TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
March 17, 2026

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, March 17, 2026 at 6:30 pm.

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

PRESENT: Mayor Tempesta, Council Canale, Cecere, Wolsky, Docteroff, Crudele, and Schott

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

Pledge of Allegiance led by Councilman Schott

Council President Canale gave the invocation.

PUBLIC HEARING ON PENDING ORDINANCE

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

Ordinance No. 1903

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 20 "ZONING" TO ADD A NEW SUBSECTION 9H "R-9B MULTI-FAMILY RESIDENCE OVERLAY DISTRICT" AND TO SET FORTH THE STANDARDS AND CRITERIA APPLICABLE THERETO

WHEREAS, the Township of West Caldwell has a constitutional obligation to create a realistic opportunity for the construction of its fair share of the region's need for affordable housing; and

WHEREAS, on March 20, 2024, Governor Philip D. Murphy signed P.L.2024, c.2 into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.)("Amended FHA"); and

WHEREAS, the West Caldwell Planning Board adopted the 2025 Housing Element & Fair Share Plan on June 23, 2025, which was endorsed by the Township Council on June 24, 2025, pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1 et seq., which addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act of 1985; and

WHEREAS, two challenges were filed during the permitted challenge window, one by Fair Share Housing Center ("FSHC") on August 29, 2025 and one by Danbro Properties, LLC on August 30, 2025; and

WHEREAS, the Township participated in mediation to resolve the concerns raised in the two challenges; and

WHEREAS, the Township has entered into a Mediation Agreement with FSHC to address their issues and said Mediation Agreement requires the Township to create a new inclusionary residential overlay district on Block 2101, Lots 7 through 12.

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

Section 1: Chapter 20 of the Township Code entitled "Zoning", Subsection 5.1 entitled "Zone Districts" is hereby amended and supplemented with the following underlined text:

R-9B Multi-Family Residence Overlay District
R-10 Planned Residence Overlay District

Section 2: Chapter 20 of the Township Code entitled "Zoning", is hereby amended and supplemented with a new Subsection 9H entitled "R-9B Multi-Family Residence Overlay District", which shall read as follows:

§20-9H **R-9B MULTI-FAMILY RESIDENCE OVERLAY DISTRICT.**

The following standards shall apply to the development within the R-9B Multi-Family Residence Overlay District. When the standards herein conflict with other provisions of Chapter 20, the standards herein shall apply.

§20-9H.1 **Principal Permitted Uses.**

a. Multi-family residential units, including stacked townhomes. Stacked townhomes shall be defined as a one-family unit in a row of three such units, where units are stacked on each other. Units may be multi-level; however, all units shall have common fire-resistant walls and have direct access from the outside.

§20-9H.2 **Permitted Accessory Uses.**

a. Off-street parking areas.

b. Residential amenities including, but not limited to, clubrooms, lounges, game rooms, mail rooms, leasing office, and similar interior common resident amenities incorporated into a larger building design. These accessory uses shall not be in stand-alone structures.

c. Fences and walls complying with Subsection 20-21.14.

d. Signs.

e. Trash enclosures.

f. Public and private utilities.

§20-9H.3 **Height, Area, Bulk and Other Requirements.**

a. Minimum Lot Area – 10 acres.

b. Minimum Lot Width – 750 feet.

c. Minimum Front Yard Setback – 40 feet.

d. Minimum Side Yard Setback Abutting a Non-residential Use – 30 feet.

e. Minimum Side Yard Setback Abutting a Residential Use – 50 feet.

f. Minimum Rear Yard Setback – 50 feet.

g. Maximum Building Height – 4 stories and 50 feet. However, buildings within 100 feet of the rear lot line, which is opposite of Passaic Avenue, shall be no more than 3 stories and 40 feet.

h. Maximum Building Coverage – 30%

i. Maximum Lot Coverage – 65%

j. Maximum Density – 20 units per acre.

§20-9H.4 **Affordable Housing Requirements.**

a. A minimum of twenty percent of all units shall be set aside for low- (including very-low-) and moderate-income households, regardless of tenure, for all new multi-family residential developments of five units or more.

b. Affordable units shall be governed by deed restrictions ensuring long-term affordability controls in accordance with Chapter 23, Affordable Housing.

c. The development, unit distribution, income distribution, bedroom distribution, and marketing of all affordable units shall be undertaken consistent with Chapter 23, Affordable Housing, and all other applicable law, rules, and regulations, including applicable COAH regulations, the Fair Housing Act, and the Uniform Housing Affordability Controls in effect at the time of application. Affordable units shall comply with the Uniform Housing Affordability Controls in effect at the time of application.

d. The developer shall be responsible for all costs associated with the initial rental and/or sale of the affordable units, and for the continuing administration of the affordable units and the preservation of the creditworthiness of the units.

