeding.

Sally Buonomo, 39 Ravine Avenue, Caldwell feels speed bumps on each end would help to slow down the cars.

21 Personette Street, Caldwell asked if anything temporary has been used and they might want to think about that.

Steve Buonomo, 39 Ravine Avenue, Caldwell talked about speed bumps slowing down the traffic.

Claire Searing, 92 Ravine Avenue, West Caldwell her driveway is on Ravine Avenue and she cannot get out of her driveway. She is in favor with the 4-way stop sign.

Councilman O'Donnell asked the residents if an option of putting in speed tables help and all responded yes. Councilman O'Donnell made a suggestion to go to West Caldwell because they would pay for it and they take responsibility of cleaning the streets. Caldwell will not be paying for the speed tables.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
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Councilman Hauser responded for the record he was the recipient for eight stop signs on the block he lives and he has seen that it has no effect. He is conflicted because he greatly respects the Chief with his thoughts and aspects of the Engineer but like a number of people stated he has seen the effects for three or four years and it has no effect. Those who choose to stop at the stop signs speed up as soon as they are through the stop sign. He believes it creates a more dangerous situation.

Councilman Capozzoli responded that the only expert on this is the Chief.

Councilman Hauser responded there were Caldwell residents here a while back asking for parking on one side of Ravine. With parking on both sides it was like a natural deterrent to drive slower and now in response to some residents we removed the parking which has created more of a speed issue.

Mayor Dassing responded that was the traffic committee who made that decision which were people who met on a regular basis

ORDINANCE #1312-15: AN ORDINANCE TO AMEND THE BOROUGH CODE, CHAPTER 230, TRAFFIC AND VEHICLES, SECTION 230-62 SCHEDULE VIII OF THE BOROUGH CODE ENTITLED, "STOP INTERSECTIONS".

Moved by Councilman Cascarano, seconded by Councilman Capozzoli. Discussions Ensued. On roll call, Councilman Brown, Council President O'Donnell, Councilman Capozzoli and Cascarano, voted in the affirmative. Councilman Hauser and Durkin voted in the negative. Ordinance Introduced 08/18/15.

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

Moved by Councilman Hauser, seconded by Councilman Brown

RESOLUTIONS – CONSENT AGENDA

9-172: AUTHORIZING THE APPOINTMENT OF THERESA CECELIA SCOTT AS A CROSSING GUARD IN THE BOROUGH OF CALDWELL EFFECTIVE IMMEDIATELY AT ANNUAL RATE OF \$5,200.00

9-173: RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF 2014 TAXES FOR BLOCK 23 LOT 6, 28 PARK AVENUE, CALDWELL, NJ.

9-174: AUTHORIZING A CREDIT RE: VETERAN DEDUCTION FOR 2015 TAXES FOR BLOCK 33 LOT 16, 59 CENTRAL AVENUE, CALDWELL, NJ 07006

9-175: RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF 2015 TAXES FOR BLOCK 47 LOT 14, 20 CEDARS ROAD, CALDWELL, NJ.

9-176: RESOLUTION AUTHORIZING A CREDIT RE: COUNTY TAX APPEAL FOR BLOCK 68, LOT 2.04, 91 BROOKSIDE AVENUE, CALDWELL, NJ 07006

9-177: AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – CONGREGATION AGUDATH ISRAEL OF WEST ESSEX

9-178: RESOLUTION AUTHORIZING CHANGE FUNDS

9-179: RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR RECREATIONAL PURPOSES

9-180: AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH SEPTEMBER 15, 2015 FOR 2015 BILLS IN THE TOTAL AMOUNT OF \$2,947,199.23

9-181: RESOLUTION REAPPOINTING FRANCINE T. PASERCHIA AS THE BOROUGH CLERK OF THE BOROUGH OF CALDWELL AT AN ANNUAL STIPEND OF \$5,000 EFFECTIVE JULY 1, 2015

9-182: AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE BIDS FOR THE UPPER BROOKSIDE AVENUE ROAD IMPROVEMENT PROJECT

9-183: AUTHORIZING THE APPOINTMENT OF GEORGE F. LIBRIZZI, 105 STEPHANIE DRIVE, NORTH CALDWELL, NEW JERSEY 07006 TO THE POSITION OF TAX ASSESSOR FOR THE TERM ENDING JUNE 30, 2019 IN ACCORDANCE WITH N.J.S.A.40A:9-148 WITH AN ANNUAL SALARY OF \$35,000 EFFECTIVE SEPTEMBER 1, 2015

CONSENT

Moved by Councilman Cascarano, seconded by Councilman Brown. Discussions Ensued. On roll call, all present voted in the affirmative. Resolutions approved 09/15/15.

**BOROUGH OF CALDWELL
COUNCIL BUSINESS/CONFERENCE MEETING
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COUNCIL COMMITTEE REPORT:

Councilman Brown reported that the Environmental Commission wanted to thank the Borough and Council and Mr. Carelli assisting in purchasing an educational video called “Bag it” which is about plastic bags and the use of them in today’s society. The Environmental Commission will be showing the movie at Caldwell University this evening. Councilman Brown reported that the Personette Street Park is moving along and he will turn that over to Ann Marchioni.

Ann Marchioni reported that she has had wonderful support from Boy Scout 6 and the freshman class of Caldwell University and the two days combined was a total of 137 hours. We have met that part of the grant requirements for Open Space. Tomorrow there will be water to the site and they are developing a Pollinator Garden in the center of the track.

Councilman Hauser reported on recreation and he is disappointed that they haven’t received the Engineer’s rendering of some of the things that were talked about. He has reached out a few times with West Caldwell to schedule a meeting and it has not happened and he has asked Paul Carelli to attend once it does. Paul Carelli, the Borough Administrator of West Caldwell, Gabe DiMassi and Rob Paterson met and discussed differences of opinion on certain things and he was told that it went well. Councilman Hauser thanked Pat Keenan, Liaison for Essex County, he had reached out to her for some things at the park and she responded right away and took care of most of that.

Councilman Cascarano reported that he attended the Caroline Fund 5K on Saturday and he had the honor of speaking at this event. There were over 600 people who attended. He wasn’t able to run but he did drop off a small donation and he encouraged anyone else to do the same thing. Go to carolinefund.org which raises money for brain and spine cancer research.

