TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
October 14, 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, October 14, 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, Canale, Crudele, Schott

OTHERS PRESENT: Nikole H. Baltycki, Township Administrator/CFO
Joann DeBlasis, Township Clerk
Daniel Antonelli, Esq., Special Counsel
Courtney Gaccione, Esq.
Chief Dennis Capriglione, Police Department
John Medina, Construction Official

Pledge of Allegiance led by Councilman Crudele

Councilman Wolsky gave the Invocation.

PENDING ORDINANCES:

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.
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.

Mayor Tempesta recommended to the Council that they withdraw the Ordinance.

Council President Wolsky moved to withdraw Ordinance No. 1898. A second was made by Councilman Cecere. Upon the vote being polled, all were in favor.

Seven residents spoke in regard to the Ordinance that had been withdrawn.

There was a short break. The meeting was reconvened at 6:48 PM.

COMMUNICATIONS:

A-1 A communication from Nikole H. Baltycki, Chief Finance Officer, certifying funds are available under the 2025 Budget of Appropriations – October 14, 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 25-208, 25-211, 25-212, 25-218, and 25-219.

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, Crudele, and Schott voted in the affirmative.

SCHEDULE OF BILLS ORDERED PAID SEPTEMBER 2025

	Checks	Amount
CURRENT ACCOUNT – VALLEY NATIONAL BANK	19783-19873	$4,151,150.15
GENERAL CAPITAL	3413-3417	$65,458.12
POOL	4023-4037	$78,064.59
POOL CAPITAL	3071-3072	$3,975.00
WATER CAPITAL	8453-8455	$12,471.25
WATER	11992-12003	$56,905.60
WATER WIRE ACCT	0	0
GENERAL TRUST – VALLEY NATIONAL BANK	7237-7247	$37,283.17
DOG TRUST	1174	$4.20
PUBLIC ASSISTANCE TRUST 1	0	0
LAW ENFORCEMENT TRUST	1010-1012	$5,756.10
DEVELOPERS' TRUST	1897-1903	$15,247.50
SUB-TOTAL		**$4,426,315.68**
LIBRARY	13846-13872	$79,766.32
TOTAL		**$4,506,082.00**

APPROVAL OF MINUTES:

On the recommendation of Councilwoman Canale seconded by Councilman Docteroff, it was regularly moved that the minutes of the regular meeting of September 16, 2025 be approved.

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

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 fifteen Resolutions on the Consent Agenda this evening be approved.

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

Eileen Dombrowsky had questions about Resolution 25-211. Administrator Baltycki will have the Engineer follow up with her to answer any technical questions she may have. Mayor Tempesta suggested that the Engineer go out to the neighborhood and meet with the residents.

Richard Wilcox recommended voting against Resolution 25-212.

The Council was polled and upon a roll call vote all were in favor.

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

No. 25-207
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
2101	6		Bloomfield 804/810 LLC 810 Bloomfield Avenue	$ 10,542.01	2025/3	2

Check payable to: Corelogic Commercial
Centralized Refunds
PO Box 9222
Coppell, TX 75019-9769

Total Refunds - $ $10,542.01

TTL Certificate #24-00008

2803	7		Antoine, Brent K 2 Ellis Road	$ 698.06	2024	9

Check payable to: Pro Cap 8 FBO Firstrust Bank
P.O. Box 774
Fort Washington, PA 19034-0774

Total Redemptions $ 698.06

October 14, 2025

No. 25-208
By: Councilman Cecere

SUBJECT: RESOLUTION AUTHORIZING THE PURCHASE OF TWO 2025 FORD F-350 VEHICLES FOR THE DEPARTMENT OF PUBLIC WORKS UNDER THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL

WHEREAS, the Township of West Caldwell is a member of the Morris County Cooperative Pricing Council (MCCPC); and

WHEREAS, in the past, the Township of West Caldwell has availed itself of the right to purchase materials, supplies and equipment under the contracts for such materials, supplies and equipment entered into under the MCCPC; and

