TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
August 19, 2025

A Regular Meeting of the West Caldwell Mayor and Council, in the County of Essex, New Jersey, was held in the public meeting room of the Municipal Building, 30 Clinton Road, West Caldwell, Tuesday, August 19, 2025 at 6:30 pm.

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

PRESENT: Council Wolsky, Cecere, Docteroff, Canale, Crudele
Councilman Schott arrived at 6:41 pm

ABSENT: Mayor Tempesta

OTHERS PRESENT: Nikole H. Baltycki, Township Administrator/CFO
Joann DeBlasis, Township Clerk
Paul G. Jemas, Esq., Township Attorney
Chief Dennis Capriglione, Police Department
Dominic Rehbein, Water Foreman

Pledge of Allegiance led by Councilman Docteroff

Councilman Cecere gave the Invocation.

PUBLIC HEARING – FULL-SERVICE WATER STORAGE TANK ASSET MANAGEMENT & MAINTENANCE PLAN

There was a motion by Councilman Docteroff and a second by Councilman Cecere to open the public hearing. Upon the vote being polled, Council Wolsky, Cecere, Docteroff, Canale, and Crudele voted in the affirmative.

Administrator Baltycki said the following:

In accordance with state regulations, the Township of West Caldwell is holding this public hearing to provide information and accept public comment regarding a proposed Public-Private Partnership agreement for a Water Storage Tank Asset Management and Maintenance Plan.

The Township issued a Request for Proposals for a comprehensive water tank maintenance program and USG Water Solutions was the sole respondent. The Township intends to award the contract to USG Water Solutions.

The proposed agreement is structured as an annual contract that automatically renews each year for a total of 21 consecutive contract years. The cost will vary year to year based on the anticipated work for each tank.

For the McKinley water tank, the total cost over 20 years with payments beginning in 2026 is $998,382.00.

For the Mountain Avenue water tank, the total cost over 21 years with payments beginning in 2026 is $785,305.00.

Included within the scope of the contract are significant capital improvements, such as full interior renovation and exterior overcoat painting of both tanks, along with annual inspections and ongoing maintenance to ensure their long-term reliability and compliance.

The costs for this program will be included in the Water Utility's annual capital budget, the same as any other infrastructure improvement undertaken by the Township.

At this time, we will open the floor for any comments or questions from the public.

There were no questions.

There was a motion to close the hearing by Councilman Docteroff and seconded by

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

COMMUNICATIONS:

A-1 A communication from Nikole H. Baltycki, Chief Finance Officer, certifying funds are available under the 2025 Budget of Appropriations – August 19, 2025 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 Baltycki, Chief Financial Officer, certifying funds are available for Resolution number 25-189.

Received and placed on file.

BILLS ORDERED PAID:

It was regularly moved by Councilman Docteroff, seconded by Councilwoman Canale 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, Council Wolsky, Cecere, Docteroff, Canale, and Crudele voted in the affirmative.

SCHEDULE OF BILLS ORDERED PAID JULY 2025

	Checks	Amount
CURRENT ACCOUNT – VALLEY NATIONAL BANK	19548-19631	$7,469,506.14
GENERAL CAPITAL	3398-3402	$33,115.30
POOL	3990-4001	$121,991.71
POOL CAPITAL	0	0
WATER CAPITAL	8445-8447	$101,260.73
WATER	11960-11972	$196,304.37
WATER WIRE ACCT	0	0
GENERAL TRUST – VALLEY NATIONAL BANK	7209-7222	$57,667.28
DOG TRUST	1171	$17.40
PUBLIC ASSISTANCE TRUST 1	0	$0.00
LAW ENFORCEMENT TRUST	0	$0.00
DEVELOPERS' TRUST	1881-1887	$6,062.50
SUB-TOTAL		**$7,985,925.43**
LIBRARY	13790-13818	$75,395.06
TOTAL		**$8,061,320.49**

APPROVAL OF MINUTES:

On the recommendation of Councilman Crudele seconded by Councilwoman Canale, it was regularly moved that the minutes of the regular meeting of July 15, 2025 be approved.

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

CONSENT AGENDA:

Council President Wolsky read the following statement: "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 Councilman Cecere, seconded by Councilman Crudele that the ten Resolutions on the Consent Agenda this evening be approved. Upon a roll call vote all were in favor, however, Councilman Cecere abstained for Resolution No. 25-186.

Council President Wolsky asked if there were any comments on the consent agenda from Council or the public.

Jonathan Sackman of Rockaway thanked the Mayor and Council for the Proclamation. He explained that it meant a lot to him and his sister.

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

No. 25-183
By: Councilman Schott

SUBJECT: APPROVAL TO SUBMIT A GRANT APPLICATION FOR THE 2026 PY COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE PURPOSE OF PURCHASING A NEW SENIOR TRANSPORTATION BUS

WHEREAS, The Caldwell/ West Caldwell/ Roseland Senior Transportation Committee is in need of a new bus, as the current bus is over 10 years old and in need of replacing; and

WHEREAS, the Township of West Caldwell intends to submit a grant application for the 2026 PY Community Development Block Grant to fund the purchase of a new bus; and

WHEREAS, the Township of West Caldwell has a shared services agreement with the Borough of Caldwell, and the Borough of Roseland for over 15 years, and have previously shared the cost of the purchase of the bus used for this service; and

NOW, THEREFORE, BE IT RESOLVED that the West Caldwell Mayor and Council formally approve the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the subsequent grant agreement on behalf of the Township of West Caldwell, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement

No. 25-184
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING DAUGHTERS OF ISRAEL, INC FOR ON PREMISE MERCHANDISE RAFFLE TO BE HELD ON SEPTEMBER 8, 2025 LICENSE NO. 501, ID NO. 542-4-32626

WHEREAS, Daughters of Israel, Inc. has submitted a Raffle License Application No. RA 501, ID No. 542-4-32626 for on premise merchandise raffle to be held September 8, 2025 at Mt. Ridge Country Club, 713 Passaic Avenue, West Caldwell, NJ; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell, hereby approves Raffle License Application No. RA 501; 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. 25-185
By: Councilman Wolsky

SUBJECT: RESOLUTION APPOINTING DYLAN MOONEY AS PUBLIC WORKS SPECIALIST IN THE DEPARTMENT OF PUBLIC WORKS FOR THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell desires to appoint a Public Works Specialist; and

WHEREAS, Dylan Mooney, 47 Deerfield Road, West Caldwell, NJ 07006 is willing and able to serve a Public Works Specialist in the Department of Public Works 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. Dylan Mooney is appointed as Public Works Specialist, effective August 1, 2025, at a salary of $54,200.00 in accordance with the salary ordinance.

