

**TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
February 16, 2016**

A Regular Meeting of the West Caldwell Mayor and Council, in the County of Essex, New Jersey, was held in the Public Meeting Room, 30 Clinton Road, West Caldwell, New Jersey, on Tuesday, February 16, 2016 at 7:29 P. M.

Mayor Tempesta declared the meeting back from recess and indicated that the opening statement had been read in the special meeting that began at 6:30 pm and that roll call had been taken.

PRESENT: Mayor Tempesta, Councilmen Cecere, Hladik, Wolsky, Docteroff and Councilwoman Canale and Councilman Crudele.

OTHERS PRESENT: Adam W. Brewer, Business Administrator
Mary S. Donovan, Municipal Clerk
Paul G. Jemas, Esq. , Municipal Attorney
Nikole H. Monroig, Chief Financial Officer
Gerard Paris, Chief of Police
Alan Abramowitz, Essex County representative

Pledge of Allegiance led by Councilman Hladik
Invocation by Council President Cecere

COMMUNICATIONS:

A-1 A communication from Nikole Monroig, Chief Financial Officer, certifying funds are available under the 2016 Budget of Appropriations – February Schedule; further certifying that there will be no over-expenditures of any line item in the Budget as a result of this schedule.

Received and placed on file.

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 Cecere voted in the affirmative.

SCHEDULE OF BILLS ORDERED PAID FEBRUARY 2016

	<u>Checks</u>	<u>Amount</u>
CURRENT ACCOUNT – VALLEY NATIONAL BANK	4518-4665	\$5,934,607.53
WATER OPERATING ACCOUNT- VALLEY NATIONAL BANK	9604-9633	142,788.89
POOL UTILITY ACCOUNT	2622-2627	13,957.20
GENERAL CAPITAL ACCOUNT	2484-2491	74,286.02
WATER CAPITAL	8088-8094	21,667.42
GENERAL TRUST – VALLEY NATIONAL BANK	5396-5405	8,973.06
DOG TRUST	1577-1578	1803.30
DEVELOPERS’ TRUST	344-349	3,186.25

APPROVAL OF MINUTES:

On the recommendation of Councilwoman Canale, seconded by Councilman Wolsky, it was regularly moved that the Minutes of the Regular Meeting held on Tuesday, February 2, 2016 be approved.

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.

Mayor Tempesta noted that William Fried, Esq. , is in the audience and his position as public defender will be approved by resolution tonight. Mayor Tempesta thanked Mr. Fried for his work as a public defender for the Township.

Mayor Tempesta pulled resolutions 16-080 and 16-081 from the consent agenda.

On the recommendation of Council President Cecere, seconded by Councilman Hladik, it was regularly moved that the two resolutions be removed from tonight's agenda.

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

It was regularly moved by Council President Cecere, seconded by Councilman Hladik, that the ten 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 ten Resolutions by Consent were made part of these Minutes:

No. 16-075
By: Mr. Hladik

SUBJECT: RESOLUTION - AUTHORIZING I. U. O. E. LOCAL 68 CHARITY FUND, INC. OFF PREMISE CASH RAFFLES APRIL 7, JUNE 26, AND OCTOBER 6, 2016, LICENSE NO. 384, ID NO. 535-4-363-2.

WHEREAS, I. U. O. E. Local 68 Charity Fund, Inc has submitted a Raffle License Application No. RA 384, ID No. 535-4-363-2, for Off Premise Cash Raffles to be held on April 7, June 26, and October 6, 2016; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell, hereby approves Raffle License Application No. RA 384; and,

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

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No. 16-076
By: Mr. Hladik

SUBJECT: RESOLUTION – APPROVING SOCIAL AFFAIRS PERMIT FOR LUTHERAN SOCIAL MINISTRIES, CASINO NIGHT, APRIL 14, 2016.

HEREAS, Lutheran Social Ministries, West Caldwell, has filed an application for a Social Affairs Permit for an event to be held on April 14, 2016; and

WHEREAS, the submitted application form is complete in all respects, fees have been paid; and

WHEREAS, the application has been approved by the Chief of Police.

