

1. Conference Meeting Agenda

Documents:

[CA 1.18.22.PDF](#)

2. Public Meeting Agenda

Documents:

[PM 1.18.22.PDF](#)

3. Resolution(S)

3.I. 12-22

Documents:

[12-22 RELEASE OF PERFORMANCE BOND 1.18.22.PDF](#)

3.II. 13-22

Documents:

[13-22 GRANT-HPC-FFY 2022.PDF](#)

3.III. 14-22

Documents:

[14-22 AUTHORIZING PROFESSIONAL ENGINEERING AGREEMENT WITH
CME ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES.PDF](#)
[14-22 EXHIBIT A.PDF](#)

3.IV. 15-22

Documents:

[15-22 RESOLUTION AUTHORIZING RETENTION OF ALEXANDER
GRAZIANO.PDF](#)
[15-22 EXHIBIT A.PDF](#)

4. Ordinance(S) On Second And Final Reading

4.I. 2667-21

Documents:

[2667-21 ORDINANCE - ELECTRIC VEHICLE CHARGING STATIONS.PDF](#)

4.II. 2674-22

Documents:

[2674-22 ORDINANCE REVISING REQUIREMENTS FOR APPOINTMENT AS](#)

4.III. 2675-22

Documents:

2675-22 ROCK SPRING AVENUE FAIRVIEW AVENUE AND OLD INDIAN
ROAD MULTIWAY STOP ORDINANCE.PDF

Township of West Orange
CONFERENCE MEETING AGENDA
Council Chambers – 66 Main Street
Tuesday, January 18, 2022
Meeting No. 2

This is to inform the general public that this meeting is being held in compliance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975. The annual notice was emailed to the Star Ledger and filed in the Township Clerk's office on November 24, 2021, and published in the West Orange Chronicle on December 2, 2021.

Roll Call – Councilwoman Casalino, Councilwoman Matute-Brown, Councilman Rutherford, Councilwoman Williams, Council President Susan McCartney, Mayor Parisi

6:30 P.M

- **Presentation: Municipal Alliance Committee Programs**
 - **Laura Van Dyke – W.O. Senior Services Coordinator**
 - **Steve Margeotes - Main Street Counseling**
- **Council Liaison Announcements**
- **Public Meeting – 7:00 p.m.**

PUBLIC MEETING AGENDA

Township of West Orange

66 Main Street – 7:00 p.m.

January 18, 2022

Meeting No. 2

This is to inform the general public that this meeting is being held in compliance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975. The annual notice was emailed to the Star Ledger and filed in the Township Clerk's office on November 24, 2021, and published in the West Orange Chronicle on December 2, 2021.

Statement of Decorum

In all matters not provided for in subsection 3-15.1 and except upon consent of the Council President, each person addressing the Council pursuant to this subsection shall be required to limit his or her remarks to five (5) minutes, and shall at no time engage in any personally offensive or abusive remarks. The chair shall call any speaker to order who violates any provision of this rule.

(1972 Code § 3-15.2)

Roll Call – Councilwoman Casalino, Councilwoman Matute-Brown, Councilman Rutherford, Councilwoman Williams, Council President McCartney, Mayor Parisi

- 1. Pledge of Allegiance**
- 2. Public Comment**
- 3. *Consent Agenda**
- 4. *Approval of Minutes of Previous Meeting – Public Meeting January 4, 2022**
- 5. *Report of Township Officers - None**
- 6. *Reading of Petitions and Communications and Bids**
 - a. Correspondence from Dr. Robert Bagoff, Chairman of the Planning Board re: Proposed Amendment to Land Use Regulations, Chapter 25: Authorizing and Encouraging Electric Vehicle Supply/Service Equipment and Make Ready Parking Spaces (2667-21)
- 7. *Bills-None**
- 8. *Resolutions**
 - a. **12-22** Resolution Authorizing the Release of the Performance Bond Posted by Harvey Management Corp., Developers of Burger King, 432 Pleasant Valley Way, West Orange, NJ 07052, Block 152.22, Lot 1422 to Guarantee the Installation of Certain Off-Site Improvements in the Amount of \$5,122.00, Subject to Posting a Maintenance Bond with the Township for a Two-Year Period in the Amount of \$768.30 (Lepore)
 - b. **13-22** Resolution of the Township Council of the Township of West Orange, In the County of Essex, State of New Jersey, Authorizing Application for a Historic Preservation Fund Certified Local Government Grant-In-Aid FFY 2022, and Acceptance of Same in the Event Awarded (B. Feeney-HPC)
 - c. **14-22** Resolution Authorizing a Professional Services Contract to CME Associates, 849 W. Bay Avenue, Suite 7, Barnegat, NJ 08005, to Provide Engineering Services to Update the Steep Slope Ordinance of the Township at a Total Cost NTE \$6,000. (Legal-Trenk)
 - d. **15-22** Resolution Authorizing a Contract with Alexander J. Graziano, Esq., Graziano & Campi, LLC, Verona, NJ to Review and Analyze Certain Pending Applications Before the Rent Leveling Board and Review of the Existing Rent Leveling Ordinance at a Rate of \$150. Per Hour Up to a Maximum of \$2,500. (Legal-Trenk)