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

August 19, 2025

No. 25-186
By: Councilman Docteroff

SUBJECT: RESOLUTION - AUTHORIZING RELEASE OF ESCROW FUNDS TO REDEVELOPER SUNRISE REALTY, LLC

WHEREAS, the Redevelopment Agreement between the Township of West Caldwell ("the Township") and Sunrise Realty, LLC ("the developer") required the developer to establish an escrow account in the amount of $2,698,220.00 for the purposes of remediating the environmental, wetlands and geotechnical conditions and/or deficiencies at the property purchased from the Township per the Redevelopment Agreement; and

WHEREAS, these deposited monies, following all necessary submittals and reviews by the Township Engineer may be released upon satisfactory completion of work and passage of a Township resolution authorizing such release; and

WHEREAS, Sunrise Realty, LLC previously submitted a request to release escrow request #1 in the amount of $508,306.92 which has been released; and

WHEREAS, Sunrise Realty, LLC previously submitted a request to release escrow request #2 in the amount of $1,528,613.90 which has been released; and

WHEREAS, Sunrise Realty, LLC previously submitted a request to release escrow request #3 for which an amount of $361,450.00 was released; and

WHEREAS, Sunrise Realty, LLC submitted escrow request #4 to along with supporting documentation; and

WHEREAS, the Township Engineer has reviewed the requests and supporting documentation and has authorized in writing that partial funds should be released in the amount of $21,339.55.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell that the escrow amounts requested and stated herein be released to Sunrise Realty, LLC by the title company holding said funds in escrow, in the amount of $21,339.55.

No. 25-187
By: Councilman Crudele

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 of these fees.

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:

CURRENT FUND

Name	Amount	Reason
Christopher Cochrane 123 Westover Ave West Caldwell, NJ 07006	$70.00	Refund- Cross Country
Bailey Ismail 186 Smull Avenue West Caldwell, NJ 07006	$400.00	Refund- Lifeguard Course
Michele Ritzer 17 Knollwood Terrace Caldwell, NJ 07006	$130.00	Refund- Field Hockey

TOTAL CURRENT FUND REFUNDS: $600.00

POOL UTILITY FUND

Name	Amount	Reason
Carmela Dean 551 Bloomfield Ave Apt. 7 West Caldwell, NJ 07006	$140.00	Refund- Pool Membership
Sandra Tango 126 Park Avenue West Caldwell, NJ 07006	$140.00	Refund- Pool Membership

TOTAL POOL UTILITY FUND REFUNDS: $280.00

TRUST FUND

Name	Amount	Reason

Barbara Ciccone $75.00 Refund- Senior Trip to AC
51 Beverly Road
West Caldwell, NJ 07006

TOTAL TRUST FUND REFUNDS: $75.00

No. 25-188
By: Councilman Docteroff

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
2. Duplicate Payment-Refund
3. Vets, Senior Citizen, Exempt Prop Refund/Allow
4. Apply Overpayment to Next Year
5. Cancellation of Balance of Less than $5.00
6. Assessment Changes
7. Tax Appeal
8. Overpayment-Refund
9. Tax Title Lien Redemption
10. Homestead Rebate/NJ Saver
11. Apply Overpayment to Current Year
12. Cancellation of Credit of Less than $5.00
13. Cancellation of Taxes
14. Other - Cancellation of Credit Balance over $5.00

Block	Lot	Qual	Owner Name	Amount	Year	Reason
TTL Certificate #24-00003						
300	3		Garvey, Matthew & Sheri 2 Marshall Street	$674.27	2024	9
			Check payable to: Pro Cap 8 FBO Firstrust Bank P.O. Box 774 Fort Washington, PA 19034-0774			
TTL Certificate #24-00007						
1808	31		Gartland, Alyssa & Rosales, Orlando 34 Parkview Avenue	$ 935.02	2024	9
			Check payable to: Pro Cap 8 FBO Firstrust Bank P.O. Box 774 Fort Washington, PA 19034-0774			

Total Redemption $ 1609.29

No. 25-189
By: Councilwoman Canale

SUBJECT: RESOLUTION – AUTHORIZING THE LEASING OF A 2026 FORD POLICE INTERCEPTOR UTILITY VEHICLE BY STATE CONTRACT 20-FLEET-01189 FOR THE WEST CALDWELL POLICE DEPARTMENT

WHEREAS, the Township of West Caldwell wishes to lease a 2026 Ford Police Interceptor Utility Vehicle from an authorized vendor with the State of New Jersey; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contract Law, N.J.S.A. 40A:11-12; and

WHEREAS, Winner Ford, 770 Cuthbert Blvd, Cherry Hill, New Jersey 08034 has been awarded New Jersey State Contract No. 20-FLEET-01189 for the lease of a 2026 Ford Police Interceptor Utility Vehicle with Ford Credit Municipal Financing; and

WHEREAS, the qualified purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the total amount of the lease is $47,512.00 for the 2025 Ford Police Interceptor Utility Vehicle and are made in three (3) one-year increments; and

WHEREAS, The Chief Financial Officer has certified the availability of funds for this contract for one year in the amount of $17,114.04.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of West Caldwell that Winner Ford be awarded a contract for the lease of a 2026 Ford Police Interceptor Utility Vehicle.