No. 16-077
By: Mr. Hladik

SUBJECT: RESOLUTION –APPOINTING LILIAN M. GUARNERI AS A PUBLIC HEALTH NURSE FOR THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Township of West Caldwell desires to appoint a Public Health Nurse; and

WHEREAS, Lilian M. Guarneri, 41 Artillery Park Road, Totowa, NJ 07512, is willing and able to serve as the Public Health Nurse in the Health Department for the Township of West Caldwell; and;

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

1. Lilian M. Guarneri is appointed as Public Health Nurse, effective February 8, 2016, at an hourly rate of \$30. 00, in accordance with the salary ordinance.
2. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

No. 16-078
By: Mr. Docteroff

SUBJECT: RESOLUTION - AUTHORIZING APPROVAL OF THE FINAL CHANGE ORDER FOR A DECREASE IN THE AMOUNT OF \$11,550. 85 FOR THE FRANCISCO AVENUE AND LINCOLN PLACE ROAD RECONSTRUCTION PROJECT FOR THE TOWNSHIP OF WEST CALDWELL.

WHEREAS, the Governing Body of the Township of West Caldwell previously awarded the contract for the Francisco Avenue and Lincoln Place Road Reconstruction project to Cifelli and Son General Contracting in the amount of \$248,401. 24 (the “Contract”); and

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

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

1. Earth Excavation for test pits	Decrease of \$200. 00
2. Inlet Sediment Traps	Decrease of \$70. 00
3. Milling, Variable Depth	Decrease of \$460. 75
4. HMA Surface Course	Decrease of \$13,020. 00
5. HMA Driveway Restoration	Increase of \$2,128. 00
6. Granite Block Curb	Increase of \$2,252. 50
7. Granite Block Curb	Decrease of \$3,975. 00
8. Reinforced Concrete Apron	Increase of \$861. 00
9. Concrete Sidewalk	Increase of \$1,332. 00
10. 12” RCP, Class III	Decrease of \$450. 00
11. Reset Casting, Manhole	Increase of \$1,200. 00
12. Breakaway Barricades	Decrease of \$8. 00
13. Construction Signs	Decrease of \$13. 00
14. Traffic Stripes, 12” wide	Decrease of \$15. 00
15. Traffic Stripes, 4” wide	Increase of \$1,300. 00
16. Traffic Stripes, 6” wide	Increase of \$520. 00
17. Police Traffic Directors	Decrease of \$1,432. 60
18. Traffic Signs	Decrease of \$1,500. 00

WHEREAS, the aggregate cost for these modifications is \$11,550. 85, which results in a 4. 65% decrease over the original Contract amount;

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

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

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

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

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

Original Contract Price	\$248,401. 24
Amount of prior change orders	35,400. 00
Amount of Final Change Order	<11,550. 85>
New Contract Price with All Change Orders	<u>\$272,250. 39</u>
Percent Decrease of Final Change Order	4. 65%
Percent Increase of all Change Orders	9. 60%

No. 16-079
By: Mr. Cecere

SUBJECT: RESOLUTION – APPROVING THE WEST ESSEX FIRST AID SQUAD, INC. CERTIFICATION LIST FOR LENGTH OF SERVICE AWARD PROGRAM (LOSAP) FOR THE YEAR 2015.

WHEREAS, the Mayor and Council of the Township of West Caldwell adopted Ordinance No. 1500 on July 17, 2003, providing LOSAP for members of the West Essex First Aid Squad, Inc. ; and

WHEREAS, the Mayor and Council of the Township of West Caldwell authorized execution of an Interlocal Service Agreement for LOSAP for the West Essex First Aid Squad with the approval of Resolution No. 7610 on October 19, 2004; and

WHEREAS, the Mayor and Council of the Township of West Caldwell authorized American General Financial Group (VALIC) to administer the LOSAP with the approval of Resolution No. 7671 on January 18, 2005; and

WHEREAS, the Division of Local Government Services reviewed and approved the length of service award plan submitted by the Township of West Caldwell on March 4, 2005; and

WHEREAS, the West Essex First Aid Squad has presented the attached certified list of active emergency service volunteers who qualify for LOSAP contributions for the year 2015 to the Mayor and Council of the Township of West Caldwell.

