

**TOWNSHIP OF WEST CALDWELL  
PUBLIC MEETING MINUTES  
JANUARY 2, 2016**

The Reorganization 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 on Saturday, January 2, 2016 at 2:00 PM.

At this time, Mayor Joseph Tempesta administered the oath of office to Councilman Stanley W. Hladik for his second three-year term with his family present.

Mayor Joseph Tempesta administered the oath of office to Councilman Michael Crudele for his first three-year term with his family present.

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 Cecere, Hladik, Wolsky, Docteroff, Councilwoman Canale and Councilman Crudele.

OTHERS PRESENT: Adam Brewer Township Administrator  
Mary S. Donovan, Township Clerk  
Paul G. Jemas, Esq., Township Attorney  
Chief Gerard Paris, West Caldwell Police

Councilman Hladik led the Pledge of Allegiance

At the request of Mayor Tempesta, Reverend Esterminio Chica, Pastor, Notre Dame Roman Catholic Church gave the following invocation:

Our Father and our God, as we stand at the beginning of this new year we confess our need of Your presence and Your guidance as we face the future.

We each have our hopes and expectations for the year that is ahead of us—but You alone know what it holds for us, and only You can give us the strength and the wisdom we will need to meet its challenges. So help us to humbly put our hands into Your hand, and to trust You and to seek Your will for our lives during this coming year.

In the midst of life's uncertainties in the days ahead, assure us of the certainty of Your unchanging love.

In the midst of life's inevitable disappointments and heartaches, help us to turn to You for the stability and comfort we will need.

In the midst of life's temptations and the pull of our stubborn self-will, help us not to lose our way but to have the courage to do what is right in Your sight, regardless of the cost.

And in the midst of our daily preoccupations and pursuits, open our eyes to the sorrows and injustices of our hurting world, and help us to respond with compassion and sacrifice to those who are friendless and in need. May our constant prayer be that of the ancient Psalmist: "Teach me, O Lord, to follow your decrees; then I will keep them to the end" (Psalm 119:33).

As we look back over this past year we thank You for Your goodness to us—far beyond what we have deserved. May we never presume on Your past goodness or forget all Your mercies to us, but may they instead lead us to repentance, and to a new commitment to make You the foundation and center of our lives this year.

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And so, our Father, we thank You for the promise and hope of this new year, and we look forward to it with expectancy and faith. This I ask in the name of our Lord and Savior, who by His death and resurrection has given us hope both for this world and the world to come.

And we ask you bless the families and friends of our public servants that are here today.

We ask this in Christ our Lord, amen.

Mayor Tempesta asked for a moment of silence for residents Roger Jones and John Modica, who passed during the last year.

A request was made by Councilman Crudele that Reverend Chica’s invocation be spread in full in the minutes of this meeting.

Mayor Tempesta thanked Reverend Chica for his invocation.

Mayor Tempesta thanked the following dignitaries for coming; Chief Gerard Paris, Senator Pennachio from the 26<sup>th</sup> District, Morris County Freeholder John Chesario, Councilman Elect Frank Rodgers from Caldwell, and West Caldwell Republican County Chairman Christopher Smith.

**APPOINTMENT OF COUNCIL PRESIDENT:**

A motion was made by Councilman Wolsky, seconded by Councilman Hladik, to nominate Joseph Cecere as Council President for the year 2016.

Upon the vote being polled, Councilmen Hladik, Wolsky, Docteroff, Councilwoman Canale and Councilman Crudele voted in the affirmative.

**PRESENTATION – LISA MERIWEATHER**

Mayor Tempesta presented Mrs. Lisa Meriweather with a proclamation on the occasion of her 50<sup>th</sup> birthday and thanked her for her many years as a volunteer for the Recreation Department and the Township of West Caldwell. Mayor Tempesta also noted that Mrs. Meriweather organizes the Jamie Bliss Tournament, named on behalf of a James Caldwell High School student.

**BILLS ORDERED PAID:**

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

Mayor Tempesta recommended the appointment of the following Standing Committees and Special Committees of Council:

**STANDING COMMITTEES OF THE COUNCIL FOR THE YEAR 2016:**

	<u>Chairman</u>	<u>Vice-Chairman</u>	<u>Member</u>
PARKS AND RECREATION	Canale	Wolsky	Docteroff
FINANCE	Wolsky	Docteroff	Canale
PUBLIC WORKS	Docteroff	Canale	Wolsky
LEGAL AND PERSONNEL	Hladik	Crudele	Cecere
PUBLIC SAFETY	Cecere	Hladik	Crudele
TECHNOLOGY AND SHARED SERVICES	Crudele	Cecere	Hladik

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**SPECIAL COMMITTEES OF THE COUNCIL FOR THE YEAR 2016:**

POOL UTILITY COMMITTEE: Docteroff, Hladik, Cecere  
REAL ESTATE COMMITTEE: Hladik, Cecere, Docteroff

**REPRESENTATION ON OTHER COMMITTEES, BOARDS & COMMISSIONS FOR THE YEAR 2016:**

LOCAL ASSISTANCE BOARD	Cecere
ENVIRONMENTAL COMMISSION	Wolsky
THE BRIDGE	Wolsky
SENIOR CITIZENS TRANSPORTATION BOARD	Crudele
PLANNING BOARD	Cecere
BOARD OF HEALTH	Canale
CAMP WYANOKIE	Docteroff
MUNICIPAL ALLIANCE COMMITTEE	Crudele
LIBRARY BOARD	Hladik

**ANNUAL APPOINTMENT & CONTRACT AWARDS BY MAYOR WITH ADVICE & CONSENT OF COUNCIL – 2016 (adopted by consent):**

Mayor Tempesta recommended the following Annual Appointments for the year 2016:

Municipal Attorney	Paul G. Jemas, Esq.
Municipal Prosecutor	Thomas Callahan, Jr., Esq.
Assistant Municipal Prosecutor	Joseph A. DeFuria, Esq.
Chief Public Defender	Matthew O'Donnell, Esq., CPA
Municipal Public Defenders	Gregory D. Emond, Esq., Jason Cherchia, Esq., Kyle J. Weber, Esq.
Recycling Coordinator	Sandra Barrows
Municipal Engineer	Ralph J. Tango of Maser Consulting, PA
Consulting Engineering Services	Hatch Mott McDonald Matrix New World Engineering, Inc. Alaimo Group Engineering Consultants Omland Consulting Engineers, Inc./A Bowman Consulting Company
Special Counsel	Castano Quigley, LLC Genova Burns McElroy, Deutsch, Mulvaney and Carpenter, LLP O'Toole, Fernandez, Weiner Van Lieu, LLC McNally & Kaczynski, LLC
Real Property Tax Assessments/Litigation	Matthew J. O'Donnell, Esq., CPA of O'Donnell McCord, P.C.
Tax Appraiser/Tax Assessments	Hendricks Appraisal Company, LLC
Bond Counsel	McManimon, Scotland and Bauman
Township Auditor	Samuel Klein and Company
Township Architects	Brian Altman of Element Architectural Group; Settembrino Architects, LLC
Township Planner	Darlene Green of Maser Consulting, PA
Risk Management Consultant	IMAC Insurance Agency
Qualified Purchasing Agent	Adam W. Brewer
Computer Systems, Software Applications and Maintenance	RAC Systems Corporation

On motion made by Council President Cecere, seconded by Councilman Hladik, it was regularly moved that the appointments be confirmed.

Upon the vote being polled, Councilmen Cecere, Hladik, Wolsky, Docteroff, Councilwoman Canale and Councilman Crudele 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.

It was regularly moved by Council President Cecere, seconded by Councilman Hladik that the thirty-nine Resolutions on the Agenda this evening be approved.

Mayor Tempesta asked if any member of the public had any comments on any of the items on the Consent Agenda.

There were no comments.

The following thirty-nine Resolutions by Consent were made part of these Minutes:

No. 16-01  
By: Mr. Cecere

**SUBJECT: RESOLUTION – APPROVING OFFICIAL MEETING NIGHTS FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**RESOLVED**, on the recommendation of the Mayor and Council that all meetings of the Mayor and Council are public meetings. Meetings begin at 7:15 PM, unless otherwise noted, during which time business is transacted and public comment is welcome. At the conclusion of the regular public meeting, a conference session may be continued. All meetings are open to the public and are held on the first and third Tuesdays of each month.