No. 25-190
By: Mayor Tempesta

SUBJECT: Proclamation from West Caldwell

WHEREAS, Ovarian cancer is the 5th leading cause of cancer-related death among women in the United States and the American Cancer Society estimates that in 2025 approximately 20,890 women will be diagnosed with ovarian cancer and 12,730 individuals will die from the disease nationwide, including an estimated 670 new cases and 340 deaths in New Jersey; and

WHEREAS, a woman's lifetime risk of being diagnosed with ovarian cancer is about 1 in 91 and her lifetime risk of dying from the disease is approximately 1 in 143; and

WHEREAS, due to vague, nonspecific symptoms and the absence of a reliable early detection test the majority of women are diagnosed at Stage III or later, when the cancer has already spread beyond the ovaries; and

WHEREAS, although the five-year survival rate for Stage I ovarian cancer exceeds 90 percent, only 15 percent of cases are diagnosed at this early stage. For those diagnosed in later stages, the five-year survival rate drops below 30 percent; and

WHEREAS, while screening tools such as mammograms and pap tests exist for breast and cervical cancers, no equivalent screening test exists for ovarian cancer, making awareness of symptoms and risk factors essential for early intervention; and

WHEREAS, increased public education about ovarian cancer can help save lives by promoting earlier diagnosis, supporting access to gynecologic oncology care, and encouraging research funding for better detection and treatment options; and

WHEREAS, during the month of September, the Township of West Caldwell joins survivors, families, healthcare professionals, advocacy organizations, and all those committed to raising awareness, remembering lives lost, and offering hope for a future with better outcomes and ultimately, a cure.

NOW, THEREFORE, BE IT RESOLVED, I, Joseph Tempesta, Jr., Mayor of the Township of West Caldwell, do hereby proclaim September 2025 as OVARIAN CANCER AWARENESS MONTH in the Township of West Caldwell, New Jersey, and encourage all residents to participate in awareness activities, wear teal in support, and engage in conversations that help save lives and support the thousands of families affected by this devastating disease.

No. 25-191
By: Councilman Wolsky

SUBJECT: RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, **West Caldwell Township** is a member of the Morris County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2025 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. **West Caldwell Township** agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Morris County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

No. 25-192
By: Councilman Wolsky

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 I 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:

TAX APPEAL – BLOCK 2100, LOT 4
CONTRACT NEGOTIATIONS – COMMUNITY OPTIONS, INC.

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 I 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.

Council President Wolsky read and presented a Proclamation that September be Ovarian Cancer Awareness Month. The Proclamation was presented to Jonathan Sackman.

COMMITTEE REPORTS

FINANCE:

Councilman Docteroff asked CFO Baltycki to talk about the note sale results.

CFO Baltycki gave a brief report.

Councilman Docteroff congratulated Ms. Baltycki for a job well done.

PUBLIC WORKS:

Councilman Cecere mentioned that he stopped by the old Caldwell Nursery property and met the new owners who are very excited to be in West Caldwell.

PUBLIC SAFETY:

On the recommendation of Councilwoman Canale, the reports submitted by the Police Chief and Detective Bureau, the Construction Official, and the Court Administrator for the month of July as received, be placed on file.

Councilwoman Canale complimented the Department of Public Works and thanked them for cleaning the catch basins.

Councilwoman Canale asked Clerk DeBlasis to read the title of the Ordinance below that she was introducing:

August 19, 2025

Ordinance No. 1897 By: Councilwoman Canale

AN ORDINANCE AMENDING SECTION 11-7.8 ENTITLED "TRAFFIC" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell wishes to amend Section 11-7.8 of the Revised General Ordinances of the Township of West Caldwell to prohibit parking

WHEREAS, the Township wishes to prohibit the stopping, standing, or parking of vehicles on both sides of Annin Road from Ravine Avenue to Springdale Road in the interests of public safety and the general welfare of the Township.

BE IT ORDAINED, by the Township Council of the Township of West Caldwell, in the County of Essex, that:

No person shall park a vehicle at any time upon any streets or parts thereof described.

Name of Street	Side	Location
Annin Road	**Both**	**From Ravine Avenue to Springdale Road**
Bloomfield Avenue	North	From Kirkpatrick Lane west to Sanford Avenue
Bloomfield Avenue	South	From Kirkpatrick Lane west to Distler Avenue
Bloomfield Avenue	South	From Melrose Place west for 120 feet
Cedar Street	South	From Fairfield Avenue to Woodside Avenue
Central Avenue	East	From Washington Avenue to Kramer Avenue
Central Avenue	West	From the north property line of the Caldwell-West Caldwell Board of Education (Washington School) to a point 170 feet south of the northerly property line
Dodd Road	West	From Bloomfield Avenue north for 300 feet
Dougal Place	Both	From Fairfield Avenue east to York Avenue
Elmwood Terrace	North	From Central Avenue east for 300 feet
Evergreen Road	West	From the north boundary of the lands of the Caldwell-West Caldwell Board of Education south to Westville Avenue, a distance of 1,150 feet, more or less
Fairfield Avenue	East	From Bloomfield Avenue to Stonybrook Road
Fairfield Avenue	West	From Clinton Road north for 200 feet
Fairmount Road	North	From Annin Road 345 feet west on Fairmount Road
Fairmount Road	West	From Grove Street to the right-angle turn of Fair-mount Road
Forest Avenue	West	From Mountain Avenue to Crane Avenue
Grove Street	South	From Annin Road to Fairmount Road
Kirkpatrick Lane	West	From Bloomfield Avenue, southerly for a distance of 200 feet
Lane Avenue	East	From the north line of Westville Avenue to the Caldwell Borough line
Long Meadow Lane	North	From Fairfield Avenue to Passaic Avenue
Lougheed Avenue **[Ord. No. 1788-2016]**	East	From Bloomfield Avenue south for 350 feet

Downloaded from https://ecode360.com/WE0897 on 2025-08-07

The public hearing was set for September 16, 2025. Councilwoman Canale asked that the Ordinance be moved, published and posted as a pending Ordinance. This was seconded by Councilman Docteroff. By a roll call vote all were in favor.

