

Public Meeting – August 11, 2015

The Township Council of the Township of West Orange met in the Council Chambers, Municipal Building, 66 Main Street, West Orange, New Jersey at 7:14 p.m. Karen J. Carnevale, Municipal Clerk, read the following statement:

This is to inform the general public that this meeting is being held in compliance with Section 5 of the Open Public Meetings Act, Public Law, 1975. A notice of this meeting was mailed to the Star Ledger and the West Orange Chronicle on December 4, 2014.

Roll Call:

Present: Councilman Cirilo, Councilman Krakoviak, Councilwoman McCartney, Councilwoman Spango and Council President Guarino

Absent: None

The Township identified and presented for unanimous consent, Item 4 (Minutes), Item 7 (Bills) and Item 8 (Resolutions).

On motion made by Council President Guarino and seconded by Councilwoman McCartney, the Consent Agenda was implemented.

All members voting "Aye".

Public Comment

The Council President asked if there was anyone who wished to make a statement at this time.

Anthony Puglisi-Public Information Officer-Essex County- Representing Joe DiVincenzo

Mariel Clemenson-4 Cherrywood Circle

Susan Lenczyk-234 Eagle Rock Avenue

Mike Brick-Chairman-Environmental Commission

Kevin Malanga-Ridge Road

Paula Dickson Taylor-Watchung Avenue

Altheia Tweitan-15 Edgar Road

Robert Dryer-12 Kinzel Lane

Megan Brill-DWOA Executive Director and Resident

Mark Meyerowitz-19 Howell Drive

Diane Willis-75 Woodland Avenue

Michelle Martin-36 Manchester Road

Rosary Morelli-Ralph Road

Clare Silvestri-20 Grandview Avenue

James McCann, Esquire-Connell Foley

There was no one else who wished to be heard and the public hearing was closed.

At this time, Council President Guarino asked that Ordinance 2458-15 be heard by the Council. Jennifer Credidio, Esquire, of McManimon, Scotland and Bauman and Mike Hanley, of NW Financial appeared before the Council and answered questions with regard to this ordinance.

Ordinance 2458-15

On motion made by Councilwoman Spango and seconded by Councilwoman McCartney, **An Ordinance of the Township of West Orange, In the County of Essex, New Jersey Authorizing the Amendment, Assignment and Assumption of a Financial Agreement with Respect to Certain Property Commonly Known as the Edison Battery Factory**, of the Revised General Ordinances of the Township of West Orange was taken up on second and final reading.

Councilman Cirilo, Councilwoman McCartney, Councilwoman Spango and Council President Guarino voting "Aye." Councilman Krakoviak voting "Nay."

The Council President stated that this is the scheduled time for the public hearing and asked the Clerk to read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

Kevin Malanga – Ridge Road

Rosary Morelli – Ralph Road

Mark Meyerowitz – 19 Howell Drive

Dr. Akil Khalfani – 35 Birch Street

There was no one else who wished to be heard and the public hearing was closed.

On motion made by Councilwoman McCartney and seconded by Councilman Cirilo, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

Councilman Cirilo, Councilwoman McCartney, Councilwoman Spango and Council President Guarino voting "Aye." Councilman Krakoviak voting "Nay."

***Review of Consent Agenda**

***Approval of Minutes of Previous Meeting**

The Public Minutes of July 21, 2015 were approved as submitted.

***Bills**

The Bill List was received and ordered paid. A Summary of the Bill List is attached.

