

**TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
NOVEMBER 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, November 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, Docteroff, Wolsky and Councilwoman Canale.

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

Pledge of Allegiance and Invocation

Councilman Hladik asked for prayers for the West Caldwell Police Department and especially its newest officers, Mr. Antero and Mr. Stallone.

Mayor Tempesta welcomed Mr. Antero and his family and congratulated both officers on their new positions.

No. 9811
By: Mr. Cecere

SUBJECT: RESOLUTION - AUTHORIZING THE APPOINTMENT OF KEVIN ANTERO AS A PROBATIONARY POLICE OFFICER IN THE WEST CALDWELL POLICE DEPARTMENT, EFFECTIVE NOVEMBER 9, 2015.

RESOLVED, on the recommendation of the Public Safety Committee and the West Caldwell Police Chief, that the nomination of Kevin W. Antero, 39 Dawson Avenue, Boonton, NJ 07005 is willing and able to serve as a Probationary Patrol Officer for the West Caldwell Police Department by Mayor Joseph Tempesta, Jr., be and he is hereby approved as a probationary police officer in the West Caldwell Police Department, effective November 9, 2015, at a salary of \$46,585.00, in accordance with the salary guide.

It was regularly moved by Councilman Cecere, seconded by Councilman Hladik that the resolution be adopted.

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

OATH OF OFFICE:

Mayor Tempesta then administered the oath to Patrolman Antero with his family by his side.

No. 9812
By: Mr. Cecere

SUBJECT: RESOLUTION - AUTHORIZING THE APPOINTMENT OF WILLIAM F. STALLONE AS A PROBATIONARY POLICE OFFICER IN THE WEST CALDWELL POLICE DEPARTMENT, EFFECTIVE NOVEMBER 9, 2015.

RESOLVED, on the recommendation of the Public Safety Committee and the West Caldwell Police Chief, that the nomination of William F. Stallone, 400 Island Road, Paramus, NJ 07652, is willing and able to serve as a Probationary Patrol Officer for the West Caldwell Police Department by Mayor Joseph Tempesta, Jr., be and he is hereby approved as a probationary police officer in the West Caldwell Police Department, effective November 9, 2015, at a salary of \$46,585.00, in accordance with the salary guide.

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It was regularly moved by Councilman Cecere, seconded by Councilman Hladik that the resolution be adopted.

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

OATH OF OFFICE:

Mayor Tempesta then administered the oath to Patrolman Stallone with his family by his side.

There was a recess at 7:28 pm. The meeting continued at 7:39 pm.

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	3923-4064	\$4,735,286.35
WATER OPERATING ACCOUNT- VALLEY NATIONAL BANK	9511-9539	\$211,592.98
POOL UTILITY ACCOUNT	2585-2598	\$20,830.06
GENERAL CAPITAL ACCOUNT	2429-2444	\$338,946.56
WATER CAPITAL	8069-8074	\$440,833.29
POOL CAPITAL	3011	\$4,800.00
GENERAL TRUST – VALLEY NATIONAL BANK	5324-5351	\$26,537.83
DOG TRUST	1571	\$2.40
DEVELOPERS’ TRUST	316-319	\$4,988.55

APPROVAL OF MINUTES:

On the recommendation of Councilman Wolsky, seconded by Councilwoman Canale, it was regularly moved that the minutes of the Regular Meeting held on Tuesday, October 20, 2015 be accepted.

Upon the vote being polled, Councilmen O’Hern, Cecere, Hladik, Wolsky and Councilwoman Canale voted in the affirmative while Councilman Docteroff abstained because of absence.

PENDING ORDINANCE:

The Township Clerk read the title of an Ordinance No. 1776 entitled “AN ORDINANCE TO AMEND CHAPTER XVIII, UTILITIES, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST CALDWELL, ADOPTED OCTOBER 17, 1995, AMENDING WATER RATES”.

