

**TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
JUNE 2, 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, May 5, 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: Councilmen O’Hern, Cecere, Hladik, Docteroff and Councilwoman Canale.

ABSENT: Mayor Tempesta, Councilman Wolsky

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

Pledge of Allegiance

PENDING ORDINANCES:

The Township Clerk read the title of an Ordinance No. 1762.2 entitled “AN ORDINANCE ESTABLISHING AND CREATING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE TOWNSHIP OF WEST CALDWELL, ESTABLISHING THE GRADES OF SUCH OFFICES AND EMPLOYMENTS AND FIXING THE SALARY, WAGE OR COMPENSATION TO BE PAID TO THE PERSONS HOLDING SUCH OFFICES OR POSITIONS, REPEALING PRIOR ORDINANCES.”

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, AND THE STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1. There is hereby created and established in the Township of West Caldwell certain offices and positions of employment, together with the salaries for such positions.

SECTION 2. There shall be paid a longevity increment to full-time employees hired prior to May 1, 1997 (excluding there from the following enumerated employees: Judge and Prosecutor of the Municipal Court and Welfare Director). No longevity will be paid to any employee covered by this ordinance hired on or after May 1, 1997.

Longevity increase shall be due and payable to the annual base salary to such eligible employees who have completed the full period of years of service hereinafter designated: to wit: 2 percent - 5 years; 4 percent - 10 years; 6 percent - 15 years; 8 percent - 20 years; 10 percent - 24 years or more. Such longevity payments shall be made on the pay period next ensuing the anniversary date of full completion of the required period of service.

SECTION 3. Holiday and Overtime Pay. Holiday and Overtime Pay shall be based on 2,080 hours per year. Overtime shall be at the rate of double time for Sundays and Official Holidays; time and one-half for Saturdays and hours worked in the excess of 40 hours per week. A minimum of 2 hours pay at the above prescribed rates will be paid for all emergency calls after regular working hours.

SECTION 4. In the event additional sessions of Court, over and above 48 per year are required, the Judge and Prosecutor shall be paid a stipend equivalent to 1.5% of their annual salary, and the Court Administrator shall be paid a stipend of \$125 for each session over and above 36 per year.

SECTION 5. In the event attendance at Board of Health meetings, other than for the Township of West Caldwell, is required, the Health Officer shall be paid a stipend of \$125.00 for each session attended. Any inspections or screenings attended by the Health Officer, Registrar or Environmental Specialist, or reports prepared for same by the Health Officer, performed by 9:00 A.M. and/or after 4:30 P.M. Monday through Friday or on Saturdays, will be at a reimbursement rate equal to the hourly rate of said employees. The Health Secretary shall be paid \$65.00 per meeting for minutes preparation.

SECTION 6. Advancement to Steps 2 and 3 for Fire Chief shall be awarded by Resolution of

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the Governing Body.

SECTION 7. Any Smoke Detector Inspections performed before 9:00 A.M. and/or after 4:30 P.M. by the Fire Official, Deputy Fire Official or their designate will be at a reimbursement rate of \$29.75 per inspection (\$35.00 charge less administrative and benefit cost).

SECTION 8. Any Added Assessment Inspections performed by the Tax Assessor before 9:00 A.M. and/or after 4:30 P.M. Monday through Friday or on Saturdays by the Tax Assessor will be included in their base salary for up to 230 hours of inspection work performed. Any inspections performed over the 230 hours will be reimbursed at a rate equal to either the hourly rate of pay for the Tax Assessor or a stipend established by Resolution of the Governing Body.

SECTION 9. The prescribed salaries and increments for officers and employees, set forth on said schedule shall be effective as of January 1, 2015.

SECTION 10. Ordinance No. 1714, adopted October 27, 2011, and all other ordinances or parts of ordinances inconsistent herewith, are hereby repealed.

SECTION 11. This Ordinance shall take effect immediately upon adoption and publication according to law.

