

**TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
September 16, 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, September 16, 2025 at 6:30 p m.

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

PRESENT: Mayor Tempesta, Council Wolsky, Cecere, Docteroff,
Councilwoman Canale arrived at 6:56 pm

ABSENT: Council Crudele, Schott

OTHERS PRESENT: Nikole H. Baltycki, Township Administrator/CFO
Joann DeBlasis, Township Clerk
Paul G. Jemas, Esq., Township Attorney
Courtney Gaccione, Esq.
Chief Dennis Capriglione, Police Department
John Medina, Construction Official

Pledge of Allegiance led by Councilman Docteroff

Councilman Wolsky gave the Invocation.

PUBLIC HEARING ON PENDING ORDINANCES:

Mayor Tempesta asked Clerk DeBlasis to read the following Ordinance by title:

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

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

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Fairmount Road	West	From Grove Street to the right-angle turn of Fairmount 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
Lougheed Avenue [Ord. No. 1788-2016]	West	From Bloomfield Avenue south for 155 feet
Melrose Place	Both	From Bloomfield Avenue south for 230 feet
Orton Road	West	From the north side of the Wilson School drive- way on Orton Road to a point 300 feet north of the north side of the Wilson School Driveway
Orton Road	West	From the south side of the Wilson School drive- way on Orton Road to a point 300 feet south of the south side of the Wilson School driveway
Passaic Avenue	Both	From the boundary line between the Borough of Fairfield to the Township of West Caldwell south to the boundary line between the Borough of Roseland and the Township of West Caldwell
Patton Drive	Both	From York Avenue for its entire length
Pine Tree Place	Both	From Passaic Avenue west for 90 feet
Smull Avenue	West	From the Caldwell Borough line north to the North Caldwell Borough line
Westville Avenue	North	From an extension of the east curbline of Sunnie Terrace, produced, to Westville Avenue and to Passaic Avenue
Westville Avenue	South	From Passaic Avenue east for 282 feet
Westville Avenue	South	From Sunnie Terrace to the Caldwell Borough- West Caldwell Township Line

Mayor Tempesta explained what the Ordinance was about.

Mayor Tempesta declared the hearing open and asked if anyone wished to be heard on the Ordinance. No one wished to be heard. A motion was made by Councilman Docteroff and seconded by Councilman Wolsky to close the hearing. All were in favor.

Councilman Docteroff moved that the pending Ordinance be passed and published in accordance with the law. It was seconded by Councilman Wolsky. Upon the vote being polled, Council Wolsky, Cecere, and Docteroff voted in the affirmative.

Mayor Tempesta asked Clerk DeBlasis to read the following Ordinance by title:

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.

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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.

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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.

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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.

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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.

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- 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.

Mayor Tempesta declared the hearing open and asked if anyone wished to be heard.

Thirty-nine residents and non-residents spoke in opposition to the Ordinance.

After everyone from the public had a chance to speak, a motion was made by Councilman Docteroff and seconded by Councilman Wolsky to close the hearing. All were in favor.

Mayor Tempesta thanked everyone for coming out. He pointed out that the only concern and reason for the Ordinance is safety. He suggested to the Council that they reconsider and table the decision. Councilman Wolsky moved that Ordinance No. 1898 be tabled. It was seconded by Councilman Cecere. Upon the vote being polled all were in favor.

There was a short break. The meeting was reconvened at 8:17 PM.

COMMUNICATIONS:

A-1 A communication from Nikole H. Baltycki, Chief Finance Officer, certifying funds are available under the 2025 Budget of Appropriations – September 16, 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 25-195 and 25-203.

Received and placed on file.