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BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

WITHIN THE FOLLOWING SECTIONS, ITEMS ENCLOSED IN BRACKETS [THUS], ARE DELETED; ITEMS UNDERLINED, THUS, ARE ADDED.

18-1.6 Charges.

- a. The following are the charges of the Water Department of the Township of West Caldwell:
 - 1. Water consumption, per one thousand (1,000) gallons of water: [five dollars and ninety-seven (\$5.97) cents] eight dollars and five (\$8.05) cents.*
 - 2. Minimum quarterly charge to all consumers connected to the system: [fourteen (\$14.00) dollars.] nineteen (\$19.00) dollars.*

***Editor's Note:** These rates take effect commencing with the water billing mailed January 2016.

- 3. Well owners not connected to or not using the public water system will be charged an annual rate of twelve (\$12.00) dollars for fire hydrant services and shall be billed annually.
- 4. Meters. Costs for meters shall be as follows:

METER	FEE
5/8" x 5/8"	\$145.00
5/8" x 3/4"	\$220.00
3/4" x 3/4"	\$220.00
1"	\$270.00

Meters 1 1/2" and larger are to be charged at a rate of 1.5 times the actual cost incurred to the Township of West Caldwell for meter, equipment and installation.

- 5. One (1") inch tap charge: three hundred fifty (\$350.00) dollars.
- 6. Nonemergency shutoff/turn-on charge (nonworking hours): forty-five (\$45.00) dollars.
- 7. Meter testing charge for all meters smaller than one (1) inch: thirty (\$30.00) dollars. All meters over one (1) inch: actual cost to the township plus twenty (\$20.00) dollars.
- 8. Sprinkler permit charge: one hundred (\$100.00) dollars.
- 9. Flow test (commercial and industrial): two hundred (\$200.00) dollars.
- 10. Pressure test inspection (new water mains, commercial and industrial): one hundred (\$100.00) dollars.
- 11. Hydrant test, minimum (private property): twenty-five (\$25.00) dollars per hydrant.
- 12. Hydrant test, conditional, on cost of labor to the township (private property): as determined under paragraph a, 17.
- 13. Quarterly hydrant standby charge: twenty-five (\$25.00) dollars per hydrant.
- 14. Final reading: ten (\$10.00) dollars.
- 15. An annual standby charge, for all buildings equipped with a sprinkler system, payable quarterly, at the rate of:

Annual Charge	Quarterly Billing	Building Size (square feet)
\$100.00	\$25.00	0 to 2,000
320.00	80.00	2,001 to 25,000
360.00	90.00	25,001 to 50,000
400.00	100.00	50,001 to 100,000
200.00	50.00	Per 50,000 above 100,000

- 16. Construction water charges:
 - (a) New residents: thirty-five (\$35.00) dollars per unit.
 - (b) Commercial and industrial buildings: seventy-five (\$75.00) dollars to two hundred fifty (\$250.00) dollars depending on the size of the building.
- 17. Cost of labor is determined by multiplying the actual or overtime hourly rate by 1.3.
- 18. Water service termination (shut off) resulting from nonpayment of water charges shall be: thirty (\$30.00) dollars.
- 19. Water service restoration (turn on) resulting from a shut off for nonpayment of water charges shall be: thirty (\$30.00) dollars.
- 20. Formal shut-off notice fee resulting from nonpayment of water charges shall be twenty (\$20.00) dollars.

b. A building or residence under this section shall include an individual office or business condominium unit.

c. The Mayor and Council may approve, by resolution, an increase in the water rate per thousand gallons up to the percentage increase in the amount imposed on the Township by the bulk water supplier.

[c.]d. The Mayor and Council shall from time to time, as circumstances warrant, fix all water charges by ordinance.

