

**TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
OCTOBER 21, 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, October 21, 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, and Docteroff.

ABSENT: Councilman Wolsky

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 – October 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 Council President Otterbein, seconded by Councilman Cecere, 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, and Docteroff voted in the affirmative.

APPROVAL OF MINUTES:

On the recommendation of Council President Otterbein, seconded by Councilman O’Hern, it was regularly moved that the Minutes of the Regular Meeting held on Tuesday, October 7, 2014 be accepted as amended.

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

SCHEDULE OF BILLS ORDERED PAID

	<u>Checks</u>	<u>Amount</u>
CURRENT ACCOUNT – VALLEY NATIONAL BANK	2196-2336	\$3,601,650.89
WATER OPERATING ACCOUNT- VALLEY NATIONAL BANK	9209-9240	\$ 289,818.25
POOL UTILITY ACCOUNT	2418-2427	\$ 16,319.66
GENERAL CAPITAL ACCOUNT	2272-2288	\$ 462,213.45
WATER CAPITAL	8038-8043	\$ 305,865.09

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GENERAL TRUST – VALLEY NATIONAL BANK	5140-5156	\$23,175.61
DOG TRUST	1547-1548	\$6,734.34

PROPOSED CONSENT AGENDA:

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

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

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

No. 9532
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING CORRECTION FOR OVERPAYMENT IN THE TAX OFFICE.

WHEREAS, there appears on the tax records a correction 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. Correction |

<u>Owner Name</u>	<u>Amount</u>	<u>Year</u>	<u>Reason</u>
Steven Barrasso 67 Richard Avenue	\$ 2,118.31	2013/14	16

No. 9533
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 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 to clear the refund as shown below:

CODE OF REASONS

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

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- 8. Overpayment-Refund
- 9. Tax Title Lien Redemption

17. Refund – Recreation Fee, Program Cancelled

<u>Owner Name</u>	<u>Amount</u>	<u>Year</u>	<u>Reason</u>
The Bridge, Inc. 878 Bloomfield Avenue	\$230.00	2014	collected in error – section 18A-8.8

No. 9534
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING CANCELLATION OF OUTSTANDING COURT BAIL CHECKS.

WHEREAS, there exists outstanding checks on the Municipal Court Bail Account; and

WHEREAS, these outstanding checks are one year old or older and have been investigated and it has been determined that these checks should be cancelled.

NOW, THEREFORE, BE IT RESOLVED, that the following outstanding Municipal Court Bail Account checks in the amount of \$201.00 be and are hereby cancelled:

<u>DATE</u>	<u>CHECK#</u>	<u>ISSUED TO</u>	<u>AMOUNT</u>
08/6/2012	131	Daniel O'Connor	\$165.00
01/25/2013	149	Alfredo Gonzalez	\$ 36.00

No. 9535
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING EMERGENCY RESOLUTION – NJS 40A:4-48.

WHEREAS, an emergency has arisen with respect to the repair of the Department of Public Works garage roof and, no adequate provision was made in the 2014 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$16,135.00 and three (3) percent of the total operating appropriations in the budget for 2014 is \$301,828.86 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations in the budget for 2014).

NOW, THEREFORE, BE IT RESOLVED, that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for Buildings & Grounds Other Expenses in the amount of \$16,135.00.
2. That said emergency appropriation shall be provided for in full in the 2015 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3C(1).

No. 9536
By: Mr. Cecere

SUBJECT: RESOLUTION – AUTHORIZING AWARD OF CONTRACT TO PATWOOD ROOFING CO. IN THE AMOUNT OF \$53,510 FOR ROOF REPLACEMENT AT THE WEST CALDWELL FIRE HEADQUARTERS.

WHEREAS, the Township of West Caldwell (referred to as the “Township”) solicited bids for the roof replacement at the West Caldwell Fire Headquarters in the Township (referred to as the “Project”) pursuant to a fair and open process in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Notice to Bidders and the Bid Documents have been reviewed by the Township governing body, the Township’s staff and the Township’s professional consultant, Element Architectural Group; and

WHEREAS, the Township received bids in response to the solicitation from six (6) bidders; and

WHEREAS, Element Architectural Group has recommended to the Mayor and Council that the Township award a contract to Patwood Roofing Co., 3 Peckman Road, Little Falls, NJ 07424 for the Project in the amount of fifty-three thousand five hundred and ten dollars (\$53,510.00);

WHEREAS, the Township's Chief Financial Officer has certified that sufficient funding is available for this Project.

BE IT FURTHER RESOLVED, that the Mayor, the Township Clerk and/or the Township Administrator are hereby authorized and directed to execute, deliver and exchange a contract in a form and with terms consistent with this Resolution, the Bid Notice, the Bid Documents and applicable laws, as approved by the Township Attorney; and

BE IT FURTHER RESOLVED, that all Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

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No. 9537
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. Litigation/Potential Litigation: Tax appeals
2. Potential litigation: oil-contaminated soil

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 six Resolutions read by consent be adopted as read.