EMPLOYEE TITLE	MINIMUM	MAXIMUM
Accounts Payable Clerk	\$ 26,000.00	\$ 39,000.00
Administrator	\$ 84,048.00	\$ 126,072.00
Assistant Administrator	\$ 5,000.00	\$ 6,000.00
Assistant Mechanic	\$ 46,945.00	\$ 70,418.00
Assistant Prosecutor	\$ 2,553.00	\$ 3,830.40
Assistant Recreation Director	\$ 37,684.00	\$ 56,526.00
Athletic Program Supervisor	\$ 21.78	\$ 32.68
Building Subcode Official	\$ 32.64	\$ 48.96
Chief Finance Officer/Treasurer	\$ 56,896.00	\$ 85,344.00
Chief Mechanic	\$ 61,045.00	\$ 91,569.00
Clerk	\$ 48,768.00	\$ 73,152.00
Construction Code Official/Electric Subcode Official	\$ 82,000.00	\$ 123,000.00
Council	\$ 5,000.00	\$ 6,000.00
Council President	\$ 5,500.00	\$ 6,600.00
Court Administrator	\$ 42,840.00	\$ 64,260.00
Court Attendant	\$90.00 per session	\$90.00 per session
Crossing Guard	\$ 6,028.00	\$ 18,363.60
Deputy Clerk	\$ 53,225.00	\$ 79,837.20
Deputy Court Administrator	\$ 20.00	\$ 30.00
Deputy Court Administrator	\$ 36,400.00	\$ 54,600.00
Deputy Emergency Management Coordinator	\$ 800.00	\$ 1,440.00
Dispatcher	\$ 22,400.00	\$ 45,996.00
Superintendent of Public Works	\$ 64,159.00	\$ 97,767.00
Emergency Management Coordinator	\$ 3,000.00	\$ 10,800.00
Facilities Manager	\$ 64,310.00	\$ 97,708.00
Fire Chief - Step 1	\$ 5,000.00	\$ 5,999.00
Fire Chief - Step 2	\$ 6,000.00	\$ 6,499.00
Fire Chief - Step 3	\$ 6,500.00	\$ 7,000.00
Fire Inspector	\$ 28,364.00	\$ 42,546.00
Fire Subcode Official/Fire Official	\$ 62,580.00	\$ 93,872.00
General Clerical	\$ 8.25	\$ 14.00
Health Inspector	\$ 28.00	\$ 42.00
Health Officer	\$ 83,232.00	\$ 110,949.00
Health Officer - Montville	\$ 10,000.00	\$ 10,000.00
Human Resources Coordinator/Payroll Clerk	\$ 36,000.00	\$ 54,000.00
Intern	\$ 8.25	\$ 10.50
Judge	\$ 22,032.00	\$ 33,048.00
Laborer (Pools, B&G, Recreation, DPW, Water)	\$ 7.25	\$ 15.25
Land Use Administrator	\$ 32,512.00	\$ 48,768.00
Lifeguard	\$ 7.25	\$ 13.50
Maintenance Man	\$ 40,000.00	\$ 70,670.40
Mayor	\$ 6,000.00	\$ 6,000.00
Mechanic	\$ 46,343.00	\$ 69,515.00
Planning Board Engineer	\$ 13,680.00	\$ 17,520.00
Playground Coordinator	\$ 13.50	\$ 27.75
Playground Assistant Coordinator	\$ 7.25	\$ 31.50

