TOWNSHIP OF WEST CALDWELL
PUBLIC MEETING MINUTES
July 7, 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, July 7, 2026 at 6:00 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, and Schott

ABSENT: Councilman Crudele

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 Wolsky

Council President Canale gave the invocation.

PUBLIC HEARING ON PENDING ORDINANCES

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

Ordinance No. 1909

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING $3,430,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $3,258,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1.The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of West Caldwell, in the County of Essex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to $3,430,000, and further including the aggregate sum of $171,500 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2.In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of $3,258,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

Purpose:	Appropriation & Estimated Cost	Estimated Maximum Amount of Bonds & Notes	Period of Usefulness

a) **Recreation** 1) Improvements to the Westville Pickleball Courts, including lighting and further including all work and materials necessary therefor and incidental thereto.	$100,000	$95,000	15 years
2) Acquisition and installation of security cameras, including all work and materials necessary therefor and incidental thereto.	$350,000	$332,500	10 years
3) Improvements to the Civic Center, including replacement of windows and front door and further including all work and materials necessary therefor and incidental thereto.	$20,000	$19,000	15 years
4) Acquisition and installation of batting cages, including all work and materials necessary therefor and incidental thereto.	$25,000	$23,750	15 years
b) **Police** 1) Acquisition of body cameras, including all related costs and expenditures incidental thereto.	$20,000	$19,000	5 years
2) Acquisition of a marked sport utility vehicle, including all related costs and expenditures incidental thereto.	$90,000	$85,500	5 years
3) Acquisition of computer-aided dispatch and records management system, including all related costs and expenditures incidental thereto.	$375,000	$356,250	5 years
c) **Fire** 1) Acquisition of an aerial truck, including all related costs and expenditures incidental thereto.	$250,000	$237,500	20 years
2) Acquisition of a pick-up truck, including all related costs and expenditures incidental thereto.	$75,000	$71,250	5 years
d) **Engineering, Roads and Sewer** 1) Various drainage improvements, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	$200,000	$190,000	15 years
2) Improvements and reconstruction to various roads, including, but not limited to, Fairfield Avenue, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	$700,000	$665,000	10 years
3) Improvements and reconstruction to various roads, including, but not limited to, Harding Road, Wilson Terrace and Ridge Terrace, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	$750,000	$712,500	10 years
4) Improvements to the sewer pump station, including all work and materials necessary therefor and incidental thereto.	$250,000	$237,500	15 years
e) **Fleet** 1) Acquisition of a mason dump truck, including all related costs and expenditures incidental thereto.	$85,000	$80,750	10 years
2) Acquisition of a pick-up truck, including all related costs and expenditures incidental thereto.	$140,000	$133,000	5 years
Total	$3,430,000	$3,258,500	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4.All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5.The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6.The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.57 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $3,258,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $686,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7.The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8.Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9.The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend

such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

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

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

Ordinance No. 1910

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING $1,614,872 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,614,872 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1.The several improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of West Caldwell, in the County of Essex, New Jersey (the "Township"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to $1,614,872. No down payment is required as the purposes authorized herein are deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2.In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of $1,614,872 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

Purpose	Appropriation & Estimated Cost	Estimated Maximum Amount of Bonds & Notes	Period of Usefulness
a) The water meter/radio replacement program, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	$50,000	$50,000	15 years

b) Replacement of the water mains on Bloomfield Avenue and Central Avenue, including all work and materials necessary therefor and incidental thereto.	$1,300,000	$1,300,000	40 years
c) Tank management program, including all work and materials necessary therefor and incidental thereto.	$126,872	$126,872	40 years
d) Acquisition of a pick-up truck, including all related costs and expenditures incidental thereto.	$60,000	$60,000	5 years
e) Acquisition of an excavator trailer, including all related costs and expenditures incidental thereto.	$22,000	$22,000	15 years
f) Acquisition of an auto flush with sample port, including all related costs and expenditures incidental thereto.	$16,000	$16,000	15 years
g) Acquisition of leak detection and main location equipment, including all related costs and expenditures incidental thereto.	$40,000	$40,000	15 years
Total:	$1,614,872	$1,614,872	

Section 4.All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5.The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6.The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 36.71 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $1,614,872, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by

this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding $125,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Township pursuant to N.J.S.A. 40A:2-44(c).

Section 7.The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8.Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9.The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

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

COMMUNICATIONS:

A-1 A communication from Nikole H. Baltycki, Chief Finance Officer, certifying funds are available under the 2026 Budget of Appropriations – July 7, 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 26-171, 26-172, 26-178, 26-184, and 26-185

Received and placed on file.

BILLS ORDERED PAID:

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

SCHEDULE OF BILLS ORDERED PAID JUNE 2026

	Checks	Amount
CURRENT ACCOUNT – VALLEY NATIONAL BANK	20831-20959	$4,510,722.03
GENERAL CAPITAL	3468-3471	$59,599.77
POOL	4098-4112	$110,216.41
POOL CAPITAL	0	0
WATER CAPITAL	8475-8476	$126,743.81
WATER	12139-12155	$250,536.28
WATER WIRE ACCT	0	0
GENERAL TRUST – VALLEY NATIONAL BANK	7364-7378	$110,278.89
DOG TRUST	1188-1189	$7,011.75
PUBLIC ASSISTANCE TRUST 1	0	0
LAW ENFORCEMENT TRUST	0	0
COAH-AFFORDABLE HOUSING TRUST	0	0
DEVELOPERS' TRUST	1990-1998	$11,717.50
SUB-TOTAL		**$5,186,826.44**
LIBRARY	14081-14110	$93,638.26
TOTAL		**$5,280,464.70**

APPROVAL OF MINUTES:

On the recommendation of Councilman Schott seconded by Councilman Wolsky, it was regularly moved that the minutes of the regular meeting of June 2, 2026 be approved.

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

CONSENT AGENDA:

Mayor Tempesta read the following statement: "Matters listed within the Consent Agenda have been referred to members of the Township Council for reading and study, are considered to be routine and will be enacted by one motion of the Township Council with no separate discussion. If separate discussion is desired, the resolution may be removed and be subject to a separate roll call."

Administrator Baltycki reported that there was one item for closed session, *Interviews for sergeant in the West Caldwell Police Department.*

It was regularly moved by Council President Canale, seconded by Councilman Docteroff that the twenty-two Resolutions on the Consent Agenda this evening be approved. Upon a roll call

vote all were in favor. However, Councilman Cecere abstained from Resolutions 26-173, and 26-174.

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

Mr. Richard Wilcox, a West Caldwell resident, asked if Resolution 26-171 referred to the HVAC compressor in the Municipal Building. Ms. Baltycki replied that there were 2 needed, one at the Municipal Building and one at the Police Station.

Mr Wilcox asked about Resolution 26-172 and Ms. Baltycki explained that there was money being approved in this Resolution for the Water Meter Replacement Program.

Mr. Wilcox asked about Resolution 26-182 and Ms. Baltycki explained that that is a reduction in the original amount for the project.

The following twenty-two Resolutions by Consent were made part of these Minutes:

No. 26-166
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING THE REAPPOINTMENT OF JOANN DEBLASIS AS MUNICIPAL CLERK FOR THE TOWNSHIP OF WEST CALDWELL

WHEREAS, Joann DeBlasis was appointed as Municipal Clerk for the Township of West Caldwell for a three (3) year term on July 18, 2023; and

WHEREAS, Joann DeBlasis has a Registered Municipal Clerk certificate pursuant to P.L. 1985, c. 174 and has satisfied the continuing education requirements for said certification, and;

WHEREAS, the Governing Body of the Township of West Caldwell wishes to reappoint Joann DeBlasis as Municipal Clerk for the Township of West Caldwell conferring tenure in such office of Municipal Clerk pursuant to N.J.S.A. 40A:9-133.7; and

NOW THEREFORE, BE IT RESOLVED, that Joann DeBlasis is hereby reappointed full-time Municipal Clerk of the Township of West Caldwell effective July 18, 2026 conferring tenure pursuant to N.J.S.A. 40A:9-133.7 as Municipal Clerk; and

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

1. Joann DeBlasis be and hereby is reappointed Municipal Clerk of the Township of West Caldwell, effective July 18, 2026.

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

No. 26-167
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING INCLUSION IN THE ESSEX COUNTY URBAN COUNTY COMMUNITY DEVELOPMENT PROGRAM FOR FEDERAL FISCAL YEARS 2027-2029 (OCTOBER 1, 2026, TO SEPTEMBER 30, 2029)

WHEREAS, certain Federal funds are potentially available to the County of Essex under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program (CDBG); and

WHEREAS, certain Federal funds are potentially available to the County of Essex under Title II of the National Affordable Housing Act of 1990, as amended; commonly known as the HOME Investment Partnerships program (HOME); and

WHEREAS, substantial Federal funds are provided to the County of Essex through Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living, commonly known as the Emergency Solutions Grants program (ESG); and

WHEREAS, the current Uniform Shared Services and Consolidated Act (N.J.S.A. 40A:65-1 et seq.) provides a mechanism through which counties and municipalities may enter into agreements for the provision of joint services; and

WHEREAS, by July 8, 2026, each municipality must notify the Essex County Division of Housing & Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above as part of the Urban County Requalification Process; and

WHEREAS, it is in the best interest of the Township of West Caldwell and its residents to participate in said entitlement programs; and

WHEREAS, the Township of West Caldwell desires to renew its' participation in the Essex Urban County for conducting certain community development activities for Federal Fiscal Years 2027-2029 (October 1, 2026, to September 30, 2029); and

WHEREAS, a letter has been drafted by the Mayor to the Essex County Division of Housing and Community Development notifying the County of the Township's desire to renew its inclusion as a participant municipality in the Essex Urban County entitlement program for Federal Fiscal Years 2027 to 2029 (October 1, 2026- September 30, 2029) and for successive three (3) year periods, as provided in the Housing and Community Development Act, until terminated; and

WHEREAS, the Township of West Caldwell and the Essex Urban County desire to enter into a Cooperation Agreement for Federal Fiscal Years 2027-2029 (October 1, 2026 to September 30, 2029) which authorizes the automatic renewal of the agreement for successive qualification periods of three years, and shall remain in effect at least until the CDBG, ESG and HOME funds from each of the federal fiscal years of the agreement's specified qualification period, and each successive qualification period for which the agreement is renewed, are expended and the funded activities completed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell that it hereby authorizes the Mayor and Municipal Clerk to execute the attached Cooperation Agreement in accordance with the provisions of law; for the Federal Fiscal Years 2027 to 2029 (October 1, 2026- September 30, 2029), and for successive three (3) year periods, as provided in the Housing and Community Development Act, until terminated; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its adoption, and a copy to this resolution be forwarded to the Essex County Division of Housing & Community Development no later than July 31, 2026.

