

**TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES**

April 19, 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, April 19, 2016 at 7:15 P. M.

The Township Clerk announced that adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act.

PRESENT: Mayor Tempesta, Councilmen Cecere, Hladik, Wolsky, Docteroff, 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 Councilwoman Canale
Invocation by Council President Cecere

2016 MUNICIPAL BUDGET HEARING

Mayor Tempesta indicated that the appropriations were decreased by \$160,000. There is a tax increase because of other factors, including insurance, union and employees for wage increases. Mayor Tempesta thanked Administrator Brewer, Chief Financial Officer Nikole Monroig and department heads for their work on the budget.

Administrator Brewer reported on the 2016 budget with the impact on the average homeowner of 1.50 % increase on the tax levy or \$38.50 for the year.

Mayor Tempesta declared the municipal budget hearing open. Mayor Tempesta cautioned residents that West Caldwell is still waiting for the county budget and the school budget. The West Caldwell increase is only 25% of the total budget, combined with the County and school budgets. Mayor Tempesta indicated that there will be no services cut.

Mayor Tempesta indicated that the Township wanted to upgrade our infrastructure, new police vehicles, and other items needed to run the municipality on a daily basis.

The Mayor asked if anyone had any questions regarding the Municipal Budget.

Soloman Gutterman, 8 Jameson Place, questioned when Jameson Place will be paved. Mayor Tempesta answered his questions about paving Jameson Place.

There were no further comments or questions from the public.

The budget hearing was closed on a motion by Councilman Wolsky, seconded by Council President Cecere and was unanimously approved.

The Township Clerk read the following Resolutions, attached and was made part of these Minutes:

No. 16-124
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING THE READING OF THE 2015 MUNICIPAL BUDGET BY TITLE.

WHEREAS, N.J.S.A. 40A:4-8 provides that the Budget as advertised shall be read in full at the public hearing, or that it may be read by its title only if:

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1. At least one week prior to the date of the hearing a complete copy of the approved Budget, as advertised,

(a) a complete copy of the approved budget as advertised has been posted on the Township’s website and copies have been made available by the Clerk to persons requesting them;

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Caldwell, that it is hereby declared that the conditions have been met and therefore the Budget for 2016 shall be read by title only.

It was regularly moved by Councilman Wolsky, seconded by Councilman Docteroff, that the resolution be adopted.

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

No. 16-125
By: Mr. Wolsky

SUBJECT: RESOLUTION – ADOPT 2016 MUNICIPAL BUDGET.

Be it resolved by the Governing Body of the Township of West Caldwell, County of Essex, the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated in the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$12,059,347.00 (Item 2 below) for municipal purposes; and
- (b)\$ _____ (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation; and
- (c)\$ _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d)\$ _____ (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.
- (e)\$__ 762,021.00 Minimum Library Levy.

SUMMARY OF REVENUES

1. GENERAL REVENUES			
Surplus Anticipated	08-100	\$	1,350,000.00
Miscellaneous Revenues Anticipated	13-099	\$	4,626,120.85
Receipts from Delinquent Taxes	15-499	\$	313,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$	12,059,347.00
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE 1 SCHOOL DISTRICTS ONLY:		\$	
Item 6, Sheet 42	07-195	\$	
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	
Total Amount to be Raised by Taxation for Schools in Type 1 School Districts Only			
4. TO BE ADDED TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY: Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX		\$	762,021.00
Total Revenues	13-299	\$	19,110,488.85

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It was regularly moved by Councilman Wolsky, seconded by Councilman Docteroff, that the resolution be adopted.

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

COMMUNICATIONS:

A-1 A communication from Nikole Monroig, Chief Financial Officer, certifying funds are available under the 2016 Budget of Appropriations – March 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 Crudele voted in the affirmative.

SCHEDULE OF BILLS ORDERED PAID APRIL 2016

	<u>Checks</u>	<u>Amount</u>
CURRENT ACCOUNT – VALLEY NATIONAL BANK	4801-4949	\$3,345,358.03
WATER OPERATING ACCOUNT- VALLEY NATIONAL BANK	9660-9682	159,377.99
POOL UTILITY ACCOUNT	2637-2648	17,625.32
GENERAL CAPITAL ACCOUNT	2503-2519	96,548.32
WATER CAPITAL	8098-8100	9,498.28
POOL CAPITAL	3014	7,279.67
GENERAL TRUST – VALLEY NATIONAL BANK	5422-5438	31,779.54
DOG TRUST	1581	148.20
LAW ENFORCEMENT TRUST	4006-4008	11,241.70
DEVELOPERS’ TRUST	351-352	4,470.75

