

**TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
MARCH 3, 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, March 3, 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, Wolsky, Docteroff and Councilwoman Canale

ABSENT: Paul G. Jemas, Municipal Attorney

OTHERS PRESENT: Adam Brewer, Township Administrator
Mary S. Donovan, Township Clerk

Pledge of Allegiance

BILLS ORDERED PAID:

It was regularly moved by Councilmen 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.

APPROVAL OF MINUTES:

On the recommendation of Council President O'Hern, seconded by Councilman Cecere, it was regularly moved that the Minutes of the Regular Meeting and Special Meeting held on Tuesday, March 3 be accepted.

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

PENDING ORDINANCE:

The Township Clerk read the title of an Ordinance 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." and stated that the Ordinance had been published and posted as a Pending Ordinance in the manner required by law and was now due for a hearing and further consideration.

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

MARCH 3, 2015

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.

SECTION 6. Advancement to Steps 2 and 3 for Fire Chief shall be awarded by Resolution of 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 December 1, 2014.

SECTION 10. Ordinance No. 1762, adopted June 3, 2014, and all other ordinances or parts of ordinances inconsistent herewith, are hereby repealed or replaced.

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	5,000.00
Fire Chief - Step 2	6,000.00	6,000.00
Fire Chief - Step 3	7,000.00	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	124,848.00
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

MARCH 3, 2015

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
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
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 Attorney	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	45,828.00
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	\$,1390 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	17,880.00
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

Mayor Tempesta 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, Wolsky, Docteroff and Councilwoman Canale voted in the affirmative.

It was regularly moved by Council President O’Hern, seconded by Councilman Hladik that the Ordinance be passed on second reading.

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

MARCH 3, 2015

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. 9653
By: Mr. O'Hern

SUBJECT: RESOLUTION – AUTHORIZING I.U.O.E. LOCAL 68 CHARITY FUND, INC. DECEMBER 3, 2015, LICENSE NO. 374, ID NO. 535-4-363-215.

WHEREAS, I.U.O.E. Local 68 Charity Fund, Inc has submitted a Raffle License Application No. RA 374, ID No. 535-4-363-2, for an On Premise Cash Raffles to be held on April, 2, June 28, and October 1, and December 3, 2015; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell, hereby approves Raffle License Application No. RA 374; 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. 9654
By: Mr. O'Hern

SUBJECT: RESOLUTION – AUTHORIZING EXTENSION OF AMENDED AND RESTATED LICENSE AGREEMENT BETWEEN VERIZON AND THE TOWNSHIP OF WEST CALDWELL FOR TEMPORARY CELL TOWER.

BE IT RESOLVED, by the Township of West Caldwell that the license agreement (attached) between Verizon and the Township of West Caldwell for a temporary cell tower at 21 Clinton Road, West Caldwell, be amended and hereby is extended to commence July 1, 2014 through June 30, 2015.

No. 9655
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS – AMENDMENT #2.

WHEREAS, an emergent conditions has risen with respect to payment of salary and wages, insurance and contracted services and no adequate provision has been made in the 2015 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total temporary resolutions adopted in the year 2015 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$4,463,748.00.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20.

- 1. An emergency temporary appropriation be and the same is hereby made for the following appropriations in the amount of \$4,325,578.00:

CURRENT FUND

General Government	<u>Amendment #2</u>
Financial Administration	
Other Expense	10,000.00
Collection of Taxes	
Other Expense	2,000.00
Mayor and Council	
Other Expense	3,500.00
Insurance	
General Liability - Other	10,000.00
Workers' Compensation	50,000.00
Public Safety	

MARCH 3, 2015

Police		
Other Expenses		10,000.00
Streets and Roads		
Snow Removal		
Other Expenses		35,000.00
Health and Welfare		
Board of Health		
Salaries and Wages		15,000.00
Recreation and Education		
Camp Wyanokie		
Other Expenses		2,670.00
 TOTAL CURRENT FUND EMERGENCY TEMPORARY APPROPRIATIONS		138,170.00

2. That one certified copy of this resolution be filed with the Director of Local Government Services.

No. 9656
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING TRANSFER OF 2014 WATER UTILITY FUND APPROPRIATIONS, EFFECTIVE DECEMBER 31, 2014.