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

COMMITTEE REPORTS:

PUBLIC SAFETY:

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

On the recommendation of Councilman Cecere, the reports submitted by the Police Chief, Judge and Detective Bureau for the month of September 2014 as received, be placed on file. Fines in the amount of \$29,161.00 were collected and apportioned as follows (copy attached to minutes).

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REPORTS – VOLUNTEER FIRE DEPARTMENT REPORTS – SEPTEMBER 2014

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

REPORTS – CONSTRUCTION OFFICIAL'S REPORT – SEPTEMBER 2014

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

OEM Coordinator Larry Peter reported on the Local Emergency Planning Committee (LEPC) meeting that took place earlier in the evening. The committee met to coordinate what has been done and what still needs to be done for local emergencies.

Councilman Cecere reported on the following:

1. The police department is looking to get to full strength at 27 officers and is interviewing several candidates.
2. The deer management team is adding another location to the hunt: Cedar Street pool area.
3. Mrs. Julie Anne Cecere will be honored December 2, 2014 by the Essex County Mental Health Association for her work designing supportive residential housing for people dealing with mental illness.

PUBLIC WORKS & WATER:

Council President Otterbein reported on the following:

1. The fall hydrant flushing program is continuing and urged residents to run their cold water if there is any discoloration.
2. The road work is continuing in preparation for the winter. If residents would like a timeline of the various projects, please contact the Administrator at the municipal building.

PARKS AND RECREATION:

Councilman Hladik reported on the following:

1. The basketball travel tryouts for 5th through 8th grade for boys and girls will run tomorrow through Saturday will be at Essex Valley School.
2. Baseball Skills Clinic, run by former Rutgers University Pitcher and Cedar Grove Head Varsity Baseball Coach Chris Checchetto, for boys in Grades 2-8 at the Essex Valley School, November 2, 9, 16 with tryouts on November 23.
3. The Halloween parade will take place at Grover Cleveland Park on Saturday, October 25 10 am until 12 noon. In case of inclement weather, the parade will go indoors at Essex Valley School.
4. The Library had a volunteer appreciation night and Mayor Tempesta and Council President Otterbein were thanked for their participation.

LEGAL AND PERSONNEL:

Councilman O'Hern reported on the following:

1. The personnel manual was presented to the rest of the Council.
2. Clerk Donovan was thanked for her work with the records retention schedule for the Township.

Administrator Brewer reported on the revisions made to the manual and the process going forward.

FINANCE AND WELFARE:

In Councilman Wolsky's absence, Council President Otterbein reported the following:

1. The 2015 budget process is in full swing with January 2015 as the deadline to review all department requests.
2. The RFPs for professional services are advertised on the website.

COMMUNITY PLANNING, DEVELOPMENT & TECHNOLOGY:

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Councilman Docteroff reported the following:

1. The water bill payment via credit card will start with the first quarter of 2015.
2. Camp Wyanokie is open during the day only pending an investigation into the bear attack.

ADVISORS' REPORT:

Administrator Brewer reported on the RFPs for the professional services and that they will be opened on November 14 at 11 am.

Clerk Donovan reminded West Caldwell residents that Tuesday, October 28 is the last day to apply for a vote-by mail ballot.

MAYOR'S REPORT

Mayor Tempesta recognized Alan Abramowitz, Essex County representative. Mayor Tempesta thanked Mr. Abramowitz with his help on the drainage work that needs to be done on Passaic Avenue. Mr. Abramowitz presented a \$150,000 check to the Mayor on behalf of Essex County Executive Joseph N. DiVincenzo, Jr. for the 2014 Essex County Open Space Fund.

Mr. Abramowitz announced the following:

1. The fall and winter programs are in full swing throughout the Essex County Parks.

Councilman Cecere asked if Mr. Abramowitz could look into Essex County putting up a hidden driveway sign on Runnymede Avenue to warn drivers.

INVITATION TO CITIZENS FOR DISCUSSION:

Brian Cabangnon, 10 Kanouse Place, had some questions and concerns. Mayor Tempesta answered his questions. Administrator Brewer will follow up on a concern about West Caldwell Plaza.

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, and Docteroff voted in the affirmative.

Council convened at 7:55 pm to Closed Session.

On the motion of Council President Otterbein, seconded by Councilman Hladik, the meeting reconvened to open session at 8:55 p.m.

The Township Clerk read the following Resolution attached and made part of these Minutes:

No. 9538
By: Mr. Otterbein

SUBJECT: RESOLUTION – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH MASER CONSULTING, P.A. FOR ENVIRONMENTAL CONSULTING SERVICES NOT TO EXCEED \$5,000 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 environmental consulting services for an oil spill at Franklin Avenue.

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requirements that the resolution authorizing the award of contract for "Professional Services" without competitive bidding must be publicly advertised.

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 Maser Consulting, P.A., 400 Valley Road, Suite 304, Mount Arlington, NJ 07856 in accordance with the attached proposal.

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- 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.

It was regularly moved by Council President Otterbein, seconded by Councilman Hladik that the Resolution be adopted as read.

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

PROPOSED CONSENT AGENDA:

It was regularly moved by Council President Otterbein, seconded by Councilman O’Hern, that the five Resolutions on the Agenda be read by consent.

