

**TOWNSHIP OF WEST CALDWELL  
PUBLIC MEETING MINUTES  
September 6, 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, September 6, 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:** Councilmen Cecere, Hladik, Wolsky, Docteroff, Crudele and Councilwoman Canale.

**ABSENT:** Mayor Tempesta

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

Pledge of Allegiance led by Councilwoman Canale.

Councilman Hladik asked for prayers for the troops and law enforcement personnel protecting us.

**PENDING 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).

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**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.

<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

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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
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

Council President Cecere 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, Crudele and Councilwoman Canale voted in the affirmative.

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

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

**COMMUNICATIONS:**

- A-1 A communication from Nikole Monroig, Chief Financial Officer, certifying funds are available under the 2016 Budget of Appropriations – September 6, 2016 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 16-235.
- A-3 A communication from Nikole Monroig, Chief Financial Officer, certifying funds are available for resolution number 16-236.
- A-4 A communication from Nikole Monroig, Chief Financial Officer, certifying funds are available for resolution number 16-227.

All received and placed on file.

**APPROVAL OF MINUTES:**

On the recommendation of Councilwoman Canale, seconded by Councilman Crudele, it was regularly moved that the Minutes of the Regular Meeting held on Tuesday, August 16, 2016 be approved.

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

Administrator Brewer reported on the Closed Session items.

It was regularly moved by Councilman Hladik, seconded by Councilman Crudele, that the nine Resolutions on the Agenda this evening be approved.

Council President asked if any member of the public had any comments on any of the items on the Consent Agenda.

There were no comments.

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

No. 16-232  
By: Mr. Wolsky

**SUBJECT: ENDORSING THE “FAIRNESS FORMULA” AS INTRODUCED BY GOVERNOR CHRISTIE TO PROMOTE FAIR FUNDING FOR WEST CALDWELL STUDENTS AND TO RELIEVE THE UNFAIR PROPERTY TAX BURDEN.**

**WHEREAS**, the State of New Jersey has the highest average property tax in the United States and a major factor contributing to this high tax status is the funding of public education; and

**WHEREAS**, the State of New Jersey's spends \$9.1 billion funding the New Jersey Public School system with \$5.1 billion going to the 31 Abbot Districts and \$4 billion being distributed among the 546 remaining districts; and

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WHEREAS, this funding formula is inherently unfair to the children of this state who should all be provided with equal funding; and

WHEREAS, it has been demonstrated that more money does not always provide better results with failing school districts spending as much as \$33,699.00 per pupil, while high performing school districts spend less than half that amount; and

WHEREAS, Governor Christie has proposed Equal School Funding and Property Tax Relief through his Fairness Formula that would result in a 545% increase in state funding for West Caldwell students equaling \$6,599 per student; and

WHEREAS, this would provide unprecedented tax relief to the residents of West Caldwell.

No. 16-233

By: Mr. Cecere

SUBJECT: RESOLUTION – AUTHORIZING THE EXECUTION OF AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MONTVILLE AND THE TOWNSHIP OF WEST CALDWELL FOR ANIMAL CONTROL SERVICES.

WHEREAS, the Township of West Caldwell is in need of animal control services; and

WHEREAS, the Township of Montville has a licensed and certified Animal Control Officer who is able to perform animal control services for West Caldwell; and

WHEREAS, the Township of Montville and the Township of West Caldwell wish to enter into an Interlocal Services Agreement to provide animal control services in the Township of West Caldwell; and

NOW, THEREFORE, BE IT RESOLVED by the appropriate municipal officials who are hereby authorized to enter into an Agreement between the Township of Montville and the Township of West Caldwell for animal control services for the period from August 1, 2016 through December 31, 2016.

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

No. 16-234

By: Mr. Wolsky

SUBJECT: RESOLUTION – AUTHORIZING REFUNDS IN THE RECREATION OFFICE.

WHEREAS, there is a need to issue refunds for Recreation program fees collected in the Recreation Office as shown below; and

WHEREAS, the Recreation Director recommends the refunds;

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 to clear the refunds as shown below:

Name	Amount	Reason
Laura Kenig 9 Knoll Terrace West Caldwell, NJ 07006	\$340.00	“Get Ready for Kindergarten” Cancelled
Joseph Pagano 9 Knoll Terrace West Caldwell, NJ 07006	\$170.00	“Get Ready for Kindergarten” Cancelled

TOTAL CURRENT FUND REFUNDS: \$510.00

No. 16-235

By: Mr. Hladik

SUBJECT: RESOLUTION – AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH GENOVA BURNS LLC TO INCREASE THE CAP FOR LEGAL SERVICES IN THE AMOUNT OF \$15,000 FOR AN AMOUNT NOT TO EXCEED \$40,000.00.