WHEREAS, N.J.S.A. 40A:A-58 provides that all unexpended balances carried during the last two months of the current year are available to meet specific claims, commitments or contracts incurred during the current fiscal year and allow transfers to be made from unexpended balances that are expected to be sufficient during the last two months of the current year; and

WHEREAS, the following Water Utility Fund Transfers between appropriations are necessary:

	<u>FROM</u>	<u>TO</u>
	\$	
Other Expenses	33,200.00	
Interest on Bonds		\$ 33,200.00
	\$ 33,200.00	\$ 33,200.00
	33,200.00	

No. 9657
By: Mr. Cecere

SUBJECT: RESOLUTION – APPROVING THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT CERTIFICATION LIST FOR LOSAP FOR THE YEAR 2014.

WHEREAS, the Mayor and Council of the Township of West Caldwell adopted Ordinance No. 1426 on August 15, 2000, providing a Length of Service Award Program (LOSAP) for members of the West Caldwell Volunteer Fire Department; and

WHEREAS, the Mayor and Council of the Township of West Caldwell authorized American General Financial Group (VALIC) to administer the LOSAP with the approval of Resolution No. 7160 on November 20, 2001; and

WHEREAS, the Division of Local Government Services reviewed and approved the length of service award plan submitted by the Township of West Caldwell on December 6, 2001; and

WHEREAS, the West Caldwell Volunteer Fire Department presented the attached certified list of active volunteer firefighters who qualify for LOSAP contributions for the year 2014 to the Mayor and Council of the Township of West Caldwell; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council have reviewed and have approved the attached list of volunteer firefighters who qualify for LOSAP contributions for the year 2014 and the Governing Body has included the 1.6% CPI increase authorized by the Division of Local Government Services in accordance with the determinations and recommendations of the West Caldwell Fire Department; and

BE IT FURTHER RESOLVED, that the certified list and this Resolution shall be posted for thirty (30) days at the West Caldwell Fire Headquarters and in the office of the Municipal Clerk in accordance with N.J.S.A. 40A:14-192, et seq.

MARCH 3, 2015

No. 9658
By: Mr. Cecere

SUBJECT: RESOLUTION – AUTHORIZING PAYMENT TO THE VOLUNTEER FIREMEN OF THE TOWNSHIP OF WEST CALDWELL FOR THE YEAR 2014.

WHEREAS, pursuant to the provisions of R.S. 40:47-30 by certification of the West Caldwell Fire Chief, application was made by the active volunteer firemen to the governing body of the Township of West Caldwell for clothing allowance for the year 2014 for compensation in accordance with the provisions of such statute; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of West Caldwell, that pursuant to R.S. 40:47-30 and in accordance with the certification of the Chief of the Volunteer Fire Department of the Township of West Caldwell as of February 27, 2015, the amounts listed in the attached schedule are being approved. The total distribution is \$43,937.08.

No. 9659
By: Mr. Hladik

SUBJECT: RESOLUTION – AUTHORIZING AN AMENDED 2015 FEE SCHEDULE FOR POOL UTILITY MEMBERSHIP.

WHEREAS, the Governing Body of the Township of West Caldwell approved Ordinance No. 1721 on April 3, 2012 authorizing amendments, modifications, increases and/or decreases to the fee schedule for membership in the West Caldwell Pool Utility; and

WHEREAS, Ordinance No. 1721 authorizes the Township Council to adopt by resolution amendments, modifications, increases and/or decreases to the fee schedule by membership in the West Caldwell Pool Utility;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Caldwell, in the County of Essex, establishes the fee schedule for membership in the West Caldwell Pool Utility in accordance with the following:

1. Beginning in 2015, the West Caldwell Pool Utility will be using digital photo ID cards. In the event a card is lost, a \$20.00 replacement fee will be charged for each card.

No. 9660
By: Mr. O'Hern

SUBJECT: RESOLUTION – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH MASER CONSULTING, P.A. RELATING TO COUNCIL ON AFFORDABLE HOUSING (COAH) TRACKING AND MONITORING (CTM) SYSTEM 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 to complete the Council on Affordable Housing (COAH) tracking and monitoring (CTM) system for the period 2014. This project includes unit monitoring court settlement research and follow up services;

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., 53 Frontage Road, Suite 120, Clinton, NJ 08809 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 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.