(1993 Code § 205-6; New; Ord. No. 1410 § 1; Ord. No. 1478 § 1; Ord. 1486 § 1; Ord. No. 1524 § 1; Ord. No. 1552 § 1; Ord. No. 1577 § 1; Ord. No. 1656 §§ 1, 2; Ord. No. 1664 § 1; Ord. No. 1767 § 1)

All changes to ordinance shall take effect January 1, 2016 and shall rescind all prior ordinances, resolutions and fee schedules of the Township of West Caldwell.

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Mayor Tempesta stated that this was the time for a public hearing and asked if anyone wished to be heard.

Thomas Farrell, 18 Kramer Avenue, questioned the need for the rate change.

Mayor Tempesta answered Mr. Farrell's questions.

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 Councilman Wolsky, seconded by Councilwoman Canale 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.

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. 9813
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>
400	1	Stephenson, Robert & Arlene	\$ 79.70	2015	2
Water Acct #908-0 9 Pleasant Avenue					
		Make check payable to:	Stephenson, Robert & Arlene 3 Harding Drive Fairfield, NJ 07004		
305	1	Haddad, Thomas & Kimberly	\$2,457.13	2015	2
42 Coolidge Avenue					
		Make check payable to:	Haddad, Thomas & Kimberly 57 Coolidge Avenue		
1402	13	RHB NJ REALTY LLC	\$3,974.80	2015	2
235 Fairfield Avenue					
		Make check payable to:	RHB NJ Realty LLC 1050 Sherman Avenue Pennsauken, NJ 08110		
501	10	D'Alessandro Randy & Worth, Susan	\$2,301.02	2014	8
18 Farrington Street					
		Make check payable to:	D'Alessandro Randy & Worth, Susan P.O. Box 103 Cedar Grove, NJ 07009		

Total - \$8,812.65

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No. 9814
By: Mr. Docteroff

SUBJECT: RESOLUTION – AUTHORIZING APPROVAL OF CHANGE ORDER #1 IN THE AMOUNT OF \$35,400.00 FOR THE FRANCISCO AVENUE AND LINCOLN PLACE ROADWAY RECONSTRUCTION PROJECT FOR THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Governing Body of the Township of West Caldwell previously awarded the contract for the Francisco Avenue and Lincoln Place road reconstruction project to Cifelli & Son General Contracting, Inc. in the amount of \$248,401.24 (the “Contract”); and

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

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

- 1. Additional leader drain header piping

WHEREAS, the aggregate cost for these modifications is \$35,400.00 and results in a 14.25% total increase over the original Contract amount;

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

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

WHEREAS, based upon the recommendation of the Township Engineer, the Governing Body wishes to approve this change order; and

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

- 1. The above listed change order to the Contract for the Francisco Avenue and Lincoln Place road reconstruction project with Cifelli & Sons General Contracting, Inc. be and hereby is approved.
- 2. A written amendment to the contract shall be executed covering the changes made by said change orders.
- 3. The appropriate municipal officials are hereby authorized to execute said change orders.
- 4. The change to the contract price is as follows:

Original Contract Price	\$248,401.24
Amount of Change Order #1	35,400.00
New Contract Price with All Change Orders	\$283,801.24
Percent Increase of Change Order #1	14.25%

No. 9815
By: Mr. Docteroff

SUBJECT: RESOLUTION – AUTHORIZING APPROVAL OF CHANGE ORDERS #1 AND #2 FOR A TOTAL DECREASE OF \$12,454.29 FOR THE ROOSEVELT AVENUE AND CLINTON ROAD WATER MAIN REPLACEMENT PROJECT FOR THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Governing Body of the Township of West Caldwell previously awarded the contract for the Roosevelt Avenue and Clinton Road Reconstruction project to Matina and Son, Inc. in the amount of \$485,000.00 (the “Contract”); and

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

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

- 1. Removal of Alternate Bid ‘A’ scope of work in a decrease to the contract amount by \$49,000.05.
- 2. Road restoration work in an increase in the amount of the contract by \$36,545.76.