January 2, 2016	Reorganization Meeting (2:00 P.M.)
January 19, 2016	Public Meeting
February 2, 2016	Public Meeting
February 16, 2016	Public Meeting
March 1, 2016	Public Meeting
March 15, 2016	Public Meeting
April 5, 2016	Public Meeting
April 19, 2016	Public Meeting
May 3, 2016	Public Meeting
May 17, 2016	Public Meeting
June 7, 2016	Public Meeting
June 21, 2016	Public Meeting
July 12, 2016	Public Meeting
August 2, 2016	Public Meeting
September 6, 2016	Public Meeting
September 20, 2016	Public Meeting
October 4, 2016	Public Meeting
October 18, 2016	Public Meeting
November 1, 2016	Public Meeting
November 22, 2016	Public Meeting
December 6, 2016	Public Meeting
December 20, 2016	Public Meeting (6:30 P.M. start time)

No. 16-02  
By: Mr. Cecere

**SUBJECT: RESOLUTION - OFFICIAL PUBLICATIONS - 2016.**

**WHEREAS**, it is necessary to designate legal publications for the year 2016 for all required legal notices; and

**WHEREAS**, state law requires that said notices be advertised in local newspapers if one is published in the municipality or county.

**NOW, THEREFORE BE IT RESOLVED**, the official publications for the Township of West Caldwell for the year 2016 shall be The Progress and The Star Ledger for the advertising of legal notices.

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No. 16-03  
By: Mr. Wolsky

SUBJECT: RESOLUTION - TEMPORARY BUDGET - 2016.

WHEREAS, the Local Budget Act, (Revised Statutes 40A:4-19) provides that where any contracts, commitments or payments are made prior to the final adoption of the 2016 Budget, temporary appropriations should be made for the purpose in the amounts required in the manner and within the time therein provides; and

WHEREAS, 26.25% of the total appropriations in the 2015 Budget, exclusive of any appropriations made for Debt Service, Capital Improvement Fund and Public Assistance in the said 2015 Budget are as follows:

CURRENT FUND: \$4,290,685.00  
WATER UTILITY: \$641,927.00  
POOL UTILITY: \$140,342.00

NOW, THEREFORE, BE IT RESOLVED, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

**TOWNSHIP OF WEST CALDWELL  
CURRENT FUND  
2015 TEMPORARY BUDGET**

***APPROPRIATIONS WITHIN CAPS***

**General Government**

Administrative and Executive:

Salary and Wages \$ 31,762.50

Other Expense 23,850.00

Elections/Municipal Clerk

Salary and Wages 37,537.50

Other Expense 5,100.00

Financial Administration

Salary and Wages 31,500.00

Other Expense 13,243.00

Assessment of Taxes

Salary and Wages 22,340.00

Other Expense 7,140.00

Collection of Taxes

Salary and Wages 23,887.50

Other Expense 4,042.50

Mayor and Council

Salary and Wages 9,581.25

Other Expense 2,764.00

Legal Services and Costs

Salary and Wages 1,312.50

Other Expense 88,200.00

Municipal Prosecutor

Salary and Wages 6,200.00

Engineering Services and Costs

Other Expense 13,125.00

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Public Buildings and Grounds	
Salary and Wages	24,675.00
Other Expense	26,013.75
Planning Board	
Salary and Wages	9,450.00
Other Expense	3,602.00
Board of Adjustments	
Salary and Wages	16,248.75
Other Expense	2,033.00
Environmental Commission	
Other Expense	236.25
Municipal Court	
Salary and Wages	36,487.50
Other Expense	5,000.00
Public Defender	
Salary and Wages	500.00
Insurance	
General Liability - Other	68,000.00
Workers' Compensation	109,803.00
Employee Group Health	1,100,000.00
<b>Public Safety</b>	
Fire	
Other Expenses	30,358.00
Uniform Fire Safety Act-Fire Prevention	
Salaries and Wages	35,630.00
Other Expenses	2,756.25
Police	
Salaries and Wages	1,000,000.00
Other Expenses	42,787.50
Emergency Management Services	
Salaries and Wages	3,150.00
Other Expenses	1,076.25
<b>Streets and Roads</b>	
Road Repair and Maintenance	
Salaries and Wages	74,611.00
Other Expenses	16,760.00
Snow Removal	
Other Expenses	21,630.00

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<b>Motor Vehicle Equipment Service and Repair</b>	
Salaries and Wages	17,469.00
Other Expenses	13,833.75
<b>Sanitation</b>	
Sewer System	
Salaries and Wages	2,625.00
Other Expenses	4,068.75
Garbage Collection and Disposal	
Other Expenses	136,500.00
Recycling	
Salaries and Wages	15,487.50
Other Expenses	2,021.25
<b>Health and Welfare</b>	
Board of Health	
Salaries and Wages	20,015.00
Other Expenses	5,241.00
Services of Visiting Nurse-Contract	3,097.50
Animal Control Regulation	
Other Expenses	3,675.00
<b>Recreation and Education</b>	
Parks and Playgrounds	
Salaries and Wages	188,947.50
Other Expenses	83,960.00
Senior Citizen Transportation	5,250.00
Camp Wyanokie	
Other Expenses	951.00
<b>Construction Official</b>	
Salaries and Wages	57,487.50
Other Expenses	4,798.50
<b>Utilities</b>	
Gasoline	32,812.50
Electricity	33,442.50
Telephone and Telegraph	16,760.00
Natural Gas	11,628.75
Street Lighting	38,587.50
Solid Waste Disposal Costs	134,137.50

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<b>Terminal Leave</b>	80,000.00
<b>Building Standards Board</b>	2,625.00
<b>Statutory Expenditures</b>	
Social Security System	68,250.00
Public Employees Retirement System	
Police & Fire Retirement System	
DCRP	2,100.00
<b><i>APPROPRIATIONS EXCLUDED FROM CAPS</i></b>	
<b>Maintenance of Free Public Library</b>	282,320.00
<b>Interlocal Agreements</b>	
Fairfield - Health	29,960.00
North Caldwell - Health	6,114.00
Caldwell - Dispatch	34,125.00
<b>SUBTOTAL CURRENT FUND APPROPRIATIONS</b>	<u>4,290,685.00</u>
Capital Improvement Fund	36,000.00
Payment of Bond Principal	910,000.00
Interest on Bonds	301,675.00
<b>SUBTOTAL EXCLUSIONS</b>	<u>1,247,675.00</u>
<b>TOTAL CURRENT FUND TEMPORARY APPROPRIATIONS</b>	<u><u>\$5,538,360.00</u></u>
<b>TOWNSHIP OF WEST CALDWELL WATER UTILITY OPERATING FUND 2015 TEMPORARY BUDGET</b>	
Salaries and Wages	150,671.00
Other Expense	479,456.00
Statutory Expenditures:	
Social Security	11,800.00
<b>SUBTOTAL APPROPRIATIONS</b>	<u>641,927.00</u>
Debt Service:	
Payment of Bond Principal	

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	345,000.00
Interest on Bonds	105,000.00
<b>TOTAL TEMPORARY WATER UTILITY APPROPRIATIONS</b>	<b>\$ <u>1,091,927.00</u></b>

**TOWNSHIP OF WEST CALDWELL  
POOL UTILITY OPERATING FUND  
2015 TEMPORARY BUDGET**

Salaries and Wages	68,775.05
Other Expense	66,066.95
Statutory Expenditures:	
Social Security	5,500.00

<b>TOTAL TEMPORARY POOL UTILITY APPROPRIATIONS</b>	<b><u>\$140,342.00</u></b>
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No. 16-04  
By: Mr. Wolsky

SUBJECT: RESOLUTION - OFFICIAL DEPOSITORY FOR 2016 - MUNICIPAL COURT ACCOUNTS.

The Mayor and Council of the Township of West Caldwell **RESOLVE**, as follows:  
That the Lakeland Bank, West Caldwell, NJ shall be the depository for the Township of West Caldwell Bail Account and the Township of West Caldwell Municipal Court Account, and the Custodian shall be Sylvia Fuentes, Court Administrator. All disbursements shall be made by checks signed by Sylvia Fuentes, Court Administrator and, Municipal Court Judge Darren T. DiBiasi.