REPORT OF MAYOR:

Mayor Dassing reported that she had sent information to the Council about an idea of an outdoor classroom. The Mayor is very interested in this particularly for the Elm Road property since it is so close to Lincoln School. It could be a place for students to gather and learn about nature. There is a company from the Midwest that comes out here for a two day session and would meet with the Environmental Commissioners, herself and anyone else who might be interested. They would walk the property to see if this is a viable instillation. Sometimes this will supplement subjects such as art and music. She has spoken to the Superintendent of the School district and he is writing a grant and we are also a sustainable school district which is to our advantage because there are not many. The grant would conceivably cover the cost of the visit which is about \$7000.00. At the end of two days they would supply us with designs that we can implement on the Elm Road Property. Mayor Dassing reported that she had a meeting with EZ ride which is a company that provides shuttle services to communities and municipalities. There was a survey done and it came up with over 400 people in this area that would be interested in taking a shuttle down Bloomfield Avenue to the Bay Street station which means they would be leaving their cars at home. We are in the beginning strategies and Mayor Tempesta was here and we are thinking about reaching out to the other towns.

REPORT OF BOROUGH ATTORNEY:

Greg Mascera reported the traffic ordinance for Gleason has been passed today so we will have to get the final dismissal. There are some police issues that will be in arbitration. The first arbitration will be scheduled in December and he will have more detail reports as they move closer. They have to do with internal issues in the Police Department in regards to vacation and the period of time to take vacation days and also in regards to some officer overtime and how it should be paid. After the last meeting Paul and Greg met with Glenn Beckmeyer and they discussed modifications with the open road ordinance and Glenn was going to add some input but unfortunately Glenn had some surgery, so we will have a draft before the next meeting. As far as the Historic Preservation Ordinance we have eliminated the Historical Districts from the ordinance and we have made it clear that in order for a structure or a site to be designated the property owner must consent. There is a difference between identification and designation. The Historic Commission can identify any property that they wish to potentially be an historic site or have historic significance but only a property owner can consent to being subject to the regulations of the Historic Commission.

REPORT OF POLIC CHIEF:

Chief Bongiorno reported that he received the traffic study back for Bloomfield and Gould and it recommended a traffic signal. The Administrator sent that to the County for review and we are just waiting to hear back from them.

REPORT OF COUNTY LIAISON:

Patricia Keenan introduced herself and is looking forward to working with the Mayor and Council. Ms. Keenan is the Assistant Hospital Director at Essex County Hospital for two years and has been with the County for thirteen years. Ms. Keenan reported that the 10th Annual Essex County Senior Wellness Day is taking place on Tuesday, September 29th from 10AM – 2PM.

Councilman Hauser asked if Ms. Keenan can follow up about Roseland Avenue and the curbing that is disintegrating.

OPEN PUBLIC MEETING:

**BOROUGH OF CALDWELL
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Moved by Councilman Hauser, seconded by Councilman Cascarano to open meeting to the Public.

David Cowell, Brookside Avenue, Caldwell reported that this Sunday at 4PM the Grover Cleveland Birthplace will be laying the corner stone.

James, 21 Personette Street, Caldwell he just moved here and it's a great town his only concern is the empty lot across the street from him overgrown with weeds and rodents in the yard.

Ann Marchioni, 85 Brookside Avenue, Caldwell reported that Jerry Freed from Montclair is very interested in this transportation issue and they might be someone to come on board with the shuttle.

Joan Buckley, 16 Hillside Avenue, Caldwell asked when the Historic ordinance will be available to read over.

Hilda Moore, Personette Street, Caldwell asked that all of Personette and Kirkwood be blocked when they do the Caroline fund next year. Also, the bus stop on Roseland Avenue is filthy and needs to be cleaned up.

There being no additional business to be conducted a motion to adjourn the meeting was made by Councilman Cascarano, seconded by Councilman Capozzoli unanimously affirmed by all members present, the meeting was adjourned at 8:41PM

Prepared by: _____
Lisa O'Neill, Deputy Borough Clerk

DATE



BOROUGH OF CALDWELL NEW JERSEY



ORDINANCE# 1313-15

AN ORDINANCE AMENDING CHAPTER 130 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE ORDINANCE GOVERNING THE OPERATION OF THE HISTORICAL PRESERVATION COMMISSION

BE IT ORDAINED by the Council of the Borough of Caldwell as follows:

That Chapter 130, of the Borough of Caldwell, is hereby repealed in its entirety and substituted with the following:

Chapter 130, SHALL GOVERN THE HISTORICAL PRESERVATION COMMISSION AND SHALL SET FORTH THE REGULATIONS GOVERNING THE OPERATION OF THE COMMISSION as follows:

Chapter 130

Section 130 - 1 Purposes

The purpose of this article is to provide a method by which to locate and identify historical structures and landmarks within the Borough of Caldwell and to regulate the repair, alteration, replacement, removal and demolition of historical structures and to otherwise prevent the abuse, loss, removal and destruction of historical structures and landmarks within the community by reason of neglect, improper repair and alteration and development; to thereby preserve the historical, cultural, architectural and social heritage of the community; and to thereby foster civic pride and the economic, social and educational well-being of the community.

Section 130- 2 Interpretations

- A. It is the intention of the Caldwell governing body to maintain an agency to assist in the identification of historical structures and landmarks within the municipality and to create a system by which to administer regulations designed to preserve and regulate historical structures or landmarks based upon a rational plan and objective which will complement existing land use legislation.
- B. Nothing herein contained shall supersede the powers of other local legislative or regulatory bodies or relieve any property owner of complying with the requirements of any other state statute or municipal ordinance or regulation.
- C. In the event of any inconsistency, ambiguity or overlapping of requirements between this article and any other requirement enforced by the municipality, the more restrictive ordinance or requirement shall apply, to the extent that state or federal legislation permits.
- D. This article should not be viewed as requiring or prohibiting the use of any particular architectural style. Instead, the intention of this article is to preserve the past by making the past compatible with the present.

Section 130-3 Definitions

As used in this article, the following terms shall have the meanings indicated:

ADDITION

The construction of a new improvement as part of an existing improvement when such improvement changes the exterior appearance of any landmark.

ALTERATION

Any work done on any improvement which is not an addition to the improvement and which changes the appearance of the exterior surface of any improvement.

DEMOLITION

The razing of any improvement or the obliteration of any natural feature of a landmark.

HISTORIC SITE



BOROUGH OF CALDWELL NEW JERSEY



Any real property, man-made structure, natural object or configuration or any portion or group of the foregoing of historical, archeological, cultural, scenic or architectural significance.