9. Ordinances on Second and Final Reading

- a. **2667-21** An Ordinance Amending Chapter 25 of the Revised General Ordinances of the Township of West Orange Authorizing and Encouraging Electric Vehicle Supply/Service Equipment (EVSE) and Make Ready Parking Spaces (Legal-Trenk)
- a. **2674-22** An Ordinance Amending Chapter 2, Section 48.2 of the Revised General Ordinances of the Township of West Orange (Municipal Insurance Fund Commission – Definitions) (Legal-Moon)
- b. **2675-22** An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-19, Through Streets, 7-20 Stop Intersections and 7-21 Multiway Stop Intersection of the Revised General Ordinances of the Township of West Orange (Lepore)

10. Ordinances on First Reading - None

11. Pending Matters/New Matters/Council Discussion

12. ABC Hearing-None

13. Adjournment

**The Council President may at his/her discretion modify with consent the order of business at any meeting of the Council if he/she deems it necessary and appropriate.
(1972 Code § 3-8; Ord. No. 726-84; Ord. No. 1157-93; Ord. No. 2128-07 § II)**

Agenda is subject to change.

Next Meeting Date(s): February 1, 2022

Zoom Link

<https://us06web.zoom.us/j/88134587942?pwd=Ulp2WkVwM3ZYRDZHZ3B0akhjek0rUT09>
Or

Telephone: Dial: US: 1-646-558-8656

Webinar ID: 881 3458 7942

Password: 510269

R E S O L U T I O N

WHEREAS, Harvey Management Corp. is the developer of the Burger King, 432 Pleasant Valley Way, West Orange, NJ 07052, Block 152.22, Lot 1422; and

WHEREAS, Harvey Management Corp. pursuant to their Zoning Board approval posted a performance bond with the Township of West Orange in the amount of \$5,122.00 to guarantee the completion of off-site improvements which is permitted by the Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-53a.(1); and

WHEREAS, by letter dated December 21, 2021, John J. Hess, P.E., P.P., CME Associates, Inc., recommends the release of the performance bond to reflect the completion of all site inspections; and

WHEREAS, the Municipal Engineer reviewed the letter of John J. Hess, P.E., P.P. and concurs with its findings and recommendations to release the performance bond posted by Harvey Management Corp. subject to the posting of a maintenance bond for a two-year period in the amount of \$768.30; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of West Orange, that the performance bond posted by Harvey Management Corp. developers of the Burger King, 432 Pleasant Valley Way, West Orange, NJ 07052, Block 152.22, Lot 1422 to guarantee the installation of certain off-site improvements in the amount of \$5,122.00, be released subject to posting a maintenance bond with the Township for a two-year period in the amount of \$768.30.

BE IT FURTHER RESOLVED that \$768.30 of the \$5,122.00 cash bond posted be retained for the Maintenance Bond.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be sent to Harvey Management Corp., c/o Drew Paterno, 55 Harristown Road, Suite 304, Glen Rock, NJ 07452.

Karen J. Carnevale, R.M.C., Municipal Clerk

Susan McCartney, Council President

Adopted: January 18, 2022

John O. Gross, Chief Financial Officer

**I hereby certify funds are available from:
Account No. 20-6820-00-0000-110**

RESOLUTION

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, AUTHORIZING APPLICATION FOR A HISTORIC PRESERVATION FUND CERTIFIED LOCAL GOVERNMENT GRANT-IN-AID FFY 2022, AND ACCEPTANCE OF SAME IN THE EVENT AWARDED.