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Playground Assistant Director	\$ 7.25	\$ 12.00
Playground Assistant Leader	\$ 7.25	\$ 9.00
Playground Site Director	\$ 13.50	\$ 27.75
Playground Assistant Site Director	\$ 9.50	\$ 21.00
Plumbing Subcode Official	\$ 32.64	\$ 48.96
Police Captain	\$ 112,194.00	\$ 168,290.00
Police Chief	\$ 113,104.00	\$ 169,656.00
Pool Door Attendant	\$ 7.25	\$ 10.50
Pool Manager	\$ 4,560.00	\$ 10,085.00
Pool Assistant Manager	\$ 3,600.00	\$ 8,575.00
Prosecutor	\$ 15,912.00	\$ 23,868.00
Public Defender	\$ 1,375.00	\$ 2,060.40
Public Defender/Tax Attny	\$ 4,080.00	\$ 6,120.00
Public Health Nurse	\$ 25.00	\$ 42.00
Public Works Specialist	\$ 51,226.00	\$ 78,070.00
Qualified Purchasing Agent	\$ 5,000.00	\$ 20,000.00
Recreation Coach	\$120 per season	\$270 per season
Recreation Director	\$ 60,869.00	\$ 92,764.00
Recreation Leader	\$ 7.25	\$ 12.00
Recreation Specialist	\$ 7.25	\$ 31.50
Recycling Coordinator	\$ 1,920.00	\$ 2,880.00
Registered Environmental Health Specialist	\$ 30,552.00	\$ 51,950.00
Registrar	\$ 2,880.00	\$ 4,320.00
Safety Coordinator	\$ 5,000.00	\$ 6,000.00
Secretary	\$ 24,309.00	\$ 75,469.00
Sports Official I - Per ASA Guidelines	\$26.00/game	\$75.00/game
Sports Official II	\$ 7.25	\$ 13.50
Sports Scorer	\$ 7.25	\$ 9.00
Swim Team Coach	\$400 per season	\$2,160 per season
Swim Team Assistant Coach	\$240 per season	\$1,390 per season
Tax Assessor	\$ 37,650.00	\$ 69,383.00
Tax Attorney	\$ 2,788.00	\$ 4,601.00
Tax Cashier	\$ 29,845.00	\$ 44,770.00
Tax Collector	\$ 11,920.00	\$ 60,500.00
Tot Lot Site Director	\$ 13.50	\$ 27.75
Tot Lot Assistant Site Director	\$ 9.50	\$ 21.00
Violations Clerk	\$ 14.63	\$ 21.95
Water Cashier	\$ 28,364.00	\$ 42,546.00
Water Foreman	\$ 57,220.00	\$ 85,831.00
Water License Stipend - C-1/W-1 Licenses - 2% of Salary	\$ 1,000.00	\$ 1,717.00
Water License Stipend - C-2/W-2 Licenses - 4% of Salary	\$ 2,500.00	\$ 3,434.00
Water Appointed Operator with C-1/W-1 Licenses - 8% of Salary	\$ 3,000.00	\$ 6,867.00
Water Maintenance Man	\$ 40,000.00	\$ 71,055.00
Zoning Officer	\$ 24.00	\$ 33.00

Council President O’Hern stated that this was the time for a public hearing and asked if anyone wished to be heard.

No one responded and it was regularly moved that the Public Hearing be closed.

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

It was regularly moved by Councilwoman Canale, seconded by Councilman Cecere that the Ordinance be passed on second reading.

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

BILLS ORDERED PAID:

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It was regularly moved by Councilman Hladik, seconded by Councilman Cecere 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, Docteroff and Councilwoman Canale voted in the affirmative.

APPROVAL OF MINUTES:

On the recommendation of Councilman Docteroff, seconded by Councilman Hladik, it was regularly moved that the Minutes of the Regular Meeting held on Tuesday, May 19, 2015 be accepted.

Upon the vote being polled, Councilmen O’Hern, Cecere, Hladik, 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. 9709
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 |
| 8. Overpayment-Refund | 16. Correction |
| | 17. Exempt property - refund |

<u>Block</u>	<u>Lot</u>	<u>Owner Name</u>	<u>Amount</u>	<u>Year</u>	<u>Reason</u>
300	1	Rosenfeld, Steven V & Cynthia 4 Ellis Road	\$ 5,439.86	2015	02

Make check payable to: Ocwen Loan Servicing, LLC
Escrow Disbursement Account
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

TOTAL: \$ 5,439.86

No. 9710
By: Mr. O’Hern

SUBJECT: RESOLUTION – AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH MCELROY, DEUTSCH, MULVANEY & CARPENTER, LLP (THOMAS P. SCRIVO, ESQ.) TO INCREASE THE CAP FOR LEGAL SERVICES IN THE AMOUNT OF \$15,000 FOR AN AMOUNT NOT TO EXCEED \$35,000.