TECHNOLOGY AND SHARED SERVICES:

There was no report.

LEGAL AND PERSONNEL:

Councilman Cecere asked Clerk DeBlasis to read the title of the following Ordinance.

TOWNSHIP OF WEST CALDWELL, NEW JERSEY

ORDINANCE NO. 1898
AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, ESSEX COUNTY, NEW JERSEY, AMENDING CHAPTER 22 ENTITLED "PUBLIC PROPERTY AND RECREATION AREAS" TO INCLUDE CHAPTER 22, SECTION 3 ENTITLED "PUBLIC EVENTS"

WHEREAS, the Governing Body of the Township of West Caldwell recognizes that public events contribute significantly to the cultural, social, and economic vitality of the community; and

WHEREAS, such events, while beneficial, require careful planning to ensure the safety of participants, the orderly movement of traffic, the protection of public property, and the minimization of disruptions to residents and businesses; and

WHEREAS, the municipality has a duty to balance the community's enjoyment of public celebrations with its responsibility to provide adequate police, fire, emergency, and sanitation services; and

WHEREAS, establishing clear procedures for permitting, regulating, and managing public events is necessary to provide fairness, consistency, and transparency for event organizers and the community at large; and

WHEREAS, the governing body finds it in the best interest of the health, safety, and welfare of its residents to adopt an ordinance that sets forth requirements and standards for the scheduling, approval, and conduct of events held within the municipality; NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST CALDWELL IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

Chapter 22, Section 3
22-3 Public Events.
22-3.2 Title.
This section shall be known and may be cited as the "Public Events Ordinance of the Township of West Caldwell."
22-3.2 Intent.
The Mayor and Township Council of the Township of West Caldwell find that streets, parks, public facilities and other public places in the Township are from time to time temporarily occupied or closed and used as sites for fairs, art shows, neighborhood celebrations and other public events, which are privately sponsored but open to the public to varying degrees. Events of this kind serve to improve the quality of life of the residents of the Township and often result in large numbers of people congregating within the confines of the temporarily closed streets or public places, and the resulting crowd conditions create concerns relating to the health, safety and welfare of the public at large and of persons and property in and near the closed area. It is, therefore, essential that a policy be established for governing these events, which shall facilitate control over them by the sponsor and by the Township officials from departments involved with the event to safeguard persons and property.
22-3.3 Definitions.
As used in this section, the following terms shall have the meanings indicated:

APPLICANT
An individual or organization submitting an application for an event subject to regulation by this chapter.
APPLICATION
A form issued by the Township Clerk for approval for any event subject to regulation by this chapter.
BLOCK PARTY
A gathering of local neighborhood residents held without charge and intended to be attended by local neighborhood residents held not more than one time per year where the participants contribute food and beverages and/or pay a small fee to cover the costs of same. Charging for alcoholic beverages is strictly prohibited.
BLOCK PARTY PERMIT
A permit required by this section to conduct a block party.
DEMONSTRATION
The gathering of twenty-five or more persons for the purpose of demonstrating, picketing, speechmaking, marching and the holding of vigils, and such other gathering as may be protected by the First Amendment to the United States Constitution and the New Jersey Constitution, where such gathering is to be held upon public property. This definition shall not include any gathering or activity that is prohibited by the First Amendment to the United States Constitution and New Jersey Constitution.
DEMONSTRATION PERMIT
A permit required by this section to conduct a demonstration.
EVENTS
Collectively, block parties, demonstrations and special events.
EXTRA ORDINARY COSTS
Any costs incurred by the Township that, at the Township's sole discretion, has been determined to be unanticipated, excessive or unduly burdensome to the Township.
PERMIT(S)
The written approval for block parties, demonstrations and special events, in a form approved by the Mayor or Township Administrator.
PERMITTEE
An applicant granted any permit authorized by this section.
PERSON
Any individual, firm, partnership, association, corporation, company or organization of any kind.
PUBLIC PROPERTY
Property which is owned, operated, maintained and/or controlled by the Township. Examples of public property include but are not limited to buildings, parking lots, plazas, streets, sidewalks, alleys, Township pool properties and parks.
SPECIAL EVENT
A preplanned event that, because of its nature, interest, location, promotion or any combination of similar influences, is expected to draw a large number of people, sponsored by a sponsor other than the Township or its designee, including but not limited to Downtown West Caldwell, proposed to be held on public property or private property but affecting public property or requiring Township support services, for the purpose(s) of entertainment, celebration, amusement, cultural recognition, arts and crafts displays and/or sales, amateur sports demonstrations or competitions, grand openings or similar activities generally considered recreational in