WHEREAS, the Governing Body of the Township of West Orange desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$15,000.00 to help fund the fifth of a series of intensive-level surveys of approximately 100 properties in three neighborhoods within the Township to add to its earlier surveys; and

WHEREAS, the Township of West Orange, through its West Orange Historic Preservation Commission ("WOHPC") is among those municipalities having received Certified Local Government ("CLG") status from the National Park Service and having attained that status is eligible to compete for a NJ Department of Environmental Protection New Jersey Historic Preservation Fund CLG Grants-in-Aid; and

WHEREAS, each federal fiscal year ("FFY") the State of New Jersey sets aside ten percent of the State's allocation of federal historic preservation funds for pass-through as sub-grants to CLG municipalities, the intent being to use federal assistance to augment the existing local commitment to historic preservation activities, the funds awarded on a competitive basis among eligible applicants; and

WHEREAS, the application deadline for submitting applications for CLG grants for FFY 2022 is Friday, January 21, 2022, and the WOHPC has been diligently working on a CLG grant submission to fund the fifth of its intensive-level surveys as described above; and

WHEREAS, the CLG Grant procedures require, in addition to this governing body resolution, the municipality's Chief Elected Official and Chief Financial Officer to both sign the grant application and that the CLG must accept the grant and administrative responsibility for it, the signatures of all to be certified, dated, and a raised seal affixed by the Municipal Clerk, attesting to the signatures, all of which must be in blue ink.

NOW THEREFORE BE IT AND IT HEREBY IS RESOLVED by the Township Council of the Township of West Orange, in the County of Essex, New Jersey, as follows:

- (A) West Orange Mayor Robert D. Parisi shall be and hereby is authorized to make and execute an application for a NJ Department of Environmental Protection New Jersey Historic Preservation Fund CLG Grant-in-Aid from the State of New Jersey FFY 2022, in the amount of approximately \$15,000.00 to help fund the fifth of a series of intensive-level surveys of approximately 100 properties in three (3) neighborhoods within the Township (Watchung Heights, Eagle Rock and Hutton Park) to add to its earlier surveys done by and on behalf of the West Orange Historic Preservation Commission; and
- (B) If awarded, the Mayor shall be authorized to accept the grant and administrative responsibility for it, and to execute a grant agreement with the State for a grant in an amount not less than \$7,500.00 and not more than \$15,000.00; and
- (C) The Mayor shall be further authorized to execute any amendments to the grant agreement which do not increase the Grantee's obligations; and
- (D) The Chief Financial Officer of the Township of West Orange shall also be authorized to sign and shall sign the aforesaid grant application, the grant agreement and any amendments thereto requiring his signature; and
- (E) The Municipal Clerk shall be and hereby is authorized to certify, date and sign all of the aforementioned documents attesting to the signatures of the Mayor and the Chief Financial Officer, and affixing her raised seal, all signatures to be in blue ink to comply with the grant application requirements; and
- (F) The Grantee Certified Local Government, the Township of West Orange, agrees to comply with all applicable federal, State and municipal laws, rules and regulations in its performance pursuant to the grant agreement.

This resolution shall take effect immediately upon adoption at the regular meeting of the Township Council of the Township of West Orange, on January 18, 2022.

Karen J. Carnevale, R.M.C.

Susan McCartney, Council President

RESOLUTION

WHEREAS, CME Associates (“CME”) responded to the Township’s Request for Proposals pursuant to a fair and open process for professional engineering services; and

WHEREAS, the Township currently has a Steep Slope Ordinance which is in need of updating to ensure that the health, safety and welfare of the residents are protected given the climatic changes that the region is experiencing; and

WHEREAS, CME has agreed to provide professional engineering services pursuant to the terms and conditions set forth in the agreement annexed hereto as Exhibit “A”; and

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and is hereby authorized to approve the proposal, in the form annexed hereto, to retain CME to provide professional engineering services to update the Steep Slope Ordinance to the Township of West Orange on the terms and conditions set forth therein at the total cost not to exceed \$6,000; and it is further

RESOLVED that notice of this award shall be available in the Clerk’s office in accordance with applicable law.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Susan McCartney
Council President

Adopted: January 18, 2022

I hereby certify funds are available from: _____
Account No.

John O. Gross, CFO

EXHIBIT A



JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME

TIM W. GILLEN, PE, PP, CME (1991-2019)
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME

January 10, 2022

Via E-Mail (rtrenk@trenkisabel.law)

Richard D. Trenk, Esq.
Trenk Isabel Attorneys at Law
290 W. Mt. Pleasant Avenue, Suite 2350
Livingston, NJ 07039

**Re: Proposal for Professional Engineering Services
To Update the Steep Slope Ordinance
For the Township of West Orange, Essex County, New Jersey
Proposal No. 2022-006**

Dear Mr. Trenk:

In accordance with your request, we are pleased to submit our proposal for Professional Engineering services to assist the Township of West Orange with updating the Steep Slope Ordinance to ensure that the health, safety and welfare of the residents of the Township are protected given the climatic changes that the region is experiencing.