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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.

WHEREAS, Resolution No. 9678 authorizing execution of a professional services agreement with McElroy, Deutsch, Mulvaney & Carpenter, LLP (Thomas Scrivo, Esq.) for legal services was adopted April 2, 2015 for an amount not to exceed \$20,000;

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 McElroy Deutsch, Mulvaney & Carpenter for an amount not to exceed \$35,000.
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 2015.
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. 9711

By: Mr. Docteroff

SUBJECT: RESOLUTION – AUTHORIZING AWARD OF CONTRACT TO CIFELLI & SON GENERAL CONTRACTING INC. IN THE AMOUNT OF \$248,401.24 FOR THE FRANCISCO AVENUE AND LINCOLN PLACE ROADWAY RECONSTRUCTION IN THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Township of West Caldwell (referred to as the “Township”) solicited bids for the improvements to St. Charles Avenue and Mt. Herman Way 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, Omland Engineering Associates, Inc.; and

WHEREAS, the Township received bids in response to the solicitation from three (3) bidders; and

WHEREAS, Omland Engineering Associates, Inc. has recommended to the Mayor and Council that the Township award a contract to Cifelli & Son General Contracting Inc., 81 Franklin Avenue, Nutley, NJ 07110 for the Project in the amount of two hundred forty-eight thousand, four hundred and one hundred dollars and twenty-four cents (\$248,401.24);

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.

No. 9712

By: Mr. Wolsky

SUBJECT: RESOLUTION – AMENDING THE ADOPTED BUDGET FOR ADDITIONAL ITEMS OF REVENUE AND OFFSETTING APPROPRIATION (CHAPTER 159).

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund budget of the year 2015 in the sum of \$21,950.98, which item is now available as revenue from:

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State of New Jersey
Department of Environmental Protection
Clean Communities Grant- FY 2015

BE IT FURTHER RESOLVED that a like sum of \$ 21,950.98 and the same is hereby appropriated in the Current Fund under the caption of:

State of New Jersey
Department of Environmental Protection
Clean Communities Grant- FY 2015

BE IT FURTHER RESOLVED that one certified copy of this resolution be forwarded to the Director of the Division of Local Government Services.

No. 9713
By: Mr. Cecere

SUBJECT: RESOLUTION – AUTHORIZING THE WAIVER OF THE NEW JERSEY STATE CHIEFS OF POLICE EXAMINATIONS IN CONNECTION WITH THE UPCOMING CHIEF OF POLICE PROMOTION.

WHEREAS, in accordance with the ordinance of the Police Department, Section 3-8 et seq., the Mayor and Council have the discretion to waive any requirement of the Police Department promotional process upon the written recommendation of the Chief of Police; and

WHEREAS, for reasons of economy and the administrative efficiency of the Police Department, the Mayor and Council, upon the written recommendation of the Chief of Police, wish to waive the New Jersey State Chiefs of Police non-examination criteria, and written and oral examination requirements in connection with the promotion to be made to the position of police chief;

WHEREAS, the eligible candidates have signed a memorandum, dated May 6, 2015, and attached hereto, stating that they wish to waive the non-examination criteria, and written and oral examination portions of the promotional process and move directly to the Public Safety Committee's interview and appointment;

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

1. Upon written recommendation of Chief Bramhall, the Mayor and Council hereby waive the New Jersey State Chiefs of Police non-examination criteria and written and oral examination requirements in connection with the appointment to police chief. The written recommendation of Chief Bramhall dated May 15, 2015 is attached hereto and made part hereof.
2. This waiver shall not affect the validity and enforceability of any other requirement of the Police Department promotional process.
3. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

No. 9714
By: Mr. O'Hern

SUBJECT: RESOLUTION – AUTHORIZING THE AWARD OF THE CONTRACT FOR PLANNING SERVICES FOR THE TOWNSHIP OF WEST CALDWELL FOR THE YEAR 2015.