nature. Examples include, but are not limited to festivals, street fairs, art shows, exhibitions, public celebrations, outdoor concerts, parades and road races.
SPECIAL EVENT PERMIT
A permit required by this section to conduct a special event.
SPONSOR
The individual, group of individuals, corporation or other entity responsible for organizing an event, and on whose behalf the applicant submits an application.
SUPPORT SERVICES
Those which can or must be provided by the Township to ensure that a special event is conducted in such a manner as to protect the safety, health, property and general welfare of the residents of the Township of West Caldwell. Examples include, but are not limited to police and fire protection, crowd management and control, and traffic management control.
TOWNSHIP
The Township of West Caldwell.
22-3.4 Permit Required; Nondiscrimination.
a. No event as defined in this section shall be advertised or held unless a permit for such event has been issued.
b. In granting or denying permits, the Township will not discriminate on the basis of age, gender, race, creed, religion, national origin or sexual preference, the content of the speech or the identity of the speaker(s).
22-3.5 Issuing Officers.
a. All permits, demonstrations, block party and special event permits may be approved by the Mayor or Township Administrator or designee after consultation with the Department Directors.
b. Applications for permits shall be made available by the Township Administrator his/her designees, who shall receive completed applications and maintain files of all applications, issued permits and denials of permits.
22-3.6 Provisions Applicable to All Events.
The following provisions apply to all events subject to this section:
a. Public property authorized for use in connection with any event shall not be obstructed by obstacles which cannot be readily moved to allow the passage of emergency vehicles, and events shall not unduly interfere with movement of emergency vehicles and emergency services to contiguous areas.
b. The Mayor, Police Chief, Township Administrator or their designees may revoke a permit or terminate any event in order to protect public safety and welfare or where the permit conditions have been violated.
c. Permits shall be issued to individuals and shall not be transferred or assigned, nor shall a permit be used at any location or on any date other than as specified in the permit.
d. Events which are cosponsored by the Township of West Caldwell are exempt from the provisions of this section, as are funeral processions, school-sponsored events and any governmentally sponsored events.
e. An application fee as set forth by resolution of the Township Council, shall be paid to the Township as payment for the administrative obligations imposed by this section except as prohibited by law.
f. Each applicant shall agree in writing to reimburse the Township for any reasonable and foreseeable expenses incurred by the Township resulting from the event, including but not limited to police service, setup and cleanup costs. Where the Chief of Police determines that police services are required, said services shall be furnished at the extra-duty rate as established by the Township Code, calculated on an hourly basis, with a minimum assessment of four (4) hours per officer to be paid by the applicant.
g. Each applicant shall agree in writing to reimburse the Township for any specified cost for the use of Township assets, as set forth by resolution of the Township Council from time to time. Additionally, an applicant may be required to reimburse the Township for any and all Extraordinary Costs as defined above that are incurred by the Township at any time in connection with the Event.
h. Events may not be held for the sole purpose of advertising any products, goods or services and may not be held for private profit.
i. Information provided in the application shall be complete and accurate in all material details. Incomplete applications shall be returned to the applicant.
j. An applicant shall not be issued a permit until such time as the applicant has complied with all terms of this section, including the submission of the required fees.
k. The conduct of the event shall not negatively affect or impair public health, welfare, and safety.
l. An event shall not be scheduled at a time when school is in session, when such event is located near a route or location adjacent to a school or class thereof without approval of the West Caldwell Superintendent of Schools, and the noise created by the activities of the event shall not substantially disrupt the activities of the school or class thereof.
m. Before a permit is issued, the applicant shall execute an endorsement on the permit agreeing to comply with the terms and conditions of this section and any special conditions and terms specified in the permit.
n. Applications for the use of the same public property at the same time shall be processed based upon the first received complete application. Applicants so denied a permit shall, if possible, be given alternative sites by the issuing officer.
o. An applicant shall at all times be present at the event and shall carry the permit upon his/her person during the conduct of the event.
p. In addition to the requirements of this section, all applicants, sponsors and event participants shall comply with all applicable local, state and federal law and regulations. Issuance of an event permit is not a substitute for any other required permit(s) from or required notice to other public or private entities whose roadways, property or interests may be impacted by the Event. Alcoholic beverages may not be served or consumed on public property at any event unless the applicant receives special permission in accordance with all other requirements pursuant to this section and/or any other chapter of the West Caldwell Municipal Code. Breach of any law or regulation shall be cause for revocation of permits.
22-3.7 Violations and Penalties.
Any person who violates any provision of this section, or who willfully violates the conditions contained in any permit, shall be subject to a penalty as set forth in the Code of the Township of West Caldwell.
22-3.8 Permit Required; Fee.
Public Events may be held only pursuant to a permit issued in accordance with the provisions of this section and upon payment of a fee as set forth by resolution of the Township Council from time to time except as prohibited by law. For any Events where the total attendance is anticipated to be in excess of one thousand (1000) attendees, the applicant will be required to deposit an additional security deposit with the Township to cover any unanticipated or Extra Ordinary expenses. All or a portion of the security deposit may be returnable to the applicant subject to any reimbursement required for unanticipated or Extra Ordinary expenses incurred.
22-3.9 Application for Demonstration Permit.
a. Filing period.
1. An application for a demonstration permit shall be filed on forms provided by the Township Administrator not less than thirty (30) calendar days in advance of any proposed demonstration.
2. Applications shall be received by the Township Administrator during the hours of 8:30 a.m. to 4:30 p.m., Monday through Friday, holidays excepted or electronically as specified on the application. All demonstration applications shall be deemed granted, subject to all limitations and restrictions provided for in this chapter, unless denied within five (5) business days of receipt.
b. Contents. The application for a demonstration permit shall set forth the following information:
1. The name, address, telephone number and e-mail address of the applicant and at least one alternate.
2. If the demonstration is proposed to be conducted for, on behalf of, or by an organization, the name, address, telephone number, e-mail address and web-site address of the headquarters of the organization and of the authorized and responsible officers of such organization.
3. The name, address, telephone number and e-mail address of any person(s) responsible for organizing the demonstration in addition to the applicant.

