

**TOWNSHIP OF WEST CALDWELL  
PUBLIC MEETING MINUTES**

**August 16, 2016**

A Regular Meeting of the West Caldwell Mayor and Council, in the County of Essex, New Jersey, was held in the Public Meeting Room, 30 Clinton Road, West Caldwell, New Jersey, on Tuesday, August 16, 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, and Councilwoman Canale.

**ABSENT:** Councilman Crudele

**OTHERS PRESENT:** Adam W. Brewer, Business Administrator  
Mary S. Donovan, Municipal Clerk  
Paul G. Jemas, Esq., Municipal Attorney  
Chief Gerard Paris  
Sue Hands, Liaison, County of Essex

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

Council President Cecere asked for guidance for the council and for the newest members of the West Caldwell Volunteer Fire Department.

**COMMUNICATIONS:**

- A-1 A communication from Nikole Monroig, Chief Financial Officer, certifying funds are available under the 2016 Budget of Appropriations – August Schedule; further certifying that there will be no over-expenditures of any line item in the Budget as a result of this schedule.
- A-2 A communication from Nikole Monroig, Chief Financial Officer, certifying funds are available for resolution number 16-214.
- A-3 A communication from Nikole Monroig, Chief Financial Officer, certifying funds are available for resolution number 16-217.
- A-4 A communication from Nikole Monroig, Chief Financial Officer, certifying funds are available for resolution number 16-223.

All 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, and Councilwoman Canale voted in the affirmative.

**SCHEDULE OF BILLS ORDERED PAID**

	<u>Checks</u>	<u>Amount</u>
CURRENT ACCOUNT – VALLEY NATIONAL BANK	5359-5497	\$7,973,799.50
WATER OPERATING ACCOUNT- VALLEY NATIONAL BANK	9750-9780	\$225,259.93
POOL UTILITY ACCOUNT	2704-2723	\$109,110.57

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GENERAL CAPITAL ACCOUNT	2557-2564	\$475,426.76
WATER CAPITAL	8115-8118	\$33,308.23
GENERAL TRUST – VALLEY NATIONAL BANK	5520-5545	\$24,772.91
DOG TRUST	1587	\$33.00
PUBLIC ASSISTANCE TRUST 1	1001-1002	\$2,000.00
DEVELOPER’S TRUST	363-374	\$41,673.35

**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, July 12, 2016 be approved.

Upon the vote being polled, Councilmen Cecere, Hladik, Wolsky, Docteroff voted in the affirmative, with Councilwoman Canale, abstaining because of absence.

On the recommendation of Councilwoman Canale, seconded by Councilman Wolsky, it was regularly moved that the Minutes of the Special Meeting held on Tuesday, July 26, 2016 be approved.

Upon the vote being polled, Councilmen Cecere, Wolsky, Docteroff and Councilwoman Canale voted in the affirmative, with Councilman Hladik, abstaining because of absence.

**CONSENT AGENDA:**

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

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

No. 16-214  
By: Mr. Hladik

**SUBJECT: RESOLUTION – AUTHORIZING AWARD OF CONTRACT TO MSP CONSTRUCTION CORP., IN THE AMOUNT OF \$644,315.84 FOR THE EASTERN PARKWAY, PARKVIEW AVENUE AND DISTLER AVENUE WATER MAIN REPLACEMENT IN THE TOWNSHIP OF WEST CALDWELL.**

**WHEREAS**, the Township of West Caldwell (referred to as the “Township”) solicited bids for water main replacements to Eastern Parkway, Parkview Avenue and Distler Avenue in the Township (referred to as the “Project”) pursuant to a fair and open process in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Notice to Bidders and the Bid Documents have been reviewed by the Township governing body, the Township’s staff and the Township engineer, Maser Consulting, PA; and

**WHEREAS**, the Township received bids in response to the solicitation from eight (8) bidders on July 21, 2016; and

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**WHEREAS**, Maser Consulting, PA has recommended to the Mayor and Council that the Township award a contract to MSP Construction Corp., 126 Walnut Street, Newark, NJ 07105 for the Project in the amount of six hundred forty-four thousand, three hundred fifteen dollars and eighty-four cents (\$644,315.84);

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

**BE IT FURTHER RESOLVED**, that all Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution, the Bid Notice, the Bid Documents and applicable laws, as approved by the Township Attorney.

