

Conference Meeting – April 26, 2022

The West Orange Township Council met virtually due to the Covid 19 pandemic beginning at 6:33 p.m., Karen 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, 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 McCartney

A presentation on Sustainable Jersey Diversity of Municipal Boards and Commission Volunteer Survey Findings was presented to the Council by Kimberly Hill-Montclair State University Intern

The Council gave their liaison announcements.

Public Meeting – April 26, 2022

The West Orange Township Council met virtually beginning at 7:20 p.m., Karen 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, 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 McCartney

Public Comment

Joe Fagan – Public Information Officer – Township of West Orange

Gary VanWyk – Burnet Terrace

Darren Tobia – Columbia Street

Joe Krakoviak – Grandview Avenue

Ron Charles – Colonial Woods Drive

Micaela Bennett – Old Indian Road

Kevin Malanga – Ridge Road

Anthony Puglisi – PIO Essex County

Melgily Valdez – Elm Street

Melinda Huerta – Park Drive South

Pamela Beardslee – Edisonia Terrace

Sally Malanga – Ridge Road

Todd Dubovy – Burnet Terrace

There was no one else who wished to be heard and the public comment portion of the agenda was closed.

***Review of Consent Agenda**

***Approval of Minutes of Previous Meeting-** April 5, 2022 Public Meeting Minutes

***Report of Township Officers – None**

***Reading of Petitions and Communications and Bids**

- a. Correspondence from Dr. Robert Bagoff, Planning Board Chair re: Ordinance 2678-22, Proposed Amendment to Land Use Regulations, Chapter 25, Section 28, Steep Slope and Natural Features Ordinance

***Bills**

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

- b. **102-22** Resolution Authorizing an Executive Session to Discuss a Matter of Litigation Specifically Covid 19 Vaccination Policy
- c. **103-22** Resolution Authorizing an Agreement with Superior Vision for a Four-Year Term from July 1, 2022 through June 30, 2026 (P. Reynolds)
- d. **104-22** Resolution Authorizing an Interlocal Agreement with North Caldwell for Animal Control Services 2022 (DeNova)
- e. **105-22** Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to An Overpayment of Taxes Due to a Duplicate Payment (Tax Collector)
- f. **106-22** Resolution Authorizing Rejection of Bids and Authorizing ReBid Concerning the New Library (Legal-Trenk)
- g. **107-22** Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to An Overpayment of 2022 Sewer Charge Due to a Duplicate Payment (Tax Collector)
- h. **108-22** Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- i. **109-22** Resolution Authorizing Execution of Developer's Construction Agreement-Shangol, Inc. (Legal-Trenk)
- j. **110-22** Resolution Authorizing the Collector of Taxes to Rebate to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey – 18 Davey Drive, 64 Fredericks St. and 11 Yale Terrace (Tax Collector)

- k. **111-22** Resolution Authorizing the Collector of Taxes to Rebate to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey-7 Main Street, 466 Prospect Ave. and 11 Park Way (Tax Collector)
- l. **112-22** Resolution Authorizing the Subordination of the Mortgage for the Property at 230 Eagle Rock Avenue from the Township's Housing Rehabilitation Program-230 Eagle Rock Avenue (Legal-Moon)
- m. **113-22** Resolution Authorizing Financial Reimbursements to Twenty-one (21) Private Communities for the Costs of Street Lighting (Lepore)
- n. **114-22** Resolution Authorizing a Purchase Through the Somerset County Co-op, CC-0099-21, with Garden State Highway Products, Inc., 301 Riverside Dr., Millville, NJ 08332 for Flashing LED Pedestrian Crossing Signs in the Amount of \$44,952.32 (Lepore)
- o. **115-22** Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer(s) Due to Veteran Exemption (Tax Collector)
- p. **116-22** New Jersey Department of Transportation Division of Local Aid and Economic Development Recommendation of Award State Aid Project (Lepore)
- q. **117-22** Resolution Authorizing an Award of Contract to Reggio Construction, Inc., 416 E. Central Blvd., Palisades Park, NJ 07650, for the Project Street Improvements 2020, Phase in the Amount of \$1,806,531.81 (Lepore)
- r. **118-22** Resolution Authorizing a Professional Services Contract Jenne Associates, LLC, 35 Gates Ave., Warren, NJ to Provide Professional Engineering Services to Analyze and Conduct a Field Investigation to Evaluate Stream and Pipe System from its Confluence with Wigwam Brook Upstream to Mountain Avenue Including a Hydrologic Analysis of the Stream to Establish Peak Flow Rates for Various Intensity Rainfall Events, Develop Conceptual Design Improvements and a Report Summarizing Findings of the Investigation in the Amount of \$30,500.00 (Lepore)
- s. **119-22** Resolution Authorizing Rejection of All Bids for Network Managed Services (IT Services) (Legal-Kayser)
- t. **120-22** Resolution Authorizing an Award of Contract for the Cherry Lane Pump Station Emergency Generator Replacement, Base Bid to D&M Electrical, LLC, 3 Borrego Drive, Woodland Park, NJ 07424 in the Amount of \$62,135.00. (Lepore)
- u. **123-22** Resolution Authorizing Lien Against 275 Northfield Avenue (Legal-Trenk)
- v. **125-22** Resolution to Adopt Procedures for Administration and Inspection of Federal Aid Highway Projects (Lepore)