As discussed during our recent meeting with yourself and representatives of the Township, our office would prepare an amendment to the Steep Slope Ordinance which would incorporate the following changes:

1. Require the developer of a parcel with steep slopes to perform a geotechnical analysis of the slope stability and the need for remedial work such as shaping of the rock face, pinning and/or grouting of the exposed rock for stabilization and the installation of safety netting in areas of concern. The ordinance will establish minimum criteria for the scope of the geotechnical analysis. In addition, the ordinance will stipulate that the geotechnical report must be prepared by a New Jersey licensed Engineer with a minimum of 5 years of professional experience in geotechnical engineering.
2. In areas where the potential for rock slides exist, a rock fall zone should be provided at the toe of slope. Criteria for determining the required width of the rock fall zone will be added to the Ordinance.
3. Require the developer to prepare a steep slope maintenance plan to ensure that the slope is maintained in a safe and stable condition over the years. Detailed requirements for the steep slope maintenance plan will be added to the Ordinance. The ordinance will stipulate that the maintenance plan must be prepared by a New Jersey licensed Engineer with a minimum of 5 years of professional experience in geotechnical engineering. In addition, the maintenance plan must be recorded against the deed of record for each property on which the steep slope is located.

S:\PROPOSAL\2022-006 Richard Trenk, Esq. 01-10-22.docx

CONSULTING AND MUNICIPAL ENGINEERS

849 W. BAY AVENUE, SUITE 7 • BARNEGAT, NEW JERSEY 08005 • (732) 410-2650 • FAX: (609) 698-1680



Richard D. Trenk, Esq.
Trenk Isabel Attorneys at Law
Re: Proposal for Professional Engineering Services
To Update the Steep Slope Ordinance
For the Township of West Orange, Essex County, New Jersey

January 10, 2022
Proposal No. 2022-006
Page 2

4. For areas at the top of a steep slope, the ordinance will establish a minimum setback from the top of slope to any proposed improvements such as buildings, roads, parking lots, etc.

CME Associates will perform the above work on a time and materials basis in accordance with the attached schedule of hourly rates for 2022. We have estimated that our fee for performing this service will be approximately \$6,000.00. This fee estimate includes updating the existing steep slope ordinance to include the changes discussed above. We have also included attendance at two (2) virtual meetings with your office and Township representatives to review the proposed changes prior to submission to the Township Council for adoption. In addition, we have included attendance at one (1) Township Council meeting to present our recommendations and to answer any questions that the members of the Township Council or members of the public might have. Upon completion of the ordinance amendments, we will provide your office and the Township with an electronic copy of revised ordinance.

It is our understanding that the Township desires to have the steep slope ordinance amended as quickly as possible. CME Associates is available to begin work on the ordinance amendments immediately upon receipt of authorization to proceed from the Township. In addition, we anticipate having a draft of the proposed ordinance amendments prepared within 3 weeks of receiving the Township's authorization to proceed.

Should you find our fee estimate to be acceptable, kindly have the Township of West Orange provide our office with a purchase order or professional services resolution authorizing same.

We would like to thank you for allowing us to present this proposal and look forward to working with you on this project. Should you have any questions or require any additional information, please feel free to call.

Very truly yours,

CME Associates

John J. Hess, PE, PP, CME
Principal

JJH:ts
cc: Greg Valesi, PE
Attachment – Rate Schedule



MUNICIPAL ENGINEERING SERVICES
GENERAL CONDITIONS AND HOURLY RATE SCHEDULE TO JANUARY 1, 2023

Senior Project Manager.....	\$185.00 Per Hour
Project Manager	\$184.00 Per Hour
Project Leader	\$183.00 Per Hour
Professional Engineer	\$181.00 Per Hour
Senior Project Engineer.....	\$174.00 Per Hour
Project Engineer	\$172.00 Per Hour
Senior Design Engineer.....	\$170.00 Per Hour
Design Engineer	\$166.00 Per Hour
Senior Engineering Technician.....	\$145.00 Per Hour
Drone Pilot.....	\$139.00 Per Hour
Engineering Technician/Management Information Systems Technician.....	\$138.00 Per Hour
Drone Technician	\$ 79.00 Per Hour
Professional Land Surveyor	\$181.00 Per Hour
Land Surveyor	\$159.00 Per Hour
Robotic Total Station	\$ 77.00 Per Hour
Party Chief.....	\$138.00 Per Hour
Survey Technician	\$125.00 Per Hour
Resident Engineer	\$159.00 Per Hour
Chief Construction Engineer.....	\$152.00 Per Hour
Senior Construction Engineer.....	\$145.00 Per Hour
Construction Engineer	\$140.00 Per Hour
Chief Construction Technician.....	\$138.00 Per Hour
Senior Construction Technician.....	\$131.00 Per Hour
Construction Technician	\$125.00 Per Hour
Technical Assistant.....	\$ 97.00 Per Hour
Senior CAD Technician	\$144.00 Per Hour
Licensed Landscape Architect.....	\$181.00 Per Hour
Senior Landscape Designer	\$165.00 Per Hour
Certified Tree Expert	\$145.00 Per Hour
Landscape Designer.....	\$131.00 Per Hour
Director of Planning	\$186.00 Per Hour
Professional Planner	\$185.00 Per Hour
Project Planner	\$176.00 Per Hour
Planning Technician	\$165.00 Per Hour
Principal.....	\$189.00 Per Hour
Partner	\$196.00 Per Hour
Managing Partner/Administrative Partner.....	\$217.00 Per Hour