Participant	LOSAP Points	% of Maximum Contribution	Municipal Contribution	Fire Department Affiliations
Abukwaik, Basma	180	0%	\$ -	
Allen, Richard	250	0%	\$ -	
Anderson II, Robert	150	0%	\$ -	
Ashton, Barbara	1,282	100%	\$ 1,409. 87	
Astrinidis, Stephan	770	80%	\$ 1,127. 90	
Batistick, Mark	80	0%	\$ -	
Bell, Evelyn	1,022	100%	\$ 1,409. 87	
Bell, Michael	1,428	100%	\$ 1,409. 87	
Bellack, Michael	602	70%	\$ 986. 91	
Bellatty, Elizabeth	400	0%	\$ -	
Benevento, Brigitte	0	0%	\$ -	
Black, David	1,192	100%	\$ 1,409. 87	
Bradley, Sarah	50	0%	\$ -	
Bradley, Thomas	1,072	100%	\$ 1,409. 87	WCFD
Bross, Stephanie	780	80%	\$ 1,127. 90	
Brown, Daniel	892	90%	\$ 1,268. 88	WCFD
Buckley, Sean	140	0%	\$ -	
Bunn, Jessie	1,202	100%	\$ 1,409. 87	
Bunn, Richard L	600	70%	\$ 986. 91	WCFD
Caccioppoli, Dean	770	80%	\$ 1,127. 90	
Caceres, Morgan	0	0%	\$ -	
Caggiano, Alice	200	0%	\$ -	
Cai, Iris	282	0%	\$ -	
Campbell, David	100	0%	\$ -	
Campbell, Jim	300	0%	\$ -	
Ciampi, James	320	0%	\$ -	
Caniano, Daniel	100	0%	\$ -	FFFD
Capodanno, Michael	200	0%	\$ -	
Carrick, Jr., George	692	70%	\$ 986. 91	
Carrara, Glenn	300	0%	\$ -	