***Resolution(s) adopted on Consent Agenda:**

- a. 206-15 Resolution Authorizing Execution of Memorandum of Agreement with COPSTO
- b. 208-15 Resolution Authorizing Execution of Memorandum of Agreement with West Orange Policemen's Benevolent Association, PBA Local #25 and the West Orange Police Superior Officers Association
- c. 209-15 Resolution Authorizing Execution of Memorandum of Agreement with AFSCME
- d. 210-15 Resolution Amending Resolution No. 165-15 Regarding Real Estate Tax Exemption for 12 Valley Way
- e. 212-15 Resolution Authorizing the Issuance of Raffle Licenses
- f. 213-15 Resolution to authorize a Professional Service Contract with Associated Appraisal Group, Inc. for Residential Real Estate Services
- g. 214-15 Resolution to Authorize Competitive Contracting Process for Fire Apparatus Equipment Maintenance and Repair
- h. 215-15 Resolution to Authorize a Contract for the Street Improvements, Phase II, 2015-Re-Bid with Reggio Construction, Inc., 1575 West Street, Fort Lee, NJ 07024 in the amount of \$3,086,160.43 for the Base Bid and Alternate No. 1
- i. 216-15 Resolution Awarding a Professional Services Contract to Parette Somjen Architects, LLC, 439 Route 46 East, Rockaway, New Jersey 07866 to Provide Professional Architectural and Engineering Services for the Evaluation of Facilities at the Four West Orange Fire Stations and the West Orange First Aid Squad Building for a Fee not to exceed \$16,800.00.
- j. 218-15 Resolution Authorizing a Professional Services Contract to Parette Somjen, LLC, 439 Route 46 East, Rockaway, New Jersey 07866 to Provide Professional Architecture and Engineering Services for a Feasibility Study and Concept Design Plans for a new Public Works Facility and new Animal Control Facility to be Located on Properties Bound by Prospect Avenue, Mt. Pleasant Avenue and Marcella Avenues for a Fee not to exceed \$25,500.00 including \$1,000.00 for expenses.
- k. 219-15 Resolution Reappointing Joanne Gagliardo as Tax Collector
- l. 220-15 Resolution Authorizing an Executive Session for the Purpose of Discussing Litigation – West Essex Highlands
- t. 221-15 Resolution Authorizing Execution of Memorandum of Agreement with Non-Uniform Supervisor's Union

Resolution(s) Removed from Consent Agenda

- m. 201-15 Resolution Authorizing Amendment, Assignment and Assumption of Infrastructure Construction Agreement

On motion made by Councilwoman Spango and seconded by Councilwoman McCartney, the above mentioned resolution was adopted.

Councilman Cirilo, Councilwoman McCartney, Councilwoman Spango and Council President Guarino voting "Aye." Councilman Krakoviak voting "Nay."

- n. 202-15 Resolution Authorizing Modification to 2006 Redevelopment Agreement with Prism

On motion made by Councilwoman McCartney and seconded by Councilwoman Spango, the above mentioned resolution was adopted.

Councilman Cirilo, Councilwoman McCartney, Councilwoman Spango and Council President Guarino voting "Aye." Councilman Krakoviak voting "Nay."

- o. 203-15 Resolution Authorizing Redevelopment Agreement with DGP Urban Renewal, LLC

On motion made by Councilwoman Spango and seconded by Councilwoman McCartney, the above mentioned resolution was adopted.

Councilman Cirilo, Councilwoman McCartney, Councilwoman Spango and Council President Guarino voting "Aye." Councilman Krakoviak voting "Nay."

- p. 205-15 Resolution Authorizing the Execution of a License and Access Agreement that Allows the Township to Build and Maintain a Sign at the Lukoil Gas Station Located at the Corner of Eagle Rock Avenue and Pleasant Valley Way

On motion made by Councilwoman Spango and seconded by Councilman Cirilo, the above mentioned resolution was adopted.

Councilman Cirilo, Councilwoman McCartney, Councilwoman Spango and Council President Guarino voting "Aye." Councilman Krakoviak voting "Nay."

- q. 207-15 Resolution Authorizing Execution of Memorandum of Agreement with West Orange Fire Superior Officer's Association

On motion made by Council President Guarino and seconded by Councilman Cirilo, the above mentioned resolution was adopted.

Councilman Cirilo, Councilwoman McCartney, Councilwoman Spango and Council President Guarino voting "Aye." Councilman Krakoviak voting "Nay."

- r. 211-15 Resolution Authorizing Execution of Access and Use Agreement with the Hunterdon County Educational Services Commission

On motion made by Councilwoman McCartney and seconded by Councilwoman Spango, the above mentioned resolution was adopted.

Councilman Cirilo, Councilwoman McCartney, Councilwoman Spango and Council President Guarino voting "Aye." Councilman Krakoviak voting "Nay."