APPROVAL OF MINUTES:

On the recommendation of Councilwoman Canale, seconded by Councilman Crudele, it was regularly moved that the Minutes of the Regular Meeting held on Tuesday, April 5, 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

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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 Docteroff that the 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 nine Resolutions by Consent were made part of these Minutes:

No. 16-126
By: Mr. Cecere

SUBJECT: RESOLUTION – AUTHORIZING CURE BREAST CANCER FOUNDATION, INC. OFF PREMISE MERCHANDISE RAFFLE, JUNE 13, 2016, LICENSE NO. 386, ID NO. 86-5-39127.

WHEREAS, Cure Breast Cancer Foundation, Inc. has submitted a Raffle License Application No. RA 386, ID No. 86-5-39127, for an off-premise merchandise raffle to be held on June 13, 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 386; and,

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

No. 16-127
By: Mr. Hladik

SUBJECT: RESOLUTION – AUTHORIZING SALARIES FOR NONREPRESENTED EMPLOYEES FOR THE CALENDAR YEAR 2016.

WHEREAS, the Township of West Caldwell authorizes nonrepresented employee salaries for 2016 be as follows:

EMPLOYEE TITLE	BASE SALARY
Accounts Payable Clerk	\$ 35,700.00
Administrator	\$ 110,917.05
Assistant Mechanic	\$ 61,050.62
Assistant Prosecutor	\$ 3,192.00
Assistant Recreation Director	\$ 49,247.87
CFO/Treasurer	\$ 82,400.00
Chief Mechanic	\$ 79,387.44
Clerk	\$ 72,100.00
Construction Code Official/Electric Subcode Official	\$ 109,412.11
Council Member	\$ 5,000.00
Council President	\$ 5,500.00
Court Administrator	\$ 61,170.34
Crossing Guard	\$ 6,760.00
Crossing Guard	\$ 7,122.96
Crossing Guard	\$ 7,530.38
Crossing Guard	\$ 8,138.00
Crossing Guard	\$ 10,353.20
Crossing Guard	\$ 13,176.80
Crossing Guard	\$ 14,242.28

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EMPLOYEE TITLE	BASE SALARY
Deputy Emergency Management Coordinator	\$ 3,000.00
Dispatcher	\$ 30,282.00
Dispatcher	\$ 30,318.38
Dispatcher	\$ 30,887.52
Dispatcher	\$ 39,298.62
Dispatcher	\$ 40,270.28
DPW Superintendent	\$ 90,594.09
Emergency Management Coordinator	\$ 9,000.00
Facilities Manager	\$ 84,296.95
Fire Chief	\$ 5,243.78
Fire Inspector	\$ 40,000.00
Fire Subcode Official/Fire Official	\$ 82,183.93
Health Officer	\$ 109,840.04
Health Officer - Montville	\$ 10,300.00
Human Resources Coordinator/Payroll Clerk	\$ 41,000.00
Judge	\$ 24,000.00
Land Use Administrator	\$ 42,281.90
Maintenance Man	\$ 59,741.84
Maintenance Man	\$ 59,849.11
Maintenance Man	\$ 60,087.09
Maintenance Man	\$ 62,496.77
Mayor	\$ 6,000.00
Planning Board Engineer	\$ 14,600.00
Prosecutor	\$ 19,890.00
Public Defender/Tax Attorney	\$ 5,100.00
PW Specialist	\$ 59,758.36
PW Specialist	\$ 62,304.24
PW Specialist	\$ 63,663.15
PW Specialist	\$ 66,976.51
Qualified Purchasing Agent	\$ 15,450.00
Recreation Director	\$ 80,426.14
Recycling Coordinator	\$ 3,000.00
Registrar	\$ 2,000.00
REHS	\$ 50,177.69
Safety Coordinator	\$ 5,000.00
Secretary	\$ 32,276.88
Secretary	\$ 48,572.29
Secretary	\$ 49,240.88
Secretary	\$ 58,214.61
Secretary	\$ 65,752.37
Supervising Maintenance Man/Specialist	\$ 66,006.19
Supervising Maintenance Man/Specialist	\$ 72,228.09
Supervising Maintenance Man/Specialist	\$ 72,469.36
Technical Assistant to the Construction Official	\$ 55,000.00
Tax Assessor	\$ 50,238.54
Tax Cashier	\$ 35,000.00
Tax Collector	\$ 56,375.00
Violations Clerk	\$ 48,083.49
Water Cashier	\$ 37,068.28
Water Foreman	\$ 75,145.66
Water Maintenance Man	\$ 41,615.04
Water Stipend	\$ 832.30
Water Stipend	\$ 1,273.26
Water Stipend	\$ 2,640.25