IMPROVEMENT

Any structure or part thereof constructed or installed upon any real property by human endeavor and intended to be kept at the location of such construction or installation for a period of at least 60 days.

LANDMARK

Any historic structure or site which has been designated by ordinance pursuant to N.J.S.A. 40:55D-65.1 or which has been identified in any component of the Master Plan. As used in this chapter, "landmark" may be substituted for "historic," "historic preservation" and "historic site."

MAJOR APPLICATION

Any application for a permit required by this article which involves demolition or removal of a landmark, addition to a landmark, or modification to a landmark which will substantially affect the characteristics of the landmark.

MINOR APPLICATION

Any application for a permit required under this article which does not involve demolition or removal of a landmark, addition to a landmark or modification to a landmark.

NATIONAL REGISTER CRITERIA

The established criteria for evaluating the eligibility of properties for inclusion in the National Register of Historic Places.

REPAIR

Any work performed on an improvement which is not an addition to the improvement and which does not change the appearance of the exterior surface of the improvement.

REPLACEMENT

A repair or reconstruction to any improvement for which a building permit ordinarily is required.

STRUCTURE

Any improvement, including but not limited to all buildings.

130 -4 Historic Preservation Commission

A. There is hereby established a Historic Preservation Commission which shall consist of five regular members and two alternate members.

B. Membership on the Commission shall include one member designated as a Class A member, who shall be a person who is knowledgeable in building design and construction or architectural history and who may reside outside of the municipality; and one member designated as a Class B member, who shall be a person who is knowledgeable of or has a demonstrated interest in local history and who may reside outside the municipality. Regular members who are not designated as Class A or Class B members shall be designated as Class C members and shall be citizens of the municipality and shall hold no other municipal office, position or employment except for membership on the Planning Board or Board of Adjustment. Alternate members shall meet the qualifications of Class C members.

C. Appointment; terms.

(1) Regular members and alternate members shall be appointed by the Mayor. At the time of the appointment, the Mayor shall designate the members by class and the alternates as "Alternate No. 1" and "Alternate No. 2."

(2) The terms for regular members shall be four years.



BOROUGH OF CALDWELL NEW JERSEY



(3) Alternate members shall serve for terms of two years.

(4) A vacancy in the term of any regular or alternate member occurring otherwise than by expiration of a term shall be filled for the unexpired term only.

(5) Despite any other provision contained herein, the term of any member common to the Commission and to the Planning Board shall be for the term of the membership on the Planning Board, and the term of any member common to the Commission and the Board of Adjustment shall be for the term of membership on the Board of Adjustment.

D. The Commission shall elect a Chairman and Vice Chairman from its members and shall select a Secretary who may or may not be a member of the Commission or a municipal employee.

E. Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

F. No member of the Commission shall be permitted to act on any matter in which he or she has, either directly or indirectly, any personal or financial interest.

G. A member of the Commission may, after public hearing if public hearing is requested by such member, be removed by the Borough governing body for cause.

H. Responsibilities.

The Commission shall have the responsibility to:

(1) Prepare a survey of the historic sites of the municipality, pursuant to criteria identified in the survey report.

(2) Make recommendations to the Planning Board on the historic preservation plan element of the Master Plan and on the implications for preservation of historic sites of any other Master Plan elements.

(3) Advise the Planning Board on the inclusion of historic sites in the recommended capital improvement program.

(4) Advise the Planning Board and the Board of Adjustment on applications for development, pursuant to N.J.S.A. 40:55D-110.

(5) Provide written reports, pursuant to N.J.S.A. 40:55D-111, on the application of the Zoning Chapter provisions concerning historic preservation.

(6) Carry out such other advisory, educational and informational functions as will promote historic preservation in the municipality.

S 130-5 Appropriations; Employment of Experts and Staff.

A. The governing body shall make provision in its budget and appropriate funds for the Historic Preservation Commission.

B. The Historic Preservation Commission may employ, contract for and fix the compensation of experts and other staff and services as it shall deem necessary. The Commission shall obtain its legal counsel from the Municipal Attorney at the rate of compensation determined by the governing body, unless the governing body, by appropriation, provides for separate legal counsel for the Commission. Expenditures by the



BOROUGH OF CALDWELL NEW JERSEY



Commission shall not exceed, exclusive of gifts or grants, the amount appropriated by the governing body for the Commission's use.

S 130-6 Regulation of Historic Structures and Landmarks; Permits

A. The Planning Board and Board of Adjustment shall refer to the Historic Preservation Commission every application for development submitted to either Board for development of a landmark designated in the Zoning Map or the official map or identified in any component of the Master Plan, in accordance with N.J.S.A. 40:55D-110.

B. In addition to such other permits that may be required by other applicable ordinances of the Borough, a permit shall be required before any of the following activities are commenced on any property that has been designated by ordinance as a historic site or having upon it an historic structure:

- (1) Demolition of an historic structure or landmark.
- (2) Relocation of any historic structure or landmark.
- (3) Change in the exterior appearance of any existing historic structure or landmark.
- (4) Changes in or addition of new signs or exterior lighting, except that no permit shall be required for one unlighted sign per premises if the surface area of such sign does not exceed one square foot for an identification sign or four square feet for a commercial sign, provided that such sign is attached to and parallel to the facade of the building or structure.
- (5) Any new construction of a principal or accessory structure.

C. Exceptions.

(1) A permit shall not be required if the proposed change to the historical structure or landmark was approved by the Planning Board or the Board of Adjustment in connection with an application for development, pursuant to N.J.S.A. 40:55D-1 et seq. and The Planning Board or Board of Adjustment, as the case may be, had referred the application for development pursuant to part A of this section 130-7.

(2) A permit shall not be required for any repainting of the same color, repair or exact replacement of any existing improvement. In the event that the color or exterior surface material of the improvement shall be changed as a result of such repainting, repair or exact replacement, a permit shall not be required if the new color or exterior surface is one that has been previously approved by regulation duly promulgated by the Commission for similar improvements.

D. Application for a permit pursuant to this article shall be filed with the Borough Construction Code Official on a form to be supplied by the Borough. At the time of filing, the applicant shall pay an application fee in the amount set forth in Chapter A270, Fees, of the Caldwell Code.

E. The Construction Code Official shall review the application with the administrative officer and shall classify the application as a minor application or a major application as defined in this article.

