

AGENDA
June 28, 2011
Township of West Orange
66 Main Street – 7:00 p.m.

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. A notice of this meeting was mailed to the Star Ledger and the West Orange Chronicle on November 19, 2010. A notice of this meeting was also posted on the Bulletin Board in the Municipal Building, West Orange and filed in the office of the Municipal Clerk of the Township of West Orange on November 19, 2010.

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 – Councilman Cirilo, Councilman Krakoviak, Councilwoman McCartney, Councilwoman Spango, Council President Anderton, (Mayor Parisi)

2. The Pledge of Allegiance

3. General Matters Pending

Nomination of Council President

Discussion- Council Appointments for the 2011-2012 Term

Planning Board
Local Assistance Board
ERSCHA (Degnan House)
WOSCHA (John P. Renna House)
Downtown West Orange Alliance
West Orange Municipal Alliance Committee
West Orange Arts Council
Open Space & Recreation Committee
Neighborhood Preservation Program **(Dissolved)**

4. Public Comment

***5. Minutes** – Executive Session – June 14, 2011, Public Minutes May 31, 2011& June 14, 2011

***6. Communication - None**

***7. Reports - None**

***8. Bills**

9. Ordinances on Second and Final Reading

- a. 2323-11 An Ordinance Authorizing the Reconstruction of the System of Sewerage and Drainage and Associated Repair, Reconstruction and Repaving of the Roadways Within the Llewellyn Park Section of the Township of West Orange as Local Improvements to be Assessed Upon the Abutting Land Pursuant to NJSA 40:49-6 and NJSA 40:56-1, Et. Seq.
- b. 2324-11 An Ordinance Amending an Ordinance Creating a Reclassification and Salary Schedule of Certain Township of West Orange Employees Setting Forth Their Titles, Classification and Salary Ranges and Adopting a Salary Guide and Establishing the Employee's Status as a Township Employee and Under the Guidelines of the New Jersey Department of Personnel
The ordinance reflects a change regarding the position of Chief Financial Officer.
- c. 2319-11 An Ordinance Amending and Supplementing Chapter 25-24.1 (d) of the Revised General Ordinances of the Township of West Orange
This legislation clarifies that a nonconforming use or structure may be restored or repaired in the event of

a disaster such as a fire or flood. However, the Ordinance states that if more than fifty percent (50%) of the total square footage of the structure is removed absent the occurrence of a disaster the structure cannot be restored or repaired without the appropriate approvals from the Zoning Board of Adjustment.