- s. 217-15 Resolution to Request that the West Orange Planning Board to Investigate the Eagle Rock/Prospect Avenue Area as an Area in Need of Redevelopment/Rehabilitation Investigation

On motion made by Councilwoman McCartney and seconded by Councilwoman Spango, the above mentioned resolution was adopted.

Councilman Cirilo, Councilwoman McCartney, Councilwoman Spango and Council President Guarino voting "Aye." Councilman Krakoviak voting "Nay."

All members voting "Aye".

Ordinance(s) on Second and Final Reading

Ordinance 2456-15

On motion made by Council President Guarino and seconded by Councilwoman McCartney, **An Ordinance Amending Chapter 4, Section 34.3 of the Revised General Ordinances of the Township of West Orange, Entitled "Extra Duty Employment for Police Officers"**, was taken up on second and final reading.

All members voting "Aye".

The Council President stated that this is the scheduled time for the public hearing and asked the Clerk to read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

There was no one who wished to be heard and the public hearing was closed.

On motion made by Councilwoman McCartney and seconded by Council President Guarino, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

All members voting "Aye".

Ordinance 2461-15

- c. An Ordinance Amending and Supplementing Chapter 7, Traffic Subsection 7-32.1, Handicapped Parking on Streets of the Revised General Ordinances of the Township of West Orange – 49 Harrison Avenue

On motion made by Councilwoman Spango and seconded by Councilwoman McCartney, the above mentioned ordinance was approved on first reading, ordered advertised according to law, to come up for second and final reading on September 8, 2015.

All members voting “Aye”.

Ordinance 2462-15

- d. An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-10.1, Stopping or Standing Prohibited During Certain Hours on Certain Streets, of the Revised General Ordinances of the Township of West Orange

On motion made by Councilwoman McCartney and seconded by Councilwoman Spango, the above mentioned ordinance was approved on first reading, ordered advertised according to law, to come up for second and final reading on September 8, 2015.

All members voting “Aye”.

At 10:51 p.m., on Motion made by Council President Guarino and seconded by Councilman Cirilo, the Council adjourned and entered into a hearing as the ABC Board.

All members voting “Aye”.

ABC Matter(s)

- a. 545-15 Hearing on Renewal for Plenary Retail Consumption, Distribution and Club Licenses for the 2015-2016 License Term

Following a brief explanation by Ken Kayser, Assistant Township Attorney that the Police Department had recommended renewal of licensees and that licensees had tax clearance, and have paid their State and Township fees, and on motion made by Councilwoman Spango and seconded by Councilman Cirilo, the above mentioned resolution was adopted.

All members voting “Aye”.

- b. 546-15 Resolution Referring ABC Conflict License to the ABC Director for Renewal-
Starlite Restaurant and Pizzeria, Inc. 0722-33-016-005

Following a brief explanation by Ken Kayser, Assistant Township Attorney that this was a conflict resolution with regard to Councilwoman Spango’s liquor license and is done annually and on motion made by Councilman Guarino and seconded by Councilwoman McCartney, the above mentioned resolution was adopted.

All members voting "Aye". Councilwoman Spango recused herself from the above resolution.

At 10:54 p.m., on Motion made by Council President Guarino and seconded by Councilwoman McCartney, the Council adjourned as the ABC Board and returned as Council.

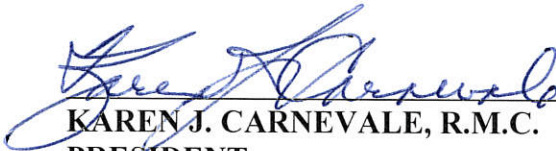
All members voting "Aye".

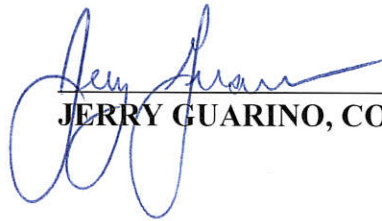
On Motion made by Council President Guarino and seconded by Councilwoman McCartney the meeting was adjourned at 10:54 p.m.

All members voting "Aye".

The Council proceeded to enter into an Executive Session at this time.

The Minutes of this meeting are on file in the Office of the Municipal Clerk.


KAREN J. CARNEVALE, R.M.C.
PRESIDENT


JERRY GUARINO, COUNCIL

Adopted: September 8, 2015