MARCH 3, 2015

No. 9661
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 – GR/SS Caldwell, LLC and The Stop and Shop Supermarket Company LLC

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 read the closed session item.

It was regularly moved by Councilman Hladik, seconded by Councilman Wolsky that the nine Resolutions be adopted.

Upon the vote being polled, Councilmen O'Hern, Cecere, Hladik, Wolsky, Docteroff and Councilwoman Canale voted in the affirmative, except Council President O'Hern and Councilman Cecere abstained on Resolutions Numbers 9657 and 9658 because they are members of the West Caldwell Volunteer Fire Department.

MARCH 3, 2015

COMMITTEE REPORTS:

PUBLIC SAFETY COMMITTEE:

1. The deer management ended recently and 25 deer were culled and the reasons for the lower count than last year were weather and the PSE&G work on the power lines.
2. There was a recent presentation on the Eastern Coyote by a representative of the NJ Department of Wildlife.
3. Councilman Cecere congratulated his daughter Jiana's 6th, 7th and 8th basketball team for reaching the finals.

PUBLIC WORKS & TECHNOLOGY:

Councilman Docteroff reported the following:

4. There was a recent presentation on the St. Charles and Mt. Herman Way reconstruction project that will begin once the weather clears up. Frank Russo from Omland Engineering was on hand for the presentation.
5. The staff is readying for the upcoming pool season with new photo badges and pool registrations.

Pool painting and the setup for the new badges at the pools was discussed.

PARKS & RECREATION COMMITTEE:

Councilman Hladik reported the following:

1. The Senior Citizens' Transportation Committee held its first meeting of the year on March 2, 2015; Bill Pembratt was elected president and Peter Perrillo was elected vice president. Clerk Donovan was thanked for attending the meeting to swear the members in. The committee is still awaiting word on the HUD grant for the purchase of a new bus.
2. The next Library Board will be held March 11, 2015.

LEGAL & PERSONNEL COMMITTEE:

Council President requested an update from Administrator Brewer on the southeast corner of Bloomfield and Passaic Avenues crosswalk that needs some attention. Administrator Brewer indicated he is awaiting word from Essex County and PSE&G.

FINANCE AND WELFARE COMMITTEE:

The Township Clerk read the title of an Ordinance entitled "No. 1771 ORDINANCE TO ESTABLISH AND PRESERVE A CAP BANK (N.J.S.A. 40A: 4-45.14)".

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Township of West Caldwell, in the County of Essex, finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 2.0% increase in the budget for said year, amounting to \$257,030.66 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Township of West Caldwell, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of West Caldwell shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased up to 3.5%,

MARCH 3, 2015

amounting to no more than \$449,803.66, and that the CY 2015 municipal budget for the Township of West Caldwell be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

It was regularly moved by Councilman Wolsky, seconded by Council President O'Hern 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, March 17, 2015.

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

HEALTH AND SHARED SERVICES:

Councilwoman Canale reported the following:

1. The Board of Health meeting for March 4 is cancelled because of the impending snow storm.
2. The presentation on the Eastern Coyote was well attended and Bill Wallace was thanked for his help.
3. Councilwoman Canale congratulated her 6th, 7th and 8th grade girls' basketball team for winning the championship.

ADVISORS' REPORT:

There were no reports.

MAYOR'S REPORT

Mayor Tempesta reported that he attended the presentation on the reconstruction of St. Charles Avenue and Mt. Herman Way in West Caldwell and also attended the State of the County address by Essex County Executive Joseph DiVincenzo, Jr. in Cedar Grove. Mayor Tempesta requested that Administrator Brewer report back on the Essex County equalization tax rate.

Mayor Tempesta reported that the County has implemented "Code Blue" to open warming stations when needed.

Council President O'Hern questioned why the Grover Cleveland Park Pond is not cleared and that the County was requesting residents to clear the pond for skating. Mayor Tempesta indicated they would question Alan Abramowitz at the next Council meeting on March 17, 2015.

INVITATION TO CITIZENS FOR DISCUSSION:

There were no comments from the public.

MARCH 3, 2015

ADJOURNMENT:

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

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

Council adjourned at 7:40 pm to Closed Session.

Mary S. Donovan
Township Clerk