No. 26-168
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING AN AMENDMENT TO CURE BREAST CANCER FOUNDATION, INC. OFF PREMISE 50/50 RAFFLE ON JUNE 22, 2026, LICENSE NO. 506, ID NO. 086-05-39127

WHEREAS, Cure Breast Cancer Foundation, Inc. had originally submitted Raffle License Application No. RA 506, ID No. 086-05-39127 for an Off Premise 50/50 Raffle to be held on June 22, 2026, at the Mountain Ridge Country Club, West Caldwell; and

WHEREAS, Cure Breast Cancer Foundation, Inc. certifies that due to inclement weather they have changed the date of the raffle to August 31, 2026 at the Mountain Ridge Country Club, West Caldwell, NJ; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Caldwell, hereby approves the amended 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. 26-169
By: Councilman Wolsky

SUBJECT: RESOLUTION AMENDING THE RESOLUTION OF APPOINTMENT OF GARRY SMITH AS A PART-TIME PLUMBING SUBCODE OFFICIAL AND PLUMBING INSPECTOR HHS IN THE CONSTRUCTION DEPARTMENT FOR THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Township of West Caldwell desires to appoint a Plumbing Subcode Official and Plumbing Inspector HHS; and

WHEREAS, Garry Smith, 75 Miller Road, Kinnelon, NJ 07405 is willing and able to serve as Plumbing Subcode Official and Plumbing Inspector HHS in the Construction 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. Garry Smith is appointed as Plumbing Subcode Official and Plumbing Inspector HHS,effective April 1, 2026 until March 30, 2030 at an hourly rate of $50.00 in accordance with the salary ordinance.
2. All Township officials are hereby authorized and directed to take all action necessary andappropriate to effectuate the terms of this Resolution.

No. 26-170
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
9999	2		Verizon NJ Inc C/O Kroll LLC West Caldwell	$ 107.67	2026	6

Check payable to: Verizon NJ Inc C/O Kroll LLC
PO Box 2749
Addison, TX 75001-2749

TTL #24-00005

706	17	Patrizio, Diane & Deanna Et Al 33 Beverly Road	$ 668.54	2024	9

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

No. 26-171
By: Councilman Cecere

SUBJECT: RESOLUTION AUTHORIZING AN EMERGENCY CONTRACT WITH DeSESA ENGINEERING, CO. INC. FOR THE REPLACEMENT OF THE HVAC COMPRESSOR IN THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the HVAC compressor in the West Caldwell Police Station located at 21 Clinton Road located in the media room that connects all the infrastructure for emergency and non-emergency communication; and

WHEREAS, said Police Station is a public building and the failure of the HVAC unit constitutes an emergency affecting the public health, safety and welfare of the residents of the Township of West Caldwell; and

WHEREAS, the Township of West Caldwell has declared the need to enter into an emergency contract consistent with N.J.S.A. 40A:11-6 to replace the HVAC compressor at the West Caldwell Police Station; and

WHEREAS, DeSesa Engineering, Co. Inc. will replace the HVAC compressor needed at the West Caldwell Police Station for an amount not to exceed $11,500.00; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Caldwell, Essex County, New Jersey that all Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

No. 26-172
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, 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 $35,000.00.

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 Rio Supply, Inc.

No. 26-173
By: Councilwoman Canale

SUBJECT: RESOLUTION AUTHORIZING THE APPOINTMENT OF LUIS V. DACOSTA AS AN AUXILIARY FIREFIGHTER IN THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT

RESOLVED, on the recommendation of the Chief of the West Caldwell Volunteer Fire Department that Luis V. DaCosta, 12 Seymour Street, Caldwell, NJ, be designated as an Auxiliary Firefighter of the West Caldwell Volunteer Fire Department, effective July 7, 2026.

No. 26-174
By: Councilwoman Canale

SUBJECT: RESOLUTION AUTHORIZING THE APPOINTMENT OF SAMUEL A. O'HERN AS AN AUXILIARY FIREFIGHTER IN THE WEST CALDWELL VOLUNTEER FIRE DEPARTMENT

RESOLVED, on the recommendation of the Chief of the West Caldwell Volunteer Fire Department that Samuel A O'Hern,

46 Redman Terrace, West Caldwell, NJ, be designated as an Auxiliary Firefighter of the West Caldwell Volunteer Fire Department, effective July 7, 2026.

No. 26-175
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING CHILTON MEDICAL CENTER FDN INC. FOR OFF PREMISE 50/50 RAFFLE TO BE HELD ON SEPTEMBER 28, 2026 LICENSE NO. 510, ID NO. 386-4-31844

WHEREAS, Chilton Medical Center Fdn Inc. has submitted a Raffle License Application No. RA 510, ID No. 386-4-31844 for off premise 50/50 raffle to be held September 28, 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 510; 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. 26-176
By: Councilwoman Canale

SUBJECT: **RESOLUTION AUTHORIZING REFUNDS IN THE CONSTRUCTION DEPARTMENT**

WHEREAS, there is a need to issue refunds for Construction Fees collected in the Construction Department as shown below; and

WHEREAS, the Construction Official 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:

Name	Amount	Reason
Prestige Water Group 50 Lakeview Avenue Butler, NJ 07405	$1,875.00	Refund- Road Opening Deposit
Playa Bowls 796 Bloomfield Avenue West Caldwell, NJ 07006	$100.00	Refund- Local Registration Fee

TOTAL CONSTRUCTION FEE REFUNDS: $1,975.00

No. 26-177
By: Councilman Crudele

SUBJECT: RESOLUTION AUTHORIZING REFUNDS IN THE RECREATION OFFICE

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

WHEREAS, the Recreation Director recommends the refunds of these fees.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of West Caldwell that the proper officers be, and they are hereby authorized and directed to transfer funds or issue checks to clear the refunds as shown below:

POOL UTILITY

Name	Amount	Reason
Dawn Chaplain 341 Big Piece Road Fairfield, NJ 07004	$440.00	Refund- Pool Membership
Lisa Daniolowicz 11 Farrington Street West Caldwell, NJ 07006	$595.00	Refund- Pool Membership
Allyssa Johnson 25 2nd Avenue Roseland, NJ 07068	$730.00	Refund- Pool Membership
Sandy Tango 126 Park Avenue West Caldwell, NJ 07006	$160.00	Refund- Pool Membership
Lisa Sang 24 Wakefield Place Caldwell, NJ 07006	$420.00	Refund- Pool Membership
Sylvia Torres 14 McNish Way West Caldwell, NJ 07006	$505.00	Refund- Pool Membership

Marion Vessichelli 7 Ashland Street Apt. 126 Caldwell, NJ 07006	$230.00	Refund- Pool Membership

TOTAL POOL UTILITY REFUNDS: $3,080.00

CURRENT FUND

Name	Amount	Reason
Nicole Colello 47 Coolidge Avenue West Caldwell, NJ 07006	$185.00	Refund- Basketball Camp
Jason Fitz 79 Arlington Avenue Caldwell, NJ 07006	$185.00	Refund- Basketball Camp
Nyota Peace 15 Rubino Road West Caldwell, NJ 07006	$370.00	Refund- Co-Ed Basketball
Jason Fitz 79 Arlington Avenue Caldwell, NJ 07006	$400.00	Refund- Lifeguard Certification
Sarah Ryan 26 McKinley Avenue West Caldwell, NJ 07006	$400.00	Refund- Lifeguard Certification
Ruby Sanchez 66 Ravine Avenue Caldwell, NJ 07006	$205.00	Refund- Playgrounds
Ryan Espin 137 Central Avenue West Caldwell, NJ 07006	$85.00	Refund- Swim Team
Harishwaran Hariharan 12 Woodrow Place West Caldwell, NJ 07006	$85.00	Refund- Swim Team
Anna Simonetti 8 Hasemann Court West Caldwell, NJ 07006	$85.00	Refund- Swim Team
Joyce Lin 12 Gould Place West Caldwell, NJ 07006	$160.00	Refund- Swim Team Non-Pool Members
Melissa Holden 156 Washington Avenue West Caldwell, NJ 07006	$205.00	Refund- Tot Lot
Samuel Viavattine 11 Ravine Avenue Caldwell, NJ 07006	$135.00	Refund- Volleyball

TOTAL CURRENT FUND REFUNDS: $2,500.00

TRUST FUND

Name	Amount	Reason
Marianna Martyn 31 Artho Lane Roseland, NJ 07068	$75.00	Refund- Community Gardens

TOTAL TRUST FUND REFUNDS: $75.00

No. 26-178
By: Councilman Crudele

SUBJECT: RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO MUSCO SPORTS LIGHTING, LLC FOR THE GROVER CLEVELAND MIDDLE SCHOOL FIELD PROJECT THROUGH THE EDUCATION SERVICES COMMISSION OF NEW JERSEY COOPERATIVE

WHEREAS, Education Services Commission of New Jersey has awarded contracts to various vendors as successful bidders for Education Services Commission of New Jersey contracts; and

WHEREAS, the Township of West Caldwell is authorized by law to purchase goods or services from approved vendors who have been awarded by and have existing contracts with the Education Services Commission of New Jersey; and

WHEREAS, the Township of West Caldwell is a member of the Education Services Commission of New Jersey; and

WHEREAS, Education Services Commission of New Jersey Bid Number ESCNJ 24/25-06 was awarded for athletic field lighting to Musco Sports Lighting, LLC, and

WHEREAS, the Governing Body of the Township of West Caldwell desires to install athletic field lighting at the Grover Cleveland School field; and

WHEREAS, the Township has determined to award the contract for athletic field lighting at the Grover Cleveland Middle School field in the Township pursuant to the Education Services Commission of New Jersey contract to Musco Sports Lighting, LLC; and

WHEREAS, the cost for said product under the Education Services Commission of New Jersey bid number ESCNJ Co-Op number 24/25-06 in the amount of $204,046.00.