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EMPLOYEE TITLE	HOURLY RATE
Water Stipend	\$ 6,011.65
Athletic Program Supervisor	\$ 28.46
Building Subcode Official	\$ 44.10
Laborer	\$ 11.50
Maintenance Man Custodian	\$ 20.00
Plumbing Subcode Official	\$ 44.10
Public Health Nurse	\$ 30.00
Public Health Nurse	\$ 35.00

NOW THEREFORE BE IT RESOLVED by the Township of West Caldwell of Essex County that the Mayor and Council of West Caldwell does hereby authorize the calendar year 2016 salaries for nonrepresented employees to be as stated above.

No. 16-128
By: Mr. Wolsky

SUBJECT: RESOLUTION -. AUTHORIZING THE CANCELLATION OF CERTAIN ACCOUNTS RECEIVABLE.

WHEREAS, the 2015 audit shows balances in the Current Fund for Accounts Receivable; and
WHEREAS, the Chief Financial Officer has reviewed all accounts and determined that outstanding receivable balances will not be satisfied; and
WHEREAS, the Chief Financial Officer wishes to cancel the outstanding Revenue Accounts Receivable and reserve balances from Fay Tassoff Susskind in the amount of \$571.00 in the Current Fund; and
WHEREAS, this resolution does not preclude the Township to recover these receivables in the future.
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Caldwell, in the County of Essex, that the Revenue Accounts Receivable in the amount of \$571.00 in the Current Fund be cancelled.

No. 16-129
By: Mr. Wolsky

SUBJECT: RESOLUTION - AUTHORIZING CANCELLATION OF OUTSTANDING CHECKS IN THE CURRENT FUND AND PAYROLL FUND.

WHEREAS, there exists outstanding checks in the Current Fund and Payroll Fund; and
WHEREAS, these outstanding checks issued by the Township of West Caldwell are one year old or older and it has been determined that these checks should be cancelled.
NOW, THEREFORE, BE IT RESOLVED, that the following outstanding checks be cancelled:

CURRENT FUND:

DATE	CHECK#	ISSUED TO	AMOUNT
11/25/14	2431	Bernadette Pignatello	\$ 60.00

PAYROLL FUND:

DATE	CHECK#	ISSUED TO	AMOUNT
7/11/2014	615	Nicholas Barone	\$ 44.71
7/25/2014	754	Iris Cai	45.45
8/08/2014	907	Iris Cai	45.45
10/17/2014	1218	Kenneth Ponce De Leon	171.30
11/14/2014	1311	Jacob Rogovin	50.80

No. 16-130
By: Mr. Wolsky

SUBJECT: RESOLUTION - AUTHORIZING CHANGE OF THE CUSTODIAN OF PETTY CASH FUNDS.

WHEREAS, Charles Tubbs was custodian of the Petty Cash Fund in the Office of the Chief of Police, and
WHEREAS, in accordance with N.J.S.A. 40:5-21, the Township of West Caldwell is changing

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custodians to Chief Gerard Paris for the Petty Cash Fund, and;

WHEREAS, Chief Gerard Paris is covered by virtue of a blanket bond.

NOW, THEREFORE, BE IT RESOLVED that the Township of West Caldwell, County of Essex hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

No. 16-131
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING THE 2016 FEE SCHEDULE FOR WEST CALDWELL POOL UTILITY MEMBERSHIP.

WHEREAS, the Governing Body of the Township of West Caldwell approved Ordinance No. 1721 on April 3, 2013 authorizing amendments, modifications, increase and/or decreases to the fee schedule for membership in the West Caldwell Pool Utility; and

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

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

BE IT FURTHER RESOLVED, that the fee schedule also be in accordance with the following:

1. The West Caldwell Pool Utility will offer two free guest passes with a family membership if registration is paid for by the close of business April 29, 2016.
2. The West Caldwell Pool Utility will offer one free guest pass with all other memberships if registration is paid for by close of business April 29, 2016.
3. The cost of Guest Passes shall be \$20 each pass or \$75.00 for 5 passes.