BILLS ORDERED PAID:

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

SCHEDULE OF BILLS ORDERED PAID AUGUST 2025

	<u>Checks</u>	<u>Amount</u>
CURRENT ACCOUNT – VALLEY NATIONAL BANK	19632-19782	\$5,905,497.59
GENERAL CAPITAL	3403-3412	\$91,064.34
POOL	4002-4022	\$138,478.40
POOL CAPITAL	3070	\$1,200.00

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WATER CAPITAL	8448-8452	\$119,298.51
WATER	11973-11991	\$168,215.59
WATER WIRE ACCT	0	0
GENERAL TRUST – VALLEY NATIONAL BANK	7223-7236	\$42,099.13
DOG TRUST	1172-1173	\$6,983.63
PUBLIC ASSISTANCE TRUST 1	1016-1017	\$125.00
LAW ENFORCEMENT TRUST	0	\$0.00
DEVELOPERS’ TRUST	1889-1896	\$7,157.25
SUB-TOTAL		\$6,480,155.44
LIBRARY	13819-13845	\$66,616.44
TOTAL		\$6,546,771.88

APPROVAL OF MINUTES:

On the recommendation of Councilman Cecere seconded by Councilman Docteroff, it was regularly moved that the minutes of the regular meeting of August 19, 2025 be approved.

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

CONSENT AGENDA:

Mayor Tempesta 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 Council President Wolsky, seconded by Councilman Cecere that the thirteen 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. 25-194.

Mayor Tempesta asked if there were any comments on the consent agenda from Council or the public.

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

No. 25-194
By: Councilwoman Canale

SUBJECT: RESOLUTION AUTHORIZING THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT CERTIFICATION LIST FOR LENGTH OF SERVICE AWARD PROGRAM (LOSAP) FOR THE YEAR 2024

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

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

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

WHEREAS, the West Caldwell Volunteer Fire Department presented the certified list of active volunteer firefighters, attached, who qualify for LOSAP contributions for the year 2024 to the Mayor and Council of the Township of West Caldwell; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council have reviewed and have approved the attached list of volunteer firefighters who qualify for LOSAP contributions for the year 2024 and the Governing Body has included the 3.5% CPI increase authorized by the Division of Local Government Services in accordance with the determinations and recommendations of the West Caldwell Fire Department; and

BE IT FURTHER RESOLVED, that the attached certified list and this Resolution shall be posted for thirty (30) days at

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the West Caldwell Fire Headquarters and in the office of the Municipal Clerk in accordance with N.J.S.A. 40A:14-192, et seq.

No. 25-195
By: Councilman Cecere

SUBJECT: RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO COLONNELLI BROTHERS, INC. FOR THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell has a need to award a contract to Colonnelli Brothers, Inc. for stormwater infrastructure improvements on Distler Avenue as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, Colonnelli Brothers, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Colonnelli Brothers, Inc. 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 Colonnelli Brothers, Inc. from making any reportable contributions through the term of the contract period, and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for said purpose in the General Capital Fund; and

NOW THEREFORE, BE IT RESOLVED that the Mayor & Council of the Township of West Caldwell, County of Essex, State of New Jersey of the authorizes Township Officials to enter into a contract not to exceed the amount of \$52,800.00 to Colonnelli Brothers, Inc. as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Non-Collusion Affidavit be placed on file with this resolution.

No. 25-196
By: Councilman Wolsky

SUBJECT: RESOLUTION APPOINTING JULISSA SHINE AS PAYROLL CLERK IN THE FINANCE DEPARTMENT FOR THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell desires to appoint a Payroll Clerk; and

WHEREAS, Julissa Shine, 7 Oates Terrace West Caldwell, NJ 07006 is willing and able to serve as Payroll Clerk in the Finance Department for the Township of West Caldwell; and;

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

1. Julissa Shine is appointed as Payroll Clerk, effective September 8, 2025, at a salary of \$49,000.00 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.

