

**TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
JULY 15, 2014**

A Regular Meeting of the West Caldwell Mayor and Council, in the County of Essex, New Jersey, was held in the Public Meeting Room, 30 Clinton Road, West Caldwell, New Jersey, on Tuesday, July 15, 2014 at 7:15 P.M.

The Township Clerk announced that adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act.

PRESENT: Mayor Tempesta, Councilmen Otterbein, Cecere, Hladik, O’Hern, Wolsky, and Docteroff.

OTHERS PRESENT: Adam W. Brewer, Business Administrator
Paul G. Jemas, Municipal Attorney
Nikole H. Monroig, Chief Financial Officer
Mary S. Donovan, Township Clerk

Pledge of Allegiance and Invocation

COMMUNICATIONS:

A-1 A communication from Nikole Monroig, Chief Financial Officer, certifying funds are available under the 2014 Budget of Appropriations – July Bill Schedule; further certifying that there will be no over-expenditures of any line item in the Budget as a result of this schedule.

Received and placed on file.

BILLS ORDERED PAID:

It was regularly moved by Councilman Wolsky, seconded by Council President Otterbein, that the Bill List as submitted by the Chief Financial Officer be attached to the Minutes and be paid and the Mayor, Clerk and Treasurer be authorized to sign the necessary warrants for their payment.

Upon the vote being polled, Councilmen Otterbein, Cecere, Hladik, O’Hern, Wolsky, and Docteroff voted in the affirmative except Councilman O’Hern abstained on the bill from vendor Able Fence and Fire Department LOSAP.

SCHEDULE OF BILLS ORDERED PAID

	<u>Checks</u>	<u>Amount</u>
CURRENT ACCOUNT – VALLEY NATIONAL BANK	1780-1928	\$3,833.244.73
WATER OPERATING ACCOUNT- VALLEY NATIONAL BANK	9128-9156	\$ 316,232.65
POOL UTILITY ACCOUNT	2363-2386	\$ 138,798.29
GENERAL CAPITAL ACCOUNT	2237-2251	\$ 133,903.79
WATER CAPITAL	8021-8024	\$ 239,809.94
POOL CAPITAL	3004	\$ 1,497.40
GENERAL TRUST – VALLEY NATIONAL BANK	5075-5095	\$ 21,549.77
DOG TRUST	1538-1539	\$ 3,548.10

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APPROVAL OF MINUTES:

On the recommendation of Council President Otterbein, seconded by Councilman Cecere it was regularly moved that the Minutes of the Regular Meeting held on Tuesday, July 1, 2014 be accepted as presented.

Upon the vote being polled, Councilmen Otterbein, Cecere, Hladik, O'Hern, Wolsky and Docteroff voted in the affirmative.

PROPOSED CONSENT AGENDA:

It was regularly moved by Council President Otterbein, seconded by Councilman Docteroff, that the twelve Resolutions on the Agenda this evening be read by consent.

Upon the vote being polled, Councilmen Otterbein, Cecere, Hladik, O'Hern, Wolsky and Docteroff voted in the affirmative.

The Township Clerk read the following twelve Resolutions by Consent, attached and made part of these Minutes:

No. 9476
By: Mr. Otterbein

SUBJECT: RESOLUTION – AUTHORIZING APPROVAL OF CHANGE ORDER #1 IN THE AMOUNT OF \$36,137.31 AND FINAL PAYMENT FOR THE FRANCISCO AVENUE AND LINCOLN PLACE WATER MAIN REPLACEMENT PROJECT FOR THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Governing Body of the Township of West Caldwell previously awarded the contract for the Francisco Avenue and Lincoln Place Water Main Replacement to Matina & Son, Inc., in the amount of \$181,424.54 (the "Contract"); and

WHEREAS, it has been determined that certain changes to this Contract are necessary; and

WHEREAS, during the course of the Contract, it was discovered that the following minor modifications were required:

1. Cut in Tee @ Smull Avenue in the amount of \$10,121.23
2. Rock Excavation in the amount of \$26,016.08;

WHEREAS, the aggregate cost for these modifications is \$36,137.31 and results in a 19.92% increase over the original Contract amount;

WHEREAS, these minor modifications represent no substantial change to the quality or character of the items or work provided or the overall Contract amount;

WHEREAS, the Chief Financial Officer has certified in writing that funds are available for the payment of these minor modifications; and

WHEREAS, based upon the recommendations of the Township Administrator, Construction Official and the project Architect, the Governing Body wishes to approve this change order; and

WHEREAS, Matina & Son, Inc., 143 English Street, Hackensack, NJ 07601, has satisfactorily completed the project known as Francisco Avenue and Lincoln Place Water Main Replacement; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Caldwell, in the County of Essex as follows:

1. The above listed change order to the Contract for the Francisco Avenue and Lincoln Place Water Main Replacement with Matina & Son, Inc. be and hereby is approved.
2. A written amendment to the contract shall be executed covering the changes made by said change orders.
3. The appropriate municipal officials are hereby authorized to execute said change orders.
4. The change to the contract price is as follows:

Original Contract Price	\$181,424.54
Amount of Change Order #1	36,137.31
New Contract Price with All Change Orders	\$217,561.85
Percent Increase of Change Order #1	19.92%

5. The Municipal Engineer's recommendation that the project is complete is accepted and the Treasurer is authorized to issue a check made payable to Matina & Son, Inc., for full and final payment in the amount of \$217,561.85.

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No. 9477
By: Mr. Wolsky

SUBJECT: RESOLUTION – DESIGNATING THE TOWNSHIP OF WEST CALDWELL A STIGMA FREE TOWN.

WHEREAS, the Council of the Township of West Caldwell in the State of New Jersey and the County of Essex recognizes that one in five Americans have experienced some sort of mental illness according to the Substance Abuse and Mental Health Services Administration (SAMHSA); and

WHEREAS, despite major accomplishments and the progress achieved, New Jersey must still overcome significant challenges before it can reach the goal of making quality mental health care available to all those who need it; and,

WHEREAS, mental health problems are more common than cancer and heart disease combined and more than half of all Iraq and Afghanistan veterans hospitalized at Veterans Health Administration (VA) hospitals are treated for mental illness according to the VA, and the stigma associated with mental illness is the biggest roadblock to recovery; and,

WHEREAS, the Codey Fund for Mental Health has initiated a statewide campaign requesting towns throughout New Jersey designate their municipality a Stigma Free Town; and,

WHEREAS, by declaring the Township of West Caldwell, a Stigma Free Town, West Caldwell supports the elimination of stigma associated with mental health illness and will promote public awareness of mental health issues and work to overcome stigma, stereotyping, discrimination and removing any barriers to recovery; and,

NOW, BE IT RESOLVED, by the Township of West Caldwell, in the state of New Jersey in the County of Essex, that the Township of West Caldwell, is a Stigma Free Town.

NOW BE IT FURTHER RESOLVED, that on major thoroughfares in and out of the municipality, road signs be erected showing the establishment of a Stigma Free Town.

No. 9478
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE RECREATION OFFICE

WHEREAS, there is a need to issue refunds for Recreation programs and Pool Utility memberships collected in the Recreation Office as shown below; and

WHEREAS, the Director of Recreation recommends the refunds;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of West Caldwell that the proper officers be and they are hereby authorized and directed to transfer funds or issue checks to clear the refunds as shown below:

<u>Name</u>	<u>Amount</u>	<u>Reason</u>
Anthony Marta 22 Fairmount Road	\$425.00	Withdrew from Pool Membership

No. 9479
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE CONSTRUCTION OFFICE

WHEREAS, there is a need to issue refunds for Construction permits collected in the Construction Office as shown below; and

WHEREAS, the Construction Official recommends the refunds;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of West Caldwell that the proper officers be and they are hereby authorized and directed to transfer funds or issue checks to clear the refunds as shown below:

<u>Name</u>	<u>Amount</u>	<u>Reason</u>
Mark Sample 10 Thrumont Road	\$241.60	Withdrew permit number 14-026 less \$60.40 plan review (20%)

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No. 9480
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE TAX OFFICE

WHEREAS, there appears on the tax records overpayments or otherwise as shown below; and **WHEREAS**, the overpayments were created by the reasons indicated below, and the Collector of Taxes recommends the refund or transfers of such overpayments;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of West Caldwell that the proper officers be and they are hereby authorized and directed to transfer funds or issue checks refunding such overpayments as hereafter shown below:

CODE OF REASONS

- | | |
|---|---|
| 1. Incorrect Payment-Refund | 9. Tax Title Lien Redemption |
| 2. Duplicate Payment-Refund | 10. Homestead Rebate/NJ Saver |
| 3. Vets, Senior Citizen Refund/Allow | 11. Apply Overpayment to Current Year |
| 4. Apply Overpayment to Next Year | 12. Cancellation of Credit of Less than \$5.00 |
| 5. Cancellation of Balance of Less than \$10.00 | 13. Cancellation of Taxes |
| 6. Assessment Changes | 14. Other: Cancellation of Credit Balance over \$5.00 |
| 7. Tax Appeal | 15. Refund-Dog Overpayment |
| 8. Overpayment-Refund | 16. Refund – Overpayment of Pool Membership |
| | 17. Refund – Rec. Fee, Program cancelled |

Owner Name	Amount	Year	Reason
Alan & Susan Schlusssel 23 Ellis Road	\$2,857.36	2014	8
Lane Enterprises Water Acct #3702 810 Passaic Avenue	\$ 83.90	2014	8

No. 9481
By: Mr. O’Hern

SUBJECT: RESOLUTION – APPOINTING GENOVA BURNS GIANTOMASI WEBSTER SPECIAL COUNSEL (LABOR) FOR THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, there exists a need for a Professional Service and the Township has determined to award this contract as a professional service, as defined in N.J.S.A. 40A:11-1 et seq. without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq., and in strict accordance with N.J.S.A. 40A:11-5 et seq.; and

Whereas, this professional services contract is contingent upon availability of funds in the Township Budget, and in the event of unavailability of such funds, the Township reserves the right to cancel this professional services contract.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Caldwell, in the County of Essex, as follows:

1. The recitals set forth in the preceding are incorporated into this resolution by reference, as if fully delineated herein.
2. The Township of West Caldwell hereby awards and authorizes the execution of a Professional Service Contract with Genova Burns Giantomasi Webster, 494 Broad St, Newark, NJ 07102, not to exceed \$5,000, at an hourly rate of \$180.00.
3. This contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5 (1)(a) if the Local Public Contracts Law because said service is performed by a person(s) authorized by law to practice a recognized profession. The contract is available for public inspection in the Office of the Municipal Clerk.
4. The Business Entity Certifications and the Determination of Value will be placed on file with this resolution.
5. A notice of this resolution shall be printed once in the Official Newspaper of the Township of West Caldwell.

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No. 9482
By: Mr. O'Hern

SUBJECT: RESOLUTION - AUTHORIZING THE AWARD OF THE CONTRACT FOR CONCESSION PROVIDER FOR THE TOWNSHIP OF WEST CALDWELL GAZEBO CONCERT SERIES – CONCERT DATES JULY 17 AND JULY 24, 2014.

WHEREAS, the Township advertised and received a proposal for concession provider for the Township of West Caldwell Concert Series from the following vendor, Russillo Restaurant and Pizzeria; and

WHEREAS, the Township, in conjunction with the review of the proposals submitted by certain vendors for such concession operations by the Township's staff and the Township's professional consultants, the Township considered and evaluated the proposals submitted on the following award evaluation factors:

Basis for Award Evaluation Factors

Proposed Concession Fee (price)	25%; and
Relevance and Extent of Qualifications, Experience, Reputation and Training of Personnel to be assigned (management)	45%; and
Knowledge of the Township of West Caldwell and the subject matter to be addressed under this engagement (technical)	30%.