No. 16-132
By: Mr. Wolsky

SUBJECT: 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 over \$5.00 |
| | 15. Other – Cancellation of Special Charges |

Water Account #	<u>Owner Name</u>	<u>Amount</u>	<u>Year</u>	<u>Reason</u>
752-0	John Schaeffer 37 Laurel Place Make Check Payable to:John Schaeffer 35 Francis Place Caldwell, NJ 07006	\$ 69.14	2015	2

TOTAL REFUNDS \$ 69.14

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Block	Lot	<u>Owner Name</u>	<u>Amount</u>	<u>Year</u>	<u>Reason</u>
1501	6	Henderson Drive LLC	\$32,579.80	2013	7
		5 Henderson Drive	\$33,272.68	2014	7
		Total:	\$65,852.48		

TOTAL APPEALS \$65,852.48

601	19	Lill, Heidi & Michael 35 Sweetwood Court	\$31.15 (Special Charges – Tax)	2012	15
601	19	Lill, Heidi & Michael 35 Sweetwood Court	\$34.53 (Special Charges – Water)	2012	15

TOTAL CANCELLATION of RECEIVABLES \$65.68

303	14	Faranda, Timothy & Sandra 5 Mitchell Avenue	\$2,364.58	2013	14
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TOTAL CANCELLATION of CREDIT BALANCES \$2,364.58

GRAND TOTAL \$68,351.88

No. 16-133
By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING CANCELLATION OF OUTSTANDING COURT CHECKS ISSUED BY THE WEST CALDWELL MUNICIPAL COURT.

WHEREAS, there exists outstanding checks on the Municipal Court Bail Account; and
WHEREAS, these outstanding checks are one year old or older and have been investigated and it has been determined that this check should be cancelled.

NOW, THEREFORE, BE IT RESOLVED, that the following outstanding Municipal Court Bail Account checks in the total amount of \$11.00 be and are hereby cancelled:

<u>DATE</u>	<u>CHECK#</u>	<u>ISSUED TO</u>	<u>AMOUNT</u>
9/1/2015	384	Iris D. Brana	\$11.00

No. 16-134
By: Mr. Cecere

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

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

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

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

WHEREAS, the governing body of the Township has determined that and is of the opinion

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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
2. ATTORNEY/CLIENT PRIVILEGE/LITIGATION – COAH
3. LITIGATION – TAX APPEAL; SPARROWEEN V. TOWNSHIP OF WEST CALDWELL.

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

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

Administrator Brewer reported on the items for closed executive session.

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

Upon the vote being polled, Councilmen Cecere, Hladik, Wolsky, Docteroff, Councilwoman Canale and Councilman Crudele voted in the affirmative, except Council President Cecere abstained from item 3 in resolution number 16-134 and Councilman Wolsky abstained on resolution number 16-126.

COMMITTEE REPORTS:

PUBLIC SAFETY:

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

On the recommendation of Council President Cecere, the reports submitted by the Police Chief, Judge and Detective Bureau for the month of March 2016 as received, be placed on file. Fines in the amount of \$22,122.00 were collected and apportioned as follows (copy attached to minutes).

REPORTS – VOLUNTEER FIRE DEPARTMENT REPORTS – MARCH 2016

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

REPORTS – CONSTRUCTION OFFICIAL'S REPORT – MARCH 2016

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

Council President Cecere commented on the recent Easter egg hunt and the equipment swap meet and thanked Chief Paris for his department's help and their community policing at these

events.

LEGAL AND PERSONNEL

Councilman Hladik asked Clerk Donovan to read the following ordinance.

The Township Clerk read the title of an Ordinance No. 1780 entitled “AN ORDINANCE TO AMEND CHAPTER VIII SUBSECTION 8.4 ALCOHOLIC BEVERAGE CONTROL LICENSE FEES”.

SECTION VIII. Subsection 8-4, LICENSE FEES are amended to read as follows:

8-4 LICENSE FEES.

- a. The annual license fees for the sale or distribution of alcoholic beverages in the Township of West Caldwell shall be as follows:

License	Type	<u>2016 Fee</u>
Plenary Retail Consumption	33	\$1,200.00 <u>2,500.00</u>
Plenary Retail Distribution	44	780.00 <u>2,500.00</u>
Club	31	150.00 <u>188.00</u>

- b. The fees for Type 33 ~~and Type 44~~ **[, and Type 31]** licenses shall be increased in each succeeding year by the maximum amount permitted by law ~~{currently twenty (20%) percent}~~ until the maximum allowable fee is established ~~{currently two thousand (\$2,000.00) dollars}~~ all pursuant to N.J.S.A. 33:1 et seq.