§20-9H.5 **Buffer.**

a. A minimum landscaped buffer of 50 feet shall be provided along the side and rear lot lines coincident with residential uses.

b. Existing trees and shrubs within the buffer shall remain, except those that are dead, diseased or invasive.

c. The existing plants within the buffer shall be supplemented as needed to provide a year-round screen. The buffer area shall provide, at a minimum:

   1. One shade tree for every 100 linear feet of buffer; and

   2. Two evergreen trees for every 50 linear feet of buffer.

   3. Twenty evergreen shrubs for every 50 linear feet of buffer.

   4. Existing trees and shrubs within the buffer area may be counted in fulfilling the required buffer planting.

d. Buffer plants shall be the following size at the time of planting:

   1. Shade trees shall be planted at a minimum three-inch caliper.

   2. Evergreen trees shall be planted at a minimum height of six feet.

   3. Evergreen shrubs shall be planted at a minimum height of three feet.

e. No more than 25% of the proposed plantings shall be of the same species and/or variety of plant.

f. Proposed buffer planting shall be arranged in a natural, staggered pattern and shall not be lined up in straight, single rows.

§20-9H.6 **Parking and Circulation Requirements.**

a. Parking shall be provided in accordance with the Residential Site Improvement Standards, except that the specified required parking spaces shall be minimums.

b. All internal roads and alleys shall comply with the Residential Site Improvement Standards.

c. Parking spaces shall measure nine feet wide by 18 feet long.

d. Parking areas shall comply with Subsections 20-23.3 and 20-23.5.

§20-9H.7 **Architecture.**

a. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as canopies and recesses, shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, in the case of a pitched roof, roofline offsets, dormers or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

b. The maximum spacing between building wall offsets shall be 50 feet.

c. The minimum projection or depth of any individual vertical offset shall be one foot.

d. The maximum spacing between roof offsets shall be 50 feet.

e. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building facing a public street shall be architecturally designed to be consistent with regard to style, materials, colors, and details.

f. Fenestration shall be architecturally compatible with the style, materials, colors, and details of the building. Windows shall be vertically proportioned.

g. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.

h. Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.

i. All rooftop mechanical equipment, inclusive of solar equipment, shall be screened from view from all vantage points at grade or below the roof.

j. Placement of any packaged terminal air-conditioner units within the facade is prohibited.

k. Decks attached to a principal building shall be permitted along the rear façade of the structure. Patios attached to a principal building shall be permitted along the rear façade of the structure. Decks and patios are not permitted in minimum side or rear yard setbacks. Stoops, comprised of a platform with or without a small set of steps, which lead to the front entrance of a unit may project no more than four feet into the front yard setback.

§20-9H.8 **Landscaping.**

a. Street trees shall be provided on average every 50 feet. Street trees shall have a caliper of three inches at installation.

b. Parking areas containing a row of parking stalls running in a straight line for more than 20 spaces shall provide a landscaped island between every 20 spaces. Said island shall be no less than 162 square feet and landscaped with at least one shade tree and low ground cover. Said shade tree shall have a caliper of three inches at installation.

c. Parking spaces within 25 feet of an adjacent residential property line shall be screened with a six-foot-tall fence or evergreen trees of at least four feet in height to shield vehicular headlights.

d. Seventy-five percent of the perimeter of multi-family buildings and twenty-five percent of the perimeter of stacked townhome buildings shall be surrounded by a landscaped, planted strip at least three feet in width. Walkways leading to pedestrian entrances and driveways may cross this landscape strip.

e. Tree removal shall comply with Chapter 24, Tree Protection and Removal Standards.

§20-9H.9 **Lighting.**

a. Pedestrian walkways shall be illuminated with a minimum average of 0.5 footcandle.

b. Parking areas shall be illuminated with a minimum average of 1.0 footcandle.

c. Illumination shall not exceed 0.5 footcandle at the property line. However, this regulation shall not apply to entrance and/or exit driveways.