On motion made by Councilwoman Casalino and seconded by Councilwoman Matute-Brown, the consent agenda was approved.

All members voting "Aye."

***Resolution(s) Removed from the Consent Agenda**

Resolution 122-22

122-22 Resolution of Local Support of Proposed Cannabis Related Business-Kemistry LLC (Legal-Moon)

On motion made by Councilwoman Casalino and seconded by Councilwoman Williams, the above referenced resolution was approved.

Councilwoman Casalino, Councilwoman Matute-Brown, Councilwoman Williams and Council President McCartney voting "Aye." Councilman Rutherford abstained.

Resolution 124-22

124-22 Resolution Authorizing the Sale and Purchase Agreement between the Township of West Orange and West Orange Senior Housing, LLC, 1 Parker Plaza, Fort Lee, NJ for the Library Property, at 46 Mt. Pleasant Ave., West Orange-Block 68, Lot 1 (Legal-Trenk)

On motion made by Councilwoman Williams and seconded by Councilwoman Casalino, the above referenced resolution was approved.

Councilwoman Casalino, Councilwoman Matute-Brown, Councilwoman Williams and Council President McCartney voting "Aye." Councilman Rutherford voting "Nay."

Resolution 126-22

126-22 Resolution Awarding a Contract to Carrier Corporation, Through Use of the Sourcewell (formerly NJPA) National Cooperative Pursuant to N.J.S.A. 52:34-6.2 (Reynolds)

On motion made by Councilwoman Williams and seconded by Councilwoman Casalino, the above referenced resolution was approved.

All members voting "Aye."

Resolution 127-22

127-22 Resolution of Local Support of Proposed Cannabis Related Business-Peace of Mind Construction Group, LLC (Legal-Moon)

On motion made by Councilwoman Casalino and seconded by Councilwoman Williams, the above referenced resolution was approved.

All members voting "Aye."

At this time, the Clerk stated that there was an executive session and asked if the Council wished to proceed with ordinances or the Executive Session. The Council President stated "well we said we were going into executive session so that we can come back and vote on the other resolution" referring to resolution 121-22 and other matters as deemed. On motion made by Councilwoman Williams and seconded by Councilwoman Matute-Brown, the Council entered into an Executive Session.

All members voting "Aye."

At this time, on motion made by Council President McCartney and seconded by Councilwoman Casalino, the Council returned from the Executive Session.

All members voting “Aye.”

Prior to the vote on resolution 121-22, Mark Moon, Esq. gave a brief explanation as to the discussion and suggested amendments made to the agreement during executive session.

Resolution 121-22

121-22 Resolution Authorizing the Mayor to Execute an Employment Agreement with John O. Gross, the Chief Financial Officer for the Period of January 1, 2022 through December 31, 2024 (Legal-Trenk)

On motion made by Councilwoman Casalino and seconded by Council President McCartney, the above referenced resolution was approved as amended.

Councilwoman Casalino, Councilman Rutherford, Councilwoman Williams and Council President McCartney voting “Aye.” Councilwoman Matute-Brown voting “Nay.”