WHEREAS, it is desirable from time to time to obtain materials, supplies, and equipment under Contracts for such materials, supplies and equipment entered into by the MCCPC without the necessity of advertising for bids or in the cases where no bids have been received; and

WHEREAS, it has been or will be necessary or desirable to obtain materials, supplies and equipment under such Contract or Contracts entered into under the MCCPC with the following referenced Cooperative Vendors; and

WHEREAS, Ciocca FMFL, Inc. has a valid contact through the Morris County Cooperative Pricing Council – Contract #15-C, Item 13 – Utility Vehicles for; and

WHEREAS, this purchase is permitted under N.J.S.A. 40A:11-11(5), the New Jersey Local Public Contracts Law which permits contracting units to participated in cooperative pricing systems; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purchase in an amount in excess of $17,500.00 but not to exceed $119,138.00 for two vehicles.

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 purchases by the Township of West Caldwell Department of Public Works shall be purchased under a contract for such materials, supplies or equipment entered into under the Morris County Cooperative Pricing Council of the County of Morris with Ciocca FMFL, Inc.

No. 25-209
By: Councilwoman Canale

SUBJECT: RESOLUTION AUTHORIZING 2025-2026 DEER MANAGEMENT PROGRAM IN THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell desires to authorize a Deer Management Program (the "Program"); and

WHEREAS, the Program goals are to control local deer population, allow forest regeneration, minimize browsing of residential landscaping in the Township and minimize the incidence of deer-related motor vehicle accidents; and

WHEREAS, the Program will take place on the following Township properties: Block 1903, Lot 6 (Township Leaf Composting Facility on Bloomfield Avenue and adjacent to Essex Place and Aldrin Drive); Block 3101, Lot 12; Block 3101, Lot 6 (Hatfield Swamp); Block 3100, Lot 6; Block 102, Lot 7; Block 308, Lot 14; Block 2600, Lot 18; Block 2000, Lot 1 and Block 901, Lot 19 (Cedar Street Pool).

WHEREAS, the Program will commence on September 22, 2025 and end on February 13, 2026; and

WHEREAS, the Program will take place on approximately one hundred ten (110) days during that time period, Saturdays, Sundays and holidays excluded; and

WHEREAS, no more than twelve (12) agents selected from among experienced, licensed hunters who can demonstrate a proficiency in marksmanship and some of whom participated in other similar deer management programs. Agents will take part in this program on a voluntary basis and shall be considered volunteers of the Township for liability purposes; and

WHEREAS, harvested deer will be transported to a New Jersey Division of Fish and Wildlife supervised check station operated by the Township and to a New Jersey Department of Health approved butcher for processing. A substantial portion of all deer harvested will be donated to the Community Food Bank of New Jersey; and

WHEREAS, the Township will use signage, mailings and any other forms of communication deemed appropriate by Township officials to inform the public of the details of the Program; and

WHEREAS, the Township Administrator, in consultation with the Township Police Department and Township Attorney, shall develop Program regulations consistent with this Resolution to further detail the operation of the Program.

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

1. The Governing Body of the Township of West Caldwell hereby authorizes a Deer Management Program in accordance with the terms and conditions of this Resolution.

2. The Township Administrator, in consultation with the Township Police Department and Township Attorney, shall develop Program regulations consistent with this Resolution to further detail the operation of the Program.

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

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No. 25-210
By: Councilman Crudele

SUBJECT: RESOLUTION AUTHORIZING THE 2026 FEE SCHEDULE FOR THE DEPARTMENT OF RECREATION

WHEREAS, the Governing Body of the Township of West Caldwell approved Ordinance No. 1354 on March 17, 1998 authorizing amendments to the fee schedule for programs of the Department of Parks and Recreation; and

WHEREAS, Ordinance No. 1354 authorized the Township Council to adopt by resolution amendments, modifications, increases and/or decreases to the fee schedule for programs of the Department of Parks and Recreation of the Township from year to year and time to time; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of West Caldwell amends the fee schedule for programs of the Department of Recreation in accordance with the attached schedule for the calendar year 2026.