§20-9H.10 **Trash.**

a. All trash/recycling storage areas shall be enclosed on all four sides and screened. Trash may be stored inside the buildings/units.

§20-9H.11 **Signs.**

a. Signs shall be permitted in accordance with Subsection 20-24.2 and 20-24.3.

b. One identification sign shall be permitted per parcel, which shall be free-standing, and no more than 40 square feet in size and 6 feet in height. Said sign may be internally or externally illuminated and shall be set back at least 10 feet from any property line.

Section 3. Severability.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of the Ordinance, but shall be confined in its effect to this section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy with respect to which said judgment shall have been rendered, and all other provisions of this Ordinance shall remain in full force and effect.

Section 4.Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 5.Effective Date.

This Ordinance shall take effect upon approval by the Superior Court in conjunction with Docket No. ESX-L-601-25.

Mayor Tempesta gave a brief history of this Ordinance and why it would benefit the Township to pass it tonight. He declared the hearing open and asked if anyone wished to be heard on the Ordinance.

Residents spoke in opposition to the Ordinance. Mayor Tempesta explained why he was recommending that the Council pass the Ordinance tonight, however, told the residents that he would call the builder in the morning and ask if he would make some concessions.

A motion was made by Councilman Cecere and seconded by Councilman Wolsky to close the hearing. All were in favor. Councilman Wolsky moved that the pending Ordinance be passed and published in accordance with the law. It was seconded by Councilman Cecere. Upon the vote being polled, Council Canale, Cecere, Wolsky, Docteroff, Crudele, and Schott voted in the affirmative.

There was a recess at 9:41 pm and the meeting resumed at 9:58 pm.

COMMUNICATIONS:

A-1 A communication from Nikole H. Baltycki, Chief Finance Officer, certifying funds are available under the 2025 Budget of Appropriations – March 17, 2026 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 26-101 and 26-108.

Received and placed on file.

BILLS ORDERED PAID:

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

SCHEDULE OF BILLS ORDERED PAID FEBRUARY 2026

	Checks	Amount
CURRENT ACCOUNT – VALLEY NATIONAL BANK	20321-20472	$9,536,816.35
GENERAL CAPITAL	3443-3452	$339,435.41
POOL	4065-4070	$27,132.50
POOL CAPITAL	3075	$10,309.44
WATER CAPITAL	8466-8467	$788,126.72
WATER	12070-12085	$143,359.24
WATER WIRE ACCT	0	0

GENERAL TRUST – VALLEY NATIONAL BANK	7294-7308	$66,553.48
DOG TRUST	0	$0.00
PUBLIC ASSISTANCE TRUST 1	0	$0.00
LAW ENFORCEMENT TRUST	0	$0.00
COAH-AFFORDABLE HOUSING TRUST	0	$0.00
DEVELOPERS' TRUST	1941-1953	$77,124.12
SUB-TOTAL		**$10,988,857.26**
LIBRARY	13976-14001	$68,056.99
TOTAL		**$11,056,914.25**

APPROVAL OF MINUTES:

On the recommendation of Councilman Cecere seconded by Councilman Crudele, it was regularly moved that the minutes of the regular meeting of March 3, 2026 be approved.

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

Administrator Baltycki reported that there was one item for closed session – Personnel.

It was regularly moved by Council President Canale, seconded by Councilman Wolsky that the fifteen Resolutions on the Consent Agenda this evening be approved. Upon a roll call vote all were in favor.

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

There were no comments.

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

No. 26-098
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING CURE BREAST CANCER FOUNDATION, INC. FOR OFF PREMISE 50/50 RAFFLE TO BE HELD ON JUNE 22, 2026 LICENSE NO. 506, ID NO. 86-5-39127

WHEREAS, Cure Breast Cancer Foundation, Inc. has submitted a Raffle License Application No. RA 506, ID No. 86-5-39127 for off premise 50/50 raffle to be held June 22, 2026 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 506; 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. 26-099
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING ST. JOSEPH'S HOSPITAL AND MEDICAL CENTER FOUNDATION FOR ON PREMISE 50/50 RAFFLE TO BE HELD ON JUNE 15, 2026 LICENSE NO. 507, ID NO. 378-4-30795

WHEREAS, St. Joseph's Hospital and Medical Center Foundation has submitted a Raffle License Application No. RA 507, ID No. 378-4-30795 for on premise 50/50 raffle to be held June 15, 2026 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 507; 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. 26-100
By: Councilwoman Canale

