

**TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
May 3, 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, May 3, 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

ABSENT: Councilman Crudele

OTHERS PRESENT: Adam W Brewer, Business Administrator
Mary S Donovan, Municipal Clerk
Paul G Jemas, Esq , Municipal Attorney

Pledge of Allegiance led by Council President Cecere
Invocation given by Council President Cecere

PENDING ORDINANCES:

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 FEE”

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

8-4LICENSE 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 <u>002,500</u> <u>00</u>
Plenary Retail Distribution	44	780 <u>002,500</u> <u>00</u>
Club	31	150.00 <u>188</u> <u>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

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

There were no comments

It was regularly moved that the Public Hearing be closed

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

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It was regularly moved by Councilman Wolsky, seconded by Councilman Docteroff that the Ordinance be passed on second reading

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

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”

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			

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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, cameras and a traffic counter, including all related cost and expenditures incidental thereto	\$50,000	\$47,613	10 years
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

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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 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

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

There were no comments

It was regularly moved that the Public Hearing be closed

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

It was regularly moved by Councilman Wolsky, seconded by Councilman Docteroff that the Ordinance be passed on second reading

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

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 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

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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.

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

There were no comments

It was regularly moved that the Public Hearing be closed

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

It was regularly moved by Councilman Wolsky, seconded by Councilman Docteroff that the Ordinance be passed on second reading

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

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

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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

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

There were no comments

It was regularly moved that the Public Hearing be closed

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

It was regularly moved by Councilman Wolsky, seconded by Councilman Docteroff that the Ordinance be passed on second reading

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

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

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

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, April 19, 2016 be approved

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

CONSENT AGENDA:

Matters listed within the Consent Agenda have been referred to members of the Township Council for reading and study, are considered to be routine and will be enacted by one motion of the Township Council with no separate discussion. If separate discussion is desired, the resolution may be removed and be subject to a separate roll call

Administrator Brewer reported on the Closed Session items

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

No. 16-135
By: Mr. Docteroff

SUBJECT: RESOLUTION – AUTHORIZING AWARD OF CONTRACT TO CALI CARTING, INC FOR SOLID WASTE AND RECYCLABLE MATERIAL COLLECTION AND DISPOSAL SERVICES FOR THE TOWNSHIP OF WEST CALDWELL

WHEREAS, there exists a need to contract for solid waste and recyclable materials collection and disposal services for the Township of West Caldwell; and

WHEREAS, the Township solicited bids for said services in accordance with the Local Public Contracts Law, N J S A 40A:11-1 et seq and N J A C 7:26H-6 et seq ; and

WHEREAS, the Township received and opened only one bid from Cali Carting Inc on April 21, 2016; and

WHEREAS, upon the recommendation of the Township Administrator and Department of Public Works Superintendent, Cali Carting Inc , with offices at 450 Bergen Ave, Kearny, NJ 07032, was found to be the lowest responsible and responsive bidder; and

WHEREAS, the Governing Body of the Township of West Caldwell desires to award the five (5) year contract term to commence on May 9, 2016 and ending on May 8, 2021; and

WHEREAS, the Governing Body has determined to select Alternative Option 1 for the collection and disposal of solid waste and recyclable materials and disposal services for the Township of West Caldwell for the contract term in the total amount of \$2,850,000; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this contract **NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Caldwell, in the County of Essex, as follows:

1. The Mayor and Township Clerk be and hereby are authorized to execute a contract for Solid Waste and Recyclable Materials Collection and Disposal Services for the Township of West Caldwell with Cali Carting Inc in the total amount of \$2,850,000 for the five (5) year contract term to commence on May 9, 2016 and ending on May 8, 2021 as set forth in this Resolution and in a form of agreement acceptable to the Township Attorney

2. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution

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No 16-136
By: Mr Hladik

SUBJECT: RESOLUTION - APPROVING AND AUTHORIZING THE EXECUTION OF THE MUNICIPAL GROUP AGREEMENT WITH ECONSULT SOLUTIONS, INC

WHEREAS, the Township of West Caldwell entered into the Municipal Shared Services Defense Agreement (“MSSDA”) for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action (“Litigation”) that was filed in accordance with In the Matter of the Adoption of N J A C 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”); and

WHEREAS, the MSSDA identified Dr Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained to prepare an expert report (the “Burchell Report”); and

WHEREAS, the Township of West Caldwell contributed \$2,000 to become a member of a consortium of municipalities (hereinafter “Municipal Group”) so that the Municipal Group could enter into an agreement with Rutgers University (hereinafter “Research Agreement”) for the purpose of having Dr Burchell prepare a fair share report (hereinafter “Burchell Report”); and

WHEREAS, Dr Burchell became ill and was unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA required a modification to allow the Municipal Group to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA (“Amendment”) was prepared to effectuate the modification, and said Amendment was entered into by the Township of West Caldwell; and

WHEREAS, the Amendment authorized the execution of an agreement with Econsult Solutions, Inc (“ESI”) to replace Dr Burchell and Rutgers, and to prepared its own revised report; and

WHEREAS, ESI prepared a revised report entitled “New Jersey Affordable Housing Need and Obligations”, dated December 30, 2015 (the “Solutions Report”), for the Municipal Group; and