No. 25-197
By: Councilman Wolsky

SUBJECT: RESOLUTION OF THE TOWNSHIP OF WEST CALDWELL, COUNTY OF ESSEX, NEW JERSEY AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH COMMUNITY OPTIONS FOR A GROUP HOME

WHEREAS, in compliance with the amended Fair Housing Act, on or about January 23, 2025, the Township filed an action with the Essex County Superior Court of New Jersey, entitled In the Matter of the Application of the Township of West Caldwell, Docket No. ESX-L-601-25, seeking a Judgment of Compliance and Repose or similar document approving its Affordable Housing Plan in addition to related reliefs; and

WHEREAS, the Township of West Caldwell is seeking affordable housing opportunities to assist in the voluntary compliance efforts of the Township towards its Mount Laurel obligations; and

WHEREAS, the Township is seeking to assist Community Options, Inc., who is proposing to purchase the real property located on Block 705, Lot 7, known as 18 Pin Oak Road, on the tax maps of the Township of West Caldwell, in the creation of an at least five (5) bedroom group home on the site; and

WHEREAS, the Township and Community Options wish to enter into a Memorandum of Understanding outlining their duties and obligations; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, NEW JERSEY AS FOLLOWS:

1. The Memorandum of Understanding is approved and the Mayor is hereby authorized to execute the Memorandum of Understanding with Community Options, attached as Exhibit A, subject to any de minimis revisions from Counsel.

2. The appropriate Township officials and professionals are hereby authorized to take all actions necessary to carry out and complete the terms of the Memorandum of Understanding.

No. 25-198
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING THE WILLIAM PATERSON UNIVERSITY OF NJ FOUNDATION FOR ON PREMISE MERCHANDISE RAFFLE TO BE HELD ON OCTOBER 6, 2025 LICENSE NO. 502, ID NO. 530-5-32341

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WHEREAS, The William Paterson University of NJ Foundation has submitted a Raffle License Application No. RA 502, ID No. 530-5-32341 for on premise merchandise raffle to be held October 6, 2025 at Mountain 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 502; 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. 25-199
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING SHARING NETWORK FOUNDATION, INC. FOR ON PREMISE MERCHANDISE RAFFLE TO BE HELD ON OCTOBER 14, 2025 LICENSE NO. 503, ID NO. 474-4-37907

WHEREAS, Sharing Network Foundation, Inc. has submitted a Raffle License Application No. RA 503, ID No. 474-4-37907 for on premise merchandise raffle to be held October 14, 2025 at Mountain 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 503; 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. 25-200
By: Councilman Schott

SUBJECT: RESOLUTION AUTHORIZING THE RENEWAL OF AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF CALDWELL AND THE TOWNSHIP OF WEST CALDWELL FOR GASOLINE AND DIESEL FUEL

WHEREAS, The Borough of Caldwell has a need for the acquisition of gasoline and diesel fuel for Caldwell owned vehicles and equipment and West Caldwell has the ability to make such services available; and

WHEREAS, The Borough of Caldwell is desirous of renewing a Shared Services Agreement whereby West Caldwell will provide gasoline and diesel fuel to Caldwell.

WHEREAS, the Borough of Caldwell and the Township of West Caldwell have agreed to renew an Interlocal Services Agreement whereas West Caldwell will provide gasoline and diesel fuel to Caldwell.

NOW, THEREFORE, BE IT RESOLVED that the appropriate municipal officials are hereby authorized to enter into an Agreement between the Borough of Caldwell and the Township of West Caldwell for gasoline and diesel fuel for the period from September 1, 2025 through December 31, 2027.

- 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. 25-201
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 | 8. Overpayment-Refund |
| 2. Duplicate Payment-Refund | 9. Tax Title Lien Redemption |
| 3. Vets, Senior Citizen, Exempt Prop Refund/Allow | 10. Homestead Rebate/NJ Saver |
| 4. Apply Overpayment to Next Year | 11. Apply Overpayment to Current Year |
| 5. Cancellation of Balance of Less than \$5.00 | 12. Cancellation of Credit of Less than \$5.00 |
| 6. Assessment Changes | 13. Cancellation of Taxes |
| 7. Tax Appeal | 14. Other - Cancellation of Credit Balance over \$5.00 |

Block	Lot	Qual	Owner Name	Amount Year	Reason
3305	2		Joseph & Melissa Gonzales 97 Knoll Terrace	\$ 3,083.652025/3	2