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, FieldTurf, USA, Inc. shall be awarded the contract for athletic field lighting in an amount of $204,046.00 under the Education Services Commission of New Jersey.

No. 26-179
By: Councilwoman Canale

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

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

WHEREAS, Patrick Roche, 6 Third Street, Little Falls, NJ 07424 is willing and able to serve a Dispatcher in the Police 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. Patrick Roche is appointed as Dispatcher, effective July 10, 2026, at a salary of $60,000.00 in accordance with the salary ordinance.
2. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

No. 26-180
By: Councilman Wolsky

SUBJECT: RESOLUTION APPOINTING DANNY TRAVERS 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, Danny Travers, 60 Fells Road, Verona, NJ 07044 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:

1. Danny Travers is appointed as Water Laborer, effective July 13, 2026, at a salary of $47,000.00 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. 26-181
By: Councilman Wolsky

SUBJECT: RESOLUTION APPOINTING TRAVIS WHITE 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, Travis White, 617 Forest Avenue, Paramus, NJ 07652 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 Travis White 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. Travis White is appointed as Laborer, effective July 7, 2026, at a salary of $50,000.00 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. 26-182
By: Councilman Cecere

SUBJECT: RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR THE ELLIS ROAD IMPROVEMENT PROJECT IN THE TOWNSHIP OF WEST CALDWELL

WHEREAS, the Governing Body of the Township of West Caldwell previously awarded the contract for the Ellis Road

improvement project to Granada Construction Corp. in the amount of $524,825.70; and

WHEREAS, it has been determined that certain changes to this Contract are necessary; and

WHEREAS, change order #1 was approved on June 2, 2026 in the amount of $22,598.00; and

WHEREAS, during the course of the Contract, it was discovered that the following additional minor modifications were required:

1. Various reductions in quantities Decrease of $44,829.07

WHEREAS, the aggregate cost for these modifications is a decrease of $44,829.07 and results in a 8.54% decrease to the original Contract amount;

WHEREAS, this minor modification represents no substantial change to the quality or character of the items or work provided or the overall Contract amount;

WHEREAS, based upon the recommendations of the Township Administrator and the Township Engineer, the Governing Body wishes to approve this change order.

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 project known as the Ellis Road improvement project to Granada Construction Corp., 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	$524,825.70
Amount of Change Order #1	22,598.00
Amount of Change Order #2	<44,829.07>
New Contract Price with All Change Orders	$502,594.63
Percent Increase of Change Order #1	- 4.24%

No. 26-183
By: Councilman Wolsky

SUBJECT: RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the Township of West Caldwell, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of West Caldwell had the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, it has been or will be necessary to enter into contracts with the following Referenced State Contract Vendors through this resolution and properly executive contracts, which shall be subject to all the conditions applicable to the current State contracts:

All Hands Fire Equipment	17-FLEET-00746; 17-FLEET-00812
Armor Express	17-FLEET-00763
Draeger Inc.	17-FLEET-00784
East Coast Emergency Lighting	17-FLEET-00761; 23FLEET-68813
Firefighter One LLC	17-FLEET-00734; 17-FLEET-00807; 25-COMG-131368
Gold Type Business Machines Inc.	17-FLEET-00716
Motorola Solutions	23-FLEET-33791; 83925
Quadient, Inc.	41267
Turn Out Fire & Safety	17-FLEET-00752; 17-FLEET-00813
WB Mason	0000003 - 24-COMG-78752
Witmer Associates, Inc.	17-FLEET-00767

NOW, THEREFORE, BE IT RESOLVED, that the Township of West Caldwell authorized the Township to purchase certain goods or services from those approved New Jersey State Contract Vendors listed above, pursuant to all conditions of the individual State contracts.

No. 26-184
By: Councilman Cecere

SUBJECT: RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN FOR AN AMOUNT NOT TO EXCEED $110,000.00 FOR THE GROVER CLEVELAND MIDDLE SCHOOL FIELD IMPROVEMENTS PROJECT

WHEREAS, pursuant to the requirements under the Local Public Contracts Law, the following resolution be and is hereby adopted:

WHEREAS, there exists a need to perform professional engineering services associated with the Grover Cleveland Middle School Improvements Project. The project includes construction administration services and construction inspections services. The fee for the described services is $110,000.00.

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award

of contract for "Professional Services" without competitive bidding must be publicly advertised.

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

1. The Township of West Caldwell will execute an agreement with Colliers Engineering & Design, 400 Valley Road, Suite 304, Mount Arlington, NJ 07856, in accordance with the attached proposal.

2. Whereas, the contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq., in that the vendor was awarded a professional services appointment for the year 2026.

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

No. 26-185
By: Councilman Cecere

SUBJECT: RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN FOR AN AMOUNT NOT TO EXCEED $13,500.00 FOR THE MOUNTAIN AVENUE WATER SYSTEM IMPROVEMENTS PROJECT

WHEREAS, pursuant to the requirements under the Local Public Contracts Law, the following resolution be and is hereby adopted:

WHEREAS, there exists a need to perform professional engineering services associated with the Mountain Avenue Water System Improvements Project. The project includes preliminary evaluation services. The fee for the described service is $13,500.00.

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contract for "Professional Services" without competitive bidding must be publicly advertised.

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

1. The Township of West Caldwell will execute an agreement with Colliers Engineering & Design, 400 Valley Road, Suite 304, Mount Arlington, NJ 07856, in accordance with the attached proposal.

2. Whereas, the contract was awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq., in that the vendor was awarded a professional services appointment for the year 2026.

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

No. 26-186
By: Councilman Cecere

SUBJECT: RESOLUTION AUTHORIZING THE APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MA-2027 HARDING ROAD, RIDGE TERRACE, & WILSON TERRACE ROADWAY IMPROVEMENTS PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of West Caldwell formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2027-Harding Road, Ridge Terrace, & Wilson Road Terrace-00616** to the New Jersey Department of Transportation on behalf of the Township of West Caldwell.

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

No. 26-187
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 (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:

INTERVIEWS FOR SERGEANT IN THE WEST CALDWELL POLICE DEPARTMENT

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 there is a Planning Board Meeting on Monday, July 13. He also reported that things are going well at the pools.

PUBLIC WORKS:

Councilman Cecere welcomed the two new employees in the Department of Public Works. He also reported that the Library Board has no meetings in the summer.

PUBLIC SAFETY:

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

TECHNOLOGY AND SHARED SERVICES:

Councilman Schott reported that the Board of Health and the Senior Citizens Transportation Committee have no meetings in the summer. On behalf of Councilman Crudele, he thanked Gabe DiMasi, Recreation Director, and the Recreation Department for a great 4th of July fireworks display. It was very well done.

LEGAL AND PERSONNEL:

Councilman Wolsky asked Clerk DeBlasis to read the following Ordinance by title.

Ordinance 1905

AN ORDINANCE AMENDING "GENERAL ORDINANCES," CHAPTER 20 ENTITLED "ZONING"; CHAPTER 18A ENTITLED "LAND USE PROCEDURES"; CHAPTER 15 ENTITLED "PROPERTY MAINTENANCE"

WHEREAS, pursuant to N.J.S.A. 40:55D-62, the governing body of a municipality may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of the buildings and structures thereon; and

NOW, THEREFORE, BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST CALDWELL, as follows:

The Township of West Caldwell Municipal Code, Chapter 18A entitled "Land Use Procedures" is amended as follows [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 18A-8.6 Technical Review Fees and Escrow Deposit.

d. Payment of Technical Review Fee Deposits.

1. Prior to determination of application completeness, each applicant shall deposit the following initial technical review deposit for the professional review of an application for development pursuant to N.J.S.A. 40:55D-53.2(a). In no event, however, shall such an initial deposit exceed $10,000. The Administrative Officer may waive the initial deposit for a minor site plan on the recommendation of the Board.

	~~Subdivision~~			~~Site Plan~~		
	~~Minor (<3 lots)~~	~~Major~~		~~Minor~~	~~Major~~	
		~~Prelim~~	~~Final~~		~~Prelim~~	~~Final~~
~~Initial Deposit~~	~~$1,500~~	~~$2,000~~	~~$2,000~~	~~$500~~	~~$2,500 for the first 1,000 square feet of lot area and $50 per 100 square feet of bldg. floor area~~	~~$2,500 for the first 1,000 square feet of lot area and $50 per 100 square feet of bldg. floor area~~
~~Plus Additional Escrow~~	~~—~~	~~$150 for each additional lot in excess of 3 lots~~	~~$150 for each additional lot in excess of 3 lots~~	~~—~~	~~$150 per 1,000 square feet of lot area in excess of the initial 1,000 square feet of building floor area in excess of the initial 30,000 square feet~~	~~$150 per 1,000 square feet of lot area in excess of the initial 1,000 square feet and $25 per 100 square feet of building floor area in excess of initial 30,000 square feet~~
~~Zoning Bd. of Adj.~~	~~ZBA not involving Variance (pursuant to N.J.S.A. 40:55D-70(a) or (b) or N.J.S.A. 40:55D-68)~~			~~ZBA Residential w/One Variance (pursuant to N.J.S.A. 40:55D-70(c))~~		~~ZBA w/Use Variance~~
	~~$500~~			~~$150 for 1 variance and $50 for each additional variance~~		~~$1,500~~