WHEREAS, the MSSDA as amended, entitled Members of the Municipal Group to retain ESI to testify about the Solutions Report and for related issues; and

WHEREAS, any Member of the Municipal Group could retain ESI (i) individually, (ii) as part of a local consortium consisting of other municipalities under the vicinage of any particular judge presiding over Mount Laurel matters or (iii) both individually and as part of a local consortium; and

WHEREAS, an Agreement was prepared so that municipalities in the Municipal Group in the same vicinage could form a mini-consortium (the “Local Municipal Group”) to retain ESI collectively to testify about their common interests in the Revised Report (the “Local Municipal Group Agreement”), which is attached hereto Exhibit A and incorporated herein as if set forth at length; and

WHEREAS, the Local Municipal Group Agreement contemplates the appointment of a contact person for the Local Municipal Group (the “Administrator”); and

WHEREAS, the Township of West Caldwell Planner has recommended; and the Mayor and Council has determined that it is the most cost effective option and in the best interests of the citizens of the Township of West Caldwell to become a part of the Local Municipal Group and to authorize the Administrator of the Local Municipal Group to enter into the Local Municipal Group Agreement

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

1. the Township of West Caldwell hereby joins the Local Municipal Group
2. the Township of West Caldwell hereby agrees to the terms and conditions of the Local Municipal Group Agreement, which is attached hereto as Exhibit A, including all of the rates and direct costs of retaining ESI described therein
3. the Township of West Caldwell hereby authorizes the Administrator of the Local Municipal Group, once appointed, to execute the Local Municipal Group Agreement on behalf of the Township of West Caldwell
4. this Resolution shall take effect immediately

No 16-137
By: Mr Wolsky

SUBJECT: RESOLUTION – AMEND THE ADOPTED BUDGET FOR ADDITIONAL ITEMS OF REVENUE AND OFFSETTING APPROPRIATION (CHAPTER 159)

WHEREAS, N J S A 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

MAY 3, 2016

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund budget of the year 2016 in the sum of\$34,285 53, which item is now available as revenue from:

State of New Jersey
Solid Waste Administration
Recycling Tonnage

BE IT FURTHER RESOLVED that a like sum of\$34,285 53 and the same is hereby appropriated in the Current Fund under the caption of:

State of New Jersey
Solid Waste Administration
Recycling Tonnage

BE IT FURTHER RESOLVED that the Chief Financial Officer is directed to report this action to the Director of the Division of Local Government Services

No 16-138
By: Mrs Canale

SUBJECT: RESOLUTION - AUTHORIZING AMENDING THE BOARD OF HEALTH FEES

WHEREAS, the West Caldwell Board of Health passed miscellaneous fees at the Board of Health meeting November 13, 2014 and

WHEREAS, all Township fees must be approved by the Governing Body of the Township of West Caldwell

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of West Caldwell amends the Board of Health Fees in accordance with the following:

BH:6-4FEES

The fees for licenses and certificates under this chapter shall be as follows:

- a *Retail Food Establishments*
 - 1 More than twenty thousand (20,000) square feet: one hundred fifty (\$150 00) dollars
 - 2 Less than twenty thousand (20,000) square feet:sixty (\$60 00) dollars
 - 3 Packaged candy:thirty (\$30 00) dollars
- b Mobile food vending:fifty (\$50 00) dollars
- c Temporary retail food establishments:thirty (\$30 00) dollars
- d *Food Handler's Certificate* Application for a food handler's certificate shall be made to the Board of Health which shall contain the following information: The name and address of the applicant and place of his present or prospective employment A history of any contagious or infectious diseases (if any), and such other information as the Board of Health may require A fee of twelve (\$12 00) dollars shall be paid upon the filing of said application of which two (\$2 00) dollars shall be retained by the Board of Health and ten (\$10 00) dollars shall be paid to the Essex County Vocational School
- e *Food and Beverage Vending Machines* The annual license fee to engage in the business shall be twenty-five (\$25 00) dollars for all types of food and beverage vending machines However, where any of the following are vended by machine, there shall be an additional annual fee of fifteen (\$15 00) dollars for each machine vending the following: bulk soft drinks, bulk food products, bottled or bulk milk, soup, coffee, hot cocoa or chocolate, fruit juices, cake, pastry, pie, buttered popcorn, sandwiches and ice cream (1993 Code §§ 232-4, 230-4; BH Ord 8/4/76;BH Ord 7/6/83; BH Ord 6/16/93;)

No 16-139
By: Mr Wolsky

SUBJECT: RESOLUTION - AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS IN THE MUNICIPAL COURT GENERAL ACCOUNT

WHEREAS, there exists outstanding checks on the Municipal Court General 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 General Account checks in the total amount of\$5 00 be and are hereby cancelled:

DATE	CHECK#	ISSUED TO	AMOUNT
11/6/2014	360	Marc D McDonald	\$5 00

MAY 3, 2016

No 16-140
By: Mr Hladik

SUBJECT: RESOLUTION - AUTHORIZING THE PROCESS AND PROCEDURES FOR THE CERTIFICATION OF AGE-RESTRICTED CONDOS AND/OR APARTMENT UNITS

