

Conference Meeting – February 7, 2023

The Conference meeting began at 6:31 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 23, 2022 and published in the West Orange Chronicle on December 1, 2022.

Roll Call – Councilwoman Casalino, Councilwoman Ghebremicael, Councilman Rutherford, Councilwoman Scarpa, Council President Williams

- Recognition of Black History Month-February 2023
- President Yvonne Nambe & The West Orange African Heritage Organization
- Council Certificate of Meritorious Service Presented to Lt. Charles Bryant-WOPD
- Presentation: Heart Healthy Habits - Presented by Sarah Kelly, PhD, RN
Montclair State University School of Nursing

Public Meeting – February 7, 2023

The West Orange Township Council meeting began at 7:01 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 23, 2022 and published in the West Orange Chronicle on December 1, 2022.

Roll Call – Councilwoman Casalino, Councilwoman Ghebremicael, Councilman Rutherford, Councilwoman Scarpa, Council President Williams

At this time, the Council President asked that the Council hold their executive session. All members agreed. The Council returned from executive session at approximately 7:50 p.m. and the public meeting continued.

Public Comment

Joe Fagan – PIO

Cindy Matute-Brown – Korwel Circle

Theodore