		Initial Deposit	Plus Additional Escrow
a.	**Minor subdivisions (<3 lots)**	**$2,000**	**--**
b.	**Major subdivisions:**		
1.	**Sketch plat**	**$1,000**	**$150 for each additional lot in excess of 3 lots**
2.	**Preliminary plat**	**$2,000**	**$150 for each additional lot in excess of 3 lots**
3.	**Final plat**	**$2,000**	**$150 for each additional lot in excess of 3 lots**
c.	**Minor site plans:**	**$2,000**	
d.	**Site plans:**		
1.	**Preliminary site plan**	**$2,500 for the first 1,000 square feet of lot area and $50 per 100 square feet of bldg. floor area**	**$150 per 1,000 square feet of lot area in excess of the initial 1,000 square feet and $25 per 100 square feet of building floor area in excess of initial 30,000 square feet**
2.	**Final site plan (when separate)**	**$2,500 for the first 1,000 square feet of lot area and $50 per 100 square feet of bldg. floor area**	**$150 per 1,000 square feet of lot area in excess of the initial 1,000 square feet and $25 per 100 square feet of building floor area in excess of initial 30,000 square feet**
e.	**Variances/appeals, per application, pursuant to:**	**One single-family residential lot**	**All others**
1.	**N.J.S.A. 40:55D-70a**	**$500**	**$1,000**
2.	**N.J.S.A. 40:55D-70b**	**$500**	**$1,000**
3.	**N.J.S.A. 40:55D-70c**	**$150**	**$250**
3a.	**Each additional N.J.S.A. 40:55D-70c**	**$50**	**$75**
4.	**N.J.S.A. 40:55D-70d**	**$1,500**	**$1,500**
8.	**N.J.S.A. 40:55D-68**	**$500**	**$1,000**
f.	**Conditional uses:**		
1.	**Residential professional offices pursuant to Chapter 20 (Site plan fees shall be waived)**		**$500**
2.	**All others**		**$750**
g.	**Informal review**		**$750**

§ 18A-8.8 Fees.

The developer shall, at the time of filing an application for development, pay the following nonrefundable fee or fees to the Township of West Caldwell, except as such fees, in specific instances, may be reduced or waived by the applicable Township agency pursuant to Subsection 18A-8.1. Applications involving a combination of elements (e.g. subdivision and site plan and/or variances) shall pay a fee equal to the sum of the fees for each element. In addition, other specific fees shall be paid at the time the particular service is provided. Notwithstanding the foregoing, charitable, philanthropic, fraternal and religious nonprofit organizations holding a tax exempt status under the Federal Internal Revenue Code of 1954 (26 U.S.C. § 501 (c) or (d)) shall be exempt from the payment of any application fee and may be exempt from the payment of any other fee under this chapter pursuant to Subsection 18A-8.1. Further,

a Board of Education shall be exempt from the payment of any fee under this chapter.

a.	Minor subdivisions	$300	
b.	Major subdivisions:		
	1. Sketch plat	$350	
	2. Preliminary plat	$550 plus $150 per lot	
	3. Final plat	$600	
c.	Minor site plans:		
	1. Unamended plan	$250	
	2. Amended plan	$200	
d.	Site plans:		
	1. Residential development:		
	(a) Preliminary site plan	$600 plus $150 per dwelling unit	
	(b) Final site plan	50% of preliminary site plan fee	
	(c) Preliminary and final site plan combined	125% of preliminary site plan fee	
	2. All others:		
	(a) Preliminary site plan	$500 plus, when applicable, $0.05 for each square foot of floor area of new construction.	
	(b) Final site plan (when separate)	50% of preliminary site plan fee.	
	(c) Preliminary and final site plan combined	125% of preliminary site plan fee.	
e.	Variances/appeals, per application, pursuant to:	One single-family residential lot	All others
	1. N.J.S.A. 40:55D-70a	$150	$250
	2. N.J.S.A. 40:55D-70b	$150	$250
	3. N.J.S.A. 40:55D-70c	$250	$350
	3a. Each additional N.J.S.A. 40:55D-70c	$50	$75
	4. N.J.S.A. 40:55D-70d	$350	$550
	5. N.J.S.A. 40:55D-17	$150	$350
	6. N.J.S.A. 40:55D-34	$150	$350
	7. N.J.S.A. 40:55D-36	$150	$350
	8. N.J.S.A. 40:55D-68	$350	$500
f.	Conditional uses:		
	1. Residential professional offices pursuant to Chapter 20 (Site plan fees shall be waived)		$250
	2. All others		$300
g.	Reproduction of records:		
	1. Duplication of recordings:		
	Per CD		$10
	Per tape		$10
	2. Notice list of property owners		$20
~~h.~~	~~Grading permit~~		~~$350 per acre or fraction thereof.~~
i.	Development permit for construction in a special flood hazard area pursuant to Chapter 21		$450
j.	Publication by Township agency in official newspaper, when applicable:		
	1. Publication of hearing notice or re-notice		$30
	2. Publication of decision		$30
k.	Copies of Revised General Ordinances:		
	1. Chapter 18A		$20
	2. Chapter 19		$15
	3. Chapter 20		$40
	4. Chapter 21		$20
	5. Items (1) through (4) and Zoning Map combined		$50
l.	Zoning Map		$10
m.	Township agency rules/regulations		$10
n.	Master plan elements		$65
o.	Registration fee for notice to public utility, cable television company or local utility		$20
p.	Zoning permit		~~$75~~ **$100**
q.	Certificate of nonconformance		$50
r.	Special meeting at applicant's request		$550
s.	Informal review		$100 shall be a credit toward a development application if filed
t.	Informal review of second or subsequent concept plan pursuant to N.J.S.A. 40:55D-10.1		An amount equivalent to applicable application fees or $300, whichever is less
u.	Cancellation or postponement of scheduled hearing at applicant's request less than 3 working days prior to hearing scheduled pursuant to public notice		$300

§ 18A-9.2 Submitted Procedure.

d. Any application for development classified as a major site plan, a major subdivision, or a use variance pursuant to N.J.S.A. 40:55D-70(d) shall, where applicable, include the following:

22. Traffic/circulation study: on-site and off-site; proposed and existing; impact analysis; sight easements required. **See §18-A-11.8 for additional requirements.**

§ 18A-11.8 Traffic Study

When reviewing a Traffic Impact Statement in conjunction with an Application for Site Plan, Subdivision, Conditional Use and/or Variance, when specific standards are included in a Township Ordinance, Resolution or Standard Detail of Construction, those standards must apply. When determining the overall adequacy of safe ingress, egress, pedestrian and vehicular safety and circulation, emergency services response, impacts on Levels of Service (LOS), (when such impact is a permitted element of review), site design, including but not limited to storm water management, snow removal and storage, business access, and ADA requirements, the Township Agency may require the Applicant to provide data from a variety of sources as well as expert testimony in support of the use of such data in the current Application.

No single source will be considered as having more testimonial weight than any other. When hearing an application, the Township Agency reserves the right to apply the weight to each element of documentation that it determines is appropriate, based on input from the Township's Professional Staff and contracted consultants, experts retained solely for Agency assistance with any particular application, the Applicant's experts, their own understanding of the reports and testimony, or similar sources.

Established guidelines include, but are not limited to the Institute of Traffic Engineers (ITE) Trip Generation Manual, current edition, NJDOT Standard Specifications for Road and Bridge Construction, as amended, Federal Highway Administration Roadway Safety Data Program (RSDP), an on-site analysis, with methodology satisfactory to the Township Agency, and studies of similar existing uses in comparable locations, as may be suggested by the Township Agency, the Applicant, or any Township staff, consultant or retained expert, or similar sources adopted by Resolution of the Township Agency. No single particular source may be considered as dispositive in the Township Agency's determination of adequacy in their review of an Application.

When an Applicant is aware or should be aware of an existing study and/or analysis of traffic impacts at another site owned or operated under the same business entity or name as proposed for the current application, they are obligated to disclose that information as a part of the items required for completeness.

The Township of West Caldwell Municipal Code, Chapter 18A entitled "Land Use Procedures" as it pertains to definitions is amended as follows [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 18A-5 DEFINITIONS.

Definitions as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D-3 et seq.) are hereby adopted and are hereby supplemented by the definitions hereinafter set forth. For the purposes of this chapter, unless the context clearly indicates a different meaning:

ACCESSORY DWELLING UNIT

A separate and complete dwelling unit that is contained on the same lot as the structure of a single-family dwelling and subordinate thereto.

GARDEN CENTER

The growing, cultivation, storage, and sale of vegetation and fertilizers, as well as the sale of garden tools and similar accessory and ancillary products.

TATTOO

The permanent coloration of the skin or mucosa by placing ink or other inert pigment into or under the skin or mucosa by the aid of needles or any other instrument used to puncture the skin. This includes all forms of permanent cosmetics.

The Township of West Caldwell Municipal Code, Chapter 15 entitled "Property Maintenance" is amended as follows [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 15-4 DEFINITIONS.

The following terms, whenever used herein or referred to in this Code, shall have the respected meanings assigned to them, unless a different meaning clearly appears from the context. All definition of the ~~2012~~ **most recent version of the** International Property Maintenance Code are hereby incorporated herein by reference.

BUFFER ZONE

A distance of at least five feet from any street, whether public or private, or from any neighboring property, subject to any other buffer restrictions under local, State or federal law.

RUNNING BAMBOO

Any monopodial (running) woody grass from the genera of bamboos, including, but not limited to, Bambusa, Phyllostachys and Pseudosasa, as well as common bamboo, golden bamboo and arrow bamboo.

§ 15-15 BAMBOO.

a. Intent. The Township seeks to prohibit any new plantings of invasive running bamboo, and to establish standards to govern

existing plantings of invasive running bamboo, to better protect native species and surrounding property owners from the uncontrolled growth of invasive running bamboo which is known to threaten other vegetation and endanger existing ecosystems, as well as disrupting the general health and welfare of the community.

b. No planting of running bamboo.

1. The planting of Running Bamboo is prohibited within the Township.

2. Any existing Running Bamboo may not be replanted or replaced after any such existing Running Bamboo has died or been removed.