SUBJECT: RESOLUTION AUTHORIZING THE 2026 FEES FOR THE COMMUNITY GARDEN IN THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Governing Body of the Township of West Caldwell approved Ordinance No. 1723 on April 17, 2012 authorizing a Community Garden Program located at 293 Westville Avenue; and

WHEREAS, Ordinance No. 1723 authorized the Township Council to adopt by resolution the appropriate fees; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of West Caldwell amends the fees as follows:

a. A non-refundable fee of seventy-five dollars ($75.00) per Community Garden Plot shall be paid by the applicant upon the initial filing of the application.
b. There shall be a non-refundable annual renewal fee of forty dollars ($40.00) per Community Garden Plot.

No. 26-101
By: Councilman Cecere

SUBJECT: RESOLUTION AUTHORIZING THE AWARD OF A NONFAIR AND OPEN CONTRACT TO CFM CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED $45,000.00 FOR WESTVILLE AVENUE AND CEDAR STREET POOL PAINTING IN THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell has a need to contract for the painting and preparation of West Caldwell's public swimming pools for 2026 and solicited quotes as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, CFM Construction, Inc., 5 Bay Street, Stirling, NJ 07980 has submitted a proposal dated March 10, 2026 indicating they will provide the pool painting in the amount of $38,800.00 for Item 1 – pool painting and not to exceed a total contract amount of $45,000.00, including items 2 (pool caulking per square foot), item 3 (pool wall repair per square foot); and Item 4 (pool tile repair per square foot); and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, CFM Construction, Inc. has completed and submitted a Business Entity Disclosure Certification that certifies that they have not made any reportable contributions to a political or candidate committee in the Township of West Caldwell in the previous one (1) year, and that the contract will prohibit the CFM Construction, Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the Governing Body wishes to award the contract for pool painting and preparation for the Township's public swimming pools for the 2026 season to CFM Construction, Inc., and

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

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

No. 26-102
By: Councilman Wolsky

SUBJECT: RESOLUTION APPOINTING MICHAEL ALIOTTA AS ASSISTANT RECREATION DIRECTOR IN THE RECREATION DEPARTMENT FOR THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell desires to appoint an Assistant Recreation Director; and

WHEREAS, Michael Aliotta, 5000 Morris Place, East Hanover, NJ 07936 is willing and able to serve as Assistant Recreation Director in the Recreation 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. Michael Aliotta is appointed as Assistant Recreation Director, effective March 23, 2026, at a salary of $62,000.00 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. 26-103
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING THE APPOINTMENT OF KYLE VINCENT TURANICK AS A PROBATIONARY POLICE OFFICER IN THE WEST CALDWELL POLICE DEPARTMENT

WHEREAS, the Township of West Caldwell desires to hire a Probationary Police Officer; and

WHEREAS, Kyle Vincent Turanick, 5 Belaire Drive, Roseland, NJ 07068, who is willing and able to serve as a Probationary Patrol Officer for the West Caldwell Police Department and;

WHEREAS, it is the recommendation of the Public Safety Committee and the Police Chief to make this appointment, effective March 18, 2026; and

WHEREAS, the appointment of Kyle Vincent Turanick, as Probationary Officer is contingent upon successful completion of the appropriate medical and psychological testing to the satisfaction of the Township; and

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

1. Kyle Vincent Turanick, is hereby approved as a probationary police officer in the West Caldwell Police Department, at a salary of $61,984.00, in accordance with the salary guide.
2. All Township officials are hereby authorized and directed to take all action necessary and appropriately to effectuate the terms of this Resolution.

No. 26-104
By: Councilman Wolsky

SUBJECT: RESOLUTION APPOINTING MICHAEL PEREZ AS LABORER 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, Michael Perez, 3 Ida Street, Haledon, NJ 07508 is willing and able to serve as Laborer in the Department of Public Works for the Township of West Caldwell; and;

WHEREAS, the appointment of Michael Perez as Laborer is contingent upon successful completion of the appropriate physical examination and background check to the satisfaction of the Township; and

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

1. Michael Perez is appointed as Laborer, effective March 23, 2026, at a salary of $46,000.00 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. 26-105
By: Councilman Wolsky

SUBJECT: RESOLUTION APPOINTING NICHOLAS THOMAS MEGA AS WATER LABORER IN THE DEPARTMENT OF PUBLIC WORKS FOR THE TOWNSHIP OF WEST CALDWELL