10. Ordinances on First Reading - None

***11. Resolutions**

- a. **Removed**
- b. 146-11 Resolution Requesting Approval of Items of Revenue and Appropriation for Public Safety-Cops in Shops Program In the Amount of \$12,712.
- c. 147-11 Resolution Requesting Approval of Items of Revenue and Appropriation for the NJ Health Officers Association-PHER/H1N1 Grant in the Amount of \$25,000.
- d. 148-11 Resolution Authorizing the Certification of the Annual Audit by the Governing Body
The Township Council has reviewed the 2010 Annual Audit and is required to sign an Affidavit to that effect
- e. 149-11 Corrective Action Plan-2010 Audit
Recommendations and comments with regard to the 2010 Audit
- f. 150-11 Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey
- g. 151-11 Resolution Authorizing the Retention of Stephen E. Schwartz, Esq. as Special Tax Counsel at a Rate of \$350. Per Session Before the County Board of Taxation Up To a Maximum Expenditure of \$10,500.
- H/Oh. 152-11 Resolution Authorizing the Township of West Orange to Enter Into a Mutual Release and Settlement of All Claims With Telgian Corporation and Sears Holding Corporation
This resolution would authorize the Township to enter into a settlement agreement regarding fire code violations imposed against Telgian Corporation and Sears/K-Mart. The agreement would resolve appeals of the violations by Telgian and Sears/K-Mart to the Township's Construction Board of Appeals. (This resolution supersedes resolution 115-11 previously adopted by Council)
- i. 153-11 Resolution Authorizing an Amendment to the Agreement with Phillips Preiss Shapiro Grygiel Associates, Inc. ("Paul Grygiel"), 33-41 Newark Street, Hoboken, NJ to Assist the Township in Preparing Comprehensive Zoning Ordinance Amendments (Chapter 25 of the Land Use Regulation) in the Amount of \$7,500. for Additional Services
The increased fee is needed to finish the work on comprehensive revisions for the West Orange Land Use Ordinance, Chapter 25.
- j. 154-11 Resolution Revising the Terms of the Parties' Collective Bargaining Agreement with the West Orange Fire Superior Officer's Association
- k. 155-11 Resolution Authorizing a Contract with Garden State Laboratories, Inc. for Public Health Testing Services for a One Year Period Beginning January 1, 2011 and Ending December 31, 2011 at a Cost of \$5,000.
This resolution authorizes the Township of West Orange to enter into a contract with Garden State Laboratories, Inc. for the sum of \$5,000.00 from January 1, 2011 – December 31, 2011 for laboratory services for the testing of potentially hazardous food, swabbing of utensils, potable water, dairy products, suspect food poisoning samples, and other requested testing. This agreement has been in place for many years and is the same cost as last year.
- H/Ol. 156-11 Resolution Authorizing a Contract with G.C. Stewart Associates, Inc., 320 Runnymede Rd., P.O. Box 66, Essex Fells, NJ to Perform Property Surveys for Block 159.08, Lots 53 & 55, Wiley Terrace and Edgewood Avenue for a Fee of \$7,200.
Pursuant to the recommendation by the Open Space Committee to acquire these properties, these surveys are necessary to initiate the purchasing process.
- m. 157-11 Resolution Authorizing Raffle Licenses
- n. 158-11 Resolution Authorizing An Agreement with Millennium Strategies and Catania Consulting Group to Launch a Branding Campaign to Promote the Township Externally to Prospective Homeowners, Realtors and To Attract New Businesses in an Amount NTE \$15,000.
- o. 159-11 Resolution Authorizing An Agreement With MyTown Marketing to Maintain and Expand Outreach

Using Social Media to Engage with Residents and Business Owners to Promote the Township in an Amount NTE \$5,000.

- p. 160-11 Resolution Authorizing An Agreement With Signal Graphics, 15 Village Plaza, South Orange, NJ \ to Design a Logo, Graphics and Promotional Pieces to Support the Township's Branding and Marketing \ Initiative in an Amount NTE \$5,000.
- q. 161-11 Resolution Rejecting the Bids for the 2010 Roadway Improvements-Phase II Various Streets Due to the Lowest Responsible Bidder Exceeding the Funding Available in the Capital Budget
- r. 162-11 Resolution Authorizing a Window Contract for Public Health Emergency Notification System to Organyk Technology Consulting & Managed Hosting, P.O. Box 3099, Burlington, VT 05408 in the Amount of \$18,620.00
- s. 163-11 Resolution Authorizing the Payment of \$4,155. to Municipal Inspection Corporation, Bayonne, New Jersey in Full Satisfaction of Any and All Elevator Inspection Services Performed.
- t. 164-11 Resolution for an Executive Session to Discuss a Matter of Litigation – Holland v. Township of West Orange

12. ABC Hearing

- a. #458 ABC Hearing – Hearing and Resolution on Applications for Renewal of Plenary Retail Consumption and Distribution Licenses for the 2011-2012 License Term
- b. #459 Hearing on Renewal for 2011-2012 License Term - **Huguitos** (Special Conditions)
- c. #460 Hearing on Renewal for 2011-2012 License Term - **466 DJF** (Special Conditions)
- d. #461 Hearing on Renewal for 2011-2012 License Term - **AMC** (Special Conditions)
- e. #462 Hearing on Renewal for 2011-2012 License Term - **Ekko Restaurant** (Special Conditions)
- f. #463 Hearing on Renewal for 2011-2012 License Term - **200 Essex Club** (Special Conditions)
- g. #464 Hearing on Renewal and Charges of ABC - Duran & Vera, L.L.C. t/a **El Rancho** (Special Conditions)

13. Adjournment