3. Any person who plants or replants Running Bamboo within the Township limits after the effective date of this section shall be in violation of this section and shall be subject to the penalties set forth herein, subject to the following exceptions:

(a) The root system of such Running Bamboo is entirely contained within an aboveground planter and located so as to entirely prevent the spread or growth of the plants' root system beyond the container in which it is planted; or

(b) The root system is contained within a barrier, constructed in accordance with the following specifications:

(1) The barrier itself shall be composed of a high-density polypropylene or polyethylene, with a minimum thickness of 60 mil (or 1/16 of an inch);

(2) Each portion of the barrier shall be joined together by the use of stainless-steel strips or clamps;

(3) The barrier shall be a minimum of 30 inches deep, with two to three inches of the barrier protruding above ground level around the entire perimeter of the bamboo;

(4) When installed, the barrier shall slant outward from the bottom to top.

(c) Whether planted or growing in a container, as described herein, all bamboo plants shall be located, trimmed, and maintained so that no part of the plant shall be closer than five feet from any property line.

c. Regulation of Existing Running Bamboo.

1. Any Running Bamboo already in existence on any property within the Township limits as of the effective date of this section, may remain on such property, provided that Running Bamboo shall not be permitted within any Buffer Zone.

2. Property Owner(s) shall take all necessary measures to ensure that any Running Bamboo on their property does not exist within any Buffer Zone. Such measure shall include, but are not limited to, cutting down Running Bamboo existing in the Buffer Zone and physically removing or poisoning the rhizomes or spraying any regrowth for several years until the Running Bamboo is dead and, if Running Bamboo is permitted to remain outside the Buffer Zone, installing sheathing comprised of high density polypropylene or polyethylene and placed no less than five feet from the property line at a sufficient depth to prevent any growth of Running Bamboo within any Buffer Zone.

3. This section shall not be deemed to alter any rights at common law or otherwise that any property owner may have to recover the cost of removal of Running Bamboo on their own property from another property owner from whose property the Running Bamboo has spread.

d. Removal of Running Bamboo. If Running Bamboo on any property grows in or into any Buffer Zone, the Township shall give Notice to the Property Owner(s), as required by this section, that the said Property Owner(s) are responsible for the extermination or removal of such Running Bamboo from the Buffer Zone.

e. Inspection. All properties within the Township shall be subject to inspection by the Enforcement Officer to determine compliance with this section as provided by law.

f. Enforcement, violations and penalties.

1. Whenever Running Bamboo is found planted in the ground on any plot of land, lot or any other premises or place in contravention of the provisions of this section, a Notice shall be given to the Property Owner(s), providing 30 days to remove or abate the same.

2. The cost of the removal or abatement shall be borne by the Property Owner(s).

3. If the Property Owner(s) fail(s) to comply with such notice, the Township is hereby authorized to remove or have removed any bamboo encroaching beyond the boundaries of a property and within any Buffer Zone on the property from which the bamboo emanated, and to take all reasonable steps to eradicate the regrowth of the bamboo beyond the boundaries of the property and within any Buffer Zone on the property from which the bamboo emanated, and to restore the land to the condition in which it existed prior to such removal and eradication, all at the cost and expense of the property owner from whose property the bamboo emanated. Upon such removal, the payment and collection of the amounts charged shall immediately become due and payable to the Township. If the owner of the property fails to pay such amounts, the same shall become a lien on the property of such owner and shall bear interest in the same manner as is charged on unpaid taxes. Such unpaid amounts shall be deemed, for the purpose of collection thereof, a tax upon such real estate to be added to and become a part of the taxes next to be levied and assessed against that real estate. Such tax shall be enforced and collected with interest by the same officer and in the same manner as all other municipal taxes.

4. In the event that the Township of West Caldwell shall cause bamboo to be removed, the owner of the property from which the bamboo emanated shall indemnify and hold harmless the Township of West Caldwell and its officers and

employees from and against all liability, including loss, damage, costs, attorneys' fees, causes of action, claims and/or judgments arising from said bamboo removal and restoration of the property. For the sole purpose of this section and for no other purpose, the owner or developer shall be deemed to have appointed the Township of West Caldwell as the owner's or developer's agent should the Township cause bamboo to be removed from such owner's or developer's property.

5. Any violation of the provisions of this section shall constitute a violation punishable as provided in Chapter 1, § 1-5, General Penalty, of the Code of the Township of West Caldwell.

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows as it pertains to district regulations [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-5.4 Schedule of Districts Regulations.

c. The following provisions shall apply to the Schedule:

2. No part of a principal building shall extend into required or nonconforming yards except as follows: Open steps, stairways, front door, open canopies, and overhead awnings may extend not more than four feet; ~~bay windows and~~ open porches, **porticos,** balconies or terraces less than 15 feet wide may extend not more than ~~two~~ **four** feet; and **bay windows,** overhanging eaves, rainwater leaders, windowsills and other incidental, normal and customary building fixtures may extend not more than two feet. In no event shall any part of a principal building be located within five feet of any property line.

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows as it pertains to the R-3 Single-Family Residence District [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-7.3 Conditional Uses.

a. Hospitals, schools, houses of worship, residential professional offices, personal communications antennas, **garden centers,** crop farms and density modification; all subject to the **conditional use** standards of § 20-17.

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows as it pertains to Parking Requirements [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-9A.6 Parking Requirements.

a. **Minimum parking required** ~~Parking~~ shall be ~~provided in~~ accordance with **the maximum specified in the** Residential Site Improvement Standards.

b. Spaces shall measure nine feet wide by 18 feet long.

c. Up to 10% of the parking spaces may be compact parking spaces.

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

§ 20-9B.5 Parking Requirements.

e. **Minimum parking required** ~~Parking~~ shall be ~~provided in~~ accordance with **the maximum specified in the** Residential Site Improvement Standards.

f. Spaces shall measure nine feet wide by 18 feet long.

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

§ 20-9C.5 Parking Requirements.

h. **Minimum parking required** ~~Parking~~ shall be ~~provided in~~ accordance with **the maximum specified in the** Residential Site Improvement Standards.

i. Spaces shall measure nine feet wide by 18 feet long.

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

§ 20-9D.5 Parking Requirements.

a. **Minimum parking required** ~~Parking~~ shall be ~~provided in~~ accordance with **the maximum specified in the** Residential Site Improvement Standards.

b. Spaces shall measure nine feet wide by 18 feet long.

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

§ 20-9E.6 Parking Requirements.

a. **Minimum parking required** ~~Parking~~ shall be ~~provided in~~ accordance with **the maximum specified in the** Residential Site Improvement Standards.

b. Spaces shall measure nine feet wide by 18 feet long.

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

§ 20-9F.7 Parking Requirements.

a. **Minimum parking required** ~~Parking~~ shall be ~~provided in~~ accordance with **the maximum specified in the** Residential Site Improvement Standards for residential uses.

b. Spaces shall measure nine feet wide by 18 feet long.

c. Up to 10% of the parking spaces may be compact parking spaces.

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

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows as it pertains to Conditional Uses and Standards [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-17.25 Fast-Food Restaurants.

a. Minimum dining area of at least 15 square feet shall be provided for each patron seat.

b. Off-street parking shall be provided pursuant to Subsection 20-23.4 and all other parking requirements within the applicable zone district.

c. No building or structure shall be greater than 28 feet or two stories in height.

d. Drive-up window stacking lanes shall be separate and distinct from parking lot aisles and driveways.

e. Stacking lanes shall have sufficient length for a minimum of six vehicles in total and each lane shall have a minimum width of 10 feet.

f. The entire length of the stacking lane or lanes shall be behind the front yard limit line and shall not block any parking space, aisle, driveway or loading area when the stacking lane is occupied with the maximum number of vehicles.

g. If multiple stacking lanes are provided, they shall merge into one drive-up window lane prior to reaching any window or windows.

h. The drive-up window stacking lane may end after the last window and merge with the exit driveway of the property.

i. The drive-up window lane shall not be used as an exit driveway from the property.

j. The drive-up windows and stacking lane or lanes shall be designed to prevent uncontrolled conflicting movements between any on-site vehicles and pedestrian traffic and shall also be designed to allow safe ingress and egress from the site at all times.

k. There shall be no front yard parking on any property where a drive-up window or windows are located, with the exception of properties in the B-2 Zone.

l. One or more drive-up windows may be used for payment and/or pickup of product, said window or windows shall be an integral part of the principal building and shall face the side or the rear of the parcel.

~~m. Fast-food restaurants shall have a minimum of 50 patron seats.~~

~~n. The following signs are permitted for a fast-food restaurant:~~

~~1. Wall sign.~~

~~(a) One wall sign shall be permitted per public street frontage.~~

~~(b) The maximum sign area shall be 85% of the linear business frontage, with a maximum area of 40 square feet.~~

~~(c) The top edge of the wall sign shall not be installed more than 14 feet above the sidewalk or ground.~~

~~(d) The sign may be internally or externally illuminated.~~

~~2. Freestanding identification sign.~~

~~(a) One freestanding identification sign shall be permitted per public street frontage.~~

~~(b) The sign shall be set back at least 10 feet from all property lines.~~

~~(c) The maximum sign area shall be 20 square feet for lots with a frontage less than 100 feet.~~

~~(d) The maximum sign area shall be 35 square feet for lots with a frontage 100 feet or greater.~~

~~(e) The maximum sign height, including structure and sign area, shall be 10 feet above existing grade.~~

~~(f) The sign may be internally illuminated.~~

~~3. Instructional sign.~~

~~(a) On-site instructional signs, not exceeding three square feet in area and three feet in height shall be permitted as needed.~~

~~(b) The sign may be internally illuminated.~~

~~4. Drive-up menu board.~~

~~(a) One drive-up menu board shall be permitted per stacking lane.~~

~~(b) The board shall be separated from vehicular traffic by means of curbing and shall be suitably landscaped. The board shall be located in the side or rear yard.~~

~~(c) The maximum sign area shall be 32 square feet and shall be architecturally compatible with the building.~~

~~(d) The board may be internally illuminated, but the board shall not be visible from a public street. Boards shall not be illuminated when the establishment is closed.~~

~~(e) Screening shall be provided between the board and any adjacent residential zone. Screening shall include evergreen trees installed at a minimum height of five feet.~~

~~5. Product display board.~~

~~(a) One product display board shall be permitted per parcel.~~

~~(b) The maximum sign area shall be 20 square feet.~~

~~(c) The board may be externally illuminated, but the board shall not be visible from a public street. Boards shall not be illuminated when the establishment is closed.~~