WHEREAS, the Mayor and Council, after carefully considering and evaluating the proposals submitted to the Township in response to the request for proposals and in consultation with and at the evaluation and recommendation of the Township's staff, has determined that and is satisfied with the proposal submitted by Russillo Restaurant and Pizzeria, as being the proposal which best satisfies the evaluation criteria and the proposal which best serves the interests of the Township and being in conformance with the requirements promulgated pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, the Township wishes to proceed with this necessary service and for that purpose accepts the proposal submitted by Russillo Restaurant and Pizzeria.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell, in the County of Essex and State of New Jersey, that the governing body hereby approves of, awards and authorizes the issuance of a license to Russillo Restaurant and Pizzeria, 675 Bloomfield Avenue, West Caldwell, NJ 07006 for the concession provider for the Township of West Caldwell Concert Series – Concert Dates July 17, 2014 and July 24, 2014, which license will specify and delineate the scope of services as those set forth in Russillo Restaurant and Pizzeria's proposal, in the amount of One Dollar Donation (\$1.00) in the aggregate.

BE IT FURTHER RESOLVED, that the Mayor, the Township Clerk and/or the Township Administrator are specifically authorized to execute a license or other form of agreement in a form and with terms consistent with this Resolution and approved by the Township Attorney; and

No. 9483
By: Mr. O'Hern

SUBJECT: RESOLUTION AUTHORIZING CALDWELL-WEST CALDWELL SOCCER CLUB INC. FOR AN ON PREMISE 50/50 RAFFLE, SEPTEMBER 13, 2014, LICENSE NO. 368, ID NO. 535-5-35103.

WHEREAS, Caldwell-West Caldwell Soccer Club, has submitted a Raffle License Application No. RA 368, ID No. 535-5-35103, for an on premise 50/50 raffle to be held on September 13, 2014; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell, hereby approves Raffle License Application No. RA 368; and,

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

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No. 9484

By: Mr. O'Hern

SUBJECT: RESOLUTION - APPROVING CALDWELL GRIDIRON CLUB INC. ON PREMISE 50/50 RAFFLE, SEPTEMBER 14, 2014, LICENSE NO. 369, ID 535-5-25190.

WHEREAS, Caldwell-West Caldwell Gridiron Club, Inc. has submitted a Raffle License Application No. RA 369, ID No. 522-4-3526, for an off premise 50/50 raffle to be held on September 14, 27, October 2, 25, and November 1, 2014; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell, hereby approves Raffle License Application No. RA 369; and,

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

No. 9485

By: Mr. Otterbein

SUBJECT: RESOLUTION - AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH OMLAND ENGINEERING ASSOCIATES INC. FOR THE AREA IN NEED OF STUDY ALONG BLOOMFIELD AVENUE AND KIRKPATRICK LANE IN THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, pursuant to the requirements under the Local Public Contracts Law, the following resolution be and is hereby adopted:

WHEREAS, there exists a need for a study of an area in need of rehabilitation along Bloomfield Avenue and Kirkpatrick Lane;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Caldwell, in the County of Essex, as follows.

1. The Township of West Caldwell will execute an agreement with Omland Engineering Associates Inc., 54 Horsehill Road, Cedar Knolls, NJ 07927 in accordance with the attached proposal.
2. Whereas, the contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq., in that the vendor was awarded a professional services appointment for the year 2014.
3. All Township officials are hereby authorized and directed to take any and all action necessary and appropriate to effectuate the terms of this Resolution.