F. Minor applications.

(1) If the permit application has been classified by the administrative officer and the Construction Code Official as a minor application, the Construction Code Official shall refer such application to the Commission for its report and its recommendation. In such instance, in accordance with NJSA 40:55D-111, the Commission chairperson may act in the place of the full commission.

(2) The Commission shall report to the Construction Code Official within 45 days from the date such application was referred to the Commission. If within the forty-five-day period the Commission recommends



BOROUGH OF CALDWELL NEW JERSEY



to the Construction Code Official against the issuance of a permit or recommends conditions to the permit to be issued, the Construction Code Official shall deny issuance of the permit or include the conditions in the permit, as the case may be. Failure to report within the forty-five-day period shall be deemed to constitute a report in favor of issuance of the permit and without the recommendation of conditions to the permit. If the Commission recommends issuance of the permit, then the Construction Code Official shall thereupon issue the permit, and such permit shall contain such conditions as the Commission shall recommend.

G. Major applications.

(1) If the permit application has been classified as a major application, the Construction Code Official shall refer such application to the Commission for its report and its recommendation. The referral shall state that the application has been classified as a major application and that the Commission shall submit its report directly to the Planning Board.

(2) The Planning Board is hereby granted authority to review major applications for permits, to consider recommendations of the Historic Preservation Commission and to make recommendations to the Construction Code Official with regard to such applications.

(3) The Planning Board shall report to the Construction Code Official within 45 days from the date the application was referred to the Commission. If within the forty-five-day period the Planning Board recommends to the Construction Code Official against the issuance of a permit or recommends conditions to the permit to be issued, the Construction Code Official shall deny issuance of the permit or include the conditions in the permit, as the case may be. Failure to report within the forty-five-day period shall be deemed to constitute a report in favor of issuance of the permit and without the recommendation of conditions to the permit. If the Planning Board recommends issuance of the permit, then the Construction Code Official shall thereupon issue the permit, and such permit shall contain such conditions as the Planning Board shall recommend.

(4) The applicant shall be given notice of all hearings on the application and shall have the opportunity to be heard by the Planning Board on the application.

S 130-7 Standards For Consideration.

The following standards shall be considered by the Historic Preservation Commission in connection with referrals pursuant to N.J.S.A. 40:55D-110; and by the Historic Preservation Commission and Planning Board in connection with permits required by this chapter; and by the Planning Board and Board of Adjustment in connection with development applications pursuant to N.J.S.A. 40:55D-1 et seq. when the development application involves a property which has been designated by ordinance as a historic landmark or historic structure.

A. Demolitions. In regard to an application to demolish an historic structure or landmark, the following matters shall be considered:

(1) Its historic, architectural and aesthetic significance.

(2) Its use.

(3) Its importance to the municipality and the extent to which its historic or architectural value is such that its removal would be detrimental to the public interest.

(4) The extent to which it is of old, unusual or uncommon design, craftsmanship, texture or material that it could not be reproduced or could be reproduced only with great difficulty.

(5) The extent to which its preservation would promote the general welfare by maintaining and increasing real estate values; generating business; creating new jobs; attracting tourists, students, writers, historians, artists, artisans and new residents; encouraging study and interest in American history; stimulating interest and study in architecture and design; educating citizens in American culture and heritage; or making the municipality a more attractive and desirable place in which to live.



BOROUGH OF CALDWELL NEW JERSEY



B. Removals out of the municipality. With regard to an application to move an historic structure or landmark to a location outside of the municipality, the following matters shall be considered:

- (1) The historic loss to the site of original location.
- (2) The compelling reasons for not retaining the landmark or structure at its present site.
- (3) The proximity of the proposed new location to the municipality, including the accessibility to the residents of the municipality and other citizens.
- (4) The probability of significant damage to the landmark or structure itself.
- (5) The applicable matters listed in Subsection A above.

C. Removals within the municipality. With regard to an application to move an historic landmark or historic structure to a new location within the municipality, the Commission shall consider the compatibility, nature and character of the proposed surrounding area into which the landmark or structure will be moved as they relate to the intent and purposes of this article.

D. Consideration on other actions. With regard to an application for other approval of any proposed action as set forth in this article, the following matters shall be considered:

- (1) The impact of the proposed change on the historic and architectural character of the landmark or structure.
- (2) The historic or architectural importance to the municipality and the extent to which such interest would be affected by the action.
- (3) The extent to which there would be involvement of textures and material that could not be reproduced or could only be reproduced with great difficulty.
- (4) The use of the structure.
- (5) The extent to which the proposed action would adversely affect the view of a landmark or structure from a public street.

E. Visual compatibility factors. In assessing the effect of any proposed change under application for any landmark, the following visual compatibility factors shall be used to analyze the effect that the change applied for would have on the landmark and on those structures to which the landmark is visually related:

- (1) Height. The height of the proposed building shall be visually compatible with adjacent buildings.
- (2) Proportion of the building's front facade. The relationship of the width of the building to the height of the front elevation shall be visually compatible with buildings and places to which it is visually related.
- (3) Proportion of openings within the facility. The relationship of the width of windows to the height of windows in a building shall be visually compatible with the buildings and places to which it is visually related.
- (4) Rhythm of solids to voids on facades fronting on public places. The relationship of solids to voids in such facades of a building shall be visually compatible with the buildings and places to which it is visually related.
- (5) Rhythm of spacing of buildings on streets. The relationship of the building to the open space between it and adjoining buildings shall be visually compatible with the buildings and places to which it is visually related.



BOROUGH OF CALDWELL NEW JERSEY



(6) Rhythm of entrance and/or porch projections. The relationship of entrance and porch projections to the street shall be visually compatible with the buildings and places to which it is visually related.

(7) Relationship of materials, texture and color. The relationship of materials, texture and color of the facade and roof of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related.

(8) Roof shapes. The roof shape of a building shall be visually compatible with buildings to which it is visually related.

(9) Wall of continuity. Appurtenances of buildings, such as walls, open-type fencing and evergreen landscape masses, shall form cohesive walls of enclosure along a street, to the extent necessary to maintain visual compatibility of the building with the buildings and places to which it is visually related.

(10) Scale of building. The size of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.

(11) Directional expression of front elevation. A building shall be visually compatible with buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or non-directional character.

S 130 - 8 Identification and Designation of Historic Structures and Landmarks; procedure

A. The Historic Preservation Commission shall perform a comprehensive survey of the Borough of Caldwell to identify potential historic landmarks and historic structures that are worthy of protection and preservation.