WHEREAS, within the Township of West Caldwell, there may be age-restricted condominiums and/or rental apartment units Consistent with applicable law and guiding agreements (e g , a developer’s agreement), the property owner, property manager or other identified responsible party must certify that those age-restricted units are occupied by at least one (1) person fifty-five (55) years of age or older and that no children under the age of eighteen (18) years of age are permanent residents

WHEREAS, the Township desires to establish a process and procedure to ensure that the age-restricted units are lawfully occupied and said process and procedure are outlined in the attached documents;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell, hereby approves the attached process and procedures

Process/Procedures for the Certification of Age-Restricted Condominium and/or Rental Apartment Units

Within the Township of West Caldwell (the “Township”), there may be age-restricted condominium and/or rental apartment units Consistent with applicable law and guiding agreements (e g , a developer’s agreement), the property owner, property manager or other identified responsible party (the “Responsible Party”) must certify that those age-restricted units are occupied by at least one (1) person fifty-five (55) years of age or older and that no children under the age of eighteen (18) years of age are permanent residents

It is the Responsible Party’s obligation to provide a list of all age-restricted units to the Township Clerk Twice per year, on or before May 1 and September 1, annually, the Responsible Party must have the Age-Restricted Unit Certification Form and corresponding Proof of Age documentation completed and submitted to the Township Clerk Proof of Age documentation shall consist of any federal, state, or municipal government-issued identification that includes the date of birth, e g , a driver’s license, a formally issued identification card or a birth certificate

Failure to comply with the Process/Procedures for the Certification of Age-Restricted Condominium and/or Rental Apartment Units will result in the Township pursuing all remedies available pursuant to a guiding agreement (a developer’s agreement) and/or applicable law

Age-Restricted Unit Certification Form

Name of Occupant (1): _____

Name of Occupant (2): _____

Names of Additional Occupants: _____

Address of Unit: _____

West Caldwell, NJ 07006

The identified occupant(s) is (are) the principal resident(s) of the property listed above and he/she is fifty-five (55) years of age or older If no, provide explanation below

(Yes) _____

(No) _____

Certification of Occupant: I certify that the above information is true and accurate and that no children under the age of eighteen (18) years are permanent residents at the address listed above

Signature of Occupant (1)

Date

Signature of Occupant (2)

Date

Certification of Responsible Party: I certify that the above information is true and accurate

Signature of Responsible Party (property owner or manager)

Date

In accordance with Township policy, along with Proof of Age documentation, which shall consist of any federal, state, or municipal government-issued identification that includes the date of birth, e g , a driver’s license, a formally issued identification card or a birth certificate, this form must be submitted, annually, twice per year, on or before May 1 and September 1

MAY 3, 2016

No 16-141
By: Mr Hladik

SUBJECT: RESOLUTION – AUTHORIZING HSA JAMES CALDWELL HIGH SCHOOL ON PREMISE 50/50 RAFFLE, JUNE 9, 2016, LICENSE NO 387, ID NO 535-5-30031

WHEREAS, HSA James Caldwell High School has submitted a Raffle License Application No RA 387, ID No 535-5-30031 for an on premise 50/50 raffle to be held June 9, 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 387; 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 16-142
By: Mr Hladik

SUBJECT: RESOLUTION – LYNDA S KORFMANN AS LAND USE ADMINISTRATOR (SECRETARY TO THE PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT) FOR THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell desires to appoint a Land Use Administrator (Secretary to the Planning Board and Zoning Board of Adjustment); and

WHEREAS, Lynda S Korfmann, 22 White Oak Drive, North Caldwell, NJ 07006, is willing and able to serve as the Land Use Administrator (Secretary to the Planning Board and Zoning Board of Adjustment) 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. Lynda S Korfmann is appointed as Land Use Administrator (Secretary to the Planning Board and Zoning Board of Adjustment); effective May 2, 2016, at a salary of \$45,000, 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 16-143
By: Mr Hladik

SUBJECT: RESOLUTION – AUTHORIZING UNICO ORANGE WEST ORANGE NONDRAW RAFFLES, MAY 19, 20, 21 AND 22, 2016, LICENSE NO 388, ID NO 542-4-26417

WHEREAS, UNICO Orange West Orange has submitted a Raffle License Application No RA 388, ID No 535-5-30031 for nondraw raffles to be held May 19, 20, 21, and 22, 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 388; 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 16-144
By: Mr Hladik

SUBJECT: RESOLUTION – AUTHORIZING LISA B FISHMAN FOUNDATION OFF PREMISE MERCHANDISE RAFFLE, JULY 14, 2016, LICENSE NO 389, ID NO 319-4-36851

WHEREAS, Lisa B Fishman Foundation has submitted a Raffle License Application No RA 389, ID No 319-4-36851, for an off-premise merchandise raffle to be held on July 14, 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 389; 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

MAY 3, 2016

No 16-145
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 LotQual	<u>Owner Name</u>	<u>Amount</u>	<u>Year</u>	<u>Reason</u>
2900 61	Gemmel, Elise N		\$ 77,117 03	2012 9
TTL #12-00010	19 Dana Place		<u>\$ 47,000 00</u>	Premium
			\$124,117 03	