~~(d) Screening shall be provided between the board and any adjacent residential zone. Screening shall include evergreen trees installed at a minimum height of five feet.~~

§ 20-17.30 Garden Centers.

a. Minimum lot area shall be 2 acres.

b. Minimum lot depth shall be 150 feet, and minimum lot width shall be 200 feet.

c. No building or structure shall be located within 1/10 vehicular mile from the same or similar conditional use.

d. Subject to the modifications set forth in § 20-17.30, off-street parking shall be provided pursuant to Subsection 20-23.4 and all other parking requirements within the applicable zone district.

e. Special plantings and/or fencing along the side and rear property lines shall be provided to minimize visibility of parking areas from adjacent properties.

f. The lot shall abut and shall provide primary direct access to and from an arterial or collector street and not a street primarily serving as access to residential properties.

g. Modification to bulk standards that apply to garden centers in the R-3A Zone. For the avoidance of doubt, any deviation from the standards set forth in this § 20-17.30 (g) shall require a (c) bulk variance and not a (d) conditional use variance.

i. Subject to the bulk standards contained in this § 20-17.30(g)(i), each lot may have one (1) principal structure and multiple accessory structures subject to the setback and coverage limitations of this section.

a. Greenhouses and canopy buildings shall be considered to be accessory structures.

b. Subject to the requirements of this § 20-17.30, construction of accessory structures shall not require approval from the Township's Planning or Zoning Board of Adjustment if no bulk or conditional use variances are required.

ii. Height and setback requirements for Principal Structure.

a. Minimum setback 50 feet from property boundary lines.

b. Maximum height of 35 feet.

iii. Height and setback requirements for Accessory Structures.

a. Minimum setback 10 feet from property boundary lines.

b. Maximum height of 35 feet.

iv. Building coverage and impervious coverage

a. Maximum building coverage shall be a maximum of 30%.

b. Maximum impervious coverage shall be a maximum of 65%.

v. Parking shall be subject to §30-23.4.

a. Notwithstanding anything to the contrary in the Township's land use ordinances, parking spaces for garden centers do not need to be paved.

b. The provisions of § 20-23.3(c) shall not apply to garden centers.

c. Parking for garden centers may be located in the front yard setback.

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows as it pertains to prohibited uses [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-20 PROHIBITED USES.

§ 20-20.1 Specific Prohibited Uses.

h. Auction establishments, private meeting halls, kiosks of all types, flea markets, tattoo parlors, massage parlors, methadone clinics, public swimming pools as commercial businesses and outdoor coin-operated vending machines, except newspaper vending machines in B-2 and B-3 Districts. **For the purposes of this section, tattoo parlor is a facility where people receive permanent decorative body tattoos from a tattoo artist. Semi-permanent makeup services limited to the face and head only (such as nano feather brows, nano-blading, and scalp pigmentation) offered as an accessory service by a beauty salon shall not constitute a tattoo parlor.**

z. Short-term rentals, including any dwelling unit, or portion thereof, rented by the property owner, for income-producing purposes, to a person or group for a period of less than 30 consecutive days.

aa. Accessory dwelling units.

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows as it pertains to signage [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-24.2 General Sign Provisions.

~~p. Temporary outdoor signs shall be permitted for displaying political messages, subject to the following regulations:~~
~~1. One such sign shall be permitted on any property and shall not exceed 1/5 square feet in area per foot of sign setback from the nearest property line, except that no such sign shall be required to be less than four square feet nor permitted to be greater than eight square feet, and~~
~~2. All such signs shall be set back at least 15 feet from the nearest property line, and~~
~~3. No such sign shall be erected prior to 30 days before the date of any national, state or local election, and all such signs shall be removed from the premises no later than three days after the closing of the polls, and~~
~~4. No such sign shall be illuminated.~~

p. Reserved

…

§ 20-24.9 Signs for Multi-Family Residential Development.

The following signs shall be permitted for any Multi-Family Residential Development, subject to all provisions of Subsections 20-24.1 and 20-24.2 and the following conditions:

a. An apartment complex or multiple family building containing 10 or more dwelling units may have one identification sign, not exceeding 16 square feet, limited to identifying the name of the complex or building and/or street number. Such sign may be attached to, and shall be parallel with, but not painted on, the front wall of a principal building. In the alternative, such sign may be free-standing providing it is located in the rear half of the front yard setback required for the principal building, that it is not in any side or rear yard, and that the lower edge of such sign shall be not more than two feet above the ground surface.

§ 20-24.10 Signs for Fast-Food Restaurants

The following signs are permitted for a fast-food restaurant:

1. Wall sign.

(e) One wall sign shall be permitted per public street frontage.

(f) The maximum sign area shall be 85% of the linear business frontage, with a maximum area of 40 square feet.

(g) The top edge of the wall sign shall not be installed more than 14 feet above the sidewalk or ground.

(h) The sign may be internally or externally illuminated.

2. Freestanding identification sign.

(g) One freestanding identification sign shall be permitted per public street frontage.

(h) The sign shall be set back at least 10 feet from all property lines.

(i) The maximum sign area shall be 20 square feet for lots with a frontage less than 100 feet.

(j) The maximum sign area shall be 35 square feet for lots with a frontage 100 feet or greater.

(k) The maximum sign height, including structure and sign area, shall be 10 feet above existing grade.

(l) The sign may be internally illuminated.

3. Instructional sign.

(c) On-site instructional signs, not exceeding three square feet in area and three feet in height shall be permitted as needed.

(d) The sign may be internally illuminated.

4. Drive-up menu board.

(f) One drive-up menu board shall be permitted per stacking lane.

(g) The board shall be separated from vehicular traffic by means of curbing and shall be suitably landscaped. The board shall be located in the side or rear yard.

(h) The maximum sign area shall be 32 square feet and shall be architecturally compatible with the building.

(i) The board may be internally illuminated, but the board shall not be visible from a public street. Boards shall not be illuminated when the establishment is closed.

(j) Screening shall be provided between the board and any adjacent residential zone. Screening shall include evergreen trees installed at a minimum height of five feet.

5. Product display board.

(e) One product display board shall be permitted per parcel.

(f) The maximum sign area shall be 20 square feet.

(g) The board may be externally illuminated, but the board shall not be visible from a public street. Boards shall not be illuminated when the establishment is closed.

(h) Screening shall be provided between the board and any adjacent residential zone. Screening shall include evergreen trees installed at a minimum height of five feet.

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows as it pertains to conditional uses [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-13.3 Conditional Uses.

a. Indoor recreational facilities, indoor health facilities, nonresidential professional offices, personal communications antennas and commercial communication antenna mounted on existing high-tension electric towers; all subject to the applicable standards of § 20-17.
b. Trade union apprenticeship and/or journeyman training programs sponsored by labor organizations recognized by federal and state labor laws; all subject to the applicable standards of Subsection 20-17.24.
c. Self-Storage Facilities, subject to the applicable standards of § 20-17.
d. Mixed-use inclusionary development, subject to the conditions of Subsection 20-17.29.
e. Warehouses, subject to the conditions of Subsection 20-17.29.

§ 20-14.3 Conditional Uses.

a. Nonresidential professional offices, commercial communications antennas, personal communications antennas and commercial communication antennas mounted on existing high-tension electric towers; all subject to the applicable standards of § 20-17.
b. Mixed-use inclusionary development, subject to the conditions of Subsection 20-17.29.
c. **Warehouses, subject to the conditions of Subsection 20-17.29.**

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows as it pertains to warehouses [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-17.30 Warehouses.

a. Warehouses shall be permitted as a conditional use in the M-1 and M-2 Districts, subject to compliance with the following conditions:

1. All applications for warehousing uses shall be accompanied by a traffic impact and management plan, prepared by a licensed professional engineer. Such reports shall include, at a minimum:

(a) A full documentation of existing conditions on adjacent streets which provide direct site ingress/egress, including roadway pavement width, rights-of-way, parking conditions, pavement conditions, sight distances, grades and alignment of the roadway(s). Existing traffic control devices (traffic signals, speed limits, etc.) shall be described, as well as any pertinent signing or pavement markings. Existing traffic volumes for peak hour conditions shall be presented with the source of these data denoted.

(b) Projections of traffic to be generated by the proposed development for an average, daily, morning peak hour(s), an average daily, afternoon peak hour(s) and any other peak hour

traffic condition deemed applicable as a result of the type and/or location of the proposed generator.

(c) A site's traffic volume contribution to the overall background traffic at each site impacted intersection and/or roadway segment shall be determined.

(d) A determination of any roadway/intersection deficiencies for existing and/or future conditions. Specific recommendations for the resolution of these deficiencies shall also be addressed in the statement. The statement shall contain a listing of any and all actions to be undertaken by the applicant to mitigate any traffic problem. The responsibility for the traffic mitigation measures will be based on a developer's fair share of the improvements.

2. Bulk requirements. The standards established for the zone shall apply, except as modified herein.

(a) Minimum side yard: 50 feet

(b) A minimum vegetative buffer of 150 feet in depth shall be provided along any property line adjoining a residential zone or use.

(c) Minimum distance from the principal building to the boundary line of any residence district: 200 feet

3. Signage

(a) Signage shall comply with municipal code §20-24.6, Signs in M-2 and M-2 Districts.

4. Lighting

(a) Height of building mounted or pole mounted lighting within a parking area shall be no greater than 30 feet or the building height, whichever is less. Height of building mounted lighting shall be measured from the finished floor of the building. Height of pole lighting shall be measured from the adjacent grade to the light source.

(b) Onsite sidewalks shall be illuminated.

(c) The minimum level of lighting in any portion of a parking lot shall be no less than 0.25 footcandle. The average level of lighting in parking lots shall be no 1.0 footcandles. Footcandles may not exceed 0.1 footcandle at any property line with the exception of areas where driveways intersect public streets.

5. Building Design

(a) Blank facades exceeding 100 feet in length shall not be permitted along right-of-way frontages.

