

**TOWNSHIP OF WEST CALDWELL  
PUBLIC MEETING MINUTES  
DECEMBER 1, 2015**

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, December 1, 2015 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 O’Hern, Cecere, Hladik, Docteroff, Wolsky and Councilwoman Canale.

**OTHERS PRESENT:** Adam Brewer, Township Administrator  
Mary S. Donovan, Township Clerk  
Paul G. Jemas, Municipal Attorney

Pledge of Allegiance led by Councilman Docteroff

**PRESENTATION:**

Mayor Tempesta presented a proclamation to West Caldwell library employee Karen Kelly for her lifesaving actions on November 2, 2015, coming to the aid of a coworker.

**BILLS ORDERED PAID:**

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

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

**SCHEDULE OF BILLS ORDERED PAID**

	<u>Checks</u>	<u>Amount</u>
CURRENT ACCOUNT – VALLEY NATIONAL BANK	4065-4234	\$7,903,272.25
WATER OPERATING ACCOUNT- VALLEY NATIONAL BANK	9540-9560	\$212,431.34
POOL UTILITY ACCOUNT	2599-2606	\$22,126.03
GENERAL CAPITAL ACCOUNT	2445-2466	\$1,632,110.47
WATER CAPITAL	8075	\$51,793.00
GENERAL TRUST – VALLEY NATIONAL BANK	5352-5368	\$14,256.06
DOG TRUST	1572-1573	\$9,314.56
DEVELOPERS’ TRUST	320-328	\$18,948.54

**APPROVAL OF MINUTES:**

On the recommendation of Councilman Wolsky, seconded by Councilman Docteroff, it was regularly moved that the minutes of the Regular Meeting held on Tuesday, November 24, 2015 be accepted.

DECEMBER 1, 2015

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

CONSENT AGENDA:

Matters listed within the Consent Agenda have been referred to members of the Township Council for reading and study, are considered to be routine and will be enacted by one motion of the Township Council with no separate discussion. If separate discussion is desired, the resolution may be removed and be subject to a separate roll call.

No. 9831  
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 and Superintendent of Public Works recommend 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>
David and Patricia D’Angelo 43 Aldom Circle West Caldwell, NJ 07006	\$500.00	Road Opening Permit
Timothy and Phyllis Berra 23 Wilson Terrace West Caldwell, NJ 07006	\$375.00	Road Opening Permit
Cav-West 165 Clinton Road West Caldwell, NJ 07006	\$3,700.00	Road Opening Permit
Bond Place, LLC 30 Bond Place West Caldwell, NJ 07006	\$1,875.00	Road Opening Permit
TOTAL:	\$6,450.00	

No. 9832  
By: Mr. Docteroff

SUBJECT: RESOLUTION - AUTHORIZING THE SUBMISSION OF A 2016 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE COUNTY OF ESSEX IN AN EFFORT TO SECURE FUNDING FOR THE ACQUISITION OF A NEW CIVIC CENTER ELEVATOR.

WHEREAS, 2016 Community Development Block Grant Funds are available through the County of Essex; and

WHEREAS, the elevator currently used in West Caldwell’s Civic Center is in need of 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 Township of West Caldwell hereby authorizes the submission of a 2016 Community Development Block Grant application to be submitted in an effort to secure funding for the acquisition of a new elevator for the Civic Center in West Caldwell.
2. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

No. 9833  
By: Ms. Canale

SUBJECT: RESOLUTION – AUTHORIZING EXTENSION AND EXECUTION OF AN INTERLOCAL SERVICES AGREEMENT WITH THE TOWNSHIP OF FAIRFIELD, NEW JERSEY FOR HEALTH SERVICES.

**DECEMBER 1, 2015**

**BE IT RESOLVED**, by the Township Council of the Township of West Caldwell that the Interlocal Services Agreement for Health Services annexed hereto be and hereby is extended for a five (5) year period beginning January 1, 2016 to December 31, 2020.

**WHEREAS**, said agreement allows the governing bodies of West Caldwell and Fairfield to extend such agreement by resolution; and

**WHEREAS**, In consideration for the health services provided by West Caldwell to Fairfield under the terms of this Agreement, Fairfield agrees to pay to West Caldwell a service fee in the amount of \$116,414.00 for services rendered in calendar year 2016. The service fee for all other years under this Agreement shall be as follows:

Calendar year 2017	\$118,742.00
Calendar year 2018	\$121,116.00
Calendar year 2019	\$123,538.00
Calendar year 2020	\$126,008.00

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Mayor and Township Clerk be and that are hereby authorized and directed to extend the attached agreement.

No. 9834

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. Contract negotiations – Shared services – health services.

**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.

Administrator Brewer reported on the closed session item.

**DECEMBER 1, 2015**

It was regularly moved by Council President O’Hern, seconded by Councilman Cecere that the four Resolutions be adopted.

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

**COMMITTEE REPORTS:**

**PUBLIC SAFETY COMMITTEE:**

Councilman Cecere reported the following:

1. Councilman Cecere congratulated his daughter Gianna on making the high school basketball team.

**PUBLIC WORKS & TECHNOLOGY:**

Councilman Docteroff reported the following:

1. Camp Wyanokie Committee will meet December 2, 2015 for a budget meeting. Member William Hunter will attend on behalf of Councilman Docteroff.

**PARKS & RECREATION COMMITTEE:**

Councilman Hladik reported the following:

1. The Christmas tree lighting will take place at Crane Park on December 6, 2015.
2. The Menorah lighting will be on Wednesday, December 9, at 4:10 pm. Press releases have been sent to the Progress on both the tree lighting and Menorah lighting.
3. The last Library Board meeting will take place on December 9, 2015.

**LEGAL & PERSONNEL COMMITTEE:**

Councilman O’Hern reported the following:

1. The Legal and Personnel Committee continues to review the RFPs for professional services for 2016.

**FINANCE & WELFARE:**

Councilman Wolsky reported the following:

1. The budget process is ongoing.

**HEALTH AND SHARED SERVICES:**

Councilwoman Canale reported the following:

1. The Township is extending its agreement with Fairfield.
2. The Board of Health will meet on December 2, 2015 at 7 pm.

**MAYOR’S REPORT:**

Mayor Tempesta asked that the January 5, 2016 meeting be removed from the schedule because of the January 2, 2016 reorganization meeting. Action may be taken at the January 2, 2016 meeting.

Mayor Tempesta requested to be notified of the annual Jamie Bliss Tournament. Mayor Tempesta also asked that a presentation be added to the January 2, 2016 meeting for Lisa Meriweather.

**ADVISORS’ REPORT:**

There were no reports.

**DECEMBER 1, 2015**

**INVITATION TO CITIZENS FOR DISCUSSION:**

There were no comments.

**ADJOURNMENT:**

On the motion of Councilman Hladik, seconded by Councilman Cecere, the meeting adjourned at 7:32 pm to Closed Session. The Council reserved the right to return to open session to take action.

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

On the motion of Council President O'Hern, seconded by Councilman Cecere, the meeting reconvened to open session at 7:40 p.m. and adjourned at 7:42 p.m.

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Mary S. Donovan  
Township Clerk