Check Payable to: US Bank Cust for Pro Cap III
US Bank TLSG
50 S 16th Street, Suite 1950
Philadelphia, PA 19102

TOTAL TTL Redemption:\$124,117 03

No 16-146
By: Mr Hladik

SUBJECT: RESOLUTION – AUTHORIZING APPROVAL OF AN APPLICATION BY UNICO ORANGE WEST ORANGE TO CONDUCT A CARNIVAL IN THE TOWNSHIP OF WEST CALDWELL

WHEREAS, a request has been received from UNICO Orange West Orange, 300 Executive Drive, Suite 200, West Orange, NJ 07052 to conduct a carnival in the Township of West Caldwell for fundraising activities on the dates and times listed below:

- May 19, 2106 6 pm to 10 pm
- May 20, 2016 6 pm to 10 pm
- May 21, 2016 1 pm to 10 pm
- May 22, 2016 1 pm to 8 pm

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Caldwell, that permission is hereby granted for UNICO Orange West Orange to conduct a carnival on the dates and times mentioned above at 21 Henderson Drive, West Caldwell, subject to compliance with the requirements of Township Officials, including but not limited to the Chief of Police, Construction Official, Health Officer and Fire Prevention Official

1. This Resolution shall constitute a license to conduct a Carnival in accordance with the application submitted by UNICO Orange West Orange, subject to an agreement between LTS Inc and the Township of West Caldwell
2. UNICO Orange West Orange shall be exempt from 7-10 2 (charitable organization) requirement

No 16-147
By: Mr Hladik

SUBJECT: RESOLUTION – AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN 106 KNOLL TERRACE AND THE TOWNSHIP OF WEST CALDWELL

MAY 3, 2016

WHEREAS, Victor Castaneda and Jennine Michaud, 106 Knoll Terrace, West Caldwell, desire to improve the drainage on their property and subsequently, the property of the residents of Knoll Terrace in regards to water accumulation and flooding conditions; and;

WHEREAS, the Governing Body authorizes the agreement between Mr Castaneda and Ms Machaud for the purposes of improving the drainage on their property; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of West Caldwell, hereby approves the execution of the attached agreement; and,

AGREEMENT

THIS AGREEMENT made on the date or dates set forth below by, between and among:

The **Township of West Caldwell**, a municipal corporation of the State of New Jersey, with its governmental offices located at 30 Clinton Road, West Caldwell, NJ 07006, New Jersey (referred to as the "Township"); and

Victor Castaneda and Jennine Michaud, who reside and have a notice address for the purposes of this Agreement at 106 Knoll Terrace, West Caldwell, Essex County, New Jersey 07006 (referred to as the "Owners")

RECITALS

WHEREAS, the Owners are the owners and holders of title in fee simple of the land commonly known and designated as 106 Knoll Terrace, in the Township of West Caldwell, in the County of Essex and the State of New Jersey 07006, which land is identified on the official tax maps of the Township as Block 3301, Lot 20 (referred to as the 'Property'), which Property is as shown, described in, depicted or delineated in the documents set forth in the attached Schedule A; and

WHEREAS, the Owners notified the Township about certain stormwater drainage problems that the Owners have observed and that the Owners maintain adversely and materially affect the Property and adversely and materially affect the health, safety and welfare of the residents of the Knoll Terrace neighborhood and the public including, but not limited to, water accumulation and flooding conditions that arise and are experienced during significant rainfall events; and

WHEREAS, in conjunction with the aforementioned notification by the Owners and to carefully consider the public health, safety and welfare, the Mayor and Council (referred to as the 'Governing Body') arranged for statements made by the Owners to be carefully studied, reviewed and evaluated by the Township Administrator in consultation with the Township Engineer and Township staff (collectively referred to as the "Township's Professionals and Staff"); and

WHEREAS, after the aforementioned study, review and evaluation by the Township's Professionals and Staff, the Township's Professionals and Staff have suggested that certain improvements to the stormwater drainage system in the Knoll Terrace neighborhood may serve to improve and ameliorate certain existing stormwater drainage conditions and to benefit the public health, safety and welfare; and

WHEREAS, in conjunction with the aforementioned study, review and evaluation, the Township Engineer has suggested to the Governing Body that a modification of the stormwater drainage system in the Knoll Terrace neighborhood, as set forth in in the plans, reports, surveys, maps and other documents that are delineated at or attached to as Schedule B, which Schedule B is incorporated into this Agreement by reference as if fully delineated herein (collectively referred to as the "Plans") may serve to improve the stormwater drainage circumstances and to benefit the public health, safety and welfare; and

WHEREAS, the proposed modification to the stormwater drainage system in the Knoll Terrace neighborhood, as delineated in the Plans, is collectively referred to as the "Stormwater Mod Plans") and includes the installation of approximately 275 +/- linear feet of 6" PVC pipe and 1 unit, Type "B" inlet; and

WHEREAS, the Owners acknowledge, understand and agree that the Township maintains that the Township is under no obligation to undertake and complete the Stormwater Modification Plans; and