B. In evaluating and identifying historic structures and landmarks, the Historic Preservation Commission shall be generally guided by the National Register criteria. The Historic Preservation Commission may identify and recommend for designation any real property or improvement, such as a building, structure, ruins, foundation, route, trail, place or object, including but not limited to a cave, cemetery, burial ground, camp or village area or a natural object or configuration, geological formation or feature, which is of particular, historic, cultural, scenic or architectural significance to the municipality and in which the broad cultural, political, economic or social history of the nation, state, or municipality is reflected or exemplified; or is identified with historical personages or with important events within the main current of national, state or local history; or shows evidence of habitation, activity, or the culture of prehistoric man; or embodies a distinguishing characteristic or an architectural type valued as representative of a period or a style or method of construction; or presents a work of a builder, designer, artist or architect whose individual style significantly influenced the architectural history of the municipality; or is imbued with traditional or legendary lore.

C. The Historic Preservation Commission may initiate the identification of a potential historic structure or historic landmark.

D. The Historic Preservation Commission shall schedule a public hearing to consider the identification of any potential landmark. Such hearing shall be on at least 10 days' written notice, by certified mail, return receipt requested, to the owner of property which is being considered for identification. At the hearing, the Historic Preservation Commission shall consider the comments and questions of the owner of such property and of any interested parties and comments of the public, along with other relevant testimony, exhibits, or other physical evidence which addresses the worthiness of such property for landmark identification.



BOROUGH OF CALDWELL NEW JERSEY



E. During the course of the public hearing or hearings on the identification of a potential landmark, the Historic Preservation Commission shall make written request of the owner of such property for such owner's written consent to the designation of such property by ordinance as a landmark.

F. At the conclusion of the public hearing on the identification of a potential landmark, the Historic Preservation Commission shall make its recommendation in the form of a written report to be adopted by resolution of the Commission.

G. If the Historic Preservation Commission shall determine that a property is worthy of landmark identification, then the Historic Preservation Commission shall forward its recommendation to the Borough Planning Board.

H. If the owner of a property which has been identified as a potential landmark by the Historic Preservation Commission has consented to the designation of such property as a landmark by ordinance, then the Historic Preservation Commission shall forward its recommendation and the written consent of the owner of such property to the Borough Mayor and Council. Upon receipt of consent and the recommendation of the Historic Preservation Commission, the Mayor and Council may consider such property for designation as a landmark by ordinance pursuant to N.J.S.A. 40:55D-65.1.

I. The properties set forth at the conclusion of this chapter, as amended from time to time are, or will be, designated as "Historic" and shall be portrayed as such on the Borough Zoning Map. In addition, the Borough Tax Assessor, Tax Collector and Construction Code Official shall identify such properties as "Historic Landmark" or "Historic Structure" on public records maintained for such properties.

J. Regulation of the properties set forth at the conclusion of this chapter as "Historic Landmark" in accordance with this chapter shall be in addition to such designation and regulation as the Borough Zoning Ordinance (Chapter 250 of the Caldwell Code) may otherwise require.

S 130 - 9 Notice of Violations; Violation and Penalties.

A. If any person shall perform or undertake any activity upon any landmark property or structure which requires a permit and such person has not first obtained a permit, then such person shall be deemed to be in violation of this article.

B. Upon learning of the violation, the Construction Code Official shall personally serve upon the owner of the lot wherein the violation is occurring a notice describing the violation in detail and giving the owner 10 days within which to abate the violation by restoring the landmark or improvement to its status quo ante. If the owner cannot be served personally within the municipality with said notice, a copy shall be posted on the site, and a copy shall be sent, by certified mail, return receipt requested, to the owner at his last known address as appears on the municipal tax rolls.

C. In the event that the violation is not abated within 10 days of service of a notice of violation, the Construction Code Official shall issue a summons and complaint, returnable in the Caldwell Municipal Court, charging violation of this article. Each separate day that such violation of this article continues shall constitute a separate violation. The penalties for violations of this article shall be as follows:

(1) For each day up to 10 days, not more than \$25 per day.

(2) For each day from 11 days to 25 days, not more than \$50 per day.

(3) For each day beyond 25 days, not more than \$75 per day.

D. In the event that any action which is about to occur would permanently and adversely change the landmark, such as in the case of a demolition or removal, and a required permit has not been issued for such action, then the Construction Code Official is hereby authorized to apply to the Superior Court of New Jersey for such injunctive relief as is necessary to prevent the destruction or removal of such landmark.



BOROUGH OF CALDWELL NEW JERSEY



S 130-10 Emergency Review

Despite anything contained in this Chapter to the contrary, when emergency repairs are required to be made to any historical structure to preserve a structure's continued habitability or the health and safety of its occupants or others, the Construction Code Official shall notify the Chairperson of the Commission of such need for emergency repairs. The Commission shall make a recommendation regarding emergency repairs within 48 hours of having received such notice from the Construction Code Official and the Construction Code Official shall authorize the emergency repairs to be made consistent with the Commission's recommendations. The Construction Code Official may allow temporary repairs to preserve continued habitability or public safety to an historic site prior to the Historic Preservation Commission's review when these repairs are necessary for the building's occupancy or for public safety. In all circumstances, such emergency repairs shall be made to conform to the provisions of this Chapter within 90 days.

S 130 -11 Permit Review

It shall be the duty of all municipal officials reviewing all permit applications involving real property or improvements thereon to determine whether such application involves any activity which should also be the subject of an application for a permit under this article and to inform both the Secretary of the Historic Preservation Commission and the owner of such property of the need for any such permit.

S 130 - 12 Severability.

- 1.If any provision of this article or the application thereof is held invalid for any reason, the invalidity shall not affect other provisions or applications of this article that can be given effect without the invalid provision
2. All Ordinances and/or Resolutions of the Borough of Caldwell, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

NOTICE OF PUBLIC HEARING ON ORDINANCE

Please take Notice that the foregoing ordinance was introduced at a meeting of the Council of the Borough of Caldwell on the 6th day of October, 2015 and passed on first reading; and the same was then ordered to be published according to law; and that such ordinance will be further considered for final passage at a meeting of the Council to be held at the Caldwell Municipal Building, 1 Provost Square, Caldwell, NJ on the 5th day of November, 2015 at seven o'clock p.m. prevailing time or as soon thereafter as the matter may be reached, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.