4. The name, address, telephone number and e-mail address of any individual who will be present, in addition to the applicant, and in charge of the demonstration on the day of the demonstration.
5. The date when the demonstration is to be conducted.
6. The route, if any, to be traveled, the starting point and termination point and shall include a map and site plan specifying the route, area(s) of assembly and the location of any temporary structure(s) or equipment to be stationed anywhere in the Township to support the demonstration.
7. The approximate number of individuals who will participate in the demonstration.
8. The hours when such demonstration will start and terminate, which shall not be before 8:00 a.m. or after 10:00 p.m.
9. A statement as to whether the demonstration will occupy all or only a portion of the width of the streets proposed to be traversed or public property proposed to be used.
10. The location of any assembly areas for such demonstration.
11. The time at which units of the demonstration will begin to assemble at any such assembly area or areas.
12. Any supplemental information which the Mayor or his/her designee and/or the Township Administrator or his/her designee shall find necessary to determine whether to approve or conditionally approve the demonstration permit.
c. Upon receipt of an application, the Township Administrator shall promptly forward copies to the Mayor and all Department Directors.
d. Processing of applications. Permit applications for demonstrations shall be processed in order of receipt, and the use of a particular area shall be allocated in order of receipt of completed applications, subject to the limitations set forth in the section of this Article titled "Issuance of Permit."
e. The Township Administrator, where good cause is shown therefore, shall have the authority to consider any application hereunder which is filed less than thirty (30) days in advance of any proposed demonstrations. In so doing, the Township Administrator shall consider the exigency of an event or occurrence sought to be protested.
22-3.10 Issuance of Demonstration Permit.
a. The Mayor or Township Administrator shall issue a permit as provided for hereunder unless, from consideration of the application, it is found that:
1. The requested location is not a public forum or has been determined to be an inappropriate limited forum. In that event, an alternate site, if available for the activity, may be proposed by the Township Administrator to the applicant.
2. The applicant is unwilling to accept and abide by time, manner and place restrictions placed by the Township Administrator or his/her designee.
3. A fully executed prior application for the same time and place has been received, and a permit has been or will be granted authorizing activities which do not reasonably permit multiple occupancy of the requested demonstration site. In that event, an alternate site, if available for the activity, may be proposed by the Township Administrator to the applicant.
4. It reasonably appears from past experience that the participants in the proposed demonstration will, by force or threat of force, willfully injure, intimidate or interfere with or attempt to injure, intimidate or interfere with any person or class of persons participating in or enjoying any lawful activity.
5. Information contained in the application or requested supplemental information is found to be incomplete or inaccurate in any material detail.
b. When the grounds for denial of an application for permit can be corrected by the imposition of time, manner and place restrictions, such restrictions shall be offered to the applicant. If acceptable, the applicant will endorse a consent specifying such restrictions on the permit to be issued. The applicant shall take all steps the Township Administrator may direct to advise demonstration participants of such restrictions.
22-3.11 Temporary Structures Prohibited; Sound Equipment.
a. In connection with permitted demonstrations, all temporary structures, including but not limited to stands, platforms, lecterns, chairs, portable sanitary facilities and press facilities, shall be prohibited.
b. Sound-amplification equipment reasonably necessary for the conduct of the demonstration shall be permitted, provided such equipment was disclosed in the application and approved in the permit, subject to such restrictions as the Township Administrator may find necessary to protect residential privacy.
22-3.12 Denial of Demonstration Permit.
The Township Administrator or his/her designee shall act upon the application for a demonstration permit within five (5) business days. If the Township Administrator or his/her designee denies the application, he/she shall file a written statement with the Township Clerk and cause it to be delivered to the applicant, within five (5) business days after the date upon which the application was filed, stating the reasons for the denial of the permit.
22-3.13 Demonstration Permit Appeal Procedure.
An aggrieved applicant shall have the right to appeal the denial or revocation of a demonstration permit to the Township Administrator. The notice of appeal shall be filed within forty-eight (48) hours after notice of the application revocation or denial and shall be in writing. The Township Administrator shall act upon the appeal within forty-eight (48) hours after its receipt and his/her decision shall be in writing. An appeal may be decided by the Township Administrator based on the written record.
22-3.14 Insurance Requirements.
a. The applicant/sponsor of a demonstration must submit a certificate evidencing comprehensive liability insurance. Such insurance shall name the Township of West Caldwell, its officers, employees, elected officials, and agents on the policy or by endorsement as additional insured. Insurance coverage must be maintained for the duration of the demonstration. Coverage shall be as follows:
1. General liability: $2,000,000.
2. Auto liability: $2,000,000.
3. Workers' compensation: statutory requirements.
b. A certificate of insurance, along with all necessary endorsements, must be filed with the Township Clerk no less than five (5) days before the date of the demonstration. The demonstration permit shall not be issued by the Township Administrator until after the insurance policy or certificate of insurance, along with necessary endorsements, have been filed by the applicant or sponsor.
22-3.15 Notice to Township and Other Officials.
Immediately upon issuance of a demonstration permit, the Township Administrator shall send a copy thereof to the following:
a. Mayor and members of the Township Council.
b. All Department Directors.
22-3.16 Public Conduct During Demonstrations.
a. No person shall unreasonably hamper, obstruct or impede or interfere with any demonstration or demonstration assembly or with any person participating in a demonstration.
b. No vehicles shall be driven or used as part of a demonstration.
c. Parking on demonstration route. Pursuant to the Code of the Township of West Caldwell, the Police Chief or his/her designee shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a roadway or part thereof constituting a part of the location or route of demonstration.
22-3.17 Application for Special Event Permit.
An applicant seeking a special event permit shall file an application with the Township Clerk's office upon a form provided by the Township Clerk or his/her designee, no later than thirty (30) days before the special event. The application shall include:
a. The name, address, telephone number and e-mail address of the applicant, who must be at least 18 years of age.
b. The name, address, telephone number, e-mail address and website address of the person sponsoring the special event; if a corporation or other organization, the name and address of the officers of the organization and the relationship of the applicant to said organization.