WHEREAS, the Township of West Caldwell (the "Township") advertised for proposals for Planning Services for the Township for the year 2015 in accordance with a Request for Proposals; and

WHEREAS, the Township received responses to such Request for Proposals from vendors; and

WHEREAS, the Township considered and evaluated the responses to the Request for Proposals from all of the vendors in accordance with established procedures, including a basis for award evaluation factors that included Technical (30%), and Management (45%) and Cost (25%); and

WHEREAS, the Township has determined that the proposal submitted by Maser Consulting, P.A., 53 Frontage Road, Suite 120, Clinton, New Jersey 08809 (referred to as "Maser Consulting, P.A.") is the proposal that satisfies the applicable criteria set forth in the Request for Proposals and which proposal serves the best interests of the Township and which proposal has been determined to be 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 has determined that the Township should accept the proposal submitted by Maser Consulting, P.A. to render the necessary and appropriate planning services for the Township for the year 2015.

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, as follows:

1. The Township does hereby authorize the acceptance of the proposal submitted by Maser Consulting, P.A. and the Township does hereby award a contract to Maser Consulting, P.A. to render Planning Services to the Township for the Year 2015; and
2. The proposal submitted by Maser Consulting, P.A. on April 17, 2015 in response to the

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Request for Proposals is hereby incorporated into this Resolution by reference; and

3. The Mayor, Township Clerk and/or Township Administrator are authorized to execute and exchange a contract with Maser Consulting, P.A. for the purpose of Maser Consulting, P.A. rendering Planning Services for the Township for the Year 2015, which contract is to be consistent with the terms and conditions of the aforementioned Proposal.

No. 9715
By: Mr. Cecere

SUBJECT: RESOLUTION – AUTHORIZING GARDEN STATE FIREWORKS TO DISCHARGE FIREWORKS IN THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Township of West Caldwell intends to provide a Fireworks Display for the 2015 July 4th Celebration; and

WHEREAS, said fireworks display shall be conducted by Garden State Fireworks, Inc.

WHEREAS, the New Jersey Uniform Fire Code requires that the governing body of a municipality approve by resolution, said fireworks display, prior to the issuance of a permit by the Fire Official (N.J.A.C. 5:70 et. seq.); and

WHEREAS, Garden State Fireworks, Inc. has provided proof of general liability insurance in excess of \$1,000,000.00 as required by the New Jersey Uniform Fire Code (N.J.A.C. 4:70 et seq.); and

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, as follows:

1. The providing of Fireworks Displays at the July 4th Celebration (rain date July 5th) is hereby awarded to Garden State Fireworks Inc., P.O. Box 403, Carlton Road, Millington, NJ 07946 at a cost not to exceed \$15,000.00 and to include insurance.
2. All municipal officials are hereby authorized and directed to take whatever actions may be necessary to implement the terms of this Resolution.

No. 9716
By: Mr. O'Hern

SUBJECT: RESOLUTION – APPOINTING GORDON BRUCHAC TO THE POSITION OF FOREMAN OF ROADS, BUILDINGS, GROUNDS, AND FACILITY MAINTENANCE FOR THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Governing Body of the Township of West Caldwell desires to appoint a foreman of Roads, Buildings, Grounds, and Facility Maintenance in the Department of Public Works; and

WHEREAS, Gordon Bruchac, 8 Park Street, West Caldwell, NJ, is willing and able to serve as the foreman of Roads, Buildings, Grounds, and Facility Maintenance for the Township of West Caldwell; and;

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

1. Gordon Bruchac is appointed as foreman of Roads, Buildings, Grounds, and Facility Maintenance, effective June 2, 2015, in accordance with the salary ordinance.
2. The job description is hereby attached as reference.
3. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

No. 9717
By: Mr. Docteroff

SUBJECT: RESOLUTION – RECOGNIZING THE TABLE OF ORGANIZATION FOR THE DEPARTMENT OF PUBLIC WORKS IN THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Township of West Caldwell has numerous departments to carry out the services associated with municipal government; and

WHEREAS, the Department of Public Works is one such Department; and

WHEREAS, the Table of Organization of the Department of Public Works shall be structured in such a way to optimize performance, prioritize economy and efficiency and establish a functional chain of command;

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

1. That the attached Department of Public Works Table of Organization be recognized by the Township Council as the organization structure that shall be staffed accordingly.