**BOROUGH OF CALDWELL
NEW JERSEY**



DATE OF FIRST READING: October 6, 2015 DATE OF SECOND READING: November 5, 2015
DATE OF PUBLICATION: October 15, 2015 DATE OF ADOPTION: November 5, 2015

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1314-15

AN ORDINANCE AMENDING CHAPTER 53 OF THE CODE OF THE BOROUGH OF CALDWELL, BEING THE SECTION REGULATING LICENSING OF ALCOHOLIC BEVERAGES

BE IT ORDAINED by the Council of the Borough of Caldwell as follows:

That Chapter 53, Section 6 of the Code of the Borough of Caldwell, New Jersey be amended as herein set forth:

That Chapter 53, Section 6 of the Code of the Borough of Caldwell, the section titled "Hours of sale for consumption off the licensed premises" is amended as follows:

Delete Section A. (1) and replace with the following:

(1) Saturday from 10:00 p.m. to Sunday 9:00 a.m.

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

NOTICE OF PUBLIC HEARING ON ORDINANCE

Please take Notice that the foregoing ordinance was introduced at a meeting of the Council of the Borough of Caldwell on the 6th day of October, 2015 and passed on first reading; and the same was then ordered to be published according to law; and that such ordinance will be further considered for final passage at a meeting of the Council to be held at the Caldwell Municipal Building, 1 Provost Square, Caldwell, NJ on the 5th day of November, 2015 at seven o'clock p.m. prevailing time or as soon thereafter as the matter may be reached, at which time and place, or at any time and place to which such meeting shall from time to time be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

BY ORDER OF THE COUNCIL

DATE OF FIRST READING:	October 6, 2015	DATE OF SECOND READING:	November 5, 2015
DATE OF PUBLICATION:	October 15, 2015	DATE OF ADOPTION:	November 5, 2015
MOVED:		MOVED:	
SECONDED:		SECONDED:	

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell					Capozzoli				
Hauser					Brown				
Durkin					Cascarano				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

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



**BOROUGH OF CALDWELL
NEW JERSEY**



ORDINANCE# 1315-15

**CAPITAL ORDINANCE OF THE BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NJ
AUTHORIZING PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CALDWELL,
APPROPRIATING THEREFOR THE SUM OF \$600,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND**

BE IT ORDAINED by the Council of the Borough of Caldwell, County of Essex, State of New Jersey, (not less than 2/3 of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvements described in section 3 of this ordinance are hereby authorized as improvements to be made by the Borough of Caldwell in the County of Essex. For said improvements or purposes stated in section 3, there is hereby appropriated the sum of \$600,000.

SECTION 2. For financing of said improvements and to meet the costs and expenses in connection therewith, there is hereby appropriated the sum of \$600,000 from the following source by virtue of its availability for these purposes from funds provided in a budget or budgets of the Borough of Caldwell heretofore adopted:

Sewer Capital Improvement Fund \$600,000

SECTION 3. The improvements hereby authorized for which the aforesaid sum is appropriated are as follows:

Improvements related to the Final Settling Tank Sludge Collection System upgrades at the Caldwell Wastewater Treatment Plant including all labor, material costs and appurtenances necessary and suitable thereto \$600,000.

SECTION 4. Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

SECTION 5. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

SECTION 6. This capital ordinance shall take effect at the time and in the manner provided by law.

DATE OF FIRST READING: October 6, 2015 DATE OF SECOND READING: November 5, 2015
DATE OF PUBLICATION: October 15, 2015 DATE OF ADOPTION: November 5, 2015
MOVED:
SECONDED:

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

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



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 10-184

Date of Adoption: October 6, 2015

TITLE:

RESOLUTION ESTABLISHING SALARIES, WAGES, AND ALLOWANCES OF OFFICIALS AND EMPLOYEES OF THE BOROUGH OF CALDWELL FOR THE CALENDAR YEAR 2015

BE IT ORDAINED by the Mayor and Council of the Borough of Caldwell, in the County of Essex and State of New Jersey, as follows:

Section 1. The salaries, wages, and allowances for the following positions within the Borough of Caldwell not covered under a separate collective bargaining agreement shall be as follows for the calendar year 2015:

Full-Time Positions:	Title	Annual Rate
Bongiorno, James	Police Chief	\$141,204
Carelli, Paul	Borough Administrator	\$125,543
Bifalco, Mario	Public Works Superintendent	\$84,322
Paterson, Robert	Community Center Director	\$75,308
Renne, Idamae	Tax / Utility Collector	\$68,474
Burak, Maria	Director of Human Services	\$61,619
Hamer, John	Public Works Foreman	\$59,468
Van Dien, Joanne	Fitness Supervisor	\$58,988
O'Neill, Lisa	Deputy Clerk	\$56,847
O' Hern, Leanne	Court Administrator	\$54,500
Muccio, Antoinette	Assistant Treasurer	\$54,020
Lawshe, Gordon	Sports Program/Membership Director	\$53,230
Camilleri, Theresa	Front Desk Supervisor	\$53,138
Blechar, Jessica	Aquatics Director	\$33,212
McMillion, Ashley	Deputy Court Administrator	\$32,370
Spittle, Elizabeth	Senior Bus Driver	\$29,145
Bellasalma, Robert	Bookkeeper (per hour)	\$21.48

Governing Body Positions:	Title	Annual Rate
Mayor	Mayor	\$2,000
Borough Council	Borough Council	\$1,500

Part-Time Salaried Positions:	Title	Annual Rate
Milani, Paul	Construction / Building Sub-Code Official	\$56,383
Librizzi, George (start 9-1-15)	Tax Assessor	\$35,000
Hassan, Colette	Administrative Assistant (28 hours/week)	\$31,100
O' Conner, Donald	Municipal Court Judge	\$27,500
Guiliano, Mark	Fire Official (\$22/hour-21 hrs/week)	\$24,024
Kozeniesky, Joan (end 8-31-15)	Tax Assessor	\$20,000
Visitacion, Marty R.	Community Center Instructors	\$19,600
Stack, James D.	Community Center Instructors	\$18,000
Corinne, Shannon	Summer Camp Director	\$9,000
Guiliano, Mark	Code Enforcement (\$22/hour-7 hrs/week)	\$8,008