No. 16-215  
By: Mr. Hladik

**SUBJECT: RESOLUTION – AUTHORIZING THE EXECUTION OF A TENANT ESTOPPEL CERTIFICATE AND SUBORDINATION AGREEMENT WITH REGARD TO ESSEX VALLEY SCHOOL AND THE TOWNSHIP OF WEST CALDWELL.**

**WHEREAS**, on October 22, 2003, the Township of West Caldwell (referred to as the “Township”) entered into a lease (“Lease”) with Essex Valley School (“Landlord”) for use of a portion of the land known as One Henderson Drive, West Caldwell, (“Property”) whose premises include an athletic field; and

**WHEREAS**, the Lease commenced on October 22, 2003 and terminates on October 22, 2028; and,

**WHEREAS**, the Landlord has requested that the attached Tenant Estoppel Certificate and Subordination Agreement be executed in order for the Landlord to secure a mortgage loan on the property.

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

1. The Mayor and Council hereby approve of and hereby approve the Tenant Estoppel Certificate and Subordination Agreement concerning the property at One Henderson Drive, copies of which are attached hereto and incorporated herein by this reference, be approved.
2. 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. 16-216  
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 over \$5.00 |

<b>Block</b>	<b>Lot</b>	<b>Qual</b>	<b><u>Owner Name</u></b>	<b><u>Amount</u></b>	<b><u>Year</u></b>
309	3		Meirzon, Alan & Shannon	\$2,981.91	2016/3
	2		170 Fairfield Avenue		

**Make Check Payable to: Colonial Savings**

**c/o Lereta  
1123 Park View Drive  
Covina, CA 91724**

300	12		Johnson, Jason D. & Suzanne K. 28 Marshall Street West Caldwell, NJ 07006	\$2,483.37	2016/3	2
902	19		Wang, Henry & Kimiyo	\$2,959.73	2016/3	2

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1300	3	9 Fairmount Road Sohn, Young	\$2,728.33	2016/3	2
2400	1	801 Passaic Avenue Sievers, Daniel & Beth	\$2,411.79	2016/3	2
2804	1	1 Park Terrace Costa, Joao D Jr.	\$3,207.33	2016/3	2
		15 Ellis Road			

Total: \$11,307.18

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

Total Tax Refunds - \$16,772.46

Power Home Remodeling	\$ 30.00	2016	15
485 US Route 1			
Bldg C, Ste 400			
Iselin, NJ 08830			

Total Other Refunds \$ 30.00

GRAND TOTAL ALL REFUNDS: \$16,802.46

No. 16-217  
By: Mr. Docteroff

**SUBJECT: RESOLUTION – AUTHORIZING APPROVAL OF CHANGE ORDER #1 IN THE AMOUNT OF \$24,954.03 FOR THE FRANCINE AVENUE ROADWAY RECONSTRUCTION PROJECT FOR THE TOWNSHIP OF WEST CALDWELL.**

**WHEREAS**, the Governing Body of the Township of West Caldwell previously awarded the contract for the Francine Avenue Roadway Reconstruction Project to Midwest Construction, Inc. on April 5, 2016, in the amount of \$596,305.94 (the “Contract”); and

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

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

HMA MILLING (VARIABLE DEPTH)	\$ 1,652.00
HOT MIX ASPHALT, 9.5M 64 SURFACE COURSE	\$ 34,583.07
6" PVC SCH.80, NON-PERFORATED PIPE	\$ 8,025.00
12" REINFORCED CONCRETE PIPE, CLASS 5	\$ 2,860.00
18' X 18' YARD DRAIN	\$ 1,600.00
CONCRETE SIDEWALK, 4" THICK	\$ 6,700.00
HOT MIX ASPHALT DRIVEWAY, 6" THICK	\$ 3,815.00
GRANITE CURB	\$ 1,173.00
9" X 18" CONCRETE VERTICAL CURB	\$ 874.00
TRAFFIC MARKINGS, THERMOPLASTIC	\$ 823.50
RESET WATER VALVE BOX	\$ 75.00
TREE REMOVAL, OVER 6" TO 12" DIAMETER	\$ 800.00
<b>TOTAL EXTRAS</b>	<b>\$ 62,980.57</b>
CONSTRUCTION SIGNS	\$ (1.30)
FUEL ADJUSTMENT	\$ (3,500.00)
ASPHALT PRICE ADJUSTMENT	\$ (865.00)
EXCAVATION, UNCLASSIFIED	\$ (75.00)
ROCK EXCAVATION	\$ (0.10)
DENSE GRADED AGGREGATE BASE COURSE, VARIABLE THICKNESS	\$ (6,360.00)