Fall:	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**
Soccer						
Grades 1-4	$65.00	$75.00	$80.00	$80.00	$85.00	$85.00
Grades 5-8	$75.00	$85.00	$90.00	$90.00	$95.00	$95.00
Cross Country						
Grades 6-7-8	$55.00	$65.00	$65.00	$65.00	$70.00	$70.00
Girls Volleyball						
Travel Team Suburban Volley	$55.00	$70.00	$90.00	$165.00	$165.00	$175.00
Rec Grade 6-7-8	$65.00	$65.00	$75.00	$75.00	$75.00	$75.00
Open Basketball						
	$30.00	$30.00	$30.00	$30.00	$10/ per session	$10/ per session
Adult Open Soccer						
	$25.00	$25.00	$30.00	$30.00	$30.00	$30.00
Adult Open Basketball						
	$25.00	$25.00	$30.00	$30.00	$30.00	$30.00
Field Hockey Clinic						
	$60.00	$70.00	$80.00	$80.00	$90.00	$90.00
Field Hockey League						
	$90.00	$100.00	$120.00	$120.00	$130.00	$130.00
Flag Football						
	$65.00	$75.00	$75.00	$75.00	$80.00	$80.00
Kickball						
	$50.00	$50.00	$60.00	$60.00	$60.00	$60.00
Baseball Clinic						
	$10.00	$10.00	$15/class	$15/class	$15/class	$15/class
Winter	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**
Basketball - Adult						
Mens slo Break	$1,000.00	$1,000.00	$1,200.00	$1,200.00	$1,200.00	$1,200.00
Basketball-Youth						
Grades K-3	$60.00	$65.00	$75.00	$75.00	$80.00	$80.00
Basketball-Youth						
Grades 4 - 8	$70.00	$80.00	$85.00	$85.00	$90.00	$90.00
Travel Team Suburban Basketball	$145.00	$150.00	$160.00	$160.00	$170.00	$170.00
Basketball-High School League						
Grades 9-12	$60.00	$75.00	$75.00	$75.00	$80.00	$80.00
Wrestling -Youth						
Grades 2 - 8	$75.00	$100.00	$120.00	$120.00	$120.00	$120.00
Wrestling						
Grades K-1			$75.00	$75.00	$75.00	$75.00
EPORTS PROGRAM						
Grade 5-12	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00
Winter Flag Football						
Grade 3 - 8	$50.00	$60.00	$70.00	$70.00	$70.00	$70.00
Twirling- Youth						
Grade 3 - 8	$50.00	$60.00	$75.00	$75.00	$90.00	$90.00
Batting Clinic						