It was regularly moved by Councilman Hladik, 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, May 3, 2016.

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

Councilman Hladik reported on the following:

1. There was a misunderstanding in the Progress about the slides at the Westville Pool. The Council is looking for funding for the slide.
2. Maria Burak, Chairman Bill Pimblott and County Executive Joseph DiVincenzo were thanked for their participation and hard work on obtaining the senior bus. The bus is a shared service among Caldwell, West Caldwell, and Roseland.

Councilman Hladik commented on the adoption of the 2016 budget. He commented on the fiscally conservative path of the Council and the approval of the Budget. Councilman Hladik also commented on the roads that will be improved this year in the Township.

FINANCE

Councilman Wolsky asked Clerk Donovan to read the following ordinance.

Clerk Donovan noted that the supplemental debt statement has been filed for the following ordinance.

The Township Clerk read the title of an Ordinance No. 1781 entitled “BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,005,520 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$957,617 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of West Caldwell, in the County of Essex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,005,520, and further including the aggregate sum of \$47,903 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$957,617 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Administration Department (IT)</u> The replacement of computer hardware, including all related costs and expenditures incidental thereto.	\$1,800	\$1,714	5 years
c) <u>Engineering/Roads/Sewers</u> Forest Avenue milling and overlay, including all work and materials necessary therefor and incidental thereto.	\$437,720	\$416,875	10 years
d) <u>Fleet</u> The acquisition of equipment, including, but not limited to, brine equipment for snow removal, including all related costs and expenditures incidental thereto.	\$30,000	\$28,570	15 years
e) <u>Facilities</u> The Underground Storage Tank/Above Storage Ground Tank Project at Kirkpatrick Pump Station and municipal building lobby improvements, including, but not limited to, replacing the front door and wall of glass, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$125,000	\$119,047	15 years
f) <u>Police</u> 1) The acquisition of equipment and vehicles, including, but not limited to, a sport utility vehicle, mobile data terminals and dispatch/desk chairs, including all related costs and expenditures incidental thereto.	\$102,500	\$97,618	5 years
2)The acquisition of equipment, including, but not limited to, base radios,	\$50,000	\$47,613	10 years

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cameras and a traffic counter, including all related cost and expenditures incidental thereto.				
g) Recreation Recreation improvements, including, but not limited the renovation of the gazebo, the installation of a wheel chair lift at Civic Center and improvements to Richard Park Playground, including all work and materials necessary therefor and incidental thereto.	\$150,000		\$142,855	15 years
h) Library The acquisition of meeting room chairs, including all related costs and expenditures incidental thereto.	\$13,000		\$12,380	5 years
TOTAL:	<u>\$1,005,520</u>		<u>\$957,617</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.75 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$957,617, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$201,104 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section

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3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

It was regularly moved by Councilman Hladik, 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, May 3, 2016.

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

Councilman Wolsky asked Clerk Donovan to read the following ordinance.

Clerk Donovan noted that the supplemental debt statement has been filed for the following ordinance.

The Township Clerk read the title of an Ordinance No. 1782 entitled "BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$465,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$465,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF".

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of West Caldwell, in the County of Essex, New Jersey (the "Township"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$465,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$465,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various improvements to the water utility, including, but not limited to, the replacement of mains on Distler Avenue, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial

officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$465,000, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$93,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Township pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

It was regularly moved by Councilman Hladik, 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, May 3, 2016.

Mayor Tempesta questioned the numbers in the two ordinances and CFO Monroig reported that the pool and water utilities are self-liquidating.

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

Councilman Wolsky asked Clerk Donovan to read the following ordinance.

Clerk Donovan noted that the supplemental debt statement has been filed for the following ordinance.

The Township Clerk read the title of an Ordinance No. 1783 entitled "BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE POOL UTILITY IN AND BY THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$90,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$90,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF".

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of West Caldwell, in the County of Essex, New Jersey (the "Township"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$90,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$90,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various improvements to Westville and Cedar Street pools and the acquisition and installation of a pool slide at Cedar Street pool, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be

specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$90,000, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$18,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Township pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

It was regularly moved by Councilman Hladik, 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, May 3, 2016.