No. 16-05  
By: Mr. Wolsky

SUBJECT: RESOLUTION - RATE OF INTEREST FOR NONPAYMENT OF TAXES.

**RESOLVED**, on the recommendation of the Finance Committee that the rate of interest charged for the nonpayment of taxes on or before the respective dates on which they became delinquent, be and the same is hereby fixed and determined to be eight (8%) percent on amounts up to and including fifteen hundred dollars (\$1500.00), and eighteen (18%) percent on amounts in excess of fifteen hundred dollars (\$1500.00); and

**RESOLVED**, that in accordance with Chapter 75, P.L. 1991, the governing body may fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year. The penalty so fixed shall not exceed 6% of the amount of the delinquency.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that in accordance with Chapter 99, P.L. 1997, the Tax Collector has the authority to sell at a tax sale 2015 and all prior years delinquencies, such as tax, water, sewer and miscellaneous accrued charges.

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No. 16-06  
By: Mr. Wolsky

SUBJECT: RESOLUTION ESTABLISHING A CASH MANAGEMENT PLAN AND NAMING OFFICIAL DEPOSITORIES FOR THE TOWNSHIP OF WEST CALDWELL.

**WHEREAS**, N.J.S.A. 40A:5-14 mandates that the Governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

**WHEREAS**, N.J.S.A. 40A:5-15.1 amended by Chapter 148, P.L. 1997 established new requirements for the investment of public funds and adoption of a cash management plan for counties, municipalities and authorities; and

**WHEREAS**, the Mayor and Council of the Township of West Caldwell wish to comply with the above statutes.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of West Caldwell adopt the attached cash management plan, including the official depositories for the Township of West Caldwell for 2016.

**CASH MANAGEMENT PLAN OF THE TOWNSHIP OF WEST CALDWELL**  
**IN THE COUNTY OF ESSEX, NEW JERSEY**

I. **STATEMENT OF PURPOSE**

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township of West Caldwell, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. **IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.**

A. The Plan is intended to cover the deposit and /or investment of the following funds and accounts of the Township of West Caldwell:

Current Account  
Capital Account  
Pool Utility  
Pool Utility Capital Account  
Water Operating Account  
Water Capital Account  
Trust Account  
Dog License  
Public Assistance Trust Fund I  
Public Assistance Trust Fund II  
Payroll Account  
Law Enforcement Trust  
Current Money Market  
State Unemployment Trust Fund  
Developer Escrow Account  
COAH Trust Account

All disbursements for the accounts listed above and in Section B unless specified differently shall be made by checks signed by Joseph Tempesta, Jr. Mayor, or the Township Council President, Joseph P. Cecere, Nikole H. Monroig, Chief Financial Officer/Treasurer, or Adam W. Brewer, Administrator: except for the Public Assistance Trust Fund II Account.

B. It is understood that this Plan is not intended to cover certain funds and accounts of the Township of West Caldwell, specifically:  
Payroll Fund  
Collectors Account  
Public Assistance Trust Fund

All disbursements for the Payroll Accounts shall be made by checks signed by Joseph Tempesta, Jr., Mayor, Nikole H. Monroig, Chief Financial Officer/Treasurer or Adam W. Brewer, Administrator.

All disbursements for the Collectors Account shall be made by checks signed by Joseph Tempesta,

Jr., Mayor or Nikole H. Monroig, Chief Financial Officer/Treasurer.

For the Public Assistance Trust Account I and the Public Assistance Trust Fund II of the Township of West Caldwell the Custodian shall be Nikole H. Monroig, Chief Financial Officer/Treasurer, or Maria Burak, Director of Welfare. All disbursements shall be made by checks signed by Maria Burak, Director of Welfare and Nikole H. Monroig, Assistant Chief Financial Officer/Treasurer.

III. DESIGNATION OF OFFICIALS OF THE TOWNSHIP OF WEST CALDWELL AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer of the Township of West Caldwell is hereby authorized and directed to deposit and/ or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township of West Caldwell are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- Wells Fargo Bank
- JP Morgan Chase Manhattan Bank (Bank of New York NA-National Comm. Div.)
- Bank of America
- Valley National Bank
- Sovereign Bank
- State of New Jersey Cash Management Fund
- Capital One Bank, (North Fork Bank)
  - MBIA - Class New Jersey
  - PNC Bank
- Kearny Federal Savings Bank
  - HSBC Bank USA, NA
  - TD Bank NA, (Commerce Bank, Hudson United Bank)
- Lakeland Bank
- Columbia Bank

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official (s) referred to in Section III above.

V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Township of West Caldwell referred Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the designated official (s) referred to in Section III above.

- Salomon, Smith Barney, Inc.
- Merrill Lynch
- Commerce Capital Markets, Inc.

VI. AUTHORIZED INVESTMENTS

- A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:
- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
  - (2) Government money market mutual funds;
  - (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any factor;
  - (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within the school district is located;
  - (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
  - (6) Local government investment pools;
  - (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C. 52:18a-90.4); or
  - (8) Agreements for the repurchase of fully collateralized securities if:
    - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
    - (b) the custody of collateral is transferred to a third party;
    - (c) the maturity of the agreement is not more than 30 days;

- (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c. 236 (C.17:19-41); and
- (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms Agovernment money market mutual fund@ and Alocal government investment pool@ shall have the following definitions:

Government Money Market Mutual Fund. An investment company of investment trust:

- (a) which is registered with the Securities and Exchange Commission under the AInvestment Company Act of 1940,@ 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (i) which has attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical organization; or
- (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the AInvestment Advisors Act of 1740,@ 15 U.S.C. sec. 80b -1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sed, 270. 2a - 7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sed, 270.2a - 7 and repurchase agreements that are collateralized by U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1986, c.410 (c.52:14B - 1et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or through the use of a national or State Bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9(C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization of not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

## **VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN**

To the extent that a Deposit or Permitted Investment involves a document or security which is not physically held by the Township of West Caldwell, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank of financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township of West Caldwell to assure that there is no unauthorized use of the funds or the Permitted Investments are either received by the Township of West Caldwell or by a third party custodian prior to or upon the release of the Township of West Caldwell’s funds.

To assure that all parties with whom the Township of West Caldwell deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

## **VIII. REPORTING REQUIREMENTS**

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Township of West Caldwell a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following:

- A. The name of any institution holding funds of the New Jersey Intergovernmental Insurance Fund as a Deposit or a Permitted Investment.The amount of securities or Deposits purchased or sold during the immediately preceding month.
- B. The class of type of securities purchased or Deposits made.
- C. The book value of such Deposits or Permitted Investments.

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- D. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- E. The fees incurred to undertake such Deposits or Permitted Investments as of the end of the immediately preceding month.
- F. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- G. All other information which may be deemed reasonable from time to time by the governing body of the Township of West Caldwell.