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HOT MIX ASPHALT, 19 M 64 BASE COURSE 2" THICK	\$ (21,455.00)
15" REINFORCED CONCRETE PIPE, CLASS 5	\$ (1,800.00)
8" DUCTILE IRON PIPE	\$ (900.00)
RESET MANHOLE WITH NEW CASTING	\$ (0.14)
CONCRETE DRIVEWAY, REINFORCED, 6" THICK	\$ (2,475.00)
PRESSURE TREATED TIMBER CURB	\$ (805.00)
TRAFFIC STRIPES, 6"	\$ (340.00)
 TOTAL REDUCTIONS	 \$ (38,576.54)
 RECONSTRUCT STORM MANHOLE USING EXISTING CASTING	 \$ 550.00
TOTAL SUPPLEMENTAL	\$ 550.00
 GRAND TOTAL CHANGE ORDER #1	 \$ 24,954.03

**WHEREAS**, the aggregate cost for these modifications is \$24,954.03 and results in a 4.18% increase over the original Contract amount;

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

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

**WHEREAS**, based upon the recommendations of the Township Administrator, Construction Official and the Township Engineer, the Governing Body wishes to approve this change order; and

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

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

Original Contract Price	\$596,305.94
Amount of Change Order #1	24,954.03
New Contract Price with All Change Orders	\$621,259.97
Percent Increase of Change Order #1	4.18%

No. 16-218  
By: Mr. Wolsky

**SUBJECT: RESOLUTION – TO AMEND THE ADOPTED BUDGET FOR ADDITIONAL ITEMS OF REVENUE AND OFFSETTING APPROPRIATION (CHAPTER 159) – CLEAN COMMUNITIES GRANT.**

**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; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Caldwell 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 \$25,084.26, which item is now available as revenue from:

State of New Jersey  
Department of Environmental Protection  
Clean Communities Grant-FY 2016

**BE IT FURTHER RESOLVED** that a like sum of \$ 25,084.26 and the same is hereby appropriated in the Current Fund under the caption of:

State of New Jersey  
Department of Environmental Protection  
Clean Communities Grant-FY 2016

**BE IT FURTHER RESOLVED** that one certified copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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No. 16-219  
By: Mr. Wolsky

SUBJECT: RESOLUTION – REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87 – CHAPTER 159 – MUNICIPAL ALLIANCE GRANT.

**WHEREAS**, NJS 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 county or 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**, the Director may also approve the insertion of an appropriation for the equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of West Caldwell, in the County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$27,700.0, which is now available as a revenue from:

County of Essex, New Jersey  
Essex County Office of Alcoholism, Drug Abuse and Addition Services  
Municipal Alliance Grant – Fiscal Year 2017

**BE IT FURTHER RESOLVED** that the sum of \$27,700.00 is hereby appropriated under the caption of:

General Appropriations  
Operations Excluded from CAPS  
Public and Private Programs Offset by Revenues  
Municipal Alliance Grant – Fiscal Year 2017

**BE IT FURTHER RESOLVED** that the sum of \$17,380.00 representing the amount required for the municipality's cash match of the aforementioned grant appears in the budget of the year 2016 under the captions of Police Salary and Wages in the amount of \$11,380.00 and The Bridge, Inc. in the amount of \$6,000.00.

**BE IT FURTHER RESOLVED** that one certified copy of this resolution be forwarded to the Director of the Division of Local Government Services.

No. 16-220  
By: Mr. Docteroff

SUBJECT: RESOLUTION – APPROVING THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT CERTIFICATION LIST FOR LENGTH OF SERVICE AWARD PROGRAM (LOSAP) FOR THE YEAR 2015.

**WHEREAS**, the Mayor and Council of the Township of West Caldwell adopted Ordinance No. 1426 on August 15, 2000, providing Length of Service Award Program (LOSAP) for members of the West Caldwell Volunteer Fire Department; and

**WHEREAS**, the Mayor and Council of the Township of West Caldwell authorized American General Financial Group (VALIC) to administer the LOSAP with the approval of Resolution No. 7160 on November 20, 2001; and

**WHEREAS**, the Division of Local Government Services reviewed and approved the LOSAP submitted by the Township of West Caldwell on December 6, 2001; and

**WHEREAS**, the West Caldwell Volunteer Fire Department presented the certified list of active volunteer firefighters shown below who qualify for LOSAP contributions for the year 2015 to the Mayor and Council of the Township of West Caldwell; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council have reviewed and have approved the attached list of volunteer firefighters who qualify for LOSAP contributions for the year 2015 and the Governing Body has included the 0% CPI increase authorized by the Division of Local Government Services in accordance with the determinations and recommendations of the West Caldwell Fire Department; and

**BE IT FURTHER RESOLVED**, that the certified list and this Resolution shall be posted for thirty (30) days at the West Caldwell Fire Headquarters and in the office of the Municipal Clerk in accordance with N.J.S.A. 40A:14-192, et seq.