WHEREAS, the Owners further acknowledge, understand and agree that the Township will not and the Township cannot expend funds to improve private property; and

WHEREAS, the Governing Body has carefully considered the aforementioned attendant circumstances, the claims by the Owners with regard to the effect of certain conditions on their Property (referred to as the "Owners' Claims") and the comments of the Township's Professionals and Staff; and

WHEREAS, the Owners have voluntarily offered and agreed to contribute the sum of Six Thousand and 00/100 Dollars (\$6,000 00) towards the costs of the implementation of the Stormwater Modification Plans (referred to as the "Owners' Contribution") with the further understanding and agreement that the Owners will waive, relinquish and surrender any and all claims, in the past, now and the future, that the Owners may have against or with the Township regarding any and all matters as of the date of this Agreement including, but not limited to, the aforementioned stormwater drainage system and the attendant actual or claimed conditions ; and

WHEREAS, the Governing Body, has determined that it is in the best interests of the Township to amicably resolve the Owner's Claims pursuant to and in accordance with the terms and conditions of this Agreement and in conjunction with the Stormwater Modification Plans that may serve and benefit the public health, safety and welfare

NOW THEREFORE, in consideration of mutual promises bargained for and exchanged by and between the Township and the Owners and for one dollar (\$1 00) in hand paid by each party to this Agreement to each other party to this Agreement which delivery of such payment is hereby acknowledged and for further good and valuable consideration, the Township and the Owners hereby agree to fully settle and resolve the Owners' Claims in accordance with the terms and conditions set forth in this Agreement

1 Recitals The statements and definitions set forth in the preceding paragraphs following the caption "RECITALS" including, but not limited to, each of which paragraphs begins with the word "WHEREAS," are true accurate and complete and which statements are incorporated into this Agreement by

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reference, as if fully delineated herein

2 **Stormwater Modification Plans** The Township will arrange to undertake and to complete the modification to the stormwater drainage system in the Knoll Terrace neighborhood as delineated in the Stormwater Modification Plans (referred to as the "Work") at the cost and expense of the Township and subject to the Owners' Contribution. The Township will undertake the Work in a good faith and diligent manner in accordance with applicable laws including, but not limited to, any and all laws applicable to any required bidding, budgetary and/or funding matters and procedures

3 **Owners' Contribution** Upon the execution and exchange of this Agreement, the Owners will deliver the Owners' Contribution by a check made payable to the Township of West Caldwell

4 **No Representations - No Warranties** The Township and the Owners understand, acknowledge and agree that the Township makes no representations to the Owners, and that the Township makes no warranties to the Owners regarding the condition or quality of service regarding stormwater drainage in the Knoll Terrace neighborhood in regard to Stormwater Modification Plans and with regard to the completion of the Work including, but not limited to, the effect, if any, on the drainage conditions of the Property of the Owners or any other affected property. The Owners acknowledge and confirm that the

Township has not made any representations and has not made any warranties to the Owners and that the Owners are proceeding with this Agreement at their own risk

5. **Connection to Stormwater Drainage System by the Owners**

(a) **No Township Responsibility** The Owners acknowledge and confirm that the Stormwater Modification Plans and the Work do not include, do not intend to include and are not to be construed to include any obligation, undertaking or promise by the Township to: design or arrange for or install a connection of the Owner's Property into or with the stormwater drainage system; or for the Township to pay for or to contribute payment for such connection; or for any other arrangement to provide stormwater drainage service to the Owners' Property

(b) **Required Connection Approvals** It is further understood, acknowledged and agreed that if the Owners decide to connect into the stormwater drainage system, the Owners are obligated to make the appropriate applications for any and all permits and approvals required by applicable laws and as may be required by any governmental entities or agencies having jurisdiction in such matters at the cost and expense of the Owners (referred to as the "Required Connection Approvals")

(c) **Costs** It is further understood, acknowledged and agreed that if the Owners obtain the Required Connection Approvals, the Owners will be responsible for the costs involved in arranging for and performing any and all work that is necessary or appropriate to connect into the stormwater drainage system in accordance with applicable laws. It is further understood and agreed that the Owners' Contribution is not to be applied to, is not intended to be applied to and is not to be construed to be applied to the aforementioned costs to connect into the stormwater drainage system

6. **Release** The Owners agree that, in exchange of the mutual promises bargained for and exchanged and for other good and valuable consideration as set forth in this Agreement, this Agreement serves to Agreement and related to or arising out of the circumstances set forth in this Agreement, now and forever confirm that this Agreement: is in full resolution of any and all past, current and future claims of the Owners, jointly and severally, against or with the Township including, but not limited to, any and all the claims, action, remedies, demands, disputes, accounts, costs, expenses, damages, known or unknown, related to or arising out of the circumstances set forth in this Agreement, now and forever (collectively referred to as "any and all claims"); and constitutes and memorializes the release, surrender and waiver by the Owners, jointly and severally, of any and all the claims

7. **Binding Effect** This Agreement is binding upon the Township and the Owners and each of the Township's and the Owners' agents, representatives, principals, employees, servants, administrators, trustees, fiduciaries, successors and assigns. This Agreement inures to the benefit of the Township and the Owners and each of the Township's and the Owners' agents, representatives, principals, employees, servants, administrators, trustees, fiduciaries, successors and assigns