c. The name, address, telephone number and e-mail address of the individual, who must be at least 18 years of age, who will be present and in charge of the special event on the day of the event.
d. The date and time of the proposed special event.
e. The location of the proposed special event.
f. The hours of operation of the proposed special event, which shall not be before 8:00 a.m. or after 10:00 p.m.
g. The schedule of proposed activities at the special event.
h. The number of participants anticipated to attend the special event.
i. Whether an admission fee will be charged and, if so, how much.
j. Whether the event is open to the general public and, if not, what group or groups are permitted to attend.
k. The nature or purpose of the special event.
l. Whether any merchandise, food or beverages will be sold at the special event.
m. The type and estimated number of vehicles and animals, if any, which will be used at the special event.
n. Information pertaining to parades, races and other events occurring along a specified route, including but not limited to the following:
1. The assembly point for the special event, the time at which units of the parade or other event will begin to assemble.
2. The route to be traveled.
3. Whether the parade or other event will occupy all or only a portion of the streets in the proposed route.
4. The number, type and size of floats.
5. Material and maximum size of any signs or banners to be carried along the route.
22-3.18 Special Event Application Review and Approval.
a. The Township Administrator shall promptly forward completed applications to the Mayor and Department Directors or their designees.
b. The Police Chief, Fire Chief and other Department Directors or their designees shall review the application and make a public safety assessment for the Township Administrator. The Township Administrator or his/her designee shall authorize issuance of the special event permit upon finding the following:
1. The conduct of the special event will not require the diversion of so great a number of police officers to properly police the special event and the area contiguous thereto so as to prevent normal police protection for the Township of West Caldwell.
2. If a parade, race, or other event is occurring along a specified route, the special event is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays in route.
3. The special event will not tend to unreasonably interfere with the public use of streets and sidewalks and private properties and can be conducted in a safe manner.
4. The conduct of the special event will not unreasonably disrupt traffic within the Township.
5. The location of the special event will not cause unreasonable hardship to adjacent businesses or residences.
6. The special event will not entail extraordinary Township services or unreasonable burdensome expense to the Township.
7. The location requested for the special event will not unreasonably interfere with mass transit.
c. A special event permit shall be approved, conditionally approved or denied, contingent upon the conditions specified above, within five (5) business days after receiving a completed application. If the application is denied or conditionally approved, the applicant shall be advised, in writing, of the grounds for denial or conditional approval and his/her right of appeal. If the Township Administrator relied on information about the event other than that contained within the application, the applicant shall be advised of such information. The applicant shall be notified of any permit conditions at the time the application is approved and his/her right of appeal of the permit conditions.
d. When the grounds for denial of an application are due to the noncompliance with any conditions which can be corrected by altering the time, date, duration, route, or location of the event, the application shall be approved conditionally, contingent upon the applicant's acceptance of conditions for permit issuance.
22-3.19 Special Event Permit Conditions.
a. The Township Administrator or his/her designee may condition the issuance of a special events permit by imposing reasonable requirements concerning the time, place and manner of the event and such other requirements as are necessary to protect the safety of persons and property and the control of traffic, provided such conditions shall not unreasonably restrict the right of free speech. Such conditions include, but are not limited to:
1. Alteration of the date, time, duration, route or location of the event proposed on the special event application.
2. Conditions concerning the area of assembly and disbanding of parade or other events occurring along a route.
3. Conditions concerning accommodation of pedestrian or vehicular traffic, including restricting the special event to only a portion of public property.
4. Requirements for the use of traffic cones and barricades.
5. Requirements for the provision of first aid or sanitary facilities.
6. Requirements for use of special event monitors and providing notice of permit conditions to special event participants.
7. Restrictions on the number and type of vehicles, animals at the event and inspection and approval of floats, and decorated vehicles for safety purposes by the Fire Department, the Health Department and Department of Code Enforcement, where applicable.
8. Compliance with animal protection ordinances and laws.
9. Requirements for use of garbage containers, cleanup and restoration of Township property. If the permit holder does not clean the area under permit or inadequately cleans the area, the West Caldwell Department of Public Works shall provide the necessary services at the expense of the permit holder.
10. Restrictions may be placed on the use of amplified sound to ensure the reasonable enjoyment of public spaces to others.
11. In situations where the Township Administrator, Police Chief, Fire Chief, or their designee deems it necessary to have additional police officers, firefighters or other Township staff and/or any other security measures made available for the purpose of preserving the public safety and welfare during the course of the special event, the applicant shall be so advised. If additional expenses or cost are incurred for the purpose of providing such staff or services, the permit holder shall be required to reimburse the Township for such expenses or costs.
12. Applicants may be required to post escrows in amounts to cover the estimated cost of additional expenses borne by the Township but are the responsibility of the applicant.
22-3.20 Special Event Miscellaneous Provisions.
a. The Township Administrator shall not process more than one special event permit for any one twenty-four-hour period (12:01 a.m. to 12:00 midnight) unless approved by the Mayor or his/her designee. Where more than one special event application is received for the same date, the application received first will be considered first.
b. No permit shall be issued to any applicant who unlawfully discriminates based on age, sex, race, creed, religion, national origin or sexual preference or for an event sponsored by an organization which so discriminates. All applicants shall submit to the Township Administrator's office a sample of any and all advertisements for said event, at least fourteen (14) days prior to said event and as they occur in the days leading up to the event.
22-3.21 Special Event Appeal Procedure.
Any aggrieved applicant or permit holder shall have the right to appeal the special conditions, denial or revocation of a special events permit to the Township Administrator. The written notice of appeal shall be filed within two days after notice of special conditions, denial or revocation. The Township Administrator shall act upon the appeal with five (5) business days after its receipt. The Township Administrator’s decision shall be in writing and shall indicate the reasons for the Township’s decision. Permit holders whose permits are revoked during the event shall not have a right to appeal.
22-3.22 Insurance Requirements.