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	$12.00/session	$12.00/session	$15/session	$15/session	$15/session	$15/session
Student Center						
	$25.00	$25.00	$30.00	$30.00	$30.00	$30.00
Knollwood Jrs						
	$25.00	$25.00	$50.00	$50.00	$50.00	$50.00
Caldwell University Softball Clinic						
	$10.00	$10.00	$20.00	$20.00	$20.00	$20.00
Ski Club						
Lift & Bus	$350.00	$350.00	$400.00	$400.00	$500.00	$500.00
Lift and Equipment rental						
Lift and 5 Lessons						
Lift, Rental and 5 Lessons						
Discount Meal Plan						
Late Fee						
Spring	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**
Youth Baseball/Softball						
Grade K-2	$60.00	$70.00	$75.00	$75.00	$75.00	$75.00
Grade 3-8	$70.00	$80.00	$90.00	$90.00	$90.00	$90.00
Travel Teams						
Girls Softball	$145.00	$150.00	$160.00	$160.00	$160.00	$170.00
Boys Suburban Baseball League fee	$145.00	$180.00	$190.00	$190.00	$190.00	$200.00
USABL Fee	$180.00	$180.00	$190.00	$190.00	$190.00	$200.00
Pitching Clinic						
	12/session	12/session	$15/session	$15/session	$20/session	$20/session
Softball Pitching Clinic						
	5/session	5/session	$15/session	$15/session	$20/session	$20/session
Mens Adult Softball						
Mens Softball	$450.00	$1,000.00	$1,100.00	$1,100.00	$1,200.00	$1,300.00
Grandfather Fees Adults	$55.00	$55.00	$55.00	$55.00	$55.00	$55.00
Forfeit Fee	$90.00	$90.00				
Essex Fells Fee	$200.00	$200.00	$200.00	$200.00	$200.00	$200.00
Youth Track						
Grade 4 - 8	$60.00	$70.00	$75.00	$80.00	$80.00	$85.00
Kickball League						
Grade 3-6			$50.00	$50.00	$50.00	$50.00
Summer	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**
Youth Tennis Clinic						
	$75.00	$80.00	$85.00	$95.00	$95.00	$95.00
Suburban Tennis Team						
	$50.00	$50.00	$75.00	$75.00	$75.00	$75.00
Swim Team (Member/pool)						
	$65.00	$65.00	$75.00	$75.00	$75.00	$85.00
Swim Team (non pool member)						
	$115.00	$130.00	$150.00	$150.00	$150.00	$160.00
Beginner Swim Lessons (member)						
	$45.00	$60.00	$70.00	$80.00	$80.00	$90.00
Beginner Swim Lessons (non member)						
	$80.00	$120.00	$140.00	$150.00	$150.00	$150.00
Special Needs Swim Lessons						
(pool member)	$40.00	$50.00	$50.00	$50.00	$50.00	$50.00
(Non pool member)	$75.00	$100.00	$100.00	$100.00	$100.00	$100.00
Playground						
Sunshine Only 8:30 am - noon	$175.00	$175.00	$185.00	$195.00	$195.00	$205.00

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All Weather 8:30 - noon						
Tot Lot						
(3 hour session)	$175.00	$175.00	$185.00	$195.00	$195.00	$205.00
Smart Fun Camp						
	$180.00	$190.00	$210.00	$175.00	$175.00	$175.00
Special Needs Camp						
	50/week	50/week	$75/week	$75/week	$75.00	$75.00
Teen Splash Party						
	$5.00	$5.00	$10.00	$10.00	$10.00	$10.00
Summer Open Baseball						
	$30.00	$30.00	$40.00	$40.00	$50.00	$50.00
Summer Basketball Camp - 1/2 Day						
	$110.00	$120.00	$125.00	$125.00	$125.00	$135.00
Summer Basketball Camp						
	$150.00	$160.00	$165.00	$175.00	$175.00	$185.00
Summer Field Hockey Camp - 1/2 Day						
	$110.00	$120.00	$120.00	$125.00	$125.00	$125.00
Summer Field Hockey Camp						
	$150.00	$160.00	$160.00	$170.00	$170.00	$170.00
Summer Volleyball Camp						
	$110.00	$120.00	$120.00	$120.00	$125.00	$135.00
Summer Baseball/Softball Travel Team						
	$145.00	$150.00	$160.00	$160.00	$160.00	$170.00
USABL Fee	$180.00	$180.00	$190.00	$190.00	$190.00	$200.00
Adult Aquatics						
senior citizen pool members			$36.00	$36.00	$4/class	$4/class
pool members	$35.00	$40.00	$50.00	$50.00	$5/class	$5/class
non pool members	$75.00	$100.00	$100.00	$100.00	$10/class	$10/class
Fireworks						
Adult Donation	$3.00	$3.00	$5.00	$5.00	$5.00	$5.00
Family	$5.00	$5.00	$10.00	$10.00	$10.00	$10.00
Children Under 12	$1.00	$1.00	$2.00	$2.00	$2.00	$2.00
Pool Rental (per hour)						
	$90.00	$95.00	$95.00	$97.00	$100.00	$100.00
Lifeguard Certification Class						
Initial Certification	$400.00	$400.00	$400.00	$400.00	$400.00	$400.00
Recertification	$150.00	$150.00	$150.00	$150.00	$150.00	$150.00
Year Round	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**
Open Basketball or Baseball						
	$30.00	$40.00	$40.00	$40.00	$40.00	$40.00
Civic Center Rental						
	$300.00	$300.00	$400.00	$400.00	$400.00	$400.00
Civic Center Security						
	$150.00	$150.00	$200.00	$200.00	$200.00	$200.00
Civic Center Rental						
non profit WC-C civic organizations	$25.00	$25.00	no charge	no charge	no charge	no charge
Athletic Field Permit Fees - BASE/SOFTBALL						
For Non Affiliated or weekend	$150.00	$175.00	$175.00	$175.00	$200.00	$200.00
Independent Groups weekday	$100.00	$125.00	$125.00	$125.00	$150.00	$150.00
Subject to Availability						
(3 hours or portion of, Field Prep included)						
Field Fee - Tier 1 Athletic Clubs						
WC/C Non-Profit Athletic Club Groups						
100 person minimum						
per participant/per season	$25.00	$25.00	$35.00	$35.00	$35.00	$35.00
Turf Fields non-affiliated						
Police charges may apply						