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**2015 WCVFD LOSAP Contribution Report**

<b>Name</b>	<b>%</b>	<b>Drill %</b>	<b>Years Served</b>	<b>LOSAP Points</b>	<b>WEFAS Credit</b>	<b>Money To Deposit</b>
William Aiello	48%	56%	1	49		\$0.00
Hugh Albanesius	0%	0%	18	18		\$0.00
James C Alvine, III	81%	100%	42	60		\$1,483.62
Thomas E Bradley	100%	100%	29	60	\$1,409.87	\$73.75
Robert Brenneck	69%	53%	29	60		\$1,483.62
Daniel J Brown	39%	28%	0	39		\$0.00
Larry Bunn	100%	100%	27	60	\$986.91	\$496.71
Joseph Cecere	0%	0%	6	6		\$0.00
Jere Cole	70%	36%	42	60		\$0.00
Richard Douglas	86%	76%	28	60		\$1,483.62
Brian Drastal	100%	100%	3	60	\$1,268.88	\$214.74
Christopher Flint	28%	58%	28	56		\$1,112.72
Jared Fout	96%	94%	13	60		\$1,483.62
Tom Garguilo	73%	56%	1	60		\$0.00
Matthew T Graziosa	64%	33%	3	60		\$0.00
John Hamilton, Jr	100%	57%	37	60		\$1,483.62
Robert Hebrank, Jr	100%	81%	19	60		\$1,483.62
Benjamin Hershkowitz	100%	75%	38	60		\$1,483.62
James A High	0%	8%	0	0		\$0.00
Michael High	9%	8%	3	12		\$0.00
David H Jedele	46%	65%	7	53		\$964.36
Thomas A King	85%	69%	8	60		\$1,483.62
Michael R Kraus	0%	14%	0	0		\$0.00
Charles Krueser	83%	72%	43	60		\$1,483.62
Robert Lemongello	65%	64%	30	60		\$1,483.62
James Lott, Jr	7%	0%	35	42		\$0.00
Michael Luker	100%	100%	34	60		\$1,483.62
Connor Maclay	57%	22%	1	58		\$0.00
Mathew Maddaloni	31%	44%	0	31		\$0.00
Joe Martinez, Jr	100%	100%	2	60		\$1,483.62
Peter May	38%	50%	22	60		\$1,483.62
Joseph McCarthy	100%	100%	24	60		\$1,483.62
Joseph McCarthy, Jr	83%	100%	2	60		\$1,483.62
Jonathan McNamara	100%	81%	6	60		\$1,483.62
John N Medina	59%	67%	31	60		\$1,483.62
Jeffrey F Mostwill	91%	58%	53	60		\$1,483.62
Frank Norton	67%	83%	45	60		\$1,483.62
John A O'Hern	0%	0%	31	31		\$0.00
Mathew O'Hern	25%	33%	4	29		\$0.00
Patrick O'Hern	100%	100%	2	60		\$1,483.62
Thomas O'Hern	39%	37%	23	60		\$0.00
Eric Otterbein	0%	0%	0	0		\$0.00
Karl Otterbein	35%	47%	18	53		\$0.00
Richard Otterbein	66%	56%	41	60		\$1,483.62
Ryan Peter	55%	58%	3	58		\$1,335.26
Daniel Pierrez	17%	39%	9	26		\$0.00
Mark Poli	39%	64%	12	51		\$741.81
John Pressler	6%	0%	30	36		\$0.00
Nick Sasso	100%	100%	1	60		\$1,483.62
Damen Soriente	37%	50%	3	40		\$0.00
Nicholas Stefanelli	42%	58%	2	44		\$296.72
William E Stickles	11%	17%	8	19		\$0.00
Megan Stout	13%	45%	13	26		\$0.00
Frank B Swift, Jr	23%	58%	35	58		\$0.00
Gregory K Table	19%	31%	8	27		\$0.00
Thomas Tyrrell	61%	17%	1	60		\$0.00
John D Wallace	94%	100%	35	60		\$1,483.62
William Wallace	27%	39%	3	30		\$0.00
Jock H Watkins	21%	25%	40	60		\$0.00
Mark W Watkins	48%	47%	9	57		\$0.00
Thomas Weber	32%	58%	5	37		\$0.00
Jean A Wypler, Jr	100%	94%	26	60	\$845.92	\$637.70
Jean A Wypler, Sr	1%	100%	45	46		\$0.00
Philip Young	100%	94%	4	60		\$1,483.62
Timothy Zyla	61%	53%	4	60		\$1,483.62
				<b>Total:</b>		<b>\$42,964.27</b>