a. The applicant/sponsor of a special event must submit a certificate evidencing comprehensive liability insurance. Such insurance shall name the Township of West Caldwell, its officers, employees, elected officials, and agents on the policy or by endorsement as additional insured. Insurance coverage must be maintained for the duration of the special event. Coverage shall be as follows:
1. General liability: $2,000,000.
2. Auto liability: $2,000,000.
3. Workers' compensation: statutory requirements.
b. A certificate of insurance, along with all necessary endorsements, must be filed with the Township Clerk no less than five (5) days before the date of the special event. The special event permit shall not be issued by the Township Administrator until after the insurance policy or certificate of insurance, along with necessary endorsements, have been filed by the applicant or sponsor.
22-3.23 Application for Block Party Permit.
a. The Township Administrator shall be authorized to issue a permit for the temporary closure of public property for an approved block party. At least thirty (30) days before the commencement of any block party, an application for such permit shall be filed with the Township Administrator by a bona fide resident, who is at least 18 years of age, of the neighborhood conducting the block party. Such application shall contain:
1. The name, address, telephone number, and e-mail address of the applicant.
2. The name, address, telephone number, e-mail address and website address, if available, of the sponsor.
3. The name of the public property, including any streets, on which the block party is to be held, and a description of the portions thereof to be closed.
4. A statement from the applicant that a majority of the residents on any street or block(s) for the proposed block party have been notified and approved of the proposed block party, location, date, and hours.
5. The date and the hours thereof, which shall not be before 10:00 a.m. or after 10:00 p.m.
b. The application may require such additional information as the Township Administrator deems necessary to determine whether to approve or conditionally approve the block party.
22-3.24 Block Party Application Review and Approval.
a. Completed applications shall be sent by the Office of the Township Administrator to the Mayor and all Directors or their designees and by regular mail to the owners of all property immediately abutting the concerned public property at the addresses maintained by the Tax Assessor for such property owners.
b. The Township Administrator and Directors or their designees shall review the application and make a public safety assessment for the Township Administrator. The Township Administrator or his/her designee shall authorize issuance of the block party permit upon finding the following:
1. The conduct of the block party will not cause a diversion of police officers so as to prevent normal police protection for the Township of West Caldwell.
2. The block party will not unreasonably interfere with access to private property.
3. The conduct of the block party will not unreasonably disrupt traffic within the Township.
4. The location of the block party will not cause unreasonable hardship to adjacent businesses or residences.
5. The block party will not cause extraordinary Township services or cause an unreasonably burdensome expense for the Township.
6. The applicant has complied with all terms this chapter, including the submission of the required fees.
7. The location requested for the block party will not unreasonably interfere with mass transit.
c. A block party permit shall be approved, conditionally approved or denied, contingent upon the conditions specified above, within five (5) business days after receiving a completed application. If the application is denied or conditionally approved, the applicant shall be advised, in writing, of the grounds for denial or conditional approval. If the Township Administrator relied on information other than that contained within the application, the applicant shall be advised of such information.
22-3.25 Block Party Permit Conditions.
a. The Township Administrator or his/her designee may condition the issuance of a block party permit by imposing reasonable requirements concerning the time, place and manner of the event and such other requirements as are necessary to protect the safety of persons and property and the control of traffic. Such conditions include, but are not limited to:
1. Alteration of the date, time, duration, or location of the event proposed on the block party application.
2. Conditions concerning accommodation of pedestrian or vehicular traffic, including restricting the block party to only a portion of public property.
3. Requirements for the use of traffic cones and barricades.
4. Requirements for use of garbage containers, cleanup and restoration of Township property.
5. Restrictions on use of amplified sound.
6. In situations where the Police Chief or his/her designee deems it necessary to have additional police officers and any other security measures made available for the purpose of preserving the public safety and welfare during the course of the block party, the applicant shall be so advised. If additional expenses or cost are incurred for the purpose of providing such police protection, the permit holder shall be required to reimburse the Township for such expenses or costs.
7. Applicants may be required to post escrows in amounts to cover the estimated cost of additional expenses borne by the Township but are the responsibility of the applicant.

The public hearing was set for September 16, 2025. Councilman Cecere asked that the Ordinance be moved, published and posted as a pending Ordinance. This was seconded by Councilman Crudele. By a roll call vote all were in favor.

PARKS AND RECREATION:

Councilman Crudele thanked Joe Emanuelle, the previous owner of Caldwell Nursery for many years in the community. He congratulated Dylan Mooney for being appointed as a specialist.

There will be a makeup concert Thursday and there will be a concert on Labor Day as well.

Councilman Wolsky noted that there was a lot of paving done, such as, Memorial Park track and the entrance to Harrison School were paved. There was a sidewalk added as well. He thanked all involved.

ADVISORS' REPORT:

There were no reports.

August 19, 2025

MAYOR'S REPORT:

There was no report.

INVITATION FOR PUBLIC COMMENT:

Dr. Richard Wilcox spoke about the EV Charging Ordinance and voiced some concerns.

Council President Wolsky said they will look into his concerns.

Jason Actin asked that the street sweeper go down Fairfield Avenue more often. He also spoke about speeding. Chief Capriglione responded to him.

ADJOURNMENT TO CLOSED EXECUTIVE SESSION:

Council President Wolsky stated that the Council reserves the right to come out of closed session and vote on any matter. On a motion of Councilman Cecere, seconded by Councilman Docteroff, the meeting adjourned at 7:05 pm to Closed Executive Session. Upon a voice vote, all were in favor.

On a motion of Councilman Cecere, seconded by Councilwoman Canale, the meeting reconvened to open session at 7:27 pm. Upon the voice vote, all were in favor.

Council President Wolsky asked Clerk DeBlasis to read the title of the Resolution that was agreed upon in closed session.

Clerk DeBlasis read the following Resolution by title.

Res. No. 25-193
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING SETTLEMENT OF 2022 THROUGH 2025 TAX APPEAL MANZO-DUREN ORGANIZATION LLC V. TOWNSHIP OF WEST CALDWELL, BLOCK 2100, LOT 4, 820 BLOOMFIELD AVENUE

WHEREAS, an appeal of the real property tax assessment for tax years 2022 and 2025, involving Block 2100, Lot 4, 820 Bloomfield Avenue; 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 2022 and 2025 tax appeal is hereby authorized as follows:

Block 2100, Lot 4, 820 Bloomfield Avenue

Appeal Year	Original Assessment	Proposed Assessment	Decrease in Assessment	Decrease in Taxes
2022	2,262,000	2,262,000	0	Withdrawn
2023	2,262,000	2,262,000	0	Withdrawn
2024	2,262,000	1,663,000	(599,000)	$16,388.64
2025	2,262,000	1,663,000	(599,000)	$16,466.51
Totals	9,048,000	7,850,000	(1,198,000)	$32,855.15

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 Cecere, seconded by Councilwoman Canale that the Resolution be approved. Upon a roll call vote all were in favor.

No one from the public was in attendance.

ADJOURNMENT:

There being no further business before the Council on a motion from Councilman Cecere and a second by Councilman Docteroff, the meeting adjourned at 7:28 pm. All were in favor.

_____
Joann DeBlasis, Township Clerk