Day Per Hour	$100.00	$125.00	$125.00	$125.00	$150.00	$150.00
Evening Per Hour	$150.00	$175.00	$175.00	$175.00	$200.00	$200.00
Memorial Park non-affiliated - Soccer						
Police charges may apply						
Day Per Hour	$75.00	$75.00	$100.00	$100.00	$100.00	$100.00
Evening with Lights	$100.00	$100.00	$125.00	$125.00	$125.00	$125.00
Francisco Park non-affiliated						
Per Game	$75.00	$75.00	$150.00	$150.00	$200.00	$200.00
Richard Park non-affiliated						
Per Game	$75.00	$75.00	$150.00	$150.00	$200.00	$200.00
Senior Citizen Exercise Class						
	$2.00/class	3.00/class	$3.00/class	$3.00/class	$4/per class	$4/per class
Fun & Fitness - Special Needs						
	$50.00	$50.00	$50.00	$50.00	$50.00	$50.00
Adult Handicap Canteen						
	$20.00	$20.00	$20.00	$25.00	$25.00	$25.00
Speed & Agility						
	$12.00/class	$12.00/class	$20/class	$20/class	$25/class	$25/class
Yoga						
	$10.00/class	$10.00/class	$15/class	$15/class	$20/class	$20/class
Adult Aerobics						
	$6.00/class	$8.00/class	$10/class	$10/class	$15/class	$15/class
Dr STEM						
	10.00/class	15.00/class	$15/class	$15/class	$15/class	$15/class
Teen Tone						
	$10.00/class	$10.00/class	$15/class	$15/class	$15/class	$15/class
Non-resident surcharge per program when available						
	$1.00/class	$1.00/class	$2/class	$2/class	$3/class	$3/class
Late registration fee						
	$20.00/program	$20.00/program	$2/class	$2/class	$20/program	$20/program

No. 25-211
By: Councilman Cecere

SUBJECT: RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO STANZIALE CONSTRUCTION LLC, IN THE AMOUNT OF $321,299.30 FOR THE NJDOT FY2025 MCKINLEY AVENUE ROAD RESURFACING PROJECT IN THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell (referred to as the "Township") solicited bids for the NJDOT FY2025 McKinley Avenue Road Resurfacing Project (referred to as the "Project") in the Township pursuant to a fair and open process in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Notice to Bidders and the Bid Documents have been reviewed by the Township Governing Body, the Township's staff and the Township engineer, Colliers Engineering & Design; and

WHEREAS, the Township received six (6) bids in response to the solicitation on September 25, 2025; and

WHEREAS, Colliers Engineering & Design has recommended to the Mayor and Council that the Township award a contract to Stanziale Construction LLC., PO Box 2596, Bloomfield, NJ 07003 for the Base Bid for the Project in the amount of three hundred twenty one thousand two hundred ninety nine dollars and thirty cents ($321,299.30).