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

WHEREAS, Nicholas Thomas Mega, 41 Essex Road, Cedar Grove, NJ 07006 is willing and able to serve as Water 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:

3. Nicholas Thomas Mega is appointed as Water Laborer, effective March 23, 2026, at a salary of $40,000.00 in accordance with the salary ordinance.
4. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

No. 26-106
By: Councilman Wolsky

SUBJECT: RESOLUTION APPOINTING THOMAS MURPHY AS LABORER 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 Murphy, 83 Parmelee Avenue, Hawthorne, NJ 07506 is willing and able to serve as Laborer in the Department of Public Works for the Township of West Caldwell; and;

WHEREAS, the appointment of Thomas Murphy as Laborer is contingent upon successful completion of the appropriate physical examination and background check to the satisfaction of the Township; 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 Murphy is appointed as Laborer, effective March 23, 2026, at a salary of $40,000.00 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. 26-107
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
1002	30		Kauper, Joseph & Khristina 111 Fairfield Avenue	$ 2,136.70	2026/1	3

Total Overpayment Refunds - $ 2,136.70

No. 26-108
By: Councilman Crudele

SUBJECT: RESOLUTION AUTHORIZING THE AWARD OF THE CONTRACT TO ROSIE'S EMPANADAS AS CONCESSION OPERATOR FOR THE CEDAR STREET POOL SNACK BAR AND WESTVILLE AVENUE POOL SNACK BAR FOR THE 2026 SEASON

WHEREAS, the Township advertised and received a proposal for concession operator for the Cedar Street Pool Snack Bar and the Westville Avenue Pool Snack Bar from the following vendor: Rosie's Empanadas; and

WHEREAS, the Township, in conjunction with the review of the proposal submitted by certain vendors for such concession operations by the Township's staff and the Township's professional consultants, the Township considered and evaluated the proposal submitted on the following award evaluation factors:

Basis for Award Evaluation Factors

Proposed Concession Fee (price)	25%; and
Relevance and Extent of Qualifications, Experience, Reputation and Training of Personnel to be assigned (management)	45%; and
Knowledge of the Township of West Caldwell and the subject matter to be addressed under this engagement (technical)	30%.

WHEREAS, the Mayor and Council, after carefully considering and evaluating the proposal submitted to the Township in response to the request for proposals and in consultation with and at the evaluation and recommendation of the Township's staff, has determined that and is satisfied with the proposal submitted by Rosie's Empanadas as being the proposal which best satisfies the evaluation criteria and the proposal which best serves the interests of the Township and being in conformance with the requirements promulgated pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Township wishes to proceed with this necessary service and for that purpose accepts the proposal submitted by Rosie's Empanadas; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell, in the County of Essex and State of New Jersey, that the governing body hereby approves of, awards and authorizes the issuance of a contract to Rosie's Empanadas, 33 Weasel Drift Road, Woodland Park, NJ 07424 for the concession operator for the Cedar Street Pool Snack Bar and the Westville Avenue Pool Snack Bar for the 2025 season, which contract will specify and delineate the scope of services as set forth in Rosie's Empanadas proposal, in the amount of $2,000.00 in the aggregate.

BE IT FURTHER RESOLVED, that the Mayor, the Township Clerk and/or the Township Administrator are specifically authorized to execute a contract in a form and with terms consistent with this Resolution and approved by the Township Attorney; and

BE IT FURTHER RESOLVED, that the foregoing Resolution will take effect immediately upon passage.

No. 26-109
By: Councilman Schott

SUBJECT: RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN NORTH CALDWELL AND THE TOWNSHIP OF WEST CALDWELL FOR PAYROLL SERVICES

WHEREAS, the Governing Body of West Caldwell is desirous of entering into an Interlocal Agreement with the Borough of North Caldwell to provide payroll services for the Township; and

WHEREAS, the Township Council and the Borough of North Caldwell have come to an agreement that the Township of West Caldwell will be the provider of said services and the Borough of North Caldwell will be the recipient as put forth in the attached agreement; and

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

1. All municipal officials are hereby authorized and directed to take whatever actions may be necessary to implement the terms of this Resolution.