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No. 16-221  
By: Mr. Wolsky

**SUBJECT: RESOLUTION – AUTHORIZING PERFORMANCE BOND release FOR DONNELLY INDUSTRIES, INC., CONTRACTOR FOR HAWTHORNE CHARITABLE FOUNDATION, 31 FAIRFIELD AVENUE, BLOCK 1002, LOTS 9 AND 9.01.**

**WHEREAS**, Donnelly Industries, Inc. posted bond number CSC-22963, pursuant to the requirements of the Township of West Caldwell Engineer, performance guarantees, guaranteeing the site improvements in conjunction with the approved site plan improvements for Hawthorne Charitable Foundation at 31 Fairfield Avenue, Block 1002, Lots 9 and 9.01; and

**WHEREAS**, Donnelly Industries, Inc. has completed said improvements and has requested a release of said performance guarantees; and

**WHEREAS**, the Township Engineer indicated that he has inspected the on-site improvements at the referenced sites and finds no deficiencies; and

**WHEREAS**, as a result of the inspection, the Township Engineer recommends that the total Performance Guarantee of \$283,550.00 of which \$255,963.00 is in the form of a bond and \$27,587.00 cash; and

**WHEREAS**, the Township Engineer has also required a Maintenance Bond in the amount of \$34,484.72 as per N.J.S.A 40:55D-53 to be held for a period of two (2) years as per N.J.S. 40:53D-53; and

**WHEREAS**, said Maintenance Bond number CSC-22963M has been received by the Township of West Caldwell and it is on file in the office of the Municipal Clerk.

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

1. The Township Administrator and Chief Municipal Finance Officer, be and hereby are authorized and directed to release the performance bond held in connection with the Project as set forth herein.
2. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

No. 16-222  
By: Mr. Docteroff

**SUBJECT: RESOLUTION – AUTHORIZING RELEASE OF DEVELOPER ESCROW ACCOUNT BALANCES FOR HAWTHORNE CHARITABLE FOUNDATION, 31 FAIRFIELD AVENUE, BLOCK 1002, LOTS 9 AND 9.01.**

**WHEREAS**, developers are required to deposit monies with the Township for the purposes of offsetting Township professional costs to review plans or to inspect approved development and for the purpose of ensuring the satisfactory completion of public or private improvements; and

**WHEREAS**, these deposited monies, following all necessary withdrawals to cover Township expenses or costs, may be released upon satisfactory completion of work, receipt of review board decisions, or completion of guaranteed work, upon passage of a Township resolution authorizing such release; and

**WHEREAS**, the work for Hawthorne Charitable Foundation, Block 1002, Lots 9 and 9.01 in the Township of West Caldwell has been satisfactorily completed; and

**WHEREAS**, the Township Engineer has authorized and certified that the Planning Board escrow and Inspection Fees escrow accounts shall be released.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Caldwell that the following account balances, with interest adjustments as prescribed by state and local laws, may be released to the depositor of record:

<u>Developer</u>	<u>Escrow Account</u>	<u>Account #</u>	<u>Amount</u>
Hawthorne Charitable Foundation	Planning Board Escrow Account	10046	\$2,131.00
Hawthorne Charitable Foundation	Inspection Fee Escrow Account	10048	\$7,378.87

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No. 16-223  
By: Mr. Docteroff

**SUBJECT: RESOLUTION – AMENDING THE AUTHORIZATION OF AN EMERGENCY CONTRACT WITH CARNER BROS. FOR SEWER MAIN REPAIR ON KIRKPATRICK LANE – INCREASING THE AMOUNT BY \$40,000.00 FOR A TOTAL NOT TO EXCEED \$165,000.00.**

**WHEREAS**, the Township of West Caldwell was notified of a sewer main leak on Kirkpatrick Lane on July 14, 2016 that constituted an emergency affecting the public health, safety and welfare of the residents of the Township of West Caldwell; and