**Check payable to: North Star Title Agency, LLC
119 Avenue at the Commons
Suite 1
Shrewsbury, NJ 07702**

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Total Refund - \$ 3,083.65

TTL Certificate #24-00001
507 4

Magalhaes, Frederico C Lien \$ 854.53 2024 9
176 Central Avenue

**Check payable to: Apex Capital Holdings, LLC
John Venutolo
25 Hughes Place
Summit, NJ 07901**

Total Redemption \$ 854.53

No. 25-202
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

<u>Name</u>	<u>Amount</u>	<u>Reason</u>
Roberta Furman 161 Mountain Ave West Caldwell, NJ 07006	\$75.00	Refund- Volleyball
Nikol Puco 3 Hillside Ave Caldwell, NJ 07006	\$75.00	Refund- Volleyball
Bethany Mikolajczk 59 Park Street West Caldwell, NJ 07006	\$85.00	Refund- Soccer
Diana Naylor 15 Washburn Place Caldwell, NJ 07006	\$85.00	Refund- Soccer

TOTAL CURRENT FUND REFUNDS: \$320.00

POOL UTILITY FUND

<u>Name</u>	<u>Amount</u>	<u>Reason</u>
Jo Christiana 206 B Pompton Ave Cedar Grove, NJ 07009	\$220.00	Refund- Pool Membership

TOTAL POOL UTILITY FUND REFUNDS: \$220.00

TRUST FUND

<u>Name</u>	<u>Amount</u>	<u>Reason</u>
Anne Calabria 351 Parkview Drive Scotch Plains, NJ 07076	\$75.00	Refund- Senior Trip to AC
Dolores Boonstra 54 Beverly Road Cedar Grove, NJ 07009	\$75.00	Refund- Senior Trip to AC
Maria Christoffersen 17 Mayhew Drive Fairfield, NJ 07004	\$75.00	Refund- Senior Trip to AC

TOTAL TRUST FUND REFUNDS: \$225.00

No. 25-203
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT FOR WATER SUPPLY MAINTENANCE SERVICES PURSUANT TO THE NEW JERSEY WATER SUPPLY PUBLIC PRIVATE CONTRACTING ACT N.J.S.A. 58:26-19, ET. SEQ.

WHEREAS, the Township of West Caldwell has solicited proposals through the competitive contracting process, in accordance with the New Jersey Water Supply Public Private Contracting Act. N.J.S.A. 58:26-19 et. seq. for

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management and full-service maintenance program for water storage vessels and;

WHEREAS, the proposal received from Utility Service Co. Inc., was deemed to have the necessary qualifications and expertise for the performance of the services, and;

WHEREAS, a hearing for public comment was held on August 19, 2025, and said public comment period was held open until August 26, 2025 and no comments were received, and;

WHEREAS, the type of services to be provided are management and full-service maintenance program for water storage vessels as follows:

- Mountain Tank - 500,000 Gallon Standpipe Storage Tank
- McKinley Tank – 1,000,000 Gallon Ground Storage Tank

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

1. The appropriate Township officials are hereby authorized to negotiate a contract for Tank Maintenance Services as authorized by N.J.S.A. §40A:11-5 and N.J.S.A. 58:26-19 et. seq.
2. This Resolution shall be printed once in the Official Newspaper of the Township of West Caldwell.
3. The Mayor and all relevant Township officials are authorized and directed to take all steps necessary to fulfill the purposes of this Resolution.
4. This Resolution shall take effect immediately.

No. 25-204
By: Councilman Docteroff

SUBJECT: RESOLUTION AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 58:26-19

WHEREAS, the Township of West Caldwell desires to make application to the Local Finance Board for its review and/or approval of a proposed Contract authorizing the Asset Management Program with Utility Service Co., Inc. and;

WHEREAS, the Township believes:

- (a) it is in the public interest to accomplish such purpose:
- (b) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

WHEREAS, the township council has authorized award of a proposed contract authorizing the Asset Management Program with Utility Service Co. Inc in Resolution # 25-203.