No. 26-110
By: Councilman Wolsky

SUBJECT: A RESOLUTION ADOPTING THE REHABILITATION MANUAL IN THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell (the "Township") is constitutionally obligated under the Mount Laurel doctrine to provide a realistic opportunity for the construction of affordable housing for low- and moderate-income households; and

WHEREAS, the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., as amended by P.L. 2024, c.2 (the "Amended Fair Housing Act"), establishes procedures for municipalities to obtain judicial review and compliance certification of their affordable housing obligations; and

WHEREAS, the Township timely filed a Resolution of Participation in the Affordable Housing Dispute Resolution Program and a Fourth Round Declaratory Judgment action in the Superior Court of New Jersey, Law Division, seeking a determination of its Fourth Round affordable housing obligations and continued protection from exclusionary zoning litigation; and

WHEREAS, as part of its Fourth Round affordable housing requirements, the Township is required to adopt an updated Rehabilitation Manual; and

WHEREAS, the Township has prepared an updated Rehabilitation Manual that is consistent with the applicable statutes and regulations; and

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

1. The Township of West Caldwell ("Township") does hereby adopt the Rehabilitation Manual attached hereto as Exhibit A.

2. This Resolution shall take effect immediately upon adoption according to law.

No. 26-111
By: Councilman Docteroff

SUBJECT: RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS AMENDMENT #3

WHEREAS, an emergent conditions has risen with respect to payment of salary and wages, insurance and contracted services and no adequate provision has been made in the 2026 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2026 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total $12,012,640.00 in the Current Fund, $1,451,750.00 in the Water Utility Fund and $333,089.00 in the Pool Utility Fund.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20.

1. An emergency temporary appropriation in the Current Fund be and the same is hereby made for the following appropriations in the amount of $461,810.00.
2. An emergency temporary appropriation in Water Utility Fund be and the same is hereby made for the following appropriations in the amount of $85,000.00
3. That a certified copy of this resolution be filed with the Director of Local Government Services.

TOWNSHIP OF WEST CALDWELL

CURRENT FUND

2026 TEMPORARY BUDGET

APPROPRIATIONS WITHIN CAPS

General Government	**Emergency #3**
Financial Administration	
Other Expense	$ 5,000.00

Audit Services	$	5,875.00
Assessment of Taxes		
Other Expense	$	1,500.00
Legal Services and Costs		
Other Expense	$	35,000.00
Engineering Services and Costs		
Other Expense	$	10,000.00
Insurance		
Employee Group Health	$	150,000.00
Public Safety		
Police		
Other Expenses	$	10,000.00
Recreation and Education		
Camp Wyanokie		
Other Expenses	$	1,435.00
Utilities		
Gasoline	$	5,000.00
Electricity	$	10,000.00
Telephone and Telegraph	$	3,000.00
Natural Gas	$	5,000.00
Street Lighting	$	25,000.00
Landfill/Solid Waste Disposal Costs	$	50,000.00
SUBTOTAL CURRENT FUND APPROPRIATIONS	$	316,810.00
APPROPRIATIONS EXCLUDED FROM CAPS		
Maintenance of Free Public Library	$	55,000.00
LOSAP - Fire Department	$	50,000.00
LOSAP - First Aid Squad	$	40,000.00
SUBTOTAL EXCLUSIONS	$	145,000.00
TOTAL CURRENT FUND TEMPORARY APPROPRIATIONS	***$***	***461,810.00***

TOWNSHIP OF WEST CALDWELL
WATER UTILITY
2026 TEMPORARY BUDGET

Water Operating		
Salary & Wages	$	65,000.00
Other Expense	$	20,000.00
Capital Improvement		
TOTAL WATER UTILITY TEMPORARY APPROPRIATIONS	***$***	***85,000.00***

No. 26-112
By: Councilman Wolsky

SUBJECT: R**ESOLUTION AUTHORIZING AN EXECUTIVE SESSION FROM WHICH THE PUBLIC IS EXCLUDED.**

WHEREAS, The Township of West Caldwell (the "Township" or the "public body" has been duly created and is validly existing as a public body corporate and politic of the State of New Jersey pursuant to applicable laws of the State of New Jersey; and

WHEREAS, The Township constitutes a "public body" as such term is defined in the New Jersey Open Public Meetings Act, constituting Chapter 231 of the Pamphlet Laws of 1975 of the State of New Jersey, N.J.S.A. 10:4-6 et seq. and the acts amendatory thereof and supplemental thereto (the "Open Public Meetings Act"); and