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No. 9718
By: Mr. Cecere

SUBJECT: RESOLUTION – AUTHORIZING THE APPOINTMENT OF NICHOLAS SASSO AS A REGULAR FIREFIGHTER OF THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT.

RESOLVED, on the recommendation of the Chief of the West Caldwell Volunteer Fire Department that Nicholas Sasso, 19 Fairfield Avenue, West Caldwell, NJ, be designated as a Regular Firefighter of the West Caldwell Volunteer Fire Department, effective June 2, 2015.

No. 9719
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. Attorney/client privilege – Disposal of municipal assets

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 Councilman Cecere, seconded by Councilman Hladik that the eleven Resolutions be adopted.

Upon the vote being polled, Councilmen O’Hern, Cecere, Hladik, Docteroff and

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Councilwoman Canale voted in the affirmative.

COMMITTEE REPORTS:

PUBLIC SAFETY COMMITTEE:

Councilman Cecere reported the following:

1. There was an accident at Stonybrook Road and Washington Avenue on Sunday, May 31, where there have been numerous accidents.
2. Another bear was seen on Central this weekend. Residents were asked to be aware and call the police.

Councilman Cecere asked Administrator Brewer to ask Chief Bramhall for a five-year accident report on the Stonybrook Road intersection.

PUBLIC WORKS & TECHNOLOGY:

Councilman Docteroff reported the following:

1. Francisco Avenue and Lincoln Place roadway reconstruction was awarded and will begin soon.
2. Memorial Park parking lot is completed under the CDBG grant.
3. The Westville Avenue pool was closed this week and will be closed the weekend of June 6-7. There was a tremendous amount of water leaking from the pool and it was found that there was a broken pipe and it will be fixed shortly. The slide had to be removed.
4. Pool badges are in full effect and the new system allows the Recreation department to see how many members are using the pools and when.
5. The Camp Wyanokie Fishing Derby will be held June 27.

PARKS & RECREATION COMMITTEE:

Councilman Hladik reported the following:

1. Everyone involved with the Memorial Day parade was thanked for the tremendous effort.
2. Senior Citizens Transportation Board meeting on June 1 was held and a representative from Wolfington Bus Sales was present.
3. The library board meeting is June 10 and will be the last of the season until fall.
4. Family fun day is June 13 in Crane Park. It is sponsored by TD Bank.
5. The Department of Public Works were thanked for their work on the pools.

LEGAL & PERSONNEL COMMITTEE:

There was no report.

FINANCE & WELFARE:

There was no report.

HEALTH AND SHARED SERVICES:

Councilwoman Canale reported the following:

1. The Board of Health meeting will be held on Wednesday, June 3.

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ADVISORS' REPORT:

Administrator Brewer thanked Ricky Ventola and James Haas for landscaping the islands on Bloomfield Avenue east of Passaic Avenue. The Caldwell Sewer Board meeting will be held on June 4 at 6 pm and Mayor Tempesta and he will be attending. A discussion was held on the issues that will be discussed at the meeting on Thursday, June 4.

Clerk Donovan reminded residents that the primary election was held today and the polls will close at 8 pm.

INVITATION TO CITIZENS FOR DISCUSSION:

George Stafford, outreach director of the NJ Highlands Coalition, discussed the concerns of the Highland residents and water runoff.

R.J. Carillo of the Progress asked questions about the pool and the replacement for Chief Bramhall. His questions were answered.

ADJOURNMENT:

On the motion of Councilman Cecere, seconded by Councilman Hladik, the meeting adjourned at 7:44 pm to Closed Session.

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

On the motion of Councilman Cecere, seconded by Councilman Hladik, the meeting reconvened to open session at 8:13 p.m.

On the motion of Councilman Cecere, seconded by Councilman Hladik, the meeting adjourned at 8:14 pm.

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

Mary S. Donovan
Township Clerk