WHEREAS, the type of services to be provided are management and full-service maintenance program for water storage vessels as follows:

- Mountain Tank - 500,000 Gallon Standpipe Storage Tank
- McKinley Tank – 1,000,000 Gallon Ground Storage Tank

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

1. The application to the Local Finance Board is hereby approved, and the Township of West Caldwell Bond Counsel, along with other representatives of the Township of West Caldwell, are hereby authorized to prepare such application and to represent the Township of West Caldwell in matters pertaining thereto.
2. The Administrator/Chief Financial Officer is hereby directed to prepare and file a copy of the proposed Asset Management Program contract with the Local Finance Board as part of such application.
3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.
4. The Mayor and all relevant Township officials are authorized and directed to take all steps necessary to fulfill the purposes of this Resolution.
5. This Resolution shall take effect immediately.

No. 25-205
By: Councilman Wolsky

SUBJECT: RESOLUTION – APPOINTING PATRICK K. ROCHE AS DISPATCHER IN THE POLICE DEPARTMENT FOR THE TOWNSHIP OF WEST CALDWELL

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

WHEREAS, Patrick K. Roche, 6 Third Street, Little Falls, NJ 07402 is willing and able to serve a Dispatcher in the Police Department for the Township of West Caldwell; and;

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WHEREAS, this appointment is contingent upon successful completion of a psychological exam and physical exam.

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

1. Patrick K. Roche is appointed as Dispatcher, effective October 1, 2025, at a salary of \$60,000.00 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.

No. 25-206
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:

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.

COMMITTEE REPORTS

FINANCE:

Councilman Docteroff congratulated Julissa Shine on her new role as Payroll Clerk.

PUBLIC WORKS:

Councilman Cecere mentioned that some of the roads in Town are being paved and are looking nice. The Library Board meeting is tomorrow night. This Friday night there will be a Family Movie Night in Crane Park. The movie will be Despicable Me 4.

PUBLIC SAFETY:

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

Councilwoman Canale reported that the Environmental Commission had a meeting on

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September 3 and will be doing a shredding event in conjunction with JCHS Scholarship Committee on Sept. 22 from 9-12 in the Cedar Street Pool parking lot. They are also reviewing the Community Garden rules and amending some regulations.

Chief Capriglione said that the annual Trunk or Treat will be the Saturday before Halloween, location to be determined.

TECHNOLOGY AND SHARED SERVICES:

Councilman Docteroff reported that he, Administrator Baltycki, and Councilman Schott had a meeting with Comcast to discuss upgrading infrastructure and move to fiber optics. There would be no cost to the Township.

LEGAL AND PERSONNEL:

There was no report.

PARKS AND RECREATION:

There was no report.

ADVISORS' REPORT:

Administrator Baltycki thanked the Mayor and Council for their support in hiring Julissa Shine as the Township's Payroll Clerk.

She also reported on the Note Sale that closed on September 2, 2025.

MAYOR'S REPORT:

There was no report.

INVITATION FOR PUBLIC COMMENT:

Steve Garfinkel spoke about the Environmental Commission meetings.

Mayor Tempesta thanked him for his comments and said that he will take everything Mr. Garfinkel said under advisement.

Harold Caplan and Eileen Dombrowski had complaints about the street they live on and asked why they have to wait for the Township to be awarded a grant before the road is fixed. Administrator Baltycki explained that with a grant there is infrastructure work done as opposed to just milling and paving a road. Ms. Dombrowski also asked if Elmwood could go back to a two-way street. Mayor Tempesta said that they will take it under advisement.

Steve McGuinness spoke to the Council about the work that he has been doing at Waverly Park. Mayor Tempesta thanked him for his good efforts.

Brad Degnan asked a question about bathrooms at Harrison School. Mayor Tempesta asked Administrator Baltycki to have another port-a-john put there either by the Township or the Board of Education depending on who put the first one there. Mr. Degnan also asked about underground utilities. Administrator Baltycki explained that the Township ran utilities so that they would be there for possible expansion in the future.

ADJOURNMENT:

There being no further business before the Council on a motion from Councilman Cecere and a second by Councilwoman Canale, the meeting adjourned at 8:49 pm. All were in favor.