BOROUGH OF CALDWELL NEW JERSEY



Chontow, Greg	Electrical Sub-Code Official	\$8,000
Sewer Commissioners	Sewer Commissioners	\$7,217
Lardieri, Anthony	Plumbing Sub-Code Official	\$7,000
D'Ascensio, John	Fire Sub-Code Official	\$6,000
Milani, Paul	Zoning Official	\$6,000
Paserchia, Francine	Borough Clerk	\$5,000
Battaglia, Chris	Chief Financial Officer	\$4,940
Paserchia, Francine	Qualified Purchasing Agent	\$4,000

Part-Time Hourly Positions:	Title	Hourly Rate
Sullivan, Robert	Parking Enforcement (Max 25.0 hrs/week)	\$20.00
Substitute Crossing Guards	Substitute Crossing Guards	\$16.00
DPW Seasonal Employees	DPW Seasonal Employees	\$12.50 MAX
Front Desk Receptionists	Front Desk Receptionist	\$10.00
Community Center Receptionist	Substitute Front Desk Receptionist	\$8.50 MAX
Community Center Lifeguards	Lifeguards	\$8.50 MAX

Annual Stipend	Title	Annual
Burak, Maria	Welfare – West Caldwell	\$4,000
Paserchia, Francine	Qualified Purchasing Agent	\$4,000
O'Neill, Lisa	Planning / Zoning Board Secretary	\$4,000
BiFalco, Mario	Licensed Pool Operator	\$2,400
Muccio, Antoinette	Pension Certifying Officer	\$2,250
Colaizzo, Robert	Council Meeting Video Coordinator	\$1,500
O'Neill, Lisa	Rent Board Secretary	\$900

Part-Time Salaried Positions:	Crossing Guards	Annual Rate
Arvanities, Demetrios	Crossing Guard - Extended Over 5th	\$8,320
Augusto, Davide	Crossing Guard - Extended 1st	\$5,720
Augusto, Davide (effective 9-1)	Crossing Guard - Extended 2nd	\$6,240
Coughlan, Richard	Crossing Guard - Regular Over 5th	\$7,800
DeBellis, Joseph	Crossing Guard – Regular 2nd	\$5,720
DeBellis, Joseph (effective 9-1)	Crossing Guard – Regular 3rd	\$6,240
Hersh, Kevin	Crossing Guard - Extended 3rd	\$6,760
Hersh, Kevin (effective 9-1)	Crossing Guard - Regular 4th	\$6,760
Hill, Leonard	Crossing Guard - Regular 1st	\$5,200
Hill, Leonard (effective 9-1)	Crossing Guard - Regular 2nd	\$5,720
LaMarca, Joseph	Crossing Guard - Extended Over 5th	\$8,320
Maginnis, Steven	Crossing Guard - Regular 4th	\$6,760
Maginnis, Steven (effective 9-1)	Crossing Guard - Regular 5th	\$7,280
Peterson, Theresa	Crossing Guard - Extended Over 5th	\$8,320
Reynolds, Timothy	Crossing Guard - Extended Over 5th	\$8,320
Rovazzi, Rita	Crossing Guard - Regular 3rd	\$6,240
Rovazzi, Rita (effective 9-1)	Crossing Guard - Regular 4th	\$6,760
Schmertz, Kenneth (effective 9-1)	Crossing Guard - Regular Over 5th	\$7,800
Walacheske, Karen	Crossing Guard - Regular Over 5th	\$7,800



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-185

Date of Adoption: October 6, 2015

TITLE:

**RESOLUTION SUPPORTING *PUT THE BRAKES ON FATALITIES DAY*, OCTOBER 10, 2015.
October 10, 2015 has been declared *Put the Brakes On Fatalities Day* by the BOROUGH OF CALDWELL AND THE CALDWELL POLICE DEPARTMENT**

WHEREAS, Across the nation, traffic crashes caused 32,675 (est.) fatalities in 2014, and are the leading cause of death for young people ages 15 to 34; and

WHEREAS, In New Jersey, 556 individuals lost their lives in traffic crashes in 2015; and

WHEREAS, Alcohol-related crashes accounted for 27.0 percent of the State’s traffic fatalities, while 26 percent of all fatal crashes involved traveling at unsafe speeds; and,

WHEREAS, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey’s roadways, as people opt for alternative modes of transportation; and

WHEREAS, 60 motorcyclists, 11 bicyclists and 170 pedestrians were killed in New Jersey in traffic-related crashes in 2015; and

WHEREAS, Safer driving behaviors such as buckling up every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear when riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions can dramatically reduce the number of traffic-related injuries and deaths;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Caldwell and the Caldwell Police Department do hereby proclaim October 10, 2015, *Put the Brakes On Fatalities Day*, and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor

Put the Brakes on Fatalities Day®
October 10, 2015

SAMPLE PROCLAMATION

October 10, 2015, has been declared Put the Brakes on Fatalities Day® by the
(TITLE OR NAME OF CITY, COUNTY, STATE OR ORGANIZATION);

WHEREAS, Across the nation, traffic crashes caused approximately 32,675(est.) fatalities in 2014, and are the leading cause of death for young people ages 15 to 34; and,

WHEREAS, In New Jersey, 556 individuals lost their lives in traffic crashes in 2015; and,

WHEREAS, Alcohol-related crashes accounted for 27.0 percent of the State's traffic fatalities, while 26 percent of all fatal crashes involved traveling at unsafe speeds; and,

WHEREAS, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and,

WHEREAS, 60 motorcyclists, 11 bicyclists and 170 pedestrians were killed in New Jersey in traffic-related crashes in 2015; and,

WHEREAS, Safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear while riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths;

Now, therefore, I (NAME OF ELECTED OFFICIAL) (TITLE OR NAME OF CITY, COUNTY, STATE OR ORGANIZATION), do hereby proclaim October 10, 2015, Put the Brakes on Fatalities Day®, and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-186

Date of Adoption: October 6, 2015

TITLE:

**AUTHORIZING THE APPOINTMENT OF ENVIRONMENTAL COMMISSION MEMBER-
ALFONSO FERRENTINO**

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 Member:

Alfonso Ferrentino

Resident

December 31, 2018

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-187

Date of Adoption: October 7, 2015

TITLE:

AUTHORIZING THE ISSUING OF LICENSE FOR RAFFLE. APPLICANT AND APPLICATION HAVE BEEN APPROVED BY THE CLERK’S OFFICE – St. Aloysius Roman Catholic Church, Off Premise – 50/50 Raffle, October 17, 2015 – 6:30PM – 11:00PM

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that the following be and is hereby granted a raffle license in accordance with the application filed. Applicant and application has been approved by the Borough Council.