8. **Reliance** The Owners understand, acknowledge, and confirm that the Township is relying upon the terms of this Agreement to its detriment. The Owners represent and warrant to the Owners that the Owners have no other claim, action, cause of action, demand, dispute, debt, lien, obligation, account, cost, expense, loss, damage or remedy in law or in equity against or with any or all of the Township

9. **No Admission, Acknowledgement or Proof** The Owners acknowledge and confirm that this Agreement is not evidence of and does not constitute, by the Township, of an admission, acknowledgement or proof of any claim made by the Owners against the Township

10. **No Recording** The Owners will not record or file this Agreement with any clerk, register or other governmental entity, agency or Court without the prior written consent of the Township, which consent may be withheld in the discretion of each of the Township

11. **Notices** Any notice under this Agreement must be in writing to a party at the address set forth in this Agreement; as such address may be revised upon notice to the other party

12. **Governing Law** This Agreement is governed by the laws of the State of New Jersey. Any claim, dispute, with the laws of the State of New Jersey in a court of competent jurisdiction in

MAY 3, 2016

- the State of New Jersey
13. Fair Agreement The Township and the Owners acknowledge and confirm that: (1) the terms of this Agreement are the result of negotiations by and between the parties; and (2) the terms of this Agreement are fair and are not the result of any duress or coercion; and (3) the Owners are represented by and/or have consulted with and/or have had a reasonable opportunity to consult with an attorney at law of the State of New Jersey of the Owners choosing prior to the execution and delivery of this Agreement; and (4) the Owners have each carefully read this Agreement and fully understand the statements and terms set forth in this Agreement prior to executing and delivering this Agreement

The Township and the Owners hereby agree to the terms and conditions of this Agreement by signing this Agreement by a person authorized to execute and deliver same on its, his or her behalf on the date of dates set forth below

No 16-148
By: Mr Hladik

SUBJECT: RESOLUTION – AUTHORIZING VERO AMICI FOR CHARITY OFF PREMISE 50/50 RAFFLE, MAY 22, 2016, LICENSE NO 390, ID NO 535-4-37081

WHEREAS, Vero Amici for Charity has submitted a Raffle License Application No 390, ID No 535-4-37081 for an off premise 50/50 raffle to be held on May 22, 2016;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell, hereby approves Raffle License Application No 390; 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 16-149
By: Mr Hladik

SUBJECT: RESOLUTION – AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LTS LOHMANN THERAPY SYSTEMS, CORP AND THE TOWNSHIP OF WEST CALDWELL

WHEREAS, there exists a need for the Township to obtain parking and open space in conjunction with the Township’s recreational and other activities; and

WHEREAS, LTS, Inc 15 Henderson Drive, West Caldwell desires to allow the Township to use the property located at 15 Henderson Drive (the "Property") for use on weekday evenings and during weekend days and evenings for said recreational and other activities as enumerated in the attached agreement; and

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

1. All Township officials are hereby authorized and directed to take any and all action necessary and appropriate to effectuate the terms of this Resolution; and

No 16-150
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 that such

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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:

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 be required by the Open Public Meetings Act

Administrator Brewer reported on the closed item sessions

1. Personnel
2. Potential litigation – tax appeal

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 be required by the Open Public Meetings Act

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

Upon the vote being polled, Councilmen Cecere, Hladik, Wolsky, Docteroff and Councilwoman Canale voted in the affirmative, except that Councilman Wolsky abstained resolution number 16-144

Mayor Tempesta welcomed Lynda Korfmann as the new Land Use Administrator

Bob Masella in the Recreation Department announced an upcoming carnival, sponsored by charities, to be held on Henderson Drive on May 19-22 Mr Masella invited all to come and enjoy themselves Mayor Tempesta reminded everyone that there will be on parking on one side of Henderson Drive

COMMITTEE REPORTS:

PUBLIC SAFETY:

There was no report

LEGAL AND PERSONNEL:

Councilman Hladik asked Clerk Donovan to read the following ordinance

MAY 3, 2016

The Township Clerk read the title of an Ordinance No 1784 entitled “AN ORDINANCE ESTABLISHING AND CREATING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE TOWNSHIP OF WEST CALDWELL, ESTABLISHING THE GRADES OF SUCH OFFICES AND EMPLOYMENTS AND FIXING THE SALARY, WAGE OR COMPENSATION TO BE PAID TO THE PERSONS HOLDING SUCH OFFICES OR POSITIONS, REPEALING PRIOR ORDINANCES”

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, AND THE STATE OF NEW JERSEY, AS FOLLOWS