**WHEREAS**, Carner Bros. of Roseland, New Jersey responded to the emergency and will perform the repair needed for the sewer main; and

**WHEREAS**, Resolution No. 16-213 previously authorized an emergency contract for the said sewer main repair in the amount of \$125,000.00; and

**WHEREAS**, there is a need to increase the contract by \$40,000.00 for a total contract price not to exceed \$165,000.00; and

**WHEREAS**, the Chief Financial Officer has certified that the Township of West Caldwell has adequate funds available to increase the amount of the contract.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Caldwell, Essex County, New Jersey that all Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

No. 16-224  
By: Mr. Hladik

**SUBJECT: RESOLUTION – APPOINTING ANGELO RAFFEALO MILORDO AS A POLICE DISPATCHER FOR THE TOWNSHIP OF WEST CALDWELL.**

**WHEREAS**, the Township of West Caldwell desires to appoint a Dispatcher; and

**WHEREAS**, Angelo Raffealo Milordo , 55 New Street Wayne, NJ 07470, is willing and able to serve as a Dispatcher in the Police Department for the Township of West Caldwell; and;

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

1. Angelo Raffealo Milordo is appointed as a Dispatcher, effective August 19, 2016, at a salary of \$30,000, 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. 16-225  
By: Mr. Hladik

**SUBJECT: RESOLUTION – APPROVING THE APPOINTMENT OF WILLIAM AIELLO, AS AN AUXILIARY FIREFIGHTER OF THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT.**

**RESOLVED**, on the recommendation of the Chief of the West Caldwell Volunteer Fire Department that William Aiello, 24 Kramer Avenue, West Caldwell, NJ, be designated as an Auxiliary Firefighter of the West Caldwell Volunteer Fire Department, effective August 16, 2016.

No. 16-226  
By: Mr. Hladik

**SUBJECT: RESOLUTION – APPROVING THE APPOINTMENT OF THOMAS GARGUILO AS AN AXUILIARY FIREFIGHTER OF THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT.**

**RESOLVED**, on the recommendation of the Chief of the West Caldwell Volunteer Fire Department that Thomas Garguilo, 31 Francisco Avenue, West Caldwell, NJ, be designated as an Auxiliary Firefighter of the West Caldwell Volunteer Fire Department, effective August 16, 2016.

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No. 16-227  
By: Mr. Hladik

**SUBJECT: RESOLUTION – APPROVING THE APPOINTMENT OF BRENDON PETER AS AN AUXILIARY FIREFIGHTER OF THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT.**

**RESOLVED**, on the recommendation of the Chief of the West Caldwell Volunteer Fire Department that Brendon Peter, 42 Sanderson Avenue, West Caldwell, NJ, be designated as an Auxiliary Firefighter of the West Caldwell Volunteer Fire Department, effective August 16, 2016.

No. 16-228  
By: Mr. Hladik

**SUBJECT: RESOLUTION – APPROVING THE APPOINTMENT OF THOMAS BRYANT, III AS AN AUXILIARY FIREFIGHTER OF THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT.**

**RESOLVED**, on the recommendation of the Chief of the West Caldwell Volunteer Fire Department that Thomas Bryant III, 19 Lombard Drive, West Caldwell, NJ, be designated as an Auxiliary Firefighter of the West Caldwell Volunteer Fire Department, effective August 16, 2016.

No. 16-229  
By: Mr. Hladik

**SUBJECT: RESOLUTION – APPROVING THE APOINTMENT OF MATTHEW MADDALONI AS AN AUXILIARY FIREFIGHTER OF THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT.**

**RESOLVED**, on the recommendation of the Chief of the West Caldwell Volunteer Fire Department that Matthew Maddaloni, 8 Cascade Place, West Caldwell, NJ, be designated as an Auxiliary Firefighter of the West Caldwell Volunteer Fire Department, effective August 16, 2016.

No. 16-230  
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 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

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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. Litigation – Tax appeals
2. Contract Negotiations – Caldwell University/Mount Saint Dominic Academy/Essex Valley School
3. Personnel
4. Attorney-client privilege – land use ordinances.

**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 Hladik that the seventeen Resolutions listed be adopted.

Upon the vote being polled, Councilmen Cecere, Hladik, Wolsky, Docteroff, and Councilwoman Canale voted in the affirmative, except Council President Cecere abstained on resolution numbers 16-220 and 16-225 to 16-229 because of his membership in the West Caldwell Volunteer Fire Department.