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

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

No. 25-212
By: Councilman Cecere

SUBJECT: RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO CMS CONSTRUCTION INC., IN THE AMOUNT OF $496,437.00 FOR THE PINE BROOK STABILIZATION PROJECT IN THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell (referred to as the "Township") solicited bids for the Pine Brook Stabilization Project (referred to as the "Project") in the Township pursuant to a fair and open process in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Notice to Bidders and the Bid Documents have been reviewed by the Township Governing Body, the Township's staff and the Township engineer, Colliers Engineering & Design; and

WHEREAS, the Township received eight (8) bids in response to the solicitation on September 25, 2025; and

WHEREAS, Colliers Engineering & Design has recommended to the Mayor and Council that the Township award a contract to CMS Construction Inc.., 521 North Avenue, Plainfield, NJ 07060 for the Base Bid for the Project in the amount of four hundred ninety six thousand four hundred thirty seven dollars ($496,437.00).

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

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

No. 25-213
By: Councilman Cecere

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
Cindy Chung 2 Everett Court West Caldwell, NJ 07006	$70.00	Refund- Youth Cross Country

TOTAL CURRENT FUND REFUNDS: $70.00

No. 25-214
By: Councilman Wolsky

SUBJECT: **RESOLUTION TO AFFIRM THE TOWNSHIP'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

WHEREAS, it is the policy of the Township of West Caldwell to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of West Caldwell has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Township of West Caldwell that:

Section 1: No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the (local unit type) as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

No. 25-215
By: Councilman Wolsky

SUBJECT: **RESOLUTION AUTHORIZING THE ADOPTION OF THE EMPLOYEE HANDBOOK OF THE TOWNSHIP OF WEST CALDWELL**

WHEREAS, it is the policy of the Township of West Caldwell to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Pregnant Workers Fairness Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council have determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Township Council that the Employee Handbook attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Township of West Caldwell officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that these policies are intended to provide guidelines covering public service by Township of West Caldwell employees and are not a contract. The provisions of these policies may be amended and supplemented from time to time without notice and at the sole discretion of the Township Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township of West Caldwell shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that Genova, Burns Attorneys at Law (Joseph Hannon, Esq.) is appointed as Special Counsel - Labor Counsel to advise the Township in personnel matters.

BE IT FURTHER RESOLVED that the Mayor, Township Administrator, and all managerial/supervisory personnel are responsible for these employment practices. The Human Resources Coordinator and Labor Counsel shall assist the Township Administrator, Legal and Personnel Committee and Mayor in the implementation of these policy and procedure revisions as well as the Personnel Manual in sum.

No. 25-216
By: Councilman Wolsky

SUBJECT: **RESOLUTION AUTHORIZING THE MUSIC AND MORE BOOSTER CLUB FOR ON PREMISE 50/50 RAFFLE TO BE HELD ON NOVEMBER 21, 2025, NOVEMBER 22, 2025, NOVEMBER 23, 2025, MARCH 6, 2026, MARCH 7, 2026, MARCH 8, 2026, AND MARCH 21, 2026 LICENSE NO. 504, ID NO. 535-5-35501**

WHEREAS, The Music and More Booster club has submitted a Raffle License Application No. RA 504, ID No. 535-5-35501 for on premise 50/50 raffle to be held November 21, 2025, November 22, 2025, November 23, 2025, March 6, 2026, March 7, 2026, March 8, 2026, and March 21, 2026 at James Caldwell High School, 265 Westville 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 504; 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. 25-217
By: Councilman Wolsky

SUBJECT: **RESOLUTION APPOINTING THOMAS MCLAUGHLIN IN THE DEPARTMENT OF PUBLIC WORKS FOR THE TOWNSHIP OF WEST CALDWELL**

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

WHEREAS, Thomas McLaughlin, 51 Memorial Road, West Caldwell, NJ 07006 is willing and able to serve as Laborer 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. Thomas McLaughlin is appointed as Laborer, effective October 27, 2025, at a salary of $40,000.00 in accordance with the salary ordinance.