RA-1314 St. Aloysius Roman Catholic Church
Off Premise – 50/50 Raffle
October 17, 2015 – 6:30PM – 11:00PM

FURTHER BE IT RESOLVED that the Clerk be and is hereby authorized to sign a statement of Findings and Determination granting said license and the Borough Clerk be and is hereby authorized to sign said license.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-188

Date of Adoption: October 7, 2015

TITLE:

AUTHORIZING THE ISSUING OF A SPECIAL LIQUOR PERMIT. APPLICANT AND APPLICATION HAS BEEN APPROVED BY THE POLICE DEPARTMENT AND THE CLERK'S OFFICE – ST. ALOYSIUS ROMAN CATHOLIC CHURCH

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that the Borough Council be an is hereby authorized and directed to certify that the Mayor and Council have no objection to the granting of a Special Liquor permit to offer alcoholic beverages at a special social affair to be conducted by the following:

St. Aloysius Roman Catholic Church
219 Bloomfield Avenue
Caldwell, New Jersey 07006

Event to Be Held:

St. Aloysius Roman Catholic Church
219 Bloomfield Avenue
Caldwell, New Jersey 07006

October 17, 2015
6:30PM – 12:00AM

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



BOROUGH OF CALDWELL NEW JERSEY



Resolution No: 10-189

Date of Adoption: October 7, 2015

TITLE:

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$430,500 SEWER UTILITY BOND, SERIES 2015, OF THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

WHEREAS, the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"), has determined that there exists a need within the Borough to provide for the completion of various upgrades to the Caldwell Wastewater Treatment Plant (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the "Trust") pursuant to the 2015 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Borough has determined to finance the Project with the proceeds of a loan to be made by the Trust (the "Trust Loan") pursuant to the Trust Loan Agreement;

WHEREAS, to evidence the Loan, the Trust require the Borough to authorize, execute, attest and deliver the Borough's Sewer Utility Bond, Series 2015, in an aggregate principal amount not to exceed \$430,500, to the Trust (the "Trust Loan Bond") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Trust Loan Agreement;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond to the Trust, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, in connection with the issuance of the Trust Loan Bonds to the Program, the governing body of the Borough wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Borough (collectively, the "Documents") by the Mayor, Chief Financial Officer, Borough Clerk, Counsel to the Borough, Project Engineer or Appraiser and/or Bond Counsel to the Borough (collectively, the "Borough Representatives

(c) The Trust Loan Bond shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 5. The Trust Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Borough Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State of New Jersey for the Program, to arrange for same. The Borough auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Borough Bonds. The Mayor, the Chief Financial Officer and the Borough Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information. Bond Counsel to the Borough is hereby authorized to accept and hold the Documents on or before the Closing Date and to release same upon the direction of the Borough.



BOROUGH OF CALDWELL NEW JERSEY



Section 7. The Borough hereby designates the Chief Financial Officer to award the Trust Loan Bond in accordance with Section 2 hereof and such financial officer shall report in writing the results of the sale to this Council as required by law.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Trust Loan Bond, and are further authorized to deliver same to the Trust upon delivery of the Trust Loan Bond and the receipt of payment therefor in accordance with the Trust Loan Agreement.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Borough, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell										
Hauser										
Durkin										
						Capozzoli				
						Brown				
						Cascarano				

Lisa O'Neill, Deputy 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: 10-190

Date of Adoption: October 6, 2015

TITLE:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY AND THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Caldwell, in the County of Essex, New Jersey (the "Borough"), has determined that there exists a need within the Borough to provide for various upgrades to the Borough's wastewater treatment plant (the "Project") as defined in each of that certain Loan Agreement (the "Loan Agreement") to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the "Trust") pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Borough has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") (the "Loan") pursuant to the Trust Loan Agreement;

WHEREAS, to evidence the Loan, the Trust requires the Borough to authorize, execute, attest and deliver the Borough's Sewer Utility Bond, Series 2015, in a principal amount not to exceed \$430,500, to the Trust (the "Borough Bond") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough as follows:

Section 1. The Trust Loan Agreement is hereby authorized to be executed and delivered on behalf of the Borough by either the Mayor or the Chief Financial Officer in substantially the forms on file with the Borough Clerk, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Borough (collectively, the "Borough Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Borough Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Trust Loan Agreement by an Authorized Officer as determined hereunder. The Borough Clerk is hereby authorized to attest to the execution of the Trust Loan Agreement and associated documents by an Authorized Officer of the Borough as determined hereunder and to affix the corporate seal of the Borough to such documents.

Section 2. The Authorized Officers of the Borough are hereby further severally authorized to (i) execute and deliver, and the Borough Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Borough to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Borough Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Trust Loan Agreement and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.



**BOROUGH OF CALDWELL
NEW JERSEY**



Section 4. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Borough, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

Lisa O'Neill, Deputy 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: 10-191

Date of Adoption: October 6, 2015

TITLE:

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WASHBURN PLACE – HANFORD PLACE – LINCOLN TERRACE IMPROVEMENTS PROJECT

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Caldwell formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-Caldwell Borough to the New Jersey Department of Transportation on behalf of the Borough of Caldwell.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Caldwell, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 6th day of October, 2015

Lisa O'Neill – Deputy Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Lisa O'Neill – Deputy Clerk

Ann Dassing - Mayor

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor



**BOROUGH OF CALDWELL
NEW JERSEY**



Resolution No: 10-192

Date of Adoption: October 6, 2015

TITLE:

AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE AND RECEIVE BIDS FOR A SENIOR BUS FUNDED BY AN ESSEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT IN THE AMOUNT OF \$70,780 FOR THE CALDWELL-WEST CALDWELL-ROSELAND SENIOR TRANSPORTATION PROGRAM

WHEREAS, it is necessary to advertise and receive bids for a senior bus for the Caldwell-West Caldwell-Roseland Senior Transportation program.

BE IT RESOLVED by the Borough Council of the Borough of Caldwell, New Jersey that they do hereby authorize the Borough Administrator to advertise and receive bids for a senior bus funded by an Essex County Community Development block grant In the amount of \$70,780 for the Caldwell-West Caldwell-Roseland Senior Transportation program

RECORD OF COUNCIL VOTE

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

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

O'Donnell						Capozzoli				
Hauser						Brown				
Durkin						Cascarano				

Lisa O'Neill, Deputy Clerk

Ann Dassing, Mayor