**IX. TERM OF PLAN**

This Plan shall be in effect from January 1, 2016 to December 31, 2016. Attached to this Plan is a resolution of the governing body of the Township of West Caldwell approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendment to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

No. 16-07  
By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTING PAUL G. JEMAS, ESQ. MUNICIPAL ATTORNEY FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, pursuant to N.J.S.A. 40A:9-139 and Section 2-14 of the Revised General Ordinances of the Township of West Caldwell, the Township of West Caldwell shall appoint a Municipal Attorney; and  
**WHEREAS**, the Township of West Caldwell solicited proposals for Municipal Attorney through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq; and  
**WHEREAS**, proposals were received and opened on November 13, 2015; and  
**WHEREAS**, the Township Council finds the proposal of Paul G. Jemas, Esq., 38 Roseland Avenue, Roseland, NJ 07068 to be the most advantageous to the Township; and  
**WHEREAS**, the Township Council desires to award the contract for Municipal Attorney to Paul G. Jemas, Esq.; and  
**WHEREAS**, the Mayor desires to appoint, with the advice and consent of the Township Council, Paul G. Jemas, as Municipal Attorney; and  
**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

No. 16-08  
By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTING MCMANIMON, SCOTLAND & BAUMAN – BOND COUNSEL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, the Township of West Caldwell solicited proposals for Bond Counsel Services through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq; and  
**WHEREAS**, proposals were received and opened on November 13, 2015; and  
**WHEREAS**, the Township Council finds the proposal of McManimon, Scotland & Baumann, LLC., 75 Livingston Avenue, Second Floor, Roseland, New Jersey 07068 to be the most advantageous to the Township; and  
**WHEREAS**, the Township Council desires to award the professional services contract for Bond Counsel Services to McManimon, Scotland & Baumann LLC.; and  
**WHEREAS**, the Township Council, based on the nomination or recommendation of the Mayor, desires to appoint McManimon, Scotland & Baumann. LLC, as Bond Counsel Services for the Township of West Caldwell; and  
**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and  
**WHEREAS**, the Township of West Caldwell has determined and certified in writing that the value of this professional service contract may exceed \$17,500.00; 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.  
**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Caldwell, in the County of Essex, as follows:

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1. McManimon, Scotland & Baumann, LLC, is appointed, based on the nomination or recommendation of the Mayor, for Bond Counsel Services for the Township of West Caldwell.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with McManimon, Scotland & Baumann, LLC for Bond Counsel Services for the Township of West Caldwell.
3. The term of this professional services contract shall be (1) year from the date of the award.
4. The determination of values shall be placed on file with this Resolution.
5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-009  
By: Mr. Cecere

SUBJECT: RESOLUTION APPOINTING CASTANO QUIGLEY, LLC, SPECIAL COUNSEL FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**WHEREAS**, the Township of West Caldwell solicited proposals for Special Counsel through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Castano Quigley, LLC, 155 Passaic Avenue, Ste 240, Fairfield, NJ 07004 to be the most advantageous to the Township; and

**WHEREAS**, the Township Council, based on the nomination or recommendation of the Mayor, desires to appoint Castano Quigley, LLC as Special Counsel for the Township of West Caldwell; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by Governing Body; 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.

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

1. Castano Quigley, LLC is appointed, based on the nomination or recommendation of the Mayor, for Special Counsel for the Township of West Caldwell.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Castano Quigley, LLC for Special Counsel for the Township of West Caldwell.
3. The term of this professional services contract shall be one (1) year from the date of the award.
4. The Determination of values shall be placed on file with this Resolution.

No. 16-010  
By: Mr. Cecere

SUBJECT: RESOLUTION – AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL SERVICES TO GENOVA BURNS IN AN AMOUNT NOT TO EXCEED \$17,500.00.

**WHEREAS**, the Township of West Caldwell (the “Township”) requires legal services to be provided as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq. regarding professional services; and,

**WHEREAS**, Genova Burns will provide legal services to the Township with the further understanding that the initial amount for the authorized legal services for fees is for an amount not to exceed \$17,500.00 and subject to further authorization by the Township’s governing body; and

**WHEREAS**, Genova Burns has completed and submitted a Business Entity Disclosure Certification that certifies that Genova Burns has not made any reportable contributions to a political or candidate committee in the Township of West Caldwell in the previous one year, and that the contract will prohibit from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available for said purpose in the current budget; and

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Township of West Caldwell, County of Essex, State of New Jersey authorizes Township Officials to enter into a contract with Genova Burns to render legal services for amount of legal fees and costs not to exceed \$17,500.00 pending further authorization; and,

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**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certification and Non-Collusion Affidavit be placed on file with this resolution.

No. 16-011

By: Mr. Cecere

**SUBJECT:** RESOLUTION APPOINTING MCELROY, DEUTSH, MULVANEY & CARPENTER, LLP FOR SPECIAL COUNSEL FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**WHEREAS**, the Township of West Caldwell solicited proposals for Special Counsel through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of McElroy Deutsch, Mulvaney & Carpenter, LLP, 1300 Mount Kemble Avenue, Morristown, NJ 07962-2075 to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for Special Counsel to McElroy Deutsch, Mulvaney & Carpenter, LLP; and

**WHEREAS**, the Township Council based on the nomination or recommendation of the Mayor, desires to appoint McElroy Deutsch, Mulvaney & Carpenter, LLP as Special Counsel for the Township of West Caldwell; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by Governing Body; 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.

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

1. McElroy Deutsch, Mulvaney & Carpenter, LLP is appointed, based on the nomination or recommendation of the Mayor, for Special Counsel for the Township of West Caldwell.

2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with McElroy Deutsch, Mulvaney & Carpenter, LLP for Special Counsel for the Township of West Caldwell.

3. The term of this professional services contract shall be one (1) year from the date of the award.

4. The Determination of values shall be placed on file with this Resolution.

No. 16-012

By: Mr. Cecere

**SUBJECT:** RESOLUTION – APPOINTING O’TOOLE FERNANDEZ WEINER AND VAN LIEU LLC AS SPECIAL COUNSEL FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**WHEREAS**, the Township of West Caldwell solicited proposals for Special Counsel through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of O’Toole, Fernandez, Weiner and Van Lieu, LLC, 60 Pompton Avenue, Verona, NJ 07044 to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for Special Counsel to O’Toole, Fernandez, Weiner and Van Lieu, LLC; and

**WHEREAS**, the Township Council based on the nomination or recommendation of the Mayor, desires to appoint O’Toole, Fernandez, Weiner and Van Lieu, LLC as Special Counsel for the Township of West Caldwell; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by Governing Body; 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.

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

1. O'Toole, Fernandez, Weiner and Van Lieu, LLC is appointed, based on the nomination or recommendation of the Mayor, for Special Counsel for the Township of West Caldwell.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with O'Toole, Fernandez, Weiner and Van Lieu, LLC for Special Counsel for the Township of West Caldwell.
3. The term of this professional services contract shall be one (1) year from the date of the award.
4. The Determination of values shall be placed on file with this Resolution.

No. 16-013  
By: Mr. Cecere

**SUBJECT:** RESOLUTION – APPOINTING MCNALLY & KACZYNSKI, LLC AS SPECIAL COUNSEL FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**WHEREAS**, the Township of West Caldwell solicited proposals for Special Counsel through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of McNally & Kaczynski, 275 East Main Street, Somerville, NJ 08876 be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for Special Counsel to McNally & Kaczynski, LLC; and

**WHEREAS**, the Township Council based on the nomination or recommendation of the Mayor, desires to appoint McNally & Kaczynski, LLC as Special Counsel for the Township of West Caldwell; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by Governing Body; 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.

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

1. McNally & Kaczynski, LLC is appointed, based on the nomination or recommendation of the Mayor, for Special Counsel for the Township of West Caldwell.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with McNally & Kaczynski, LLC as Special Counsel for the Township of West Caldwell.
3. The term of this professional services contract shall be one (1) year from the date of the award.
4. The Determination of values shall be placed on file with this Resolution.
5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-014  
By: Mr. Cecere

**SUBJECT:** RESOLUTION – APPOINTING MATTHEW J. O'DONNELL, OF O'DONNELL MCCORD P.C., AS SPECIAL COUNSEL FOR REAL PROPERTY TAX ASSESSMENTS AND LITIGATION FOR 2016.

**WHEREAS**, the Township of West Caldwell solicited proposals for Special Counsel for Real Property Tax Assessments & Litigation for the calendar year 2016 through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq.;

**WHEREAS**, proposals were received and opened November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Matthew J. O'Donnell, Esq., CPA of O'Donnell McCord PC, 15 Mount Kemble Avenue, Morristown, New Jersey 07960 to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for Special Counsel for Real Property Tax Assessments and Litigation to Matthew J. O'Donnell, of O'Donnell McCord PC; and

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**WHEREAS**, the Township Council based on the nomination or recommendation of the Mayor, desires to appoint Matthew J. O'Donnell, Esq., CPA of O'Donnell McCord PC as Special Counsel for Real Property Tax Assessments & Litigation for the calendar year 2016; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the Township Administrator has determined and certified in writing that the value of this professional services contract will exceed \$17,500.00; and

**WHEREAS**, the Township's Chief Financial Officer has certified that sufficient funding is available; 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.