Environmental services will be billed in accordance with CME's Environmental Rate Schedule

Invoices - CME Associates (CME) will submit invoices to Client monthly and a final invoice upon completion of services. Payment is due upon presentation of invoice and is past due thirty days from invoice date. Client agrees to pay a finance charge of one and one-half percent per month, or the maximum rate allowed by law, on past due accounts. In the event that the invoice is not paid voluntarily and promptly, and must therefore be referred to an attorney or agency for collection, the Client agrees to pay a collection fee equal to the actual attorney or agency collection fee incurred by CME. Overtime rates are applicable after eight hours Monday through Friday, and all day Saturday and Sunday, and charged at one and one-half times the quoted rate. Holidays are charged at two times the quoted rate. Expenses incurred for reproduction, postage handling, photographs and for services including subconsultants equipment and facilities not furnished by CME are charged to the Client at cost plus fifteen percent. Automobile travel may be charged at the current rate per mile allowed by the Internal Revenue Service..

Standard of Care - Services performed by CME under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. NO OTHER WARRANTY, EXPRESSED OR IMPLIED, IS MADE.

Contaminated Material - It is understood that CME is not, and has no responsibility as a handler, generator, operator, treater or storer, transporter or disposer of hazardous or toxic substances found or identified at any site. Client shall undertake or arrange for, either directly or indirectly through other contractors, the handling, removal, treatment, storage, transportation and disposal of hazardous substances or constituents found or identified at any site.



RESOLUTION

WHEREAS, the West Orange Rent Leveling Board was created pursuant to Ordinance §15-3.1 (“Ordinance”); and

WHEREAS, the Rent Leveling Board is authorized to hold hearings as a quasi-judicial body and adjudicate applications from tenants for reduced rental and landlords for increased rental rates; and

WHEREAS, the Township seeks to retain counsel to assist the Rent Leveling Board with regard to certain pending applications and reviewing the existing Ordinance; and

WHEREAS, the Township seeks to retain Alexander J. Graziano, Esq. of Graziano & Campi, LLC to provide these services; and

WHEREAS, Alexander J. Graziano, Esq. has extensive experience with regard to representing similar boards and reviewing other rent control ordinances; and

WHEREAS, Mr. Graziano has agreed to an hourly rate of \$150 with fees not to exceed \$2,500.

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby authorizes the Township to retain Alexander J. Graziano, Esq. of Graziano & Campi LLC to review and analyze certain pending applications before the Rent Leveling Board and review of the existing rent leveling ordinance at the rate of \$150 per hour up to a maximum expense of \$2,500; and

BE IT FURTHER RESOLVED, that the Business Administrator is hereby authorized to execute any retainer agreement to retain Mr. Graziano and the Township Clerk is hereby authorized to attest to the Business Administrator’s signature; and

RESOLVED that notice of this award shall be available in the Clerk's office in accordance with applicable law.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Susan McCartney
Council President

Adopted: January 18, 2022

I hereby certify funds are available from: _____
Account No.

John O. Gross, CFO

EXHIBIT A

ALEXANDER J. GRAZIANO, ESQ.

105 Roseland Avenue, Unit 104, Caldwell, New Jersey 07006 973-857-2525

PERSONAL

Born: January 28, 1959
Married: Lauri Callahan Graziano
Children: Thomas (age 31) John Paul (age 26)

BAR ADMISSIONS: New Jersey and US District Court Bars, December 15, 1983

LEGAL WORK EXPERIENCE

June, 2000
to present

Graziano & Campi, LLC, Verona, NJ

**(formerly Hock & Graziano, P.C. &
Hock, Graziano & Koprowski, P.C.),**

Principal in firm providing representation in estate planning & probate matters, commercial transactions, real estate transactions, landlord-tenant and corporate law

Verona Rent Control Board Attorney, 2006-present, representing Board at hearings and in providing general information about the ordinance to members of the public. Assisted Township Manager and Verona Municipal Attorney in drafting new rent control ordinance for the Township, which was adopted in March, 2021

Gulkin, Hock & Lehr, P.A., Livingston, NJ

October 1991
to June, 2000

- Associate in general practice firm
- Major concentration in estate planning, estate administration, probate, commercial and residential real estate transactions and jury and non-jury general litigation, including probate litigation
- Trial experience in State Superior Courts (Law and Chancery Divisions). Jury and non-jury trials.
- Appellate arguments before Superior Court of New Jersey, Appellate Division.
- Significant emphasis on estate planning, estate and trust administration, probate practice, residential and commercial real estate closings, sales and purchases of business with ISRA and LUST issues, negotiations and drafting of sales and purchase of business agreements, partnership agreements, stock purchase agreements, shareholders

agreements, employment agreements and related transactional documents.