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Ciotola, Christina	50	0%	\$ -	
Coghlán, Samantha	380	0%	\$ -	
Coughlin, Carol	1,302	100%	\$ 1,409.87	
Cruickshank, Eileen	762	80%	\$ 1,127.90	
Day, Theodore	200	0%	\$ -	
Demirdjian, Christina	262	0%	\$ -	
Deuer, Mark	200	0%	\$ -	
Donovan, Mary	943	100%	\$ 1,409.87	
Drastal, Bryan	880	90%	\$ 1,268.88	WCFD
Drastal, Dwight	1,372	100%	\$ 1,409.87	
Drastal, Barbara	1,000	100%	\$ 1,409.87	
Durr, Maureen	300	0%	\$ -	
Ely, Chelsea	510	60%	\$ 845.92	
Ely, Dana	1,042	100%	\$ 1,409.87	
Enchelmaier, Timothy	1,090	100%	\$ 1,409.87	
Etonga, Anne	150	0%	\$ -	
Ferrante, Jordyn	0	0%	\$ -	
Flint, Matthew	912	100%	\$ 1,409.87	
Flint, James	360	0%	\$ -	
Foucaud, Paul	250	0%	\$ -	
Fournier, Cecilia	342	0%	\$ -	
Gagliardi, Stephen	50	0%	\$ -	
George, Nicholas	270	0%	\$ -	
Gilson, Stephen	500	60%	\$ 845.92	NCFD
Ginefra, John	1,200	100%	\$ 1,409.87	
Ginefra, Carol	1,500	100%	\$ 1,409.87	
Godoy, Priscilla	0	0%	\$ -	
Gonzalez, David	440	0%	\$ -	CFD
Gordon, Jerome	1,350	100%	\$ 1,409.87	
Groth, William	1,300	100%	\$ 1,409.87	
Guindon, Carrie	150	0%	\$ -	
Hahn, Marina	366	0%	\$ -	
Hamstra, Kelly	0	0%	\$ -	
High, Michael	1,020	100%	\$ 1,409.87	WCFD
High, Jr., James	330	0%	\$ -	
High, Sr., James	1,120	100%	\$ 1,409.87	
Hoskins, Dennis	1,350	100%	\$ 1,409.87	
Hutchinson, Andrew	160	0%	\$ -	
Iannarone, Matthew	10	0%	\$ -	
Ihling, Anne Marie E	202	0%	\$ -	
Ihling, John	1,092	100%	\$ 1,409.87	
Ihling, Anne Marie R (Pam)	1,216	100%	\$ 1,409.87	
Kantor, Kristina	200	0%	\$ -	
Kelly, Jeanne	922	100%	\$ 1,409.87	
Kelly, Timothy	290	0%	\$ -	
Kong, David	770	80%	\$ 1,127.90	
Korayem, Adam	200	0%	\$ -	
Kuta, Sharon	532	60%	\$ 845.92	
Lane, Jim	350	0%	\$ -	
Lowry, Dave	300	0%	\$ -	
Luciano, Lauren	100	0%	\$ -	
Maclean, Elisa	150	0%	\$ -	
Malagiere, Meghan	390	0%	\$ -	
Malanga, Christopher	370	0%	\$ -	
Marchetti, Kathleen	472	0%	\$ -	
Marras, Carla	1,000	100%	\$ 1,409.87	
Marx, Joshua	440	0%	\$ -	
Mathews, Thomas	240	0%	\$ -	
Mathieson, Douglas	152	0%	\$ -	NCFD
McCauley, Christian	680	70%	\$ 986.91	
McClain, Kristen	80	0%	\$ -	
McGuire, Kimberly	420	0%	\$ -	
Meehan, Lisa	928	100%	\$ 1,409.87	
Mierzwa, Michael	100	0%	\$ -	FFFD
Miller, Christopher	890	90%	\$ 1,268.88	
Monteiro, Luziann	250	0%	\$ -	
Mostwill, Maureen	1,160	100%	\$ 1,409.87	
Mowrey, Steven	970	100%	\$ 1,409.87	
Moylen, Naomi V.	1,475	100%	\$ 1,409.87	
Muller, Cassidy	300	0%	\$ -	
Mullin, Antonia	100	0%	\$ -	
Mullin, Briana	230	0%	\$ -	