WHEREAS, the aggregate cost for these modifications is a decrease of \$12,454.29 and results in a 2.57% total decrease over the original Contract amount;

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

WHEREAS, based upon the recommendation of the Township Engineer, the Governing Body wishes to approve this change order; and

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

- 1. The above listed change order to the Contract for the Roosevelt Avenue and Clinton Road Reconstruction project with Matina and Son, Inc. be and hereby is approved.

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- 2. A written amendment to the contract shall be executed covering the changes made by said change orders.
- 3. The appropriate municipal officials are hereby authorized to execute said change orders.
- 4. The change to the contract price is as follows:

Original Contract Price	\$485,000.00
Amount of Change Order #1	<49,000.05>
Amount of Change Order #2	36,545.76
Net of Change Orders #1 & #2	<12,454.29>
New Contract Price with All Change Orders	<u>\$472,545.71</u>
Percent Increase of Change Orders #1 through #2	-2.57%

No. 9816
 By: Mr. Docteroff

SUBJECT: RESOLUTION – AUTHORIZING APPROVAL OF CHANGE ORDERS #1 THROUGH #4 FOR A TOTAL INCREASE OF \$27,383.61 FOR THE ST. CHARLES AVENUE AND MT. HERMAN WAY ROADWAY RECONSTRUCTION PROJECT FOR THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Governing Body of the Township of West Caldwell previously awarded the contract for the St. Charles Avenue & Mt. Herman Way Roadway Reconstruction project to JTG Construction, Inc. in the amount of \$623,160.74 (the “Contract”); and

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

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

- 1. Installation of a 10’ DIP pip in place of the RCP pipe originally proposed in an amount of \$6,817.20.
- 2. Installation of a stamped concrete driveway in an amount of \$7,514.10.
- 3. Disposal of precast structures in an amount of \$3,896.20.
- 4. Removal and reform of sidewalks in an amount of \$8,995.76.

WHEREAS, the aggregate cost for these modifications is \$27,223.26 and results in a 4.37% total increase over the original Contract amount;

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

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

WHEREAS, based upon the recommendation of the Township Engineer, the Governing Body wishes to approve this change order; and

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

- 1. The above listed change order to the Contract for the St. Charles Avenue & Mt. Herman Way Reconstruction project with JTG Construction, Inc. be and hereby is approved.
- 2. A written amendment to the contract shall be executed covering the changes made by said change orders.
- 3. The appropriate municipal officials are hereby authorized to execute said change orders.
- 4. The change to the contract price is as follows:

Original Contract Price	\$623,160.74
Amount of Change Order #1	6,817.20
Amount of Change Order #2	7,514.10
Amount of Change Order #3	3,896.20
Amount of Change Order #4	8,995.76
New Contract Price with All Change Orders	<u>\$650,384.00</u>
Percent Increase of Change Orders #1 through #4	4.37%

No. 9817
 By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING TRANSFER NO. 1 OF 2015 CURRENT FUND APPROPRIATIONS.

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 Current Fund Transfers between appropriations are necessary:

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APPROPRIATIONS WITHIN CAPS	FROM	TO
Elections/Municipal Clerk		
Salary and Wages	\$ 20,500.00	
Financial Administration		
Salary and Wages	\$ 15,000.00	
Collection of Taxes		
Salary and Wages	\$ 5,000.00	
Insurance		
General Liability - Other	\$ 134,000.00	
Assessment of Taxes		
Salary and Wages		\$ 500.00
Other Expenses		\$ 2,000.00
Engineering Services and Costs		
Other Expense		\$ 15,000.00
Employee Group Health		\$ 50,000.00
Construction Official		
Salaries and Wages		\$ 3,000.00
Terminal Leave		\$ 20,000.00
APPROPRIATIONS EXCLUDED FROM CAPS		
Reserve for Prior Years' Tax Appeals		\$ 84,000.00
	\$ 174,500.00	\$174,500.00