No. 9486

By: Mr. Otterbein

SUBJECT: RESOLUTION - AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH OMLAND ENGINEERING ASSOCIATES INC. FOR THE AREA IN NEED OF STUDY ALONG BLOOMFIELD AVENUE AND KIRKPATRICK LANE IN THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, pursuant to the requirements under the Local Public Contracts Law, the following resolution be and is hereby adopted:

WHEREAS, there exists a need for a study of an area in need of rehabilitation along Bloomfield Avenue and Kirkpatrick Lane;

WHEREAS, the Mayor and Council, at the recommendation of the Township's staff and professional consultants, have determined that the services of an engineer is essential and required to conduct the aforementioned study.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Caldwell, in the County of Essex, as follows.

4. The Township has considered the proposal of Omland Engineering Associates, Inc., with principal offices at 54 Horsehill Road, Cedar Knolls, New Jersey 07027, ("Omland"), which firm serves as the Township's Engineers, to render certain engineering services in conjunction with the aforementioned study, which proposal which is incorporated into this Resolution by reference (the "Proposal").
5. The Governing Body, with the advice of the Township staff and professional consultants, has determined that it is in the better interests of the Township to accept the proposal of Omland to render the services set forth in the Proposal.
6. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Omland to render the engineering services set forth in the Proposal pursuant to a form of agreement that is approved by the Township Administrator and the Township Attorney, which agreement will provide, among other things, that the fees for the engineering services to be

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rendered is no greater than Two Thousand Eight Hundred and 00/100 Dollars (\$2,800.00), in the aggregate.

7. The aforementioned agreement is awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq., in that the vendor is rendering professional services to the Township by appointment for the year 2014.
8. All Township officials are hereby authorized and directed to take any and all action necessary and appropriate to effectuate the terms of this Resolution.

No. 9487

By: Mr. O'Hern

SUBJECT: RESOLUTION – AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED.

WHEREAS, The Township of West Caldwell (the “Township” or the “public body” has been duly created and is validly existing as a public body corporate and politic of the State of New Jersey pursuant to applicable laws of the State of New Jersey; and

WHEREAS, The Township constitutes a “public body” as such term is defined in the New Jersey Open Public Meetings Act, constituting Chapter 231 of the Pamphlet Laws of 1975 of the State of New Jersey, N.J.S.A. 10:4-6 et seq. and the acts amendatory thereof and supplemental thereto (the “Open Public Meetings Act”); and

WHEREAS, the Open Public Meetings Act permits a public body, as such term is defined therein, to exclude members of the public from portions of any “meeting”, as such term is defined therein including N.J.S.A. 10:4-12(b) et seq., under certain limited circumstances which include, but are not limited to, (a) a discussion of pending or anticipated litigation in which the public body is or may become a party, or (b) a discussion of any matters which fall within the attorney-client privilege, or (c) a discussion of a collective bargaining agreement including the negotiation of the terms and conditions thereof, or (d) a discussion regarding the purchase, acquisition or lease of real property with public funds or (e) a discussion of involving the employment, appointment or termination of employment of an existing or prospective public officer or employee; and

WHEREAS, the governing body of the Township has determined that and is of the opinion that such circumstances presently exist that permit the governing body of the Township to discuss the matters set forth in this Resolution in executive session; and

WHEREAS, the matters set forth in this Resolution are within the exceptions and the limited circumstances set forth in N.J.S.A. 10:4-12(b) et seq., the governing body of the Township desires to conduct a portion of the meeting in an executive session from which members of the public will be excluded.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, in accordance with the provisions of The Open Public Meetings Act, that the governing body of the Township hereby determines to conduct a portion of the meeting in an executive session from which members of the public will be excluded in accordance with the provisions of Open Public Meetings Act; and

BE IT FURTHER RESOLVED, that the aforementioned executive session will be limited to matters relating to the following items and which matters involve, as applicable, pending and anticipated litigation involving or expected to involve the Township, matters which fall within the attorney-client privilege, matters regarding the discussion of a collective bargaining agreement, matters relating to purchase, acquisition or lease of real property with public funds or matters relating to personnel:

1. Potential Litigation – Tax appeals.

BE IT FURTHER RESOLVED, that the minutes of each executive session will be prepared and maintained by the Township and with regard to each of the matters discussed in executive session; and

BE IT FURTHER RESOLVED, that the minutes relating to a particular matter discussed will be made available to members of the public – (a) at such time as the matter no longer requires confidentiality as permitted by applicable laws, (b) upon the completion of a pending or anticipated litigation, or (c) upon such matter no longer falling within the attorney-client privilege, (d) upon the completion of a collective bargaining agreement including the negotiation of the terms and conditions thereof, or (e) upon the completion of a purchase, acquisition or lease of real property with public funds, or (f) as such disclosure may otherwise may be required by the Open Public Meetings Act.

It was regularly moved by Council President Otterbein, seconded by Councilman Cecere that the twelve Resolutions read by consent be adopted as read.

Upon the vote being polled, Councilmen Otterbein, Cecere, Hladik, O'Hern, Wolsky and Docteroff voted in the affirmative, except Councilman Docteroff abstained on number 9484.

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COMMITTEE REPORTS:

PUBLIC SAFETY:

REPORTS – POLICE CHIEF-JUDGE AND DETECTIVE BUREAU – JUNE 2014

On the recommendation of Councilman Cecere, the reports submitted by the Police Chief, Judge and Detective Bureau for the month of June 2014 as received, be placed on file. Fines in the amount of \$19,364.00 were collected and apportioned as follows (copy attached to minutes).

REPORTS – VOLUNTEER FIRE DEPARTMENT REPORTS – JUNE 2014

On the recommendation of Councilman Cecere, the reports submitted by the Fire Chief of West Caldwell Volunteer Fire Department for the month of June 2014 as received, be placed on file.

REPORTS – CONSTRUCTION OFFICIAL'S REPORT – JUNE 2014

On the recommendation of Councilman Cecere, the reports submitted by the Construction Official for the month of June 2014 as received, be placed on file.

Councilman Cecere reported on the following:

1. The Environmental Commission met last week and chose this year's beautification awards and this year's awardees are Toyota Corporate, 16 Henderson Drive; Cav-West 165 Clinton Rd; Rooms Unlimited, 672 Bloomfield Avenue; West Caldwell Care Center, 143 Fairfield Avenue; and Plumbers Local 24, 20 Fairfield Place. The awards will be given out at the Gazebo concert on August 7, 2014, which is sponsored by Shop-Rite.

PUBLIC WORKS & WATER:

Council President Otterbein reported on the following:

1. The above-ground fuel depot installation is moving ahead and work will start within a month.
2. The Department of Environmental Protection inspected the Township's water system and it is compliant in all areas.
3. Pre-construction meeting will take place on the McKinley Avenue water tank and the tank will be lowered. The nearby residents will be notified of any disruption in service, if any.

PARKS AND RECREATION:

Councilman Hladik reported on the following:

1. The pools are doing well and are popular.
2. Westville Pool will have its first movie night on Friday, July 18 at 8 pm and "Frozen" will be shown and the event is for families who are members.
3. Gazebo concerts have started and the first performers Julian and Dominique were great. The next concerts will be: "Hotel California" playing the Eagles on July 18; July 24 "Steppin' Out", a local band; July 31, 2014 "The Beth Anne Clayton Band" a country pop band; and "Time Machine" with food sponsored by Shoprite of West Caldwell on August 7. All concerts start at 7:30 pm with food going on sale at 6:30 pm.

Councilman Docteroff questioned if the movie night is for members only and Councilman Hladik indicated that it was for members only.

LEGAL AND PERSONNEL:

Councilman O'Hern reported on the following:

1. The review of the employee manual continues and will be ready for the rest of the Council soon.
2. The fleet maintenance report was missing from tonight's report and Administrator Brewer will make sure the report will be included in the future.

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FINANCE AND WELFARE:

Councilman Wolsky reported on the following:

1. The 2013 Audit was available for the Council's review and Administrator Brewer and CFO Monroig were commended for their work.