2. The appointment is contingent upon successful completion of a background check and physical.
3. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

No. 25-218
By: Councilman Wolsky

SUBJECT: **RESOLUTION AUTHORIZING CHANGE ORDER #3 FOR THE REHABILITATION OF THE PROPERTY COMMONLY KNOWN AS 17 SANDERSON AVENUE, WEST CALDWELL, NEW JERSEY PURSUANT TO THE WEST CALDWELL HOME IMPROVEMENT PROGRAM**

WHEREAS, the Township of West Caldwell previously authorized a contract to A3 Contracting LLC for improvements and repairs to the property commonly known as 17 Sanderson Avenue, West Caldwell, New Jersey (the "Property") in the amount of $4,900.00 pursuant to the West Caldwell Home Improvement Program; and

WHEREAS, change order #1 was approved on January 4, 2025 in the amount of $2,645.00 for a revised contract amount of $7,545.00; and

WHEREAS, change order #2 was approved on February 18, 2025 in the amount of $12,900.00 for a revised contract amount of $20,445.00; and

WHEREAS, the Township of West Caldwell has determined, upon the recommendation of its Qualified Administrative Agent Community Grants Planning and Housing, LLC d/b/a CGP&H, LLC, that it is necessary to authorize Change Order #3 reducing the contract amount by $7,995 for a total contract price of $12,450.00.

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

1. The above listed change order to the Contract for the rehabilitation project at 17 Sanderson Avenue awarded to A3 Contracting LLC be and hereby is approved.
2. A written amendment to the contract shall be executed covering the changes made by said change orders.
3. The appropriate municipal officials are hereby authorized to execute said change orders.
4. The change to the contract price is as follows:

Original Contract Price	$4,900.00
Amount of Change Order #1	2,645.00
Amount of Change Order #2	12,900.00
Amount of Change Order #3	<7,950.00>
New Contract Price with All Change Orders	$12,450.00

No. 25-219
By: Councilman Cecere

SUBJECT: **RESOLUTION AUTHORIZING THE PURCHASE OF WATER METERS/DATA RECORDERS AND RADIO FREQUENCY METER INTERFACE UNITS FOR THE DEPARTMENT OF PUBLIC WORKS UNDER THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL**

WHEREAS, the Township of West Caldwell is a member of the Morris County Cooperative Pricing Council (MCCPC); and

WHEREAS, in the past, the Township of West Caldwell has availed itself of the right to purchase materials, supplies and equipment under the contracts for such materials, supplies and equipment entered into under the MCCPC; and

WHEREAS, it is desirable from time to time to obtain materials, supplies, and equipment under Contracts for such materials, supplies and equipment entered into by the MCCPC without the necessity of advertising for bids or in the cases where no bids have been received; and

WHEREAS, it has been or will be necessary or desirable to obtain materials, supplies and equipment under such Contract or Contracts entered into under the MCCPC with the following referenced Cooperative Vendors; and

WHEREAS, Rio Supply, Inc. has a valid contact through the Morris County Cooperative Pricing Council – Contract #47 for Water Meters/Data Recorders and Radio Frequency Meter Interface Units; and

WHEREAS, this purchase is permitted under N.J.S.A. 40A:11-11(5), the New Jersey Local Public Contracts Law which permits contracting units to participated in cooperative pricing systems; and

WHEREAS, an amount not to exceed $85,000.00 was previous authorized for the purchase of water meters/data recorders and radio frequency meter interface units in March 2025; and

WHEREAS, there is a need to increase the amount authorized for the purchase of these units from Rio Supply in the amount of $30,000.00 for a total amount of $115,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purchase.

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:

2. The Township of West Caldwell Department of Public Works is authorized to make such purchases under a contract for such materials, supplies or equipment entered into under the Morris County Cooperative Pricing Council of the County of Morris with Rio Supply, Inc. in an amount not to exceed $115,000.00.