(b) To mitigate the appearance and perception of a large monolithic building, developers may consider, but are not limited to the following: decorative patterns on exterior finishes, metal or synthetic paneling, fenestration, horizontal banding, or a combination thereof.

(c) All rooftop mechanical equipment shall be screened from view from all right-of-way vantage points with a material harmonious to that used in the facade of the structure.

(d) In accordance with State Senate Bill 3352, all new warehouses of 100,000 square feet or larger must be "solar-ready" or secure up to 40 percent of roof space for solar arrays.

(e) Green infrastructure, including but not limited to green roofs, is encouraged.

§ 20-23.4 Specific Parking Provisions

d. The minimum number of parking spaces required for a particular applicable use as hereinafter set forth, except that in no case shall there be less than four parking spaces for any nonresidential uses:
   1. Automobile laundry (Car Wash) - one per employee, plus 10 per entrance lane, plus four per exit lane, exclusive of driveways and parking aisles.
   2. Bank - four per interior walk-up teller station, plus when applicable, five stacking spaces for each exterior drive-up teller station, exclusive of driveways and parking aisles.
   3. Bowling alley - five per bowling lane.
   4. Country club - one per 1,500 square feet of floor, terrace or patio space devoted to patron use.
   5. Funeral home - 10, plus one per 40 square feet of space devoted to chapel or slumber rooms, plus one garage space for each funeral vehicle maintained on the premises.
   6. Game rooms - two for each automatic amusement device, plus one per 200 square feet of floor area.
   7. Golf course - three per tee and practice putting green.
   8. Hospital - 1.75 per bed.
   9. House of worship - one per three seats and/or, when applicable, one per 72 inches of bench seating space.
   10. Motor vehicle service station/public garage - three per bay, plus one per service vehicle, plus one per employee on the maximum shift.
   11. Nursing/convalescent home - one per two beds.
   12. Office building - one per 200 square feet of floor area or two square feet of parking area, exclusive of driveways and loading areas, per square foot of floor area, whichever is greater.
   13. Restaurant/fast-food restaurant/theater/tavern - one per 2.5 patron seats.
   14. Indoor health and recreation - one per 1.5 peak hour patrons, plus one per employee on the maximum shift.
   15. Grade/elementary school - one per teacher and employee, plus 20%.
   16. High school - 10 per classroom.

17. College/business school - one per 1.5 students, plus one per classroom.
18. Other school - one per 250 square feet of floor area.
19. Single-family detached residence unit - two per dwelling unit, including a garage of at least 240 square feet.
20. Single-family clustered residence unit - three per dwelling unit, including a garage of at least 240 square feet.
21. Multiple family residence unit - two per dwelling unit or one per bedroom, whichever is greater, at least 30% of which shall be garage spaces.
22. Multiple family adult community residence building unit - two per dwelling unit where at least 60% of which shall be garage spaces, with five non-garage spaces designated and reserved for visitors. No parking shall be permitted in the front yard.
23. **Warehouses - 1 space per 5,000 square feet of GFA or one per employee based on the shift with the greatest number of personnel, whichever is greater.**
24. **Garden Centers - 1 space per 1,000 square feet of GFA of gross square footage of customer floor area.**

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows as it pertains to mechanicals [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-19.1 General Provisions.

k. Notwithstanding the provisions of this section, in the M-1 and M-2 Zone Districts, outdoor ground-mounted ancillary mechanical equipment which is determined by the Township agency to have a direct physical connection to the principal building and also is necessary for the processes conducted within the principal building shall be subject to the height and setback requirements of the principal building. Said ancillary mechanical equipment may be closer than 10 feet to the building unless prohibited by any applicable Construction and/or Fire Code requirements, and shall be located in **side and** rear yards only. The appropriate Township agency may require fencing and/or screening of said ancillary mechanical equipment.

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows as it relates to parking [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-23.3 General Provisions.

c. In all nonresidence zone districts, on-site outdoor overnight parking ~~shall be permitted~~ for any vehicle more than 30 feet in overall length or having more than four wheels, **shall be permitted only** ~~except vehicles parked~~ at approved loading docks **or in rear yards** in M-1 and M-2 zone districts or except as may be otherwise determined by the Township agency in particular cases. In all residence zone districts, no regular on-site outdoor parking shall be permitted for any vehicle unless such vehicle is owned or regularly used by a resident of the premises and unless all of the following conditions are satisfied:

The Township of West Caldwell Municipal Code, Chapter 20 entitled "Zoning" is amended as follows to incorporate permitted uses as required by the Municipal Land Use Law [New language **bold and underlined**, deleted language ~~double strikethrough~~]:

§ 20-6.1 Permitted Principal Uses.

a. Single-family detached dwellings
b. Community residences for the developmentally disabled," "community shelters for victims of domestic violence," and "community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.

§ 20-6.2 Permitted Accessory Uses.

a. Private garages, storage sheds, sun decks and patios, home occupations, private residential swimming pools, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Township agency, pursuant to Subsection 20-19.1b, to be normally and customarily incident to the permitted principal uses and conditional uses specified in this section.
c. Electric Vehicle (EV) charging stations
d. Solar Installations, roof or carport.
e. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-7.1 Permitted Principal Uses.

a. Single-family detached dwellings
b. Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.

§ 20-7.2 Permitted Accessory Uses.

a. Private garages, storage sheds, sun decks and patios, home occupations, private residential swimming pools, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Township agency, pursuant to Subsection 20-19.1b, to be normally and customarily incident to the permitted principal uses and conditional uses specified in this section.
c. Solar Installations, roof or carport.
d. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-8.1 Permitted Principal Uses.

a. Single-family detached dwellings
b. Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.

§ 20-8.2 Permitted Accessory Uses.

a. Private garages, storage sheds, sun decks and patios, home occupations, private residential swimming pools, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Township agency, pursuant to Subsection 20-19.1b, to be normally and customarily incident to the permitted principal uses and conditional uses specified in this section.
c. Electric Vehicle (EV) charging stations
d. Solar Installations, roof or carport.
e. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-8A.1 Permitted Principal Uses.

a. Single-family detached dwellings
b. Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.

§ 20-8A.2 Permitted Accessory Uses.

a. Private garages, storage sheds, sun decks and patios, home occupations, private residential swimming pools, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Township agency, pursuant to Subsection 20-19.1b, to be normally and customarily incident to the permitted principal uses and conditional uses specified in this section.
c. Electric Vehicle (EV) charging stations
d. Solar Installations, roof or carport.
e. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-8B.1 Permitted Principal Uses.

a. Multiple-Family Adult Community Residential. Adult community as defined herein shall mean a residential community in which at least 80% of the dwelling units are permanently occupied by at least one person 55 years of age or over and in which no children under the age of 18 are permitted to reside on a permanent basis. Appropriate restrictive covenants shall be imposed upon the community to ensure compliance with these age restrictions and with the housing for older persons exemption of the Federal Fair Housing Act, 42 U.S.C. § 3601 et seq.
b. Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.

§ 20-8B.2 Permitted Accessory Uses.

a. Sun decks and patios (in any front, rear or side yard, despite the provisions of Subsection 20-19.5 of the Zoning Ordinance of the Township of West Caldwell), private residential swimming pool, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24.
b. Centralized communications antennas are permitted, subject to the applicable standards of Subsections 20-17.21 and 20-19.9, such that only one antenna may be installed per property for each means of communications (terrestrial and satellite radio and television). All antennas shall be roof mounted and screened, with interior cable and conduit runs provided to serve each unit, and shall be subject to prior review and approval by the Planning Board.
c. Such accessory uses, buildings or other structures which are determined by the Township agency, pursuant to Subsection 20-19.1b, to be normally and customarily incident to the permitted principal uses specified in this section.
d. Electric Vehicle (EV) charging stations
e. Solar Installations, roof or carport.
f. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-8C.1 Permitted Principal Uses.

a. Single-family detached dwellings subject to the standards of the R-3 Zone.
b. On a tract of at least four acres in area, multi-family dwellings in residential clusters, including townhouses, at a maximum density of 7.5 dwelling units per gross acre with the acreage determined prior to any right-of-way dedication for widening of existing roads. Any residential cluster project shall provide on-site dwelling units for low- and moderate-income households, consistent with the regulations of the New Jersey Council on Affordable Housing so that the project satisfies the low- and moderate-income housing need generated by the market-rate units in the project. At least 80% of all dwelling units shall be townhouses. All market rate units and the maximum of all units consistent with COAH regulations shall have no more than two bedrooms.
c. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.**

§ 20-8C.2 Permitted Accessory Uses.

a. Private garages, storage sheds, home occupations, private residential swimming pools, satellite dish antennas, off-street parking areas, signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24. Patios and decks attached to dwelling units may be located in any yard other than the required front yard of the tract.
b. Associated with a multi-family development are permitted community meeting and recreational buildings adhering to the dimensional standards of principal buildings.

c. Such accessory uses, buildings or other structures which are determined by the Township agency, pursuant to Subsection 20-19.1b, to be normally and customarily incident to the permitted principal uses and conditional uses specified in this subsection.
d. Electric Vehicle (EV) charging stations
e. Solar Installations, roof or carport.
f. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-9.1 Permitted Principal Uses.

a. Single-family detached dwellings
b. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.**

§ 20-9.2 Permitted Accessory Uses.

a. Private garages, storage sheds, sun decks and patios, home occupations, private residential swimming pools, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Township agency, pursuant to Subsection 20-19.1b., to be normally and customarily incident to the permitted principal uses and conditional uses specified in this section.
c. Electric Vehicle (EV) charging stations
d. Solar Installations, roof or carport.
e. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-9A.1 Permitted Principal Uses.

a. Multi-family residential units
b. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.**

§ 20-9A.2 Permitted Accessory Uses.

a. First floor or ground parking incorporated into the building design and off-street parking areas.
b. Resident 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.
g. Electric Vehicle (EV) charging stations
h. Solar Installations, roof or carport.
i. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-9B.1 Permitted Principal Uses.

a. Multi-family residential units, townhouses and 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.
b. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.**

§ 20-9B.2 Permitted Accessory Uses.