WHEREAS, the Open Public Meetings Act permits a public body, as such term is defined therein, to exclude members of the public from portions of any "meeting", as such term is defined therein including N.J.S.A. 10:4-12(b) et seq., under certain limited circumstances which include, but are not limited to, (a) a discussion of pending or anticipated litigation in which the public body is or may become a party, or (b) a discussion of any matters which fall within the attorney-client privilege, or (c) a discussion of a collective bargaining agreement including the negotiation of the terms and conditions thereof, or (d) a discussion regarding the purchase, acquisition or lease of real property with public funds or (e) a discussion of involving the employment, appointment or termination of employment of an existing or prospective public officer or employee; and

WHEREAS, the governing body of the Township has determined that and is of the opinion that such circumstances presently exist that permit the governing body of the Township to discuss the matters set forth in this Resolution in executive session; and

WHEREAS, the matters set forth in this Resolution are within the exceptions and the limited circumstances set forth in N.J.S.A. 10:4-12(b) et seq., the governing body of the Township desires to conduct a portion of the meeting in an executive session from which members of the public will be excluded.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, in accordance with the provisions of The Open Public Meetings Act, that the governing body of the Township hereby determines to conduct a portion of the meeting in an executive session from which members of the public will be excluded in accordance with the provisions of Open Public Meetings Act; and

BE IT FURTHER RESOLVED, that the aforementioned executive session will be limited to matters relating to the following items and which matters involve, as applicable, pending, and anticipated litigation involving or expected to involve the Township, matters which fall within the attorney-client privilege, matters regarding the discussion of a collective bargaining agreement, matters relating to purchase, acquisition or lease of real property with public funds or matters relating to personnel:

Personnel

BE IT FURTHER RESOLVED, that the minutes of each executive session will be prepared and maintained by the Township and with regard to each of the matters discussed in executive session; and

BE IT FURTHER RESOLVED, that the minutes relating to a particular matter discussed will be made available to members of the public – (a) at such time as the matter no longer requires confidentiality as permitted by applicable laws, (b) upon the completion of a pending or anticipated litigation, or (c) upon such matter no longer falling within the attorney-client privilege, (d) upon the completion of a collective bargaining agreement including the negotiation of the terms and conditions thereof, or (e) upon the completion of a purchase, acquisition or lease of real property with public funds, or (f) as such disclosure may otherwise may be required by the Open Public Meetings Act.

COMMITTEE REPORTS

FINANCE:

Councilman Docteroff reported that the budget is still being worked on. Residents can join the pool during early registration until May 1, 2026. The pool will open weekends on May 23, 2026 and full time beginning June 19, 2026.

PUBLIC WORKS:

There was no report.

PUBLIC SAFETY:

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

Council President Canale reported that the Environmental Commission is hosting a seed swap on March 28, 2026 from 10:00 am until 11:30 am in the Library and there will be a raffle.

TECHNOLOGY AND SHARED SERVICES:

There was no report.

LEGAL AND PERSONNEL:

There was no report.

PARKS AND RECREATION:

Councilman Crudele congratulated Coach Keenan and the girls varsity basketball team. He also congratulated Carmine Sipper for his 4th place State win and his overall 161 wins, which shattered the record.

Administrator Baltycki pointed out that school is starting before Labor Day this year and the lifeguards will be in school. Therefore, the pool will be closed September 3 and 4, 2026 but will open for Labor Day weekend.

ADVISORS' REPORT:

Clerk DeBlasis announced that the Special Election on April 16, 2026 will be held in the Municipal Building Public Meeting Room.

MAYOR'S REPORT:

There was no report.

INVITATION FOR PUBLIC COMMENT

Mayor Tempesta asked if anyone wished to be heard. No one wished to be heard.

ADJOURNMENT TO CLOSED SESSION:

There being no further business before the Council a motion from Councilman Cecere and a second from Councilman Wolsky, the meeting adjourned to closed session at 10:07 pm. All were in favor. Mayor Tempesta said that the Council reserves the right to come out of closed session and vote on any matter. On a motion of Councilman Cecere, seconded by Council President Canale, the meeting reconvened to open session at 10:31 pm. Upon a voice vote, all were in favor. There was no one from the public in attendance.

ADJOURNMENT:

There being no further business before the Council on a motion from Councilman Cecere and a second by Council President Canale, the meeting adjourned at 10:31 pm. All were in favor.

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Joann DeBlasis, Township Clerk