No. 9818
By: Mr. O'Hern

SUBJECT: RESOLUTION - AUTHORIZING. CHERYL A. JEANNETTE AS VIOLATIONS CLERK FOR THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Township of West Caldwell desires to appoint a Violations Clerk; and
WHEREAS, Cheryl A. Jeannette, 17 Peachtree Avenue, East Hanover, NJ 07936, is willing and able to serve as the Violations Clerk in the Municipal Court 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. Cheryl A. Jeannette is appointed as Violations Clerk, effective November 3, 2015, at a salary of \$46,683.00 in accordance with the salary ordinance.
2. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

No. 9819
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

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bargaining agreement including the negotiation of the terms and conditions thereof, or (d) a discussion regarding the purchase, acquisition or lease of real property with public funds or (e) a discussion of involving the employment, appointment or termination of employment of an existing or prospective public officer or employee; and

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

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

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

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

1. Potential Litigation – Original Bagel request
2. Contract negotiations – EVS Field Agreement – Borough of Caldwell

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 items.

It was regularly moved by Council President O’Hern, seconded by Councilman Cecere that the seven 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. The West Caldwell Police Department received a safety award from AAA for no traffic fatalities in 2014.

PUBLIC WORKS & TECHNOLOGY:

Councilman Docteroff reported the following:

1. Westover Avenue and Terrace roadway construction is continuing.
2. The police band radio is being reviewed for a possible update.

Mayor Tempesta asked Administrator Brewer for an update on the Westover Avenue project.

PARKS & RECREATION COMMITTEE:

Councilman Hladik reported the following:

1. The Township has purchased a live Christmas tree, which was planted in Crane Park with the help of DPW employee John O’Hern.

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2. Essex Valley School new turf field hasn't been used for football yet, but will be used on Sunday, November 8 for three playoffs.

LEGAL & PERSONNEL COMMITTEE:

There was no report.

FINANCE & WELFARE:

Councilman Wolsky reported the following:

1. The Bridge had its grand opening in their new home on Bloomfield Avenue on October 26.
2. Wrench Park looks great after volunteers, with the help of the Environmental Commission, cleared the paths.

HEALTH AND SHARED SERVICES:

Councilwoman Canale reported the following:

1. The Board of Health will meet on November 4 to introduce the smoking ordinance.

Councilman Docteroff commented on the statistics gleaned from the new badge system at the Township's two pools. Guest passes in the amount of \$6,000 were bought.

ADVISORS' REPORT:

Clerk Donovan reported that the general elections being held today are quiet.

INVITATION TO CITIZENS FOR DISCUSSION:

John De Benedett, 20 Gates Avenue, asked for an update on the traffic survey on his street. Chief Paris answered his concerns.

ADJOURNMENT:

On the motion of Councilman Cecere, seconded by Councilman Hladik, the meeting adjourned at 8:10 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 Councilwoman Canale, seconded by Councilman Hladik, the meeting reconvened to open session at 8:24 p.m.

CONSENT AGENDA:

It was regularly moved by Councilman Wolsky, seconded by Council President O'Hern that the following Resolution be read by consent.

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

Administrator Brewer read the following Resolution, attached and made part of these Minutes:

No. 9820
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING SETTLEMENT WITH THE ORIGINAL BAGEL COMPANY FOR UNPAID INTEREST ON WATER BALANCE.

WHEREAS, The Original Bagel Company, 2 Fairfield Crescent, West Caldwell, NJ 07006, owed interest on a unpaid water balance from the second quarter of 2015 (April, May, June) in the amount of \$445.41.

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WHEREAS, because of an ongoing lengthy investigation of a high water bill, The Original Bagel Company will not have to pay the interest on the unpaid water bill for the second quarter of 2015;

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

1. The Original Bagel Company will be forgiven interest on their second quarter 2015 water bill in the amount of \$445.41 effective until the date of this resolution.
2. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

On the motion of Councilman Cecere, seconded by Councilman Hladik, the meeting adjourned at 8:27 pm.

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

Mary S. Donovan
Township Clerk