**COMMITTEE REPORTS:**

**PUBLIC SAFETY:**

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

On the recommendation of Council President Cecere, the reports submitted by the Police Chief, Judge and Detective Bureau for the month of July 2016 as received, be placed on file. Fines in the amount of \$21,769.00 were collected and apportioned as follows (copy attached to minutes).

REPORTS – VOLUNTEER FIRE DEPARTMENT REPORTS – JULY 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 July 2016 as received, be placed on file.

REPORTS – CONSTRUCTION OFFICIAL’S REPORT – JULY 2016

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

Council President Cecere reported on the following:

1. Officers John Kappock and Daniel Gorman retired from the West Caldwell Police Department after many years of service. Officer Kristin Maier resigned to take a position as an investigator with the NJ Attorney General’s office.

Council President Cecere recognized Matt Robson who was in attendance in the meeting.

**LEGAL AND PERSONNEL**

Councilman Hladik asked Clerk Donovan to read the following ordinance.

The Township Clerk read the title of an Ordinance No. 1787 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:

**SECTION 1.** There is hereby created and established in the Township of West Caldwell certain offices and positions of employment, together with the salaries for such positions.

**SECTION 2.** There shall be paid a longevity increment to full-time employees hired prior to May 1, 1997 (excluding there from the following enumerated employees: Judge and Prosecutor of the Municipal Court and Welfare Director). No longevity will be paid to any employee covered by this ordinance hired on or after May 1, 1997.

Longevity increase shall be due and payable to the annual base salary to such eligible employees who have completed the full period of years of service hereinafter designated: to wit: 2 percent - 5 years; 4 percent - 10 years; 6 percent - 15 years; 8 percent - 20 years; 10 percent - 24 years or more. Such longevity payments shall be made on the pay period next ensuing the anniversary date of full completion of the required period of service.

**SECTION 3.** Holiday and Overtime Pay. Holiday and Overtime Pay shall be based on 2,080 hours per year. Overtime shall be at the rate of double time for Sundays and Official Holidays; time and one-half for Saturdays and hours worked in the excess of 40 hours per week. A minimum of 2 hours pay at the above prescribed rates will be paid for all emergency calls after regular working hours.

**SECTION 4.** In the event additional sessions of Court, over and above 48 per year are required, the Judge and Prosecutor shall be paid a stipend equivalent to 1.5% of their annual salary, and the Court Administrator shall be paid a stipend of \$125 for each session over and above 36 per year.

**SECTION 5.** In the event attendance at Board of Health meetings, other than for the Township of West Caldwell, is required, the Health Officer shall be paid a stipend of \$125.00 for each session attended. Any inspections or screenings attended by the Health Officer, Registrar or Registered Environmental Health Specialist, or reports prepared for same by the Health Officer, performed by 9:00 A.M. and/or after 4:30 P.M. Monday through Friday or on Saturdays, will be at a reimbursement rate equal to the hourly rate of said employees. The Health Secretary shall be paid \$65.00 per meeting for minutes preparation.

**SECTION 6.** Advancement to Steps 2 and 3 for Fire Chief shall be awarded by Resolution of the Governing Body.

**SECTION 7.** Any Smoke Detector Inspections performed before 9:00 A.M. and/or after 4:30 P.M. by the Fire Official, or their designate will be at a reimbursement rate of \$29.75 per inspection (\$35.00 charge less administrative and benefit cost).

**SECTION 8.** Any Added Assessment Inspections performed by the Tax Assessor before 9:00 A.M. and/or after 4:30 P.M. Monday through Friday or on Saturdays by the Tax Assessor will be included in their base salary for up to 230 hours of inspection work performed. Any inspections performed over the 230 hours will be reimbursed at a rate equal to either the hourly rate of pay for the Tax Assessor or a stipend established by Resolution of the Governing Body.

**SECTION 9.** The prescribed salaries and increments for officers and employees, set forth on said schedule shall be effective as of January 1, 2016.

**SECTION 10.** Ordinance No. 1714, adopted October 27, 2011, and all other ordinances or parts of ordinances inconsistent herewith, are hereby repealed.