November 1989 to
September 1991

New Jersey Institute for Continuing Legal Education, New Brunswick, NJ

- Publications director for largest provider of continuing legal education services in New Jersey
- Management duties included supervising publications department staff in processing, filling and shipping orders for legal publications. Also participated in selection, design and implementation of order entry/inventory control/billing computer system.
- Legal duties included editing, publishing and distributing major New Jersey legal publications, including Residential Real Estate Law and Practice; Model Jury Charges-Civil; Model Jury Charges-Criminal; Guidebook to Chancery Practice in New Jersey; Trial Lawyer's Guide to Evidence; Secured Transactions Under the Uniform Commercial Code; Products Liability and Toxic Tort Law; New Jersey Appellate Practice Handbook; and New Jersey Family Law Practice.

June 1987 to
November 1989

Michael H. Stieber, Esq., Livingston, NJ

- Associate attorney in general practice firm
- Heavy emphasis on commercial and residential real estate transactions, matrimonial litigation, general litigation.
- Trial experience in State Superior Courts (Law and Chancery Divisions). Jury and non-jury trials.
- Appellate arguments before Superior Court of New Jersey, Appellate Division.

March 1985 to
June 1987

Michael A. DeMiro, Esq., Montclair, NJ

- Associate attorney in general practice firm
- Heavy emphasis on commercial and residential real estate transactions, matrimonial litigation, general litigation.
- Trial experience in State Superior Courts (Law and Chancery Divisions). Jury and non-jury trials.
- Appellate arguments before Superior Court of New Jersey, Appellate Division and Supreme Court.
- Municipal land use board appearances.

January 1984 to
March 1985

**New Jersey Institute for Continuing Legal
Education, Newark, NJ**

- Staff attorney responsible for administering New Jersey Skills and Methods Course, which at time was a bar pre-admission requirement.
- Additional duties included working with attorneys and judges on the production of materials used in the Seminars and Publications Departments.

**COMMUNITY
SERVICE**

February, 2004
to August, 2008

Essex County District V-C Ethics Committee

Investigating and prosecuting ethics matters on behalf of the New Jersey Supreme Court

March, 2002
to September, 2005

Verona Boy Scout Troops 1, 2 & 5

Adult volunteer assisting with planning & supervision of activities, including leadership of Ad Altare Dei religious award program

January, 1994
to present

Our Lady of the Lake Catholic Church, Verona

Parishioner, lector and co-leader of first Men's Cornerstone Retreat program. Active in Home/School program, including rewriting of corporate by-laws

Spring, 2002
to Spring, 2005

Verona Lacrosse League

Member of Board of Trustees of Youth Lacrosse program, assistant coach at all levels of boys' teams. Provided pro-bono service in obtaining tax-exempt status for organization.

Spring, 2004
to Fall, 2009

Verona High School Lacrosse Parents Association

Member and co-president of non-profit corporation providing fundraising support for boys and girls Lacrosse teams at Verona high school. Fundraising is necessary because sport is "pay to play" and is not fully funded by Board of Education

Miscellaneous pro-bono work

Continuing representation of various non-profit and charitable and religious organizations in obtaining tax-exempt status and in general legal and corporate matters including C.H.I.L.D., Verona Swim Parents Association, Verona High School Lacrosse Parents Association, New Jersey Lacrosse Club, Verona Lacrosse League, Verona Chamber of Commerce, Verona Park Conservancy, Eagle Rock Conservancy, Montclair Historical Society, Calvary Baptist Church, Our Lady of the Lake Church, Verona Foundation for Educational Excellence

EDUCATION

LEGAL

**University of Bridgeport School of Law
Bridgeport, CT**

Juris Doctor, May 25, 1983

COLLEGE

Fairfield University, Fairfield, CT

Bachelor of Science, Biology, May 25, 1980

AN ORDINANCE AMENDING CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE AUTHORIZING AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) AND MAKE READY PARKING SPACES

This Ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the Township of West Orange, Essex County.