a. First floor or ground parking incorporated into the building design and off-street parking areas.
b. Resident 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.
g. Electric Vehicle (EV) charging stations
h. Solar Installations, roof or carport.
i. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-9C.1 Permitted Principal Uses.

a. Multi-family residential units, townhouses and 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.
b. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.**

§ 20-9C.2 Permitted Accessory Uses.

a. Off-street parking areas.
b. Fences and walls complying with Subsection 20-21.14.
c. Signs.

d. Trash enclosures.
e. Public and private utilities.
f. Electric Vehicle (EV) charging stations
g. Solar Installations, roof or carport.
h. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-9D.1 Permitted Principal Uses.

a. Multi-family residential units, townhouses and 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.
b. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.**

§ 20-9D.2 Permitted Accessory Uses.

a. Off-street parking areas.
b. Resident 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.
g. Electric Vehicle (EV) charging stations
h. Solar Installations, roof or carport.
i. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-9E.1 Permitted Principal Uses.

a. Townhouses
b. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.**

§ 20-9E.2 Permitted Accessory Uses.

a. Off-street parking areas.
b. Fences and walls complying with Subsection 20-21.14.
c. Signs.
d. Trash enclosures.
e. Public and private utilities
f. Electric Vehicle (EV) charging stations
g. Solar Installations, roof or carport.
h. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-9F.2 Permitted Principal Uses.

a. Golf courses.
b. Single-family detached homes.
c. Townhouses.
d. Multi-family residential units within 800 feet of Passaic Avenue.
e. A mixture of the above uses on one parcel or tract.
f. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, pursuant to N.J.S.A. 40:55D-66.1.**

§ 20-9F.3 Permitted Accessory Uses.

a. Private garages, storage sheds, sun decks and patios, home occupations, and private residential swimming pools related to single-family detached homes.
b. Private garages, sun decks and patios related to townhouses.
c. Clubhouse, storage buildings, and recreational amenities related to golf courses.
d. Off-street parking areas.
e. Non-commercial swimming pools, tennis courts, and other passive and active recreation facilities.
f. Resident amenities including, but not limited to, clubhouse, clubrooms, lounges, game rooms, mail rooms, leasing office, and similar interior common resident amenities incorporated into a larger building design. However, there may be one stand-alone structure containing residential amenities.
g. Fences and walls complying with Subsection 20-21.14.
h. Signs.
i. Trash enclosures.
j. Public and private utilities.
k. Electric Vehicle (EV) charging stations
l. Solar Installations, roof or carport.
m. **Family day care homes, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-10.1 Permitted Principal Uses.

a. The retail sale, display or rental on the premises of commodities or services predominantly to the ultimate consumer, and
b. Office and professional buildings.

c. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, in locations where multiple-family residences are permitted in accordance with §20-10.3 below, pursuant to N.J.S.A. 40:55D-66.1.**
d. **Child care centers, in locations where nonresidential uses are permitted, pursuant to N.J.S.A. 40:55D-66.6.**

§ 20-10.2 Permitted Accessory Uses.

a. Private garages, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Planning Board, pursuant to Subsection 20-19.1b., to be normally and customarily incident to the permitted principal uses and conditional uses specified in this section.
c. Electric Vehicle (EV) charging stations
d. Solar Installations, roof or carport.
e. **Family day care homes, accessory to any approved multiple-family residence described in §20-10.3 below, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-11.1 Permitted Principal Uses.

a. Notwithstanding the provisions of Subsection 20-19.1, the retail sale, display or rental on the premises of commodities or services predominately to the ultimate consumer within a single structure. A second principal building is permitted provided that the total square floor area of the second structure does not exceed 5,000 square feet.
b. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, in locations where multi-family residences are permitted in accordance with §20-11.3.c below, pursuant to N.J.S.A. 40:55D-66.1.**
c. **Child care centers, in locations where nonresidential uses are permitted, pursuant to N.J.S.A. 40:55D-66.6.**

§ 20-11.2 Permitted Accessory Uses.

a. Private garages, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Planning Board, pursuant to Subsection 20-19.1b., to be normally and customarily incident to the permitted principal uses and conditional uses specified in this section.
c. Electric Vehicle (EV) charging stations
d. Solar Installations, roof or carport.
e. **Family day care homes, accessory to any approved multiple-family residence described in §20-11.3.b below, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-12.1 Permitted Principal Uses.

a. The retail sale, display or rental on the premises of commodities or services predominantly to the ultimate consumer; and
b. Office and professional buildings.
c. Restaurants.
d. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, in locations where multi-family residences are permitted in accordance with §20-12.3.b below, pursuant to N.J.S.A. 40:55D-66.1.**
e. **Child care centers, in locations where nonresidential uses are permitted, pursuant to N.J.S.A. 40:55D-66.6.**

§ 20-12.2 Permitted Accessory Uses.

a. Private garages, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Planning Board, pursuant to Subsection 20-19.1b., to be normally and customarily incident to the permitted principal uses and conditional uses specified in this section.
c. Electric Vehicle (EV) charging stations
d. Solar Installations, roof or carport.
e. **Family day care homes, accessory to any approved multi-family residence described in §20-12.3.b below, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-13.1 Permitted Principal Uses.

a. Light manufacturing, fabrication, processing and handling of products and/or materials; research, scientific and medical institutions and laboratories; and
b. Banks and such other financial institutions as determined by the Planning Board to be substantially similar thereto.
c. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, in locations where multi-family residences are permitted in accordance with §20-13.3.d below, pursuant to N.J.S.A. 40:55D-66.1.**
d. **Child care centers, in locations where nonresidential uses are permitted, pursuant to N.J.S.A. 40:55D-66.6.**

§ 20-13.2 Permitted Accessory Uses.

a. Storage and distribution for products owned, assembled, serviced or manufactured by, or consigned by one product owner to, the principal occupant and related office uses, private garages, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Planning Board, pursuant to Subsection 20-19.1b., to be normally and customarily incidental to the permitted principal uses and conditional uses specified in this section.

c. Electric Vehicle (EV) charging stations
d. Solar Installations, roof or carport.
e. **Family day care homes, accessory to any approved multi-family residence described in §20-13.3.d below, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-14.1 Permitted Principal Uses.

a. Offices for executive, professional, scientific, engineering or administrative purposes; and
b. Scientific, engineering or research laboratories devoted to research, design or processing and fabricating incidental thereto; and limited industry.
c. **Community residences for the developmentally disabled, community shelters for victims of domestic violence, and community residences for persons with head injuries, in locations where multi-family residences are permitted in accordance with §20-14.3.b below, pursuant to N.J.S.A. 40:55D-66.1.**
d. **Child care centers, in locations where nonresidential uses are permitted, pursuant to N.J.S.A. 40:55D-66.6.**

§ 20-14.2 Permitted Accessory Uses.

a. Storage and distribution for products owned, assembled, serviced or manufactured by, or consigned by one product owner to, the principal occupant and related office uses, private garages, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Planning Board, pursuant to Subsection 20-19.1b., to be normally and customarily incidental to the permitted principal uses and conditional uses specified in this section.
c. Electric Vehicle (EV) charging stations
d. Solar Installations, roof or carport.
e. **Family day care homes, accessory to any approved multi-family residence described in §20-14.3.b below, pursuant to N.J.S.A. 40:55D-66.5b**.

§ 20-15.1 Permitted Principal Uses.

a. Offices for executive or administrative purposes and other uses which do not involve the storage, handling or distribution of products, goods or merchandise on the premises and which are determined by the Planning Board to be uses normally or customarily conducted in office buildings; and
b. Banks and such other financial institutions as determined by the Planning Board to be substantially similar thereto; and
c. Offices for physicians, dentists, architects, engineers, attorneys, accountants, insurance agents and such other professional uses as determined by the Planning Board to be substantially similar thereto.
d. **Child care centers, pursuant to N.J.S.A. 40:55D-66.6.**

§ 20-15.2 Permitted Accessory Uses.

a. Private garages, satellite dish antennas, off-street parking areas and signs; all subject to the applicable standards of §§ 20-19, 20-23 and 20-24; and
b. Such accessory uses, buildings or other structures which are determined by the Planning Board, pursuant to Subsection 20-19.1b., to be normally and customarily incident to the permitted principal uses and conditional uses specified in this section.
c. Electric Vehicle (EV) charging stations
d. Solar Installations, roof or carport.

All ordinances of the Township of West Caldwell which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

The Township Clerk is directed to give notice at least ten days prior to a hearing on the adoption of this ordinance to the Essex County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of West Caldwell for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

The Township Clerk is hereby directed to publish notice of the proposed ordinance pursuant to N.J.S.A. 40:49-2.1.

This Ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

Council President Wolsky asked that the Ordinance be moved, published and posted as a pending Ordinance and the public hearing be set for August 4, 2026. This was seconded by Councilman Cecere. By a roll call vote all were in favor.

PARKS AND RECREATION:

Councilman Wolsky reported on Councilman Crudele's behalf. He said the 4th of July fireworks were great. The first concert was New Power Soul and was well attended. The next concert is on July 9. The band is Radio 506. The food begins at 6:00 and the Concert starts at 7:30. Registration is open for

the Fall programs.

ADVISORS' REPORT:

There were no reports.

MAYOR'S REPORT:

Mayor Tempesta noted that West Caldwell was very lucky with the storm. The brunt of it was felt to the West of us. There are many without power there. He also mentioned that the entertainment on the 4th of July was great.

INVITATION FOR PUBLIC COMMENT

Mayor Tempesta asked if anyone wished to be heard.

A West Caldwell resident named David Hinck complained about the deer population. Discussion was had about the subject. Chief Capriglione said that he will speak with the hunters and ask them to focus on the Presidential section of town. Mr. Hinck thanked the Mayor and Council for their time.

ADJOURNMENT TO CLOSED SESSION:

There being no further business before the Council a motion from Councilman Cecere and a second from Councilman Docteroff, the meeting adjourned to closed session at 6:45 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 Councilman Docteroff, the meeting reconvened to open session at 7:47 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 Councilman Docteroff, the meeting adjourned at 7:48 pm. All were in favor.

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Joann DeBlasis, Township Clerk