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

WHEREAS, Resolution No. 16-010 authorizing the award of a non-fair and open contract with Genova Burns LLC for legal services was adopted January 2, 2016 authorizing an amount not to exceed \$17,500.00; and

WHEREAS, Resolution No. 16-123, adopted April 5, 2016, authorized an additional \$7,500.00; and

WHEREAS, there is a need to further increase the authorized amount by \$15,000.00 for a total not to

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exceed \$40,000.00 for the calendar year 2016; and

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

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

1. The Township of West Caldwell will execute an agreement with Genova Burns LLC for an amount not to exceed \$40,000.00.
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.

No. 16-236

By: Mr. Hladik

**SUBJECT: RESOLUTION – AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH O’TOOLE FERNANDEZ WEINER AND VAN LIEU, LLC TO INCREASE THE CAP FOR LEGAL SERVICES IN THE AMOUNT OF \$20,000 FOR AN AMOUNT NOT TO EXCEED \$25,000.00.**

**WHEREAS**, there exists a need for a Professional Service and the Township has determined to award this contract as a professional service, as defined in N.J.S.A. 40A:11-1 et seq. without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq., and in strict accordance with N.J.S.A. 40A:11-5 et seq.; and

**WHEREAS**, this professional services contract is contingent upon availability of funds in the Township Budget, and in the event of unavailability of such funds, the Township reserves the right to cancel this professional services contract; and

**WHEREAS**, Resolution No. 16-012 authorizing execution of a professional services agreement with O’Toole Fernandez Weiner and Van Lieu, LLC for legal services was adopted January 2, 2016 authorizing an amount not to exceed \$5,000.00; and

**WHEREAS**, there is a need to further increase the authorized amount by \$20,000.00 for a total not to exceed \$25,000.00 for the calendar year 2016.

**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 of West Caldwell will execute an agreement with O’Toole Fernandez Weiner and Van Lieu, LLC for an amount not to exceed \$25,000.00.
2. Whereas, the contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq., in that the vendor was awarded a professional services appointment for the year 2016.
3. All Township officials are hereby authorized and directed to take any and all action necessary and appropriate to effectuate the terms of this Resolution.

No. 16-237

By: Mr. Hladik

**SUBJECT: RESOLUTION –AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH MCELROY, DEUTSCH, MULVANEY & CARPENTER, LLP TO INCREASE THE CAP FOR LEGAL SERVICES IN THE AMOUNT OF \$25,000 FOR AN AMOUNT NOT TO EXCEED \$35,000.**

**WHEREAS**, there exists a need for a Professional Service and the Township has determined to award this contract as a professional service, as defined in N.J.S.A. 40A:11-1 et seq. without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq., and in strict accordance with N.J.S.A. 40A:11-5 et seq.; and

**WHEREAS**, this professional services contract is contingent upon availability of funds in the Township Budget, and in the event of unavailability of such funds, the Township reserves the right to cancel this professional services contract; and

**WHEREAS**, Resolution No. 16-011 authorizing execution of a professional services agreement with McElroy, Deutsch, Mulvaney & Carpenter, LLP for legal services was adopted January 2, 2016 authorizing an amount not to exceed \$10,000.00; and

**WHEREAS**, there is a need to increase the authorized amount by \$25,000.00 for a total not to exceed \$35,000.00 for the calendar year 2016.

**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 of West Caldwell will execute an agreement with McElroy Deutsch, Mulvaney & Carpenter for an amount not to exceed \$35,000.00.

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2. Whereas, the contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq., in that the vendor was awarded a professional services appointment for the year 2016.
3. All Township officials are hereby authorized and directed to take any and all action necessary and appropriate to effectuate the terms of this Resolution.

No. 16-238  
By: Mr. Cecere

**SUBJECT: RESOLUTION – AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO APPROVE LOCAL ASSISTANCE REQUESTS IN LIEU OF THE LOCAL ASSISTANCE BOARD.**

**WHEREAS**, the Township of West Caldwell administers a Local Assistance Program under the guidance and direction of a Local Assistance Board, composed of volunteers; and

**WHEREAS**, the Local Assistance Board of the Township of West Caldwell has numerous vacancies that could not be reasonably anticipated, created through recent resignations and other circumstances prohibiting continued membership by individuals on the Board; and

**WHEREAS**, the numerous vacancies on the Local Assistance Board are so many that the Board no longer has adequate membership to establish and constitute a quorum; and