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Murphy, Kelly	50	0%	\$ -	
Murphy, Leah	0	0%	\$ -	
Nancoz, Kara	375	0%	\$ -	
Nancoz, Patrick	0	0%	\$ -	
Nancoz, Peter R.	1,312	100%	\$ 1,409.87	
Nancoz, Thomas	785	80%	\$ 1,127.90	
Napolitano, Matthew	130	0%	\$ -	FFFD
Nguyen, Ha	0	0%	\$ -	
Palmisano, Matthew	950	100%	\$ 1,409.87	
Pannullo, Richard	0	0%	\$ -	
Pavlishin, Christie	934	100%	\$ 1,409.87	
Pepler, Thomas	200	0%	\$ -	
Peter, Ryan	1,040	100%	\$ 1,409.87	
Peterson, Theresa	1,090	100%	\$ 1,409.87	
Petro, Lisa	0	0%	\$ -	
Piccirillo, Linda	1,122	100%	\$ 1,409.87	
Pomponio, Maria	90	0%	\$ -	
Porcello, Christine	722	80%	\$ 1,127.90	
Pravata, Tommy	690	70%	\$ 986.91	
Pryor, Jonathan	842	90%	\$ 1,268.88	
Przybylinski, Stacy	150	0%	\$ -	
Ruck, Daniel	250	0%	\$ -	
Ruesch, Jr., Gregory	150	0%	\$ -	
Saginaw, Paula	250	0%	\$ -	
Salandra, Thomas	320	0%	\$ -	
Saldutto, Carmine	1,080	100%	\$ 1,409.87	
Sandler, Jillian	852	90%	\$ 1,268.88	
Santalla, Katherine	200	0%	\$ -	
Schubert, Eric	304	0%	\$ -	
Scriffignano, Anthony	535	60%	\$ 845.92	
Shahaby, Haydy	0	0%	\$ -	
Shapiro, David	150	0%	\$ -	
Shkurko, Anastasiya	340	0%	\$ -	
Sloan, Abigail	0	0%	\$ -	
Sokolowski, Joseph	50	0%	\$ -	
Spera, David	200	0%	\$ -	
Stambuli, Matthew	200	0%	\$ -	
Stefanelli, Nicholas	1,014	100%	\$ 1,409.87	
Stein, Alexandra	166	0%	\$ -	
Stickles, Janice	1,960	100%	\$ 1,409.87	NCFD
Stout, Carly	150	0%	\$ -	
Stout, Megan	100	0%	\$ -	WCFD
Striziver, Matthew	1,130	100%	\$ 1,409.87	
Strobolakos, Anthony	670	70%	\$ 986.91	
Sutherlin, Jeffery	1,324	100%	\$ 1,409.87	
Sutherlin, Rosemarie	915	100%	\$ 1,409.87	
Sutherlin, Samantha	1,070	100%	\$ 1,409.87	
Sylvester, Alyssa	50	0%	\$ -	
Taylor, Gregg	300	0%	\$ -	
Taylor, John	1,446	100%	\$ 1,409.87	
Taylor, Michelle	100	0%	\$ -	
Taylor, Jan	1,120	100%	\$ 1,409.87	
Temple, Karen	882	90%	\$ 1,268.88	
Thomas, Brittany	990	100%	\$ 1,409.87	
Turbiak, Josh	790	80%	\$ 1,127.90	
Van Ness, Maureen	984	100%	\$ 1,409.87	
Vegliante, Ashley	50	0%	\$ -	
Wahlers, Richard	300	0%	\$ -	
Wang, Lynnli	50	0%	\$ -	
Wefferling, Debra	200	0%	\$ -	
Wegman, Amy	100	0%	\$ -	
West, Chris	250	0%	\$ -	
West, Robin	536	60%	\$ 845.92	
Willenborg, Steven	962	100%	\$ 1,409.87	
Winnicki, Marjorie	1,480	100%	\$ 1,409.87	
Wypler, Jr., Jean	582	60%	\$ 845.92	WCFD
Young, Faye	1,130	100%	\$ 1,409.87	
Zatta, Robert	770	80%	\$ 1,127.90	

TOTAL MUNICIPAL CONTRIBUTION: \$96,435.12

MUNICIPAL ALLOCATIONS

CALDWELL	24.27%	\$ 23,404.80
FAIRFIELD	23.17%	\$ 22,344.02
NORTH CALDWELL	19.18%	\$ 18,496.26
WEST CALDWELL	33.38%	\$ 32,190.04
	100.00%	\$ 96,435.12

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No. 16-080
By: Mr. Hladik

SUBJECT: RESOLUTION - AUTHORIZING APPOINTMENT OF SHARON T. MORRISEY TO THE LIBRARY BOARD OF TRUSTEES OF THE TOWNSHIP OF WEST CALDWELL.

RESOLVED, on the recommendation of the Township Council, that the nomination of Sharon T. Morrissey, 61 McKinley Avenue, West Caldwell, NJ 07006, by Mayor Joseph Tempesta, Jr. , be and she is hereby approved as a member of the Library Board of Trustees of the Township of West Caldwell to fulfill the five-year unexpired term of Daniel Cipoletti, commencing February 16, 2016 through December 31, 2018.