EMPLOYEE TITLE	MINIMUM	MAXIMUM
Accounts Payable Clerk	\$26,000 00	\$39,000 00
Administrator	\$ 84,048 00	\$126,072 00
Assistant Administrator	\$ 10,000 00	\$25,000 00
Assistant Mechanic	\$ 46,945 00	\$70,418 00
Assistant Prosecutor	\$ 2,553 00	\$3,830 40
Assistant Recreation Director	\$ 37,684 00	\$56,526 00
Athletic Program Supervisor	\$ 21 78	\$ 32 68
Building Subcode Official	\$32 64	\$ 48 96
Certified Public Works Manager License for Individual not Appointed	\$2,000 00	\$2,000 00
Chief Finance Officer/Treasurer	\$56,896 00	\$85,344 00
Chief Mechanic	\$61,045 00	\$91,569 00
Clerk	\$48,768 00	\$73,152 00
Construction Code Official/Electric Subcode Official	\$82,000 00	\$ 123,000 00
Council	\$5,000 00	\$6,000 00
Council President	\$5,500 00	\$6,600 00
Court Administrator	\$ 42,840 00	\$64,260 00
Court Attendant	\$90 00 per session	\$90 00 per session
Crossing Guard	\$6,028 00	\$18,363 60
Deputy Court Administrator	\$20 00	\$ 30 00
Deputy Court Administrator	\$36,400 00	\$54,600 00
Deputy Emergency Management Coordinator	\$1,000 00	\$3,600 00
Dispatcher	\$23,520 00	\$48,295 80
Emergency Management Coordinator	\$3,000 00	\$10,800 00
Facilities Manager	\$64,310 00	\$97,708 00
Fire Chief - Step 1	\$5,000 00	\$5,999 00
Fire Chief - Step 2	\$ 6,000 00	\$6,499 00
Fire Chief - Step 3	\$ 6,500 00	\$7,000 00
Fire Inspector	\$ 28,364 00	\$42,546 00
Fire Subcode Official/Fire Official	\$ 62,580 00	\$93,872 00
General Clerical	\$ 8 25	\$ 14 00
Health Inspector	\$ 28 00	\$ 42 00
Health Officer	\$ 83,232 00	\$ 110,949 00
Health Officer - Montville	\$ 10,000 00	\$10,000 00
Human Resources Coordinator/Payroll Clerk	\$ 36,000 00	\$54,000 00
Intern	\$ 8 25	\$ 10 50
Judge	\$ 22,032 00	\$33,048 00
Laborer (Pools, B&G, Recreation, DPW, Water)	\$ 7 25	\$ 15 25
Land Use Administrator	\$ 32,512 00	\$48,768 00
Lifeguard	\$ 7 25	\$ 13 50
Maintenance Man	\$ 40,000 00	\$70,670 40
Maintenance Man/Custodian	\$ 15 00	\$ 25 00
Mayor	\$ 6,000 00	\$6,000 00
Mechanic	\$ 46,343 00	\$69,515 00
Municipal Housing Liaison	\$ 5,000 00	\$15,000 00
Planning Board Engineer	\$ 13,680 00	\$17,520 00
Playground Coordinator	\$ 13 50	\$ 27 75
Playground Assistant Coordinator	\$ 7 25	\$ 31 50
Playground Assistant Director	\$ 7 25	\$ 12 00

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Playground Assistant Leader	\$ 7 25	\$ 9 00
Playground Site Director	\$ 13 50	\$ 27 75
Playground Assistant Site Director	\$ 9 50	\$ 21 00
Plumbing Subcode Official	\$ 32 64	\$ 48 96
Police Captain	\$112,194 00	\$ 168,290 00
Police Chief	\$113,104 00	\$ 169,656 00
Pool Door Attendant	\$ 7 25	\$ 10 50
Pool Manager	\$ 4,560 00	\$10,085 00
Pool Assistant Manager	\$ 3,600 00	\$8,575 00
Prosecutor	\$ 15,912 00	\$23,868 00
Public Defender	\$ 1,375 00	\$2,060 40
Public Defender/Tax Attorney	\$ 4,080 00	\$6,120 00
Public Health Nurse	\$ 25 00	\$ 42 00
Public Works Specialist	\$ 51,226 00	\$78,070 00
Qualified Purchasing Agent	\$ 10,000 00	\$20,000 00
Recreation Coach	\$120 per season	\$270 per season
Recreation Director	\$ 60,869 00	\$92,764 00
Recreation Leader	\$ 7 25	\$ 12 00
Recreation Specialist	\$ 7 25	\$ 31 50
Recycling Coordinator	\$ 2,880 00	\$4,320 00
Registered Environmental Health Specialist	\$ 30,552 00	\$51,950 00
Registrar	\$ 1,920 00	\$2,880 00
Safety Coordinator	\$ 5,000 00	\$6,000 00
Secretary	\$ 24,309 00	\$75,469 00
Sports Official I - Per ASA Guidelines	\$26 00/game	\$75 00/game
Sports Official II	\$ 7 25	\$ 13 50
Sports Scorer	\$ 7 25	\$ 9 00
Superintendent of Public Works	\$ 64,159 00	\$97,767 00
Supervising Maintenance Man/Specialist	\$ 52,800 00	\$87,000 00
Swim Team Coach	\$400 per season	\$2,160 per season
Swim Team Assistant Coach	\$240 per season	\$1,190 per season
Tax Assessor	\$ 37,650 00	\$69,383 00
Tax Attorney	\$ 2,788 00	\$4,601 00
Tax Cashier	\$ 29,845 00	\$44,770 00
Tax Collector	\$ 11,920 00	\$60,500 00
Technical Assistant to the Construction Official	\$ 44,000 00	\$66,000 00
Tot Lot Site Director	\$ 13 50	\$ 27 75
Tot Lot Assistant Site Director	\$ 9 50	\$ 21 00
Violations Clerk	\$ 37,345 00	\$56,020 00
Water Cashier	\$ 28,364 00	\$42,546 00
Water Foreman	\$ 57,220 00	\$85,831 00
Water License Stipend - C-1/W-1 License - 2% of Salary	\$ 800 00	\$1,717 00
Water License Stipend - C-2/W-2 License - 4% of Salary	\$ 2,500 00	\$3,434 00
Water Appointed Operator with C-2/W-2 License - 8% of Salary	\$ 3,000 00	\$6,867 00
Water Maintenance Man	\$ 40,000 00	\$71,055 00
Zoning Officer	\$ 24 00	\$ 33 00