WHEREAS, supporting the transition to electric vehicles contributes to the Township of West Orange's commitment to sustainability and is in the best interest of public welfare; and

WHEREAS, installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

WHEREAS, the Township of West Orange encourages increased installation of EVSE and Make Ready parking spaces; and

WHEREAS, adoption of this ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

WHEREAS, adoption of this ordinance will support the Master Plan of the Township of West Orange adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with goals of the Master Plan as well as the land use, circulation, and ***environmental and sustainability*** elements of the Master Plan; and

WHEREAS, the Township of West Orange encourages greater ownership and use of electric vehicles, thus the Township of West Orange is amending its land use ordinances to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 25 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

FIRST: ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT

A. Purpose

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

B. Definitions

Certificate of Occupancy: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

Make-Ready Parking Space: means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.).

Private EVSE: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

C. Approvals and Permits

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
2. EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.

4. The Zoning Official or her designee shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of the Township of West Orange's land use regulations.
5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
 - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
 - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
 - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
6. An application pursuant to Section 5. above shall be deemed complete if:
 - a. the application, including the permit fee and all necessary documentation, is determined to be complete,
 - b. a notice of incompleteness is not provided within 20 days after the filing of the application, or
 - c. a one-time written correction notice is not issued by the Zoning Officer or her designee within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
 - a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
 - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
 - c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
 - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
 - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
 - a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
 - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
 - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
 - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
 - e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
 - f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
 - g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
 - h. Notwithstanding the provisions of this Section, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not

be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

E. Minimum Parking Requirements

1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces.
2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces

1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.
2. Installation:
 - a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
 - b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
 - c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
 - d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
3. EVSE Parking:

- a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE.
- b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
- c. Public Parking. Pursuant to NJSA 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of this Municipal Code. Signage indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.
- d. Private Parking. The use of EVSE shall be monitored by the property owner or designee.

4. Safety

- a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with the Township of West Orange's ordinances and regulations.
- c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
- d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.
- e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to

- a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
 - g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, the Township of West Orange shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

5. Signs

- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- c. Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b. above.
- d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
 - 1) Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
 - 2) Usage fees and parking fees, if applicable; and
 - 3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

6. Usage Fees

- a. For publicly-accessible municipal EVSE: In addition to any parking fees, the fee to use parking spaces within the municipality identified as EVSE spaces shall be no fee subject to ¶(b) below.
- b. This fee may be amended by a resolution adopted by the governing body.
- c. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

SECOND: SEVERABILITY

If any section, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

THIRD: REPEAL OF PRIOR ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

FOURTH: EFFECTIVE DATE

This ordinance shall take effect after final passage and publication as provided by law.

ROBERT D. PARISI, MAYOR

**CINDY MATUTE BROWN
COUNCIL PRESIDENT**

**KAREN J. CARNEVALE, R.M.C.
MUNICIPAL CLERK**

INTRODUCED: November 23, 2021

ADOPTED: December 14, 2021

Legislative History

This ordinance amends and updates the Township's land use ordinances to encourage use of electronic vehicles. This ordinance is consistent with the model ordinance authorized pursuant to Senate Bill No. 3284 which amended N.J.S.A. 40:55A-1.

**AN ORDINANCE AMENDING CHAPTER 2, SECTION 48.2 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(MUNICIPAL INSURANCE FUND COMMISSION. - Definitions)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 2 of the Revised General Ordinances of the
Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to expand the definition of a municipal official for
appointment to the Township's Municipal Insurance Fund Commission to allow other Township
employees besides elected officials and department heads to serve as commissioners.

**II. CHAPTER 2, SECTION 48.2 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

2-48.2 Definitions.

CHAIRMAN

Shall mean the duly elected Chairman of the Township of West Orange Municipal
Insurance Fund Commission.

COMMISSION

Shall mean the Township of West Orange Municipal Insurance Fund Commission.

COMMISSIONER

Shall mean any properly appointed member of the Township of West Orange Municipal
Insurance Fund Commission.

COUNCIL

Shall mean the duly elected members of the Municipal Council of the Township of West
Orange.

FUND

Shall mean the Township of West Orange Municipal Insurance Fund.

MAYOR

Shall mean the duly elected Mayor of the Township of West Orange.

MUNICIPAL OFFICIAL

Shall mean any full time employee of the Township of West Orange or statutory municipal
officer employed by the Township of West Orange and the Mayor and members of the
Township Council.