No. 16-081
By: Mr. Hladik

SUBJECT: RESOLUTION - APPOINTING MUNICIPAL 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

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:
William R. Fried, Jr. , Esq.
James V. Pomaco, Esq.
2. Mr. Fried and Mr. Pomaco 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. 16-082
By: Mr. Wolsky

SUBJECT: RESOLUTION - AUTHORIZING REFUNDS, OVERPAYMENTS OR CANCELLATIONS IN THE TAX OFFICE.

WHEREAS, there appears on the tax records overpayments or otherwise as shown below; and

WHEREAS, the overpayments were created by the reasons indicated below, and the Collector of Taxes recommends the refund or transfers of such overpayments;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of West Caldwell that the proper officers be and they are hereby authorized and directed to transfer funds or issue checks refunding such overpayments as hereafter shown below:

CODE OF REASONS

- | | |
|---|---|
| 1. Incorrect Payment-Refund | 8. Overpayment-Refund |
| 2. Duplicate Payment-Refund | 9. Tax Title Lien Redemption |
| 3. Vets, Senior Citizen, Exempt Prop Refund/Allow | 10. Homestead Rebate/NJ Saver |
| 4. Apply Overpayment to Next Year | 11. Apply Overpayment to Current Year |
| 5. Cancellation of Balance of Less than \$5. 00 | 12. Cancellation of Credit of Less than \$5. 00 |
| 6. Assessment Changes | 13. Cancellation of Taxes |
| 7. Tax Appeal | 14. Other - Cancellation of Credit Balance over \$5. 00 |

Block	Lot	Qual	<u>Owner Name</u>	<u>Amount</u>	<u>Year</u>	<u>Reason</u>
1600	16		Gerdts, Paul T & Melinda A 11 De Baun Avenue	\$1,759. 26	2016	2

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<u>Block</u>	<u>Lot</u>	<u>Qual</u>	<u>Owner Name</u>	<u>Amount</u>	<u>Year</u>	<u>Reason</u>
2806	15		Fine, Dana Joy 21 Brian Road	\$3,070. 96	2016	2
2900	29		Le Gall, Benoit & Makarenko, Iulita 366 Passaic Avenue	\$2,034. 60	2016	2
2900	59		Boronat, Alexander & Loretta D 11 Dana Place	\$3,146. 24	2016	2
*TOTAL:				<u>\$10,011. 06</u>		

Make Check Payable To: CoreLogic C/O Lender
CoreLogic Tax Services
ATTN: Refunds Department
P. O. Box 961250
Ft. Worth, TX 76161-0250

TOTAL REFUNDS - \$10,011.06

No. 16-083
By: Mr. Docteroff

SUBJECT: RESOLUTION - AUTHORIZING THE SUPPORT OF VETERANS TREATMENT COURTS IN THE STATE OF NEW JERSEY.

WHEREAS, in 2010, the New Jersey Legislature enacted an Act establishing a task force to study the treatment of veterans diagnosed with post-traumatic stress disorder (PTSD) in judicial proceedings; and

WHEREAS, the New Jersey Veterans PTSD Task Force will identify and review the issues and concerns facing veterans of the United States Armed Forces and New Jersey National Guard who have been diagnosed with PTSD and how that diagnosis has impacted their treatment in judicial proceedings; and

WHEREAS, the Veterans Treatment Court model is based on drug treatment and/or mental health treatment courts, where substance abuse or mental health treatment is offered as an alternative to incarceration and typically, veteran mentors assist with the programs; and

WHEREAS, Veterans Treatment Courts start with the premise of providing veterans involved in the criminal justice system with a program and services to overcome the challenges they face. A veteran treatment court would maximize utilization of Department of Veterans Affairs resources and ensure that veterans are getting the treatment they are owed; and

WHEREAS, according to current research, 9% of the people in the New Jersey criminal justice system, or nearly 12,000, are veterans and though a large majority (82%) of these veterans are eligible for VA services, 18% do not have access to the VA Services; and

WHEREAS, New Jersey is home to 712,000 veterans, the 16th highest state veteran population in the nation, yet New Jersey remains one of only fifteen states without a Veterans Treatment Court System. Veterans Treatment Courts recognize the tremendous service members of our Armed Forces provide to our country.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Caldwell recognize the work of the New Jersey Veterans PTSD Task Force and urge the Task Force to find in favor of establishing a Veterans Treatment Court System in New Jersey.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Essex County Freeholders and the 26th Legislative District representatives urging them to support a Veterans Treatment Court System in New Jersey, and that it is also the sense of the Township Council that February be declared "Veterans Treatment Court" Month in the Township of West Caldwell.