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

Councilman Wolsky reported on the following:

1. CFO Nikole Monroig and Administrator Brewer were thanked for their hard work on the budget.
2. Wrensch Park cleanup was held on April 9 and 10 and it was very successful. Chairman Haas was thanked for his hard work on this event and as the chair.
3. Earth Day will be on April 23, 2016 at 10 am until 1 pm at Crane Park. There will be lots of activities for everyone.

PUBLIC WORKS

Councilman Docteroff reported on the following:

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1. Roger Freda and Peter May of the Department of Public Works were congratulated on receiving their C2 Sewer Licenses.
2. Roadway milling and paving will begin on April 20. Eight streets will be done: Lombard Drive, Pine Tree Place, Whitaker Place, Westview Road, Westview Place, Woodland Road, Longmeadow Lane and Nutting Place. Washington Avenue and Orton Road will be started when school lets out in June.
3. The 13th Annual Camp Wyanokie Fishing Derby will be held on June 25, with a rain date of June 26.
4. Pool painting is underway.

Mayor Tempesta asked Administrator Brewer to follow up on which part of Woodland Road will be done. Mayor Tempesta also asked Administrator Brewer to follow up on the order of the milling and paving.

Councilwoman Canale questioned where the setup of the milling and paving would be. Councilman Docteroff said no equipment will be left overnight.

Councilman Docteroff also thanked CFO Monroig and Administrator Brewer for their hard work on the budget.

PARKS AND RECREATION

Councilwoman Canale reported on the following:

1. The Board of Health meeting was held on April 6 and member Douglas Carrara, who recently resigned, was thanked for his service on the board.

Councilman Docteroff questioned when the Opening Day festivities for the recreation programs will be held as there is not a date set.

TECHNOLOGY AND SHARED SERVICES

Councilman Crudele reported on the following:

1. There will be a shredding event on April 30 at Caldwell Community Center run by James Caldwell High School Project Education.
2. Cherry trees are in bloom in Brookside Park.
3. There was a ribbon cutting on the new senior bus yesterday and there will be a concerted effort to get West Caldwell seniors to use the bus. Social media will be used to spread the word.

ADVISORS' REPORTS:

Administrator Brewer reported on the Community Development Block Grant (CDBG) application for the Civic Center.

The public was invited to comment on the CDBG application. There were no comments from the public.

Mayor Tempesta thanked CFO Monroig for her hard work on the 2016 budget.

Clerk Donovan reported that the last day to register and transfer for the June 7 primary will be May 17 and the clerk's office will be open until 9 pm for any applications.

MAYOR'S REPORT:

Mayor Tempesta congratulated all of the seniors on their new bus. Mayor Tempesta thanked Administrator Brewer and CFO Monroig for their work on the budget. Mayor Tempesta also thanked Clerk Donovan for her help on the retirement of Judge Rosenberg and the upcoming dinner.

OEM Coordinator Larry Peter is working on a FEMA reimbursement for Winter Storm Jonas and the budget is \$40,000, which is funded at 75%.

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INVITATION TO CITIZENS FOR DISCUSSION:

Mayor Tempesta recognized Alan Abramowitz, Essex County representative and commented on his upcoming retirement and thanked him for being such an excellent representative of Essex County.

Mr. Abramowitz announced the following:

1. There will be a household hazardous collection day on Saturday May 7, 2016 and an electronics recycling collection on Saturday, May 21 at 125 Fairview Avenue, Cedar Grove.
2. There is also a used tire recycling event on June 18, 9 am to 2 pm, Essex County Department of Public Works, 99 West Bradford Avenue, Cedar Grove.
3. There is also a drug take back day scheduled for April 30, which will allow residents to bring their unused prescriptions to the West Caldwell Police Department or any other police departments in Essex County.

Councilman Docteroff asked where he could recycle cooking oil and Mr. Abramowitz said he would look into it and get back to Council.

Mayor Tempesta also thanked Sandy Barrows for her hard work on the electronics recycling event held at 30 Clinton Road on April 9.

On the motion of Councilman Wolsky, seconded by Councilwoman Canale, the meeting adjourned at 8:10 pm to Closed Session.

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

On the motion of Council President Cecere, seconded by Councilman Hladik, the meeting reconvened to open session at 9:20 pm.

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

ADJOURNMENT

There being no further business before the Council, on a motion from Council President Cecere and a second by Councilman Hladik, the meeting adjourned at 9:21 pm. All were in favor.

Mary S. Donovan
Township Clerk