SECRETARY

Shall mean the duly appointed Secretary to the Township of West Orange Municipal Insurance Fund Commission.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

ROBERT D. PARISI, MAYOR

**SUSAN McCARTNEY,
COUNCIL PRESIDENT**

KAREN J. CARNEVALE, R.M.C., MUNICIPAL CLERK

INTRODUCED: January 4, 2022

ADOPTED: January 18, 2022

Legislative History

The purpose of this ordinance is to expand the definition of a municipal official for appointment to the Township's Municipal Insurance Fund Commission to allow other Township employees besides elected officials and department heads to serve as commissioners.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC
SUBSECTION 7-19, THROUGH STREETS, 7-20 STOP INTERSECTIONS AND 7-21
MULTIWAY STOP INTERSECTION OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF WEST ORANGE**

BE IT ORDAINED, by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey, that the intersection of Rock Spring Avenue and Edgewood Avenue, the intersection of Fairview Avenue and Edgewood Avenue and the intersection of Old Indian Road and Ridgeway Avenue be designated as Multiway Stop Intersections pursuant to N.J.S.A. 39:4-8(b) under the Municipal Engineer's Certification and License Number GE026706 as follows:

Section 1. The Township Council of the Township of West Orange finds it in the interest of public safety to designate the intersection of Rock Spring Avenue and Edgewood Avenue, the intersection of Fairview Avenue and Edgewood Avenue and the intersection of Old Indian Road and Ridgeway Avenue as Multiway Stop Intersections pursuant to N.J.S.A.39:4-8(b).

Section 2. The Municipal Engineer of the Township of West Orange has submitted and certified all the legislative requirements pursuant to N.J.S.A. 39:4-8(b) and the criteria as set forth by the New Jersey Department of Transportation, Bureau of Traffic Engineering and Investigations has been met.

Section 3. Subsection 7-19, Through Streets, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows pursuant to the provisions of N.J.S.A.

39: 4-140 (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Limits:
<i>Fairview Avenue</i>	<i>Ridgeway Avenue and Chestnut Road. A YIELD sign shall be installed on Highland Boulevard</i>
Fairview Avenue	a. Ridgeway Avenue and Edgewood Avenue b. Edgewood Avenue and Chestnut Road

<i>Old Indian Road</i>	a. <i>Pleasant Valley Way and Edgewood Avenue North/Gavin Road</i> b. <i>Prospect Avenue and Edgewood Avenue North/Gavin Road</i>
Old Indian Road	a. Pleasant Valley Way and North Edgewood Avenue/Gavin Road b. North Edgewood Avenue/Gavin Road and Ridgeway Avenue
<i>Ridgeway Avenue</i>	a. <i>Northfield Avenue and Fairview Avenue</i> b. <i>Old Indian Road and Benvenue Avenue</i>
Ridgeway Avenue	a. Northfield Avenue and Fairview Avenue b. Old Indian Road and Benvenue Avenue

Section 4. Subsection 7-20, Stop Intersections, of the Revised General Ordinances of The Township of West Orange is hereby supplemented and amended as follows pursuant to the provisions of N.J.S.A. 39:4-140 (*italic type denotes deletion, bold type denotes addition*):

Intersections	Stop Signs On:
<i>Rock Spring Avenue and Edgewood Avenue</i>	<i>Edgewood Avenue</i>

Section 5. Subsection 7-21, Multi-Way Stops, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows pursuant to the provisions of N.J.S.A. 39:4-140 (*italic type denotes deletion, bold type denotes addition*):

Intersections	Stop Signs On:
Rock Spring Avenue and Edgewood Avenue	All Intersecting Streets
Fairview Avenue and Edgewood Avenue	All Intersecting Streets
Old Indian Road and Ridgeway Avenue	All Intersecting Streets

Section 6. If any provisions of the Ordinance or application thereof, under any circumstances, is held invalid, the invalidity shall not affect any of the provisions or applications of this Ordinance that can be given effect without the valid provision(s) or application and to this end, the provisions of the Ordinance are severable.

Section 7. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 8. Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of any provision of this Ordinance or any supplement thereto shall be liable to the penalty of not more than fifty dollars (\$50.00) or imprisonment for a term not to exceed fifteen (15) days or both, as per W.O.R.G.O. Chapter 7-4.2

Robert D. Parisi, Mayor

Susan McCartney, Council President

Karen J. Carnevale, R.M.C., Municipal Clerk

Introduced: January 4, 2022

Adopted: January 18, 2022

Legislative History

The Ordinance, which amends the Traffic Regulations of the Township, designates the intersection of Rock Spring Avenue and Edgewood Avenue, the intersection of Fairview Avenue and Edgewood Avenue and the intersection of Old Indian Road and Ridgeway Avenue as Multi Way Stop intersections with Stop signs on all intersecting streets at each intersection. Due to the volume of traffic through these intersections, turning movements at each intersection and limited sight distances at various approaches at all three intersections, the Township's Engineering Division determined that traffic needed to be regulated on all approaches to these intersections for the safe movement of traffic through them. Currently the intersections are regulated by Stop Signs but they are not Multi Way Stops Intersections.