No. 16-084
By: Mr. Hladik

SUBJECT: RESOLUTION – AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED.

WHEREAS, The Township of West Caldwell (the “Township” or the “public body” has been duly created and is validly existing as a public body corporate and politic of the State of New Jersey pursuant to applicable laws of the State of New Jersey; and

WHEREAS, The Township constitutes a “public body” as such term is defined in the New Jersey Open Public Meetings Act, constituting Chapter 231 of the Pamphlet Laws of 1975 of the State of New Jersey, N. J. S. A. 10:4-6 et seq_ and the acts amendatory thereof and supplemental thereto (the “Open Public Meetings Act”); and

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WHEREAS, the Open Public Meetings Act permits a public body, as such term is defined therein, to exclude members of the public from portions of any “meeting”, as such term is defined therein including N. J. S. A. 10:4-12(b) et seq. , under certain limited circumstances which include, but are not limited to, (a) a discussion of pending or anticipated litigation in which the public body is or may become a party, or (b) a discussion of any matters which fall within the attorney-client privilege, or (c) a discussion of a collective bargaining agreement including the negotiation of the terms and conditions thereof, or (d) a discussion regarding the purchase, acquisition or lease of real property with public funds or (e) a discussion of involving the employment, appointment or termination of employment of an existing or prospective public officer or employee; and

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

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

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

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

1. Personnel

BE IT FURTHER RESOLVED, that the minutes of each executive session will be prepared and maintained by the Township and with regard to each of the matters discussed in executive session; and

BE IT FURTHER RESOLVED, that the minutes relating to a particular matter discussed will be made available to members of the public – (a) at such time as the matter no longer requires confidentiality as permitted by applicable laws, (b) upon the completion of a pending or anticipated litigation, or (c) upon such matter no longer falling within the attorney-client privilege, (d) upon the completion of a collective bargaining agreement including the negotiation of the terms and conditions thereof, or (e) upon the completion of a purchase, acquisition or lease of real property with public funds, or (f) as such disclosure may otherwise may be required by the Open Public Meetings Act.

Administrator Brewer reported on the closed item sessions.

It was regularly moved by Council President Cecere, seconded by Councilman Hladik that the ten Resolutions listed be adopted.

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

COMMITTEE REPORTS:

PUBLIC SAFETY:

REPORTS – POLICE CHIEF-JUDGE AND DETECTIVE BUREAU – JANUARY 2016

On the recommendation of Councilman Cecere, the reports submitted by the Police Chief, Judge and Detective Bureau for the month of January 2016 as received, be placed on file. Fines in the amount of \$19,173. 00 were collected and apportioned as follows (copy attached to minutes).

REPORTS – VOLUNTEER FIRE DEPARTMENT REPORTS – JANUARY 2016

On the recommendation of Councilman Cecere, the reports submitted by the Fire Chief of West Caldwell Volunteer Fire Department for the month of January 2016 as received, be placed on file.

REPORTS – CONSTRUCTION OFFICIAL’S REPORT – JANUARY 2016

On the recommendation of Councilman Cecere, the reports submitted by the Construction Official for the month of January 2016 as received, be placed on file.

Councilman Cecere reported the following:

1. Ronald Burgers and Daniel Veltre will be honored as Eagle Scouts on February 21, 2016. Their Eagle Scout projects helped the community in the community garden and at Notre Dame Church.
2. On Tuesday, February 23, 2016 at 6:30 PM, James Caldwell High School will present "James Caldwell Historical Night: Where the Past and Present Create the Future".