It was regularly moved by Councilman Hladik, seconded by Council President Cecere 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 17, 2016

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

Councilman Hladik reported on the following:

1. There will be a Library Board meeting on May 11 at 7 pm The public is invited
2. There was a Board of Education meeting on May 2 and the Board passed their 2016 budget There will be an increase of 3 5% for residents
3. There is a 5K on May 21 for Caldwell/West Caldwell Board of Education Foundation

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There was a discussion on where the July 4th fireworks would be Councilwoman Canale indicated that the fireworks would be on upper or lower field because of the work being done

FINANCE:

There was no report

PUBLIC WORKS:

Councilman Docteroff reported on the following:

1. A total of eight streets were milled and paved Washington Avenue and Orton Road will be paved after school is out for summer
2. Pools are being prepared for the summer season
3. There was a bid opening for solid waste collection with one bidder Cali Carting won the bid and a five year contract was agreed on by the Council
4. There will be the fishing derby at Camp Wyanokie on June 25, 2016 All are invited

PARKS AND RECREATION:

Councilwoman Canale reported on the following:

1. There is a Board of Health meeting on May 4 at 7 pm
2. The Recreation department announced that the fireworks will be taking place on July 4th at the high school The place is not set yet; it may be one of two fields
3. The May 30 Memorial Day parade will step off at 9:30 am in Caldwell There is still time to register to walk in the parade

TECHNOLOGY AND SHARED SERVICES:

Council President Cecere stated in Councilman Crudele's absence, there was no report

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

Clerk Donovan stated that the deadline for registering and transferring to vote is on May 17 The office will be open until 9 pm The deadline is May 31 for the mail in ballot

MAYOR'S REPORT:

Mayor Tempesta reported on the Cali Carting contract agreed on for five years Mayor Tempesta also reported on the Mayors' conference in Atlantic City that he attended and the Abbott districting balance that Mayor Tempesta was advocating for on behalf of the municipalities

There was a discussion on the district funding by Council

INVITATION TO CITIZENS FOR DISCUSSION:

There were no comments

ADJOURNMENT TO CLOSED EXECUTIVE SESSION:

Mayor Tempesta stated that the Council reserves the right to come out of closed session and vote on any matters

On the motion of Council President Cecere, seconded by Councilman Hladik, the meeting adjourned at 7:50 pm to Closed Session

MAY 3, 2016

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

On the motion of Councilman Wolsky, seconded by Councilman Docteroff, the meeting reconvened to open session at 8:05 p m

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

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

No 16-151
By: Mr Wolsky

SUBJECT: RESOLUTION - AUTHORIZING SETTLEMENT OF 2011-2015 TAX APPEAL – CODIROLI FAMILY ENTERPRISES V TOWNSHIP OF WEST CALDWELL, BLOCK 1402, LOT 7, 29-31 FAIRFIELD PLACE

WHEREAS, an appeal of the real property tax assessment for tax years 2011 to 2015, involving Block 1402, Lot 7, 29-31 Fairfield Place; and

WHEREAS, the proposed settlement agreement has been reviewed and recommended by the Township Tax Assessor; and

WHEREAS, settlement of said matter is more fully set forth below is in the best interest of the Township of West Caldwell

NOW, THEREFORE, BE IT RESOLVED, by the Township of West Caldwell, New Jersey, as follows:

- 1. Settlement of the 2011-2015 tax appeal is hereby authorized as follows:

Block 1402, Lot 7, 29-31 Fairfield Place

Appeal Year	Original Assessment	Proposed Assessment	Decrease in Assessment	Decrease in Taxes
2011	1,627,100	1,527,100	(100,000)	\$2,190 00
2012	1,627,100	1,527,100	(100,000)	\$2,194 00
2013	1,627,100	1,527,100	(100,000)	\$2,257 00
2014	1,627,100	1,527,100	(100,000)	\$2,305 00
2015	1,627,100	1,527,100	(100,000)	\$2,334 00
Totals	8,135,500	7,635,500	(500,000)	\$11,280 00

- 2 All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provider by Taxpayer

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

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

ADJOURNMENT

There being no further business before the Council, on a motion from Councilman Hladik and a second by Councilman Docteroff, the meeting adjourned at 8:07 pm All were in favor

Mary S Donovan
Township Clerk