**WHEREAS**, the Township wishes to continue the function and effective operation of the Township’s Local Assistance Program and to avoid any unnecessary emergent or adverse circumstances that would interfere with or preclude essential services being rendered until new Local Assistance Board members may be duly appointed to provide such membership that will enable the Local Assistance Board to establish and constitute a quorum;

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

1. That requests for assistance from the Local Assistance Board be submitted by the Local Assistance Program Coordinator to the West Caldwell Township Administrator for approval, in lieu of the Board, until such time that the Board is populated by appointments of the Mayor.
2. At such time that the Local Assistance Board receives adequate volunteer members to effectively hold a Board meeting with a majority of members present constituting a quorum, authority for approval of requests will automatically revert back to the Local Assistance Board.
3. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

No. 16-239  
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>	<b><u>Reason</u></b>
1503	5		Rentzis Realty Associates	\$ 1,918.45	2013	7
			817 Bloomfield Avenue	\$ 1,959.25	2014	7
				<u>\$1,983.90</u>	2015	7
			<b><u>TOTAL:</u></b>	<b><u>\$ 5,861.60</u></b>		

Make Check Payable to: Michael I. Schneck, Trustee  
For Rentzis Realty Associates  
301 South Livingston Ave, Suite 105  
Livingston, NJ 07039

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2101	5	Bloomfield 804/810 LLC 808 Bloomfield Avenue	<u>\$2,665.43</u>	2015	7
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Make check payable to: Jacobus & Associates, LLC trustee for  
Bloomfield 804/810 LLC  
201 Littleton Road 1<sup>st</sup> Floor  
Morris Plains, NJ 07950

2203	1	Kevton Holding LLC 632 Bloomfield Avenue	\$ 2,257.00	2013	7
			\$ 2,305.00	2014	7
			<u>\$ 2,334.00</u>	2015	7

TOTAL: \$ 6,896.00

Make Check Payable to: Michael I. Schneck, Trustee  
For Kevton Holding LLC  
301 South Livingston Ave, Suite 105  
Livingston, NJ 07039

GRAND TOTAL ALL REFUNDS: \$15,423.03

No. 16-240  
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 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 may be required by the Open Public Meetings Act.

**SEPTEMBER 6, 2016**

Administrator Brewer reported on the closed item sessions

1. Litigation – PBA Grievances; Sparroween v. Township of West Caldwell.
2. Contract Negotiations – Caldwell University/Mount Saint Dominic Academy/Essex Valley School.

**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.

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

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

**COMMITTEE REPORTS:**

**PUBLIC SAFETY:**

Council President Cecere reported on the following:

1. School opens up tomorrow and please drive carefully; don't text and drive.

**LEGAL AND PERSONNEL:**

Councilman Hladik reported on the following:

1. There will be a Library Board meeting on September 14 at 7 pm. The public is invited.

**FINANCE:**

Councilman Wolsky reported on the following:

1. There will be an Environmental Commission on Thursday, September 8 at 7:30 pm. The public is invited.

**PUBLIC WORKS:**

Councilman Docteroff reported on the following:

1. Pools were closed for the season on Labor Day. An end-of-season report will be forthcoming.
2. There will be Camp Wyanokie meeting in the first week of October 2016. All are invited.

**PARKS AND RECREATION:**

Councilwoman Canale reported on the following:

1. The Board of Health will meet on Wednesday, September 7 at 7 pm. All are invited.

**TECHNOLOGY AND SHARED SERVICES:**

Councilman Crudele reported on the following:

1. The Township is entering into a shared services agreement with the Township of Montville for animal control services. There will be savings for West Caldwell residents.

**SEPTEMBER 6, 2016**

**ADVISORS' REPORTS:**

Administrator Brewer stated that the budget process has begun for staff. He also stated that the water main replacement project for Eastern Parkway, Parkview and Distler Avenues will begin and should be completed before Thanksgiving. The paving will be done next spring and then the Gardens will be completed.

Clerk Donovan stated a public service announcement commercial that was recently filmed in West Caldwell is now airing and it promotes not texting while driving. Clerk Donovan discussed the voter registration held recently at Crane's Mill.

**INVITATION TO CITIZENS FOR DISCUSSION:**

There were no comments.

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION:**

Council President Cecere stated that the Council reserves the right to come out of closed session and vote on any matters.

On the motion of Councilman Hladik, seconded by Councilman Crudele, the meeting adjourned at 7:29 pm to Closed Session.

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

On the motion of Councilman Wolsky, seconded by Councilman Docteroff, the meeting reconvened to open session at 7:58 p.m.

Upon the vote being polled, Councilmen Hladik, Wolsky, Docteroff, Crudele 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 7:59 pm. All were in favor.

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Mary S. Donovan  
Township Clerk