COMMUNITY PLANNING, DEVELOPMENT & TECHNOLOGY:

The Township Clerk read the title of an Ordinance entitled "AN ORDINANCE TO ESTABLISH THE REIMBURSEMENT OF ADMINISTRATIVE AGENT'S FEE FOR THE SALE OF AN AFFORDABLE HOUSING UNIT".

WHEREAS, the Township of West Caldwell has an Affordable Housing Program; and
WHEREAS, the Township of West Caldwell has retained the Professional Services of an Administrative Agent to manage the Affordable Housing Program; and
WHEREAS, the Township of West Caldwell shall be reimbursed by seller of an Affordable
NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of West Caldwell, in the County of Essex and State of New Jersey as follows:

Section 1.

(a) The seller of any Affordable Housing unit as a condition and requirement for such transfer shall be responsible for paying the fee and current charge and expense due to the Administrative Agent designated by the Township responsible for processing such request and the required application for transfer under the Township's Affordable Housing Program, Ordinances, and related requirements.

(b) No building permit or certificate of occupancy shall be issued unless or until such development fee or administrative reimbursement, as applicable as set forth above, is paid to the Affordable Housing Administrator and/or to the Township. (Prior sub-section a)

Section 2. The required copies of said full Ordinance and this Amendment are on file in the office of the Township Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours.

Section 3. This Ordinance shall take effect after publication and passage according to law.

Section 4. Upon adoption of this Ordinance, after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the Municipal Housing Liaison of the Township of West Caldwell and with the Affordable Housing Administrative Agent for the Township of West Caldwell.

It was regularly moved by Councilman Docteroff, seconded by Councilman Cecere that the Ordinance be passed on first reading; that it be published and posted as a pending Ordinance in the manner required by law and that the Public Hearing be held on Tuesday, August 5, 2014.

Upon the vote being polled, Councilmen Otterbein, Cecere, Hladik, O'Hern, Wolsky and Docteroff voted in the affirmative.

Councilman Docteroff reported the following:

1. The pool committee is reviewing the types of printers to be used for printing the pool badges, town IDs and IDs for the town fuel depot.
2. Walt Rodriguez is working with Capture Point on producing the photo IDs.
3. Drop Box potentially will be used for the Council files in the future.
4. The membership for babysitters was discussed.

MAYOR'S REPORT

Mayor Tempesta recognized Alan Abramowitz, Essex County representative and thanked him for Essex County's work on Passaic Avenue.

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Mr. Abramowitz announced the following:

1. A 30-hour held outreach program on OSHA regulations will be held on July 21-25 in Newark and it runs from 9 am to 2:30 pm. Please call 973-621-2011 if you would like to register for this program.
2. The Recreation programs are up and running and the Codey Arena is a cooling place.

Mayor Tempesta discussed work being done on the West Essex First Aid Squad building and at Shoprite.

Councilman O'Hern discussed the Municipal Alliance grant application with Essex County. Councilman Hladik discussed the streams and how residents can take care of streams on their property. Alan Abramowitz will discuss the issues with Essex County. Councilman O'Hern discussed the policies in place in West Caldwell.

Mayor Tempesta reported that the Kiwanis Club will dedicate the all-inclusive playground at Harrison School on Wednesday, July 23 at 11 am.

Council President Otterbein discussed the care of the medians on Bloomfield Avenue and indicated that the medians are cared for by James R. Haas Landscape and R. Ventola Landscaping and they were thanked for their hard work.

INVITATION TO CITIZENS FOR DISCUSSION

There were no comments from the public.

ADJOURNMENT:

There being no other business, it was regularly moved that the meeting be adjourned.

Upon the vote being polled, Councilmen Otterbein, Cecere, Hladik, O'Hern, Wolsky and Docteroff voted in the affirmative.

Council adjourned at 7:45 pm to Closed Session.

Mary S. Donovan
Township Clerk