ABC Hearing

At this time, on motion made by Councilwoman Casalino and seconded by Councilwoman Williams, the Council entered into an ABC Hearing.

All members present voting “Aye.”

675-22 Person to Person/Place to Place Transfer of Liquor License 0722-33-032 from Dominick Enterprises, Inc. to A.M.W.O., LLC t/a Llewellyn Parq., 104 Harrison Avenue, West Orange

On motion made by Councilwoman Casalino and seconded by Councilwoman Williams, the above referenced resolution was approved.

All members present voting “Aye.”

At this time, on motion made by Councilwoman Williams and seconded by Councilwoman Casalino, the Council adjourned as the ABC Board and returned to the Council meeting.

All members present voting “Aye.”

Ordinance(s) on Second and Final Reading

Ordinance 2678-22

An Ordinance Amending and Supplementing Chapter 25, Section 28 of the General Ordinance of the Township of West Orange, Entitled “Steep Slope and Natural Features Ordinance”

Due to the recommended changes made by the Township Engineer and CME Engineer John Hess after the first reading of the ordinance, the ordinance will be reintroduced on first reading this evening and heard on second and final reading on May 24, 2022.

Ordinance 2681-22

On motion made by Councilwoman Casalino and seconded by Councilwoman Williams, **An Ordinance Amending Chapter 7-12 Concerning Street Cleaning and Maintenance** 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.

Melgily Valdez – Elm Street

Melinda Huerta – Park Drive South

There was no one else that wished to be heard and the public hearing on this Ordinance was closed.

On motion made by Councilwoman Williams and seconded by Councilwoman Matute-Brown, the above referenced ordinance was tabled.

All members voting "Aye."

Ordinance 2682-22

On motion made by Councilwoman Williams and seconded by Council President McCartney, **An Ordinance Superseding and Amending Chapter 22, Taxation, Subsection 1, Five Year Tax Exemption for Certain Improvements to Residential and Commercial Structures of the Revised General Ordinances of the Township of West Orange** 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 that wished to be heard and the public hearing on this Ordinance was closed.

On motion made by Councilwoman Williams and seconded by Councilwoman Matute-Brown, the above referenced ordinance was tabled.

Councilwoman Casalino, Councilwoman Matute-Brown, Councilwoman Williams and Council President McCartney voting "Aye." Councilman Rutherford voting "Nay."

Ordinance 2683-22

On motion made by Councilwoman Casalino and seconded by Councilwoman Williams, **An Ordinance Superseding and Amending Chapter 22, Taxation, Subsection 1, Five Year Tax Exemption for Certain Improvements to Residential and Commercial Structures of the Revised General Ordinances of the Township of West Orange** was taken up on second and final reading.

Councilwoman Casalino, Councilman Rutherford, Councilwoman Williams and Council President McCartney voting "Aye." Councilwoman Matute-Brown recused herself.

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 that wished to be heard and the public hearing on this Ordinance was closed.

On motion made by Councilwoman Casalino and seconded by Councilwoman Williams, the above referenced ordinance was approved.

Councilwoman Casalino, Councilman Rutherford, Councilwoman Williams and Council President McCartney voting "Aye." Councilwoman Matute-Brown recused herself.

Ordinances on First Reading

Ordinance 2678-22

On motion made by Council President McCartney and seconded by Councilwoman Williams, **An Ordinance Amending and Supplementing Chapter 25, Section 28 of the General Ordinance of the Township of West Orange, Entitled "Steep Slope and Natural Features Ordinance"** was approved as amended with recommended changes as on first reading, ordered advertised according to law, to come up for second and final reading on May 24, 2022.

All members voting "Aye."

Ordinance 2684-22

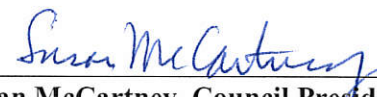
On motion made by Council President McCartney and seconded by Councilwoman Williams, **An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-19, Through Streets and 7-20, Stop Intersections of the Revised General Ordinances of the Township of West Orange** was approved on first reading, ordered advertised according to law, to come up for second and final reading on May 10, 2022.

At 1:21 a.m., on motion made by Councilwoman Williams and seconded by Councilwoman Casalino, the meeting was adjourned.

All members present voting "Aye."

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


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


Susan McCartney, Council President

Adopted: May 10, 2022