No. 25-220
By: Councilman Wolsky

SUBJECT: **RESOLUTION AUTHORIZING THE APPROVAL OF AN EXTENSION OF PREMISES PERMIT FOR THE GARDEN STATE TAVERN GRAND OPENING ON OCTOBER 18, 2025, RAIN DATE OCTOBER 19, 2025 IN THE TOWNSHIP OF WEST CALDWELL**

WHEREAS, The Garden State Tavern., 811 Passaic Avenue, West Caldwell, NJ has filed an application for an Extension of Premises Permit for an event to be held at 811 Passaic Avenue, West Caldwell, NJ 07006 on October 18, 2025, Rain Date October 19, 2025 from 11 am to 11 pm; and

WHEREAS, the attached application form is complete in all respects and fees have been paid; and

WHEREAS, the application has been approved by the Police Chief and the Township Clerk.

No. 25-221
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 asked Administrator Baltycki if the pool meeting had been rescheduled. She said that she was waiting on availability.

PUBLIC WORKS:

Councilman Cecere reminded residents to keep catch basins clear. There is a Library Board meeting tomorrow night at 6:30 pm. He reported that next week he will be giving a presentation in the Library about speeches through history and the importance of them.

Councilman Cecere explained that Baker and Taylor, a book supplier, who has supplied our Library since its inception has ceased operations. He thanked Samantha McCoy, Director of the West Caldwell Public Library, for being proactive and having zero interruptions with book deliveries.

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 September and the Court Administrator's report for the months of August and September as received, be placed on file.

Councilwoman Canale congratulated John Medina of the West Caldwell Volunteer Fire Department on his 40 years as a volunteer firefighter.

She reported that there will be a presentation at the school about e-bike safety given by the West Caldwell Police Department. There will also be a Trunk-or-Treat on Saturday, October 25 at EVS from 4 – 6 PM.

TECHNOLOGY AND SHARED SERVICES:

Councilman Schott reported that there will be a Senior Citizen Transportation Committee meeting. He reported that the contract for the senior bus is up at the end of the year so that will be reviewed. They will also review the possibility of putting in for a CDBG grant together with The Borough of Caldwell. There is a Board of Education meeting that is also scheduled.

LEGAL AND PERSONNEL:

Council President Wolsky welcomed and congratulated Thomas McLoughlin who was hired to work in the Department of Public Works.

PARKS AND RECREATION:

Councilman Crudele reminded residents that tryouts for travel sports will start and to check the website for more information and also to see all of the Fall programs that the Recreation Department offers. He also reported that Shop Rite is set to open and thanked everyone on the dais.

ADVISORS' REPORT:

Administrator Baltycki reported that the Best Practices Inventory that is required annually has been completed. Towns need to have a score of at least 32 so that there is no state aid withholding. Our score is 33.5.

Councilman Crudele reminded residents that every West Caldwell resident votes at James Caldwell High School.

MAYOR'S REPORT:

Mayor Tempesta said that he is looking forward to the opening of Shop Rite at their new location. Shop Rite has been in West Caldwell for 60 years. On Sunday, October 19 from 1 pm – 5 pm there will be a picnic for the residents. On Tuesday, October 21, there will be a parade from the old parking lot to the new parking lot and there they will have a ribbon cutting. After the ribbon cutting the doors will be open!

Councilman Docteroff commented that he was told that they were moving the old telephone booths over to the new location.

Mayor Tempesta pointed out that the Rentzis and Gladstein family's businesses were the two longest businesses in town. He thanked their families for choosing West Caldwell.

INVITATION FOR PUBLIC COMMENT:

Jack Gavin thanked Councilman Crudele for pointing out where people vote on Election Day. He also commented on issues pertaining to the protests that have been held in town.

Richard Wilcox also commented on issues pertaining to the protests.

William Edge spoke about Shop Rite.

Mayor Tempesta explained that Ordinance 1898 has been withdrawn and if it was to be brought back, the whole process would start over again.

Steven Maginnis asked some questions about a specific home in town. Mayor Tempesta answered his questions.

Mr. Maginnis also spoke about Waverly Park.

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 7:29 pm. All were in favor.

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Joann DeBlasis, Township Clerk