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

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

No. 9539
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING SETTLEMENT OF 2008-2012 TAX APPEAL – HENDERSON DRIVE LLC V. TOWNSHIP OF WEST CALDWELL, BLOCK 1501, LOT 6, 5 HENDERSON DRIVE.

WHEREAS, an appeal of the real property tax assessment for tax years 2008 through 2012, involving Block 1501, Lot 6, 5 Henderson Drive, has been filed by the Taxpayer; and

WHEREAS, the proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, settlement of said matter is more fully set forth below is in the best interest of the Township of West Caldwell.

NOW, THEREFORE, BE IT RESOLVED, by the Township of West Caldwell, New Jersey, as follows:

- 1. Settlement of the 2008 through 2012 tax appeal is hereby authorized as follows:

5 Henderson Drive Year: 2008-2012	
Original Assessment	Settlement Amount
\$57,587,000	\$56,643,500

- 2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provider by Taxpayer.

No. 9540
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING SETTLEMENT OF 2012-2014 TAX APPEAL – THE VILLAS AT WEST CALDWELL LLC V. TOWNSHIP OF WEST CALDWELL, BLOCK 2000, LOT 2, 475 PASSAIC AVENUE.

WHEREAS, an appeal of the real property tax assessment for tax years 2012-2014, involving Block 2000, Lot 2, 475 Passaic Avenue, has been filed by the Taxpayer; and

WHEREAS, the proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, settlement of said matter is more fully set forth below is in the best interest of the Township of West Caldwell.

NOW, THEREFORE, BE IT RESOLVED, by the Township of West Caldwell, New Jersey, as follows:

- 1. Settlement of the 2012-2014 tax appeal is hereby authorized as follows:

475 Passaic Avenue Years: 2012-2014	
Original Assessment	Settlement Amount
\$9,168,000	\$5,900,000

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2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provider by Taxpayer.

No. 9541
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING SETTLEMENT OF 2009-2013 TAX APPEAL – WESTCOURT APARTMENTS V. TOWNSHIP OF WEST CALDWELL, BLOCK 803, LOT 12, 551 BLOOMFIELD AVENUE.

WHEREAS, an appeal of the real property tax assessment for tax years 2009 through 2013, involving Block 803, Lot 12, 551 Bloomfield Avenue, has been filed by the Taxpayer; and

WHEREAS, the proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, settlement of said matter is more fully set forth below is in the best interest of the Township of West Caldwell.

NOW, THEREFORE, BE IT RESOLVED, by the Township of West Caldwell, New Jersey, as follows:

- 1. Settlement of the 2009 through 2013 tax appeal is hereby authorized as follows:
551 Bloomfield Avenue Year: 2009-2013

Original Assessment	Settlement Amount
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\$16,568,500	\$15,512,500
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2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provider by Taxpayer.

No. 9542
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING SETTLEMENT OF 2012-13 TAX APPEAL – OAKLAND MANAGEMENT V. TOWNSHIP OF WEST CALDWELL, BLOCK 1400, LOT 4.01, 38 FAIRFIELD PLACE.

WHEREAS, an appeal of the real property tax assessment for tax years 2012 and 2013, involving Block 1400, Lot 4.01, 38 Fairfield Place, has been filed by the Taxpayer; and

WHEREAS, the proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, settlement of said matter is more fully set forth below is in the best interest of the Township of West Caldwell.

NOW, THEREFORE, BE IT RESOLVED, by the Township of West Caldwell, New Jersey, as follows:

- 1. Settlement of the 2012 and 2013 tax appeal is hereby authorized as follows:
38 Fairfield Place Year: 2012 and 2013

Original Assessment	Settlement Amount
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\$9,589,200	\$8,934,100
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2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provider by Taxpayer.

No. 9543
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING SETTLEMENT OF 2009-2010 AND 2012-2013 TAX APPEAL – HAHN FAMILY V. TOWNSHIP OF WEST CALDWELL, BLOCK 1700, LOT 1, 1220 BLOOMFIELD AVENUE.

WHEREAS, an appeal of the real property tax assessment for tax years 2009-2010 and 2012-2013, involving Block 1700, Lot 1, 1220 Bloomfield Avenue, has been filed by the Taxpayer; and

WHEREAS, the proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, settlement of said matter is more fully set forth below is in the best interest of the Township of West Caldwell.

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NOW, THEREFORE, BE IT RESOLVED, by the Township of West Caldwell, New Jersey, as follows:

1. Settlement of the 2009-2010 and 2012-2013 tax appeal is hereby authorized as follows:
1220 Bloomfield Avenue Years: 2009-2010 and 2012-2013

Original Assessment	Settlement Amount
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\$20,221,800	\$19,130,800
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2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

It was regularly moved by Council President Otterbein and seconded by Councilman O'Hern that the five Resolutions be adopted as read.

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

INVITATION TO CITIZENS FOR DISCUSSION:

There were no questions from the public.

ADJOURNMENT:

On the motion of Council President Otterbein, seconded by Councilman Cecere, the meeting adjourned at 8:58 p.m.

Mary S. Donovan
Township Clerk