LEGAL AND PERSONNEL

Councilman Hladik on the following:

1. Samantha McCoy was thanked for her leadership at the Library.

FINANCE

Councilman Wolsky asked Clerk Donovan to read the following ordinance.

The Township Clerk read the title of an Ordinance No. 1779 entitled “AN ORDINANCE TO ESTABLISH AND PRESERVE A CAP BANK (N. J. S. A. 40A: 4-45. 14)”.

WHEREAS, the Local Government Cap Law, N. J. S. 40A: 4-45. 1 et seq. , provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3. 5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N. J. S. A. 40A: 4-45. 15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3. 5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Township of West Caldwell, in the County of Essex, finds it advisable and necessary to increase its CY 2016 budget by up to 3. 5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3. 5% increase in the budget for said year, amounting to \$454,443. 92 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Township of West Caldwell, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of West Caldwell shall, in accordance with this ordinance and N. J. S. A. 40A: 4-45. 14, be increased up to 3. 5%, amounting to no more than \$454,443. 92, and that the CY 2016 municipal budget for the Township of West Caldwell be approved and adopted in accordance with this ordinance; and,

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

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

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

It was regularly moved by Councilman Wolsky, seconded by Councilman Docteroff that the Ordinance be passed on first reading; that it be published and posted as a pending Ordinance in the manner required by law and that the Public Hearing be held on Tuesday, March 15, 2016.

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

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Councilman Wolsky reported on the following:

1. There will be a sports equipment swap on March 12 at Harrison School.
2. There will be a Wensch Park clean up on April 9 and 10.
3. Earth Day will be on April 23, 2016 at 10 am until 1 pm at Crane Park. More information will be forthcoming in the coming weeks.

Councilman Wolsky praised James Haas, the chairman of the Environmental Commission for his hard work and dedication to West Caldwell.

PUBLIC WORKS

Councilman Docteroff reported on the following:

1. Bid packages are available for Francine Avenue, lawn maintenance, solid waste collection and roadway resurfacing for the Township.

Mayor Tempesta thanked Administrator Brewer for his hard work on the solid waste bid specifications proposal.

PARKS AND RECREATION

Councilwoman Canale reported on the following:

1. Basketball programs are winding down and the playoffs will be at the end of February.
2. Change of location for the Easter egg hunt is underway.
3. Basketball schedule is being set up for next year.

TECHNOLOGY AND SHARED SERVICES

Councilman Crudele reported on the following:

1. Funding for the Municipal Alliance is awaiting confirmation.
2. Senior Citizens Transportation Committee will meet in March.

Mayor Tempesta asked Mr. Abramowitz for his help on the application of the Municipal Alliance.

Mayor Tempesta recognized Alan Abramowitz, Essex County representative.

Mr. Abramowitz announced the following:

1. Essex County Executive DiVincenzo Jr. , will give the state of the Essex County address on Monday, February 22 at 7 pm at the Essex County Hospital Center.

MAYOR'S REPORT:

Mayor Tempesta reported on the Mayors' breakfast which will be held on April 2, 2016 at Crane's Mill. Mayor Tempesta indicated he invited Governor Christie and Lieutenant Governor Guadagno. Mayor Tempesta stated Senate president Sweeney will be attending and he is awaiting other responses from legislators.

ADVISORS' REPORTS:

Administrator Brewer reported the staff evaluation process is almost finished and he will be reporting back to the Mayor and Council.

Clerk Donovan reported that the county committee and candidate petitions are due in the clerk's office by 4 pm on April 4, 2016.

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INVITATION TO CITIZENS FOR DISCUSSION:

Linda Kiefer-Rucket, 9 Bond Place, had questions about driveways and the zoning ordinances that pertain to them. Mayor Tempesta asked Administrator Brewer to follow up with Mrs. Kiefer-Ruckert on her concerns.

ADJOURNMENT:

On the motion of Council President Cecere, seconded by Councilman Hladik, the meeting adjourned at 8:00 pm to Closed Session.

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

Mary S. Donovan
Township Clerk