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

1. Matthew J. O'Donnell, Esq., CPA O'Donnell McCord PC, is appointed, based on the nomination or recommendation of the Mayor, Special Counsel for Real Property Tax Assessments and Litigation.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Matthew J. O'Donnell of O'Donnell McCord PC for Special Counsel for Real Property Tax Assessments and Litigation.
3. The term of this professional services contract shall be one (1) year from the date of award.
4. The Determination of Value shall be placed on file with this Resolution.
5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional service contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-015

By: Mr. Cecere

**SUBJECT:** RESOLUTION – APPOINTING HENDRICKS APPRAISAL COMPANY, LLC FOR APPRAISER – TAX APPEAL SERVICES AND TAX ASSESSMENTS FOR THE CALENDAR YEAR 2016.

**WHEREAS**, the Township of West Caldwell solicited proposals for Appraiser - Tax Appeal Services and Tax Assessments for calendar year 2016; and

**WHEREAS**, proposals were received and opened November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Hendricks Appraisal Company, LLC to be the most advantageous to the Township; and

**WHEREAS**, the Township Council, based on the recommendation of the Mayor, desires to award the professional services contract to Hendricks Appraisal Company, LLC, Seven Hutton Avenue, West Orange, New Jersey 07052, for Appraiser - Tax Appeal Services and Tax Assessments; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the Township Administrator has determined and certified in writing that the value of this professional services contract will exceed \$17,500.00; and

**WHEREAS**, the Township's Chief Financial Officer has certified that sufficient funding is available; and

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

1. Hendricks Appraisal Company LLC is awarded the contract, based on the nomination or recommendation of the Mayor, for Appraiser - Tax Appeal Services and Tax Assessments.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Hendricks Appraisal Company, LLC for Appraiser - Tax Appeal Services and Tax Assessments.
3. The term of this professional services contract shall be one (1) year from the date of award.
4. The Determination of Value shall be placed on file with this Resolution.
5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

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No. 16-016  
By: Mr. Cecere

**SUBJECT: RESOLUTION - APPOINTING SAMUEL KLEIN & COMPANY, CERTIFIED PUBLIC ACCOUNTANTS AS TOWNSHIP AUDITOR FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, the Township of West Caldwell solicited proposals for Township Auditor through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, proposals were received and opened November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Samuel Klein and Company, Certified Public Accountants, 550 Broad Street, 11th Floor, Newark, New Jersey 07102 to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for Township Auditor to Samuel Klein & Company, Certified Public Accountants; and

**WHEREAS**, the Township Council, based on the nomination or recommendation of the Mayor, desires to appoint, Samuel Klein and Company, Certified Public Accountants, 550 Broad Street, Newark, New Jersey, 07102 as Township Auditor; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the Township Administrator has determined and certified in writing that the value of this professional services contract will exceed \$17,500.00; and

**WHEREAS**, the Township's Chief Financial Officer has certified that sufficient funding is available; 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.

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

1. Samuel Klein and Company, Certified Public Accountants, be and hereby is appointed, based on the nomination or recommendation of the Mayor, as Township Auditor.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Samuel Klein & Company, Certified Public Accounts, for Township Auditor.
3. The term of this professional services contract shall be one (1) year from the date of award.
4. The determination of Value shall be placed on file with this Resolution.
5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-017  
By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTING BRIAN ALTMAN OF ELEMENT ARCHITECTURAL GROUP FOR ARCHITECTURAL SERVICES FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, the Township of West Caldwell solicited proposals for architectural services through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Brian Altman of Element Architectural Group, 12 North State Route 17, Ste 220, Paramus, NJ 07652, to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for architectural services to Element Architectural Group; and

**WHEREAS**, the Township Council, based on the nomination or recommendation of the Mayor, desires to appoint Element Architectural Group; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by Governing Body; and

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**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.

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

1. Element Architectural Group be and hereby is appointed, based on the nomination or recommendation of the Mayor, for architectural services.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Element Architectural Group for architectural services.
3. The term of this professional services contract shall be one (1) year from the date of award.
4. The Determination of Value shall be placed on file with this Resolution.
5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-018

By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTING SETTEMBRINO ARCHITECTS FOR ARCHITECTURAL SERVICES FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, the Township of West Caldwell solicited proposals for architectural services through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Settembrino Architects, 25 Bridge Avenue, Red Bank NJ 07701 to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for architectural services to Settembrino Architects, LLC; and

**WHEREAS**, the Township Council, based on the nomination or recommendation of the Mayor, desires to appoint Settembrino Architects, LLC; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by Governing Body; 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.

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

1. Settembrino Architects, LLC be and hereby is appointed, based on the nomination or recommendation of the Mayor, for architectural services.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Settembrino Architects, LLC for architectural services.
3. The term of this professional services contract shall be one (1) year from the date of award.
4. The Determination of Value shall be placed on file with this Resolution.
5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-019

By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTING RALPH J. TANGO OF MASER CONSULTING, PA AS MUNICIPAL ENGINEER FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, the Township of West Caldwell solicited proposals for Municipal Engineer through a fair and open process pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Maser Consulting P.A., 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856, to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract as Municipal Engineer to Ralph J. Tango, of Maser Consulting P.A.; and

**WHEREAS**, the Township Council based on the nomination or recommendation of the Mayor, desires to appoint Ralph J. Tango, Maser Consulting P.A. as Municipal Engineer for the Township of West Caldwell; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by the Governing Body; 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; and

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

1. Ralph J. Tango of Maser Consulting P.A. is appointed, based on the nomination or recommendation of the Mayor as Municipal Engineer for the Township of West Caldwell.

2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Ralph J. Tango of Maser Consulting P.A. as Municipal Engineer for the Township of West Caldwell.

3. The term of this professional services contract shall be one (1) year from the date of award.

4. The determination of values shall be placed on file with this Resolution.

5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-020

By: Mr. Cecere

**SUBJECT:** RESOLUTION – APPOINTING DARLENE GREEN, MASER CONSULTING, PA AS TOWNSHIP PLANNER FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**WHEREAS**, the Township of West Caldwell solicited proposals for Planning Services for the Planning Board and the Zoning Board of Adjustment through a fair and open process pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Maser Consulting P.A., 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856, to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for planning services to Darlene Green, Maser Consulting P.A. and

**WHEREAS**, the Township Council based on the nomination or recommendation of the Mayor, desires to appoint Darlene Green, Maser Consulting P.A. as planner for the Township of West Caldwell; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by the Governing Body; 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; and

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

1. Darlene Green of Maser Consulting P.A. is appointed, based on the nomination or recommendation of the Mayor as planner for the Township of West Caldwell.

2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Darlene Green of Maser Consulting P.A. as planner for the Township of West Caldwell.

3. The term of this professional services contract shall be one (1) year from the date of award.

4. The determination of values shall be placed on file with this Resolution.

5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

JANUARY 2, 2016

No. 16-021  
By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTING HATCH MOTT MCDONALD FOR CONSULTING ENGINEERING SERVICES FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, the Township of West Caldwell solicited proposals for Consulting Engineering Services through a fair and open process pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ 08830-4112 to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for Consulting Engineering Services to Hatch Mott MacDonald; and

**WHEREAS**, the Township Council based on the nomination or recommendation of the Mayor, desires to appoint Hatch Mott MacDonald for Consulting Engineering Services for the Township of West Caldwell; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by the Governing Body; 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; and

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

1. Hatch Mott MacDonald is appointed, based on the nomination or recommendation of the Mayor for Consulting Engineering Services for the Township of West Caldwell.

2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Hatch Mott MacDonald for Consulting Engineering Services for the Township of West Caldwell.

3. The term of this professional services contract shall be one (1) year from the date of award.

4. The determination of values shall be placed on file with this Resolution.

5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-022  
By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTING MATRIX NEW WORLD ENGINEERING, PC FOR CONSULTING ENGINEERING SERVICES FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, the Township of West Caldwell solicited proposals for Consulting Engineering Services through a fair and open process pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Matrix New World Engineering, P.C., 26 Columbia Turnpike, 2nd Floor, Florham Park, NJ 07932 to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for Consulting Engineering Services to Matrix New World Engineering, P.C.; and

**WHEREAS**, the Township Council based on the nomination or recommendation of the Mayor, desires to appoint Matrix New World Engineering, P.C. for Consulting Engineering Services for the Township of West Caldwell; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by the Governing Body; 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; and

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

1. Matrix New World Engineering, P.C. is appointed, based on the nomination or recommendation of the Mayor for Consulting Engineering Services for the Township of West Caldwell.