**SECTION 11.** This Ordinance shall take effect immediately upon adoption and publication according to law.

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<b>EMPLOYEE TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
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	\$15,000.00
Assistant Recreation Director	\$37,684.00	\$ 75,000.00
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	\$80,000.00
Code Enforcement Officer	\$15,000.00	\$40,000.00
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	\$ 60,000.00
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 Program Coordinator	\$13.50	\$31.50
Playground Assistant Coordinator	\$7.25	\$27.75
Playground Assistant Director	\$7.25	\$12.00
Playground Assistant Leader	\$7.25	\$9.00
Playground Site Supervisor	\$13.50	\$27.75
Playground Assistant Site Supervisor	\$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
Program Supervisor	\$15.00	\$32.68
Prosecutor	\$15,912.00	\$23,868.00
Public Agency Compliance Officer	\$5,000.00	\$15,000.00
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 Assistant	\$7.25	\$12.00
Recreation Coach	\$120 per season	\$400 per season
Recreation Director	\$60,869.00	\$92,764.00
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

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Secretary	\$24,309.00	\$75,469.00
Site Supervisor	\$13.50	\$27.75
Special Needs Program Coordinator	\$13.50	\$27.75
Special Projects Coordinator	\$21.78	\$31.50
Sports Official	\$26.00/game	\$75.00/game
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	\$1,390 per season
Tax Assessor	\$37,650.00	\$69,383.00
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	\$25.00
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, September 6, 2016.

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

**FINANCE**

There was no report.

**PUBLIC WORKS**

Councilman Docteroff reported on the following:

1. The contract was awarded tonight for the water main replacement for Eastern Parkway, Distler Avenue and Parkview Place.
2. There will be a beach volleyball court constructed at Westville Pool.

**PARKS AND RECREATION**

Councilwoman Canale reported on the following:

1. Tom Edwards, the Assistant Recreation Director, resigned recently and was thanked for his service.
2. The next Board of Health meeting will be held on September 7, 2016.

**TECHNOLOGY AND SHARED SERVICES**

In Councilman Crudele's absence, Council President Cecere reported that there was no report.

**ADVISORS' REPORTS:**

Clerk Donovan advised the Council that there a successful voter registration event held today at Crane's Mill with 14 new voter registrations and 15 vote-by-mail applications.

**INVITATION TO CITIZENS FOR DISCUSSION:**

Mayor Tempesta recognized Sue Hands, Essex County representative and welcomed her to West Caldwell.

Ms. Hands announced the following:

- 1. PSE&G and Verizon joined forces to relocate a utility pole in front of 183 Westville Avenue, West Caldwell.

Frank O'Brien, 183 Westville Avenue, thanked Mayor Tempesta and Administrator Brewer for their help on securing the utility pole near his property.

Mayor Tempesta invited Matt Robson to follow up with Administrator Brewer or Clerk Donovan if he had any questions concerning the meeting tonight.

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION:**

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

On the motion of Council President Cecere, seconded by Councilman Hladik, the meeting adjourned at 7:35 pm to Closed Session.

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

On the motion of Council President Cecere, seconded by Councilman Hladik, the meeting reconvened to open session at 8:22 pm.

Upon the vote being polled, Councilmen Cecere, 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. 16-231  
By: Mr. Wolsky

**SUBJECT: RESOLUTION - AUTHORIZING SETTLEMENT OF 2010-2016 TAX APPEAL – WEST ESSEX INDUSTRIAL PARK V. TOWNSHIP OF WEST CALDWELL, BLOCK 1500, LOT 8, 10 HENDERSON DRIVE.**

**WHEREAS**, an appeal of the real property tax assessment for tax years 2010 to 2016, involving Block 1500, Lot 8, 10 Henderson Drive; 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 2010-2016 tax appeal is hereby authorized as follows:

**Block 1500, Lot 8, 10 Henderson Drive**

Appeal Year	Original Assessment	Proposed Assessment	Decrease in Assessment	Decrease in Taxes
2010	2,100,000	2,100,000	0	\$0.00
2011	4,131,800	3,646,400	(485,400)	\$10,630.26
2012	4,131,800	3,621,200	(510,600)	\$11,202.56
2013	3,419,100	3,357,300	(61,800)	\$1,394.83
2014	3,419,100	3,399,900	(19,200)	\$442.56

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2015	3,419,100	3,269,200	(149,900)	\$3,498.67
2016	3,419,100	3,198,600	(220,500)	\$5,210.42
Totals	24,040,000	22,592,600	(1,447,400)	\$32,379.30

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 provided by Taxpayer.

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, and Councilwoman Canale voted in the affirmative.

**ADJOURNMENT**

There being no further business before the Council, on a motion from Councilman Wolsky, and a second by Council President Cecere, the meeting adjourned at 8:23 pm. All were in favor.

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Mary S. Donovan  
Township Clerk