2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Matrix New World Engineering, P.C. for Consulting Engineering Services for the Township of West Caldwell.

3. The term of this professional services contract shall be one (1) year from the date of award.

4. The determination of values shall be placed on file with this Resolution.

5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-023

By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTING ALAIMO GROUP FOR CONSULTING ENGINEERING SERVICES FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, the Township of West Caldwell solicited proposals for Consulting Engineering Services through a fair and open process pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Alaimo Group, 200 High Street, Mt. Holly, NJ 08060, to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for Consulting Engineering Services to Alaimo Group.; and

**WHEREAS**, the Township Council based on the nomination or recommendation of the Mayor, desires to appoint Alaimo Group for Consulting Engineering Services for the Township of West Caldwell; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by the Governing Body; 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; and

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

1. Alaimo Group is appointed, based on the nomination or recommendation of the Mayor for Consulting Engineering Services for the Township of West Caldwell.

2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Alaimo Group for Consulting Engineering Services for the Township of West Caldwell.

3. The term of this professional services contract shall be one (1) year from the date of award.

4. The determination of values shall be placed on file with this Resolution.

5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

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No. 16-024  
By: Mr. Cecere

**SUBJECT:** RESOLUTION – APPOINTING OMLAND ENGINEERING ASSOCIATES, INC./A BOWMAN COMPANY FOR CONSULTING ENGINEERING SERVICES FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**WHEREAS**, the Township of West Caldwell solicited proposals for Consulting Engineering Services through a fair and open process pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of Omland Engineering Services, Inc./A Bowman Company, 54 Horsehill Road, Cedar Knolls, NJ 07927 to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for Consulting Engineering Services to Omland Engineering Services, Inc.; and

**WHEREAS**, the Township Council based on the nomination or recommendation of the Mayor, desires to appoint Omland Engineering Services, Inc. for Consulting Engineering Services for the Township of West Caldwell; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by the Governing Body; 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; and

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

1. Omland Engineering Services, Inc. is appointed, based on the nomination or recommendation of the Mayor for Consulting Engineering Services for the Township of West Caldwell.

2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with Omland Engineering Services, Inc. for Consulting Engineering Services for the Township of West Caldwell.

3. The term of this professional services contract shall be one (1) year from the date of award.

4. The determination of values shall be placed on file with this Resolution.

5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-025  
By: Mr. Cecere

**SUBJECT:** RESOLUTION – APPOINTING ADAM W. BREWER AS QUALIFIED PURCHASING AGENT FOR THE CALENDAR YEAR 2016.

**WHEREAS**, N.J.A.C. 5:34-5 et. seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

**WHEREAS**, Adam W. Brewer possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34 et. seq.; and

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

1. Adam W. Brewer be and hereby is appointed as Qualified Purchasing Agent, effective January 1, 2016.

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No. 16-026  
By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTMENT OF IMAC INSURANCE AGENCY AS RISK MANAGER CONSULTANT FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, the Township of West Caldwell solicited proposals for risk management services through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq; and

**WHEREAS**, proposals were received and opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposal of IMAC Insurance Agency, 540 Mill Street, Belleville, NJ 07109, to be the most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for risk management consulting services to IMAC Insurance Agency; and

**WHEREAS**, the Township Council, based on the nomination or recommendation of the Mayor, desires to appoint IMAC Insurance Agency; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the work on projects will be assigned by resolution by the Governing Body, and be awarded by resolution by Governing Body; 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.

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

1. IMAC Insurance Agency be and hereby is appointed, based on the nomination or recommendation of the Mayor, for architectural services.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with IMAC Insurance Agency for architectural services.
3. The term of this professional services contract shall be one (1) year from the date of award.
4. The Determination of Value shall be placed on file with this Resolution.
5. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-027  
By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTING TO RAC SYSTEMS CORPORATION FOR COMPUTER SYSTEMS, SOFTWARE APPLICATIONS AND MAINTENANCE FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, the Township of West Caldwell solicited proposals for Computer Systems, Software Applications and Maintenance through a fair and open process pursuant to N.J.S.A. 19:44A-20.5 et seq; and

**WHEREAS**, proposals were received opened on November 13, 2015; and

**WHEREAS**, the Township Council finds the proposals of RAC Systems Corporation, 1 Glimpsewood Lane, Suite: B, Morristown, New Jersey and 07960 to be most advantageous to the Township; and

**WHEREAS**, the Township Council desires to award the professional services contract for RAC Systems Corporation; and

**WHEREAS**, the Township Council, based on the nomination or recommendation of the Mayor, desires to appoint RAC Systems Corporation; and

**WHEREAS**, this contract is awarded as a professional services contract in accordance with N.J.S.A. 40A:11-5(a)(1) of the Local Public Contracts Law because it is for certain specified professional services to be performed or rendered by person(s) licensed or specializing in a profession regulated by law; and

**WHEREAS**, the Township's Chief Financial Officer has certified that sufficient funding is available; 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.

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

1. RAC Systems Corporation, be and hereby are appointed, based on the nomination or recommendation of the Mayor, for Computer Systems & Software Applications & Maintenance.
2. The Mayor and Township Clerk of the Township of West Caldwell are hereby authorized and directed to execute a professional services contract with RAC Systems Corporation for Computer Systems & Software Applications & Maintenance.
3. The Township Clerk shall publish a notice in the newspaper of official record stating the nature, duration, service and amount of this professional services contract, and further stating that copies of this resolution and the contract itself are on file and available for inspection with the Township Clerk.

No. 16-028  
By: Mr. Cecere

**SUBJECT: RESOLUTION – APPOINTING MUNICIPAL PROSECUTOR FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, N.J.S.A. 2B:25-4 requires that each municipality court to have at least one municipal prosecutor appointed in accordance with local ordinance; and

**WHEREAS**, a municipality may appoint such additional municipal prosecutors to administer justice in a timely and effective manner in its municipal court; and

**WHEREAS**, the Mayor, with the advice and consent of the Township Council, desires to appoint Thomas Callahan, Jr., 8 Cedar Lane Roseland, NJ 07068 to serve as Municipal Prosecutor for the Township of West Caldwell.

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

1. Upon the nomination of the Mayor, with the advice and consent of the Township Council, Thomas Callahan, Jr., be and hereby is appointed to serve as Municipal Prosecutor.

No. 16-029  
By: Mr. Cecere

**SUBJECT: RESOLUTION – APOINTING ASSISTANT PROSECUTOR FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, N.J.S.A. 2B:25-4 requires that each municipality court to have at least one municipal prosecutor appointed in accordance with local ordinance; and

**WHEREAS**, a municipality may appoint such additional municipal prosecutors to administer justice in a timely and effective manner in its municipal court; and

**WHEREAS**, the Mayor, with the advice and consent of the Township Council, desires to appoint Joseph A. DeFuria, Corradino & Papa, LLC, 935 Allwood Road, Clifton, NJ 07012, to serve as Assistant Municipal Prosecutor for the Township of West Caldwell.

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

1. Upon the nomination of the Mayor, with the advice and consent of the Township Council, Joseph A. DeFuria, be and hereby is appointed to serve as Assistant Municipal Prosecutor.

No. 16-030  
By: Mr. Cecere

**SUBJECT: RESOLUTION APPOINTING PART-TIME CHIEF PUBLIC DEFENDER FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**BE IT RESOLVED**, that Matthew J. O'Donnell, Esq., of O'Donnell McCord PC, 15 Mount Kemble Avenue, Morristown, New Jersey 07960 is appointed to part-time Chief Public Defender for the Township of West Caldwell, effective January 2, 2016 for a one year term in accordance with the provisions of N.J.S.A. 40A:9-133 at a salary established by Ordinance No. 1714, adopted October 18, 2012.

No. 16-031  
By: Mr. Cecere

**SUBJECT: RESOLUTION APPOINTING PUBLIC DEFENDERS FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.**

**WHEREAS**, pursuant to N.J.S.A. 2B:24-3, municipalities are required to appoint municipal public defenders to perform the duties set forth in N.J.S.A. 2B:24-6; and

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**WHEREAS**, the Governing Body of the Township of West Caldwell desires to appoint additional Municipal Public Defenders, under the authority of the Chief Municipal Public Defender, to perform public defender services; and

**WHEREAS**, Municipal Public Defenders shall be compensated in the manner established by ordinance.

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

1. The following attorneys be and hereby are appointed, upon the nomination of the Mayor and the advice and consent of the Township Council of the Township of West Caldwell, to serve as additional Municipal Public Defenders to the Township of West Caldwell:  
Gregory D. Emond, Esq.  
Jason Cherchia, Esq.  
Kyle J. Weber, Esq.
2. Mr. Emond, Mr. Cherchia, and Mr. Weber shall exercise all their functions and perform their duties in accordance with all applicable ordinances and statutes.
3. All Township Officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

No. 16-032  
By: Mr. Cecere

**SUBJECT:** RESOLUTION APPOINTING COMMISSIONER AND ALTERNATE COMMISSIONER FOR THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**WHEREAS**, the Governing Body of the Township of West Caldwell, in accordance with the by-laws of the Morris County Municipal Joint Insurance Fund, hereby appoints Adam Brewer, Administrator, as Commissioner and William Wallace, Health Officer and Safety Coordinator, to serve as Alternate Commissioner to the Fund.

No. 16-033  
By: Mr. Cecere

**SUBJECT:** RESOLUTION – APPOINTING SANDRA BARROWS AS RECYCLING COORDINATOR FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**WHEREAS**, there exists a need to employ a Recycling Coordinator for the Township of West Caldwell; and

**WHEREAS**, Sandra Barrows has indicated that she is willing to act as the Recycling Coordinator for the Township of West Caldwell for the one-year term beginning January 1, 2016 and ending December 31, 2016.

No. 16-034  
By: Mr. Cecere

**SUBJECT:** RESOLUTION – APPOINTING SCHOOL CROSSING GUARDS FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**RESOLVED**, on the recommendation of the Public Safety Committee and the Police Chief that the following nominations by Mayor Joseph Tempesta, Jr. be and they are hereby approved as School Crossing Guards of the Police Department of the Township of West Caldwell for the year 2016:

<u>Guard</u>	<u>Home Address</u>
John Kobal	68 Bently Road, Cedar Grove, NJ 07009
Conrad Reising	29 Greenbrook Road, apt 24, Fairfield, NJ 07004
David Silverthorne	76 Francine Avenue, West Caldwell, NJ 07006
David Schmertz	47 Roseland Avenue, Caldwell, NJ 07006
Tatyana Reydel	8 Woodland Avenue, West Caldwell, NJ 07006
Ralph Ferraro	25 Gracie Road, East Hanover, NJ 07936
Robin Leigh Drylie	57 Brookside Avenue, Livingston, NJ

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No. 16-035  
By: Mr. Cecere

SUBJECT: RESOLUTION – APPOINTING OFFICIAL TOWING COMPANIES FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**WHEREAS**, the Township of West Caldwell has adopted provisions to establish a rotational list of official towers; and

**WHEREAS**, the Township Council shall appoint a person or companies, meeting the criteria established in subsection 11-3 of the Code of the Township of West Caldwell; and

**WHEREAS**, the following companies have been recommended for such appointment by the Police Chief of the Township of West Caldwell.

**NOW, THEREFORE, BE IT RESOLVED**, that the following be appointed as "Official Towers" for the Township of West Caldwell for the year 2016, subject to substantial compliance with the provisions of the Ordinances of the Township of West Caldwell.

SELECT TOWING SERVICE INC.  
52 WASHINGTON STREET  
WEST ORANGE, NJ 07052

C&L TOWING  
38 DEFOREST AVE  
EAST HANOVER, NJ 07936

JML, INC. D/B/A J & M TOWING  
116 DORSA AVE  
WAYNE, NJ 07470

CRIGER'S SERVICE INC.  
79 LANE ROAD  
FAIRFIELD, NJ 07004

CAMP AUTO & TRUCK PARTS INC.  
9 WHITMORE AVENUE  
WAYNE, NJ 07470

AJACO TOWING, INC.  
1029 EDWARDS ROAD  
PARSIPPANY, NJ 07054

No. 16-036  
By: Mr. Cecere

SUBJECT: RESOLUTION – APPOINTING COMMITTEE MEMBERS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE TOWNSHIP OF WEST CALDWELL FOR THE CALENDAR YEAR 2016.

**BE IT RESOLVED**, on the recommendation of Mayor Joseph Tempesta, Jr. that Superintendent of Public Works, Vincent Graziosa, (Mayor Representative) and Anita DeWitt (Council Representative) be appointed as a members of the Community Development Block Grant Program for the year 2016, effective January 2, 2016, representing the Township of West Caldwell.

No. 16-037  
By: Mr. Cecere

SUBJECT: RESOLUTION – APPOINTING DRIVER/OPERATORS OF THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT FOR THE CALENDAR YEAR 2016.

**RESOLVED** on the recommendation of the Public Safety Committee and the Chief of the West Caldwell Volunteer Fire Department that the following be and they are hereby approved as "Driver/Operators" of the West Caldwell Volunteer Fire Department for the year 2016:

Robert Hebrank, Jr. 112 Lane Avenue, West Caldwell  
Thomas E. Bradley, 551 Bloomfield Ave, Apt.B-6, West Caldwell  
Richard Larry Bunn, 135 Fairfield Ave, West Caldwell  
Benjamin Hershkowitz, 13 Evergreen Road, West Caldwell  
Jared Z. Fout, 18 Sunnie Terrace, West Caldwell  
Charles Krueser, 11 Mulford Ave, East Hanover  
Michael Luker, 52 Stonybrook Road, West Caldwell  
John N. Medina, 8 Woodrow Pl, West Caldwell  
Jeffrey Mostwill, 156 Washington Ave, West Caldwell  
J. Douglas Wallace, 10 Leonard Terrace, Roseland  
Mark Watkins, 86 Westover Avenue, West Caldwell  
Jean Wypler Jr., 40 Taylor Drive, West Caldwell  
Brian Drastal, 24 Gray Street, West Caldwell  
Tim Zyla, 15 Mayhew Drive, Fairfield New Jersey

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No. 16-038  
By: Mr. Cecere

SUBJECT: RESOLUTION – APPROVING NONRESIDENT FIREFIGHTERS AS CALL MEMBERS OF THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT FOR THE YEAR 2016.

**RESOLVED**, on the recommendation of the Public Safety Committee and the Chief of the West Caldwell Volunteer Fire Department that the following be and they are hereby approved as "Call Members" for the year 2016:

Timothy A. Zyla                    15 Mayhew Drive, Fairfield, New Jersey 07004  
William Wallace                    240 Reservoir Drive, Boonton, New Jersey 07005

No. 16-039  
By: Mr. Cecere

SUBJECT: RESOLUTION – ESTABLISHING HOLIDAY SCHEDULE FOR OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF WEST CALDWELL FOR THE YEAR 2016.

**WHEREAS**, the Governing Body of the Township of West Caldwell approved holidays for officials and employees of the Township of West Caldwell;

**WHEREAS**, the following Holiday Schedule is established for the year 2016:

**HOLIDAY**

NEW YEAR'S DAY	Friday, January 1, 2016
PRESIDENT'S DAY	Monday, February 15, 2016
GOOD FRIDAY	Friday, March 25, 2016
MEMORIAL DAY	Monday, May 30, 2016
INDEPENDENCE DAY	Monday, July 4, 2016
LABOR DAY	Monday, September 5, 2016
COLUMBUS DAY	Monday, October 10, 2016
THANKSGIVING DAY	Thursday, November 24, 2016
DAY AFTER THANKSGIVING	Friday, November 25, 2016 (In Lieu of Election Day)
DAY AFTER CHRISTMAS	Monday, December 26, 2016 (In Lieu of Christmas Day)

**THREE FLOATING HOLIDAYS IN LIEU OF THE FOLLOWING:**

MLK'S DAY	January 19, 2016
LINCOLN'S BIRTHDAY	February 12, 2016
VETERANS DAY	November 11, 2016

Upon the vote being polled, Councilmen Cecere, Hladik, Wolsky, Docteroff, Councilwoman Canale and Councilman Crudele voted in the affirmative, except Council President Cecere abstained on Resolutions 16-037 and 16-038 because he is a member of the West Caldwell Volunteer Fire Department.

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

No. 16-040  
By: Mr. Hladik

SUBJECT: RESOLUTION – APPOINTING JAMES C. ALVINE, III AS THE FIRE CHIEF OF THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT.

**RESOLVED**, on the recommendation of the Mayor of the Township of Township of West Caldwell and the Public Safety Committee that James C. Alvine, III, 60 Park Street, West Caldwell, New Jersey, be appointed as Fire Chief for the West Caldwell Volunteer Fire Department for a two-year term, effective January 1, 2016.

On motion made by Council President Cecere, seconded by Councilman Hladik, it was regularly moved that the appointment be confirmed.

Upon the vote being polled, Councilmen Cecere, Hladik, Wolsky, Docteroff,

Councilwoman Canale and Councilman Crudele voted in the affirmative.

Fire Chief Alvine was sworn in by Mayor Tempesta.

No. 16-041  
By: Mr. Hladik

**SUBJECT: RESOLUTION – APPOINTING OFFICERS OF THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT FOR THE CALENDAR YEAR 2016.**

RESOLVED, on the recommendation of the Mayor of the Township of Township of West Caldwell and the Public Safety Committee that the following members are appointed officers of the West Caldwell Volunteer Fire Department for a one-year term, effective, January 1, 2016.

Deputy Chief	Michael Luker, Jr.
1 <sup>st</sup> Assistant Chief	Robert Hebrank, Jr.
2 <sup>nd</sup> Assistant Chief	Jared Z. Fout
Captain	Jonathan McNamara
1 <sup>st</sup> Lieutenant	Joseph McCarthy
2 <sup>nd</sup> Lieutenant	Tom Bradley
Safety Officer	Richard Otterbein
Safety Officer	Frank Norton
Safety Officer	Tom King

On motion made by Councilman Hladik, seconded by Councilman Docteroff, it was regularly moved that the appointments be confirmed.

Upon the vote being polled, Councilmen Cecere, Hladik, Wolsky, Docteroff, Councilwoman Canale, and Councilman Crudele voted in the affirmative.

The West Caldwell Fire Department officers present were sworn in by Mayor Tempesta.

**CITIZEN APPOINTMENT NOMINATIONS BY MAYOR WITH ADVICE & CONSENT OF COUNCIL - 2016:**

<b><u>ZONING BOARD OF ADJUSTMENT:</u></b>	<b><u>STATUTORY</u></b>	<b><u>TERM</u></b>
Steven Backfisch	1/1/16 – 12/31/19	4 yrs.
Kenneth Dolan	1/1/16 – 12/31/19	4 yrs.
<b><u>WEST CALDWELL PUBLIC LIBRARY:</u></b>	<b><u>STATUTORY</u></b>	<b><u>TERM</u></b>
Carol Otterbein	1/1/16 – 12/31/20	5 yrs.
<b><u>LOCAL ASSISTANCE BOARD:</u></b>	<b><u>STATUTORY</u></b>	<b><u>TERM</u></b>
Joseph A. Fischer	1/1/16 – 12/31/19	4 yrs.
<b><u>ENVIRONMENTAL COMMISSION:</u></b>	<b><u>STATUTORY</u></b>	<b><u>TERM</u></b>
Joseph Emmanuelle	1/1/16 – 12/31/18	3 yrs.
James R. Haas	1/1/16 – 12/31/18	3 yrs.
<b><u>BOARD OF HEALTH:</u></b>	<b><u>STATUTORY</u></b>	<b><u>TERM</u></b>
Romy Greenberg	1/1/16 – 12/31/19	4 yrs.
Dr. Thomas Migliaccio	1/1/16 – 12/31/19	4 yrs.

On motion made by Council President Cecere, seconded by Councilman Hladik, it was regularly moved that the appointments be confirmed.

Upon the vote being polled, Councilmen Cecere, Hladik, Wolsky, Docteroff, Councilwoman Canale and Councilman Crudele voted in the affirmative.

Mayor Tempesta administered the oath to the appointments present.

**MAYOR'S ANNUAL MESSAGE**

Mayor Tempesta presented his Annual Message to those present:

Mayor Tempesta congratulated Stanley Hladik and Michael Crudele for being sworn in as councilmen. Mayor Tempesta also congratulated Councilman Cecere for being named council president.

Mayor Tempesta thanked the fire department and police department for their hard work and thanked all of the volunteers of West Caldwell, who help make West Caldwell great.

Mayor Tempesta reported on the many roadway and water main projects completed this past year: Westover Avenue, Westover Terrace, Francisco Avenue, Clinton Road, Roosevelt Street and Essex Place, St. Charles Avenue and Richard Avenue.

Chief Gerard Paris was promoted to Chief. Clerk Mary Donovan accomplished a records management project and was thanked.

In 2016, more water main work needs to be done and streets to be paved. The old recreation and old town hall buildings will be demolished. The council will decide what to do with the property. Also, the governing body is deciding on whether to obtain property next to the fire house so that the firefighters will have more room to safely maneuver the equipment.

Mayor Tempesta thanked the professionals who were appointed and thanked them for their advice. He thanked Township Attorney Paul Jemas for guiding us.

Mayor Tempesta thanked prosecutor Thomas Callahan and newly appointed Municipal Judge Darren Dibiasi. The Township's former municipal Judge Bridget Stecher was named to the Superior Court of New Jersey.

Mayor Tempesta thanked the hard working staff under the direction of Adam Brewer and thanked Mr. Brewer for his leadership. He also thanked former council president Thomas O'Hern, who helped bring Mr. Brewer to West Caldwell.

Mayor Tempesta wished everyone on behalf of his family, wife Anne and son Joe, a happy healthy and blessed New Year.

**COUNCIL COMMENTS:**

Councilman Michael Crudele thanked everyone for electing him and he thanked his family for supporting him. Mr. Crudele talked about his background and the great town West Caldwell is and looks forward to help making it better.

Councilman Stanley Hladik thanked everyone for electing him and thanked his family for supporting him. Councilman Hladik wished that the residents would be more involved in voting and replace apathy with empathy. He also thanked former Councilman O'Hern for his support.

Councilman Stephen Wolsky thanked former Council President Thomas O'Hern for his hard work for the residents of West Caldwell and wished everyone a happy healthy New Year.

Councilman Michael Docteroff thanked Councilman Thomas O'Hern for his counsel over the past two years and congratulated Councilmen Hladik and Crudele and Council President Cecere. He wished everyone a happy healthy New Year.

Councilwoman Kathy Canale wished everyone a happy healthy New Year and thanked Councilman O'Hern for his leadership and counsel.

Council President Joseph Cecere thanked Councilman O'Hern for his help and congratulated Councilmen Hladik and Crudele. Councilman Cecere asked for more volunteers on the West Caldwell Fire Department.

Mayor Tempesta congratulated Lisa Merriweather and all of the volunteer residents.

**INVITATION TO CITIZENS:**

Mayor Tempesta stated that this was the time for public discussion and asked if anyone wished to be heard regarding any matter appearing on the agenda and acted on by the Council today.

Former Councilman Richard Otterbein congratulated Councilmen Hladik and Crudele on their election and congratulated Councilman Cecere on being elected council president. Mr. Otterbein congratulated Mayor Tempesta on being elected president of the New Jersey League of Municipalities and what an honor it is for him and for West Caldwell. Mr. Otterbein wished everyone a happy healthy and safe New Year.

**ADJOURNMENT:**

There appearing to be no further business, Council President Cecere made a motion to adjourn the meeting, seconded by Councilman Hladik.

Upon the vote being polled, Councilmen Cecere, Hladik, Wolsky, Docteroff, Councilwoman Canale and Councilman Crudele voted in the affirmative.

Council adjourned at 2:55 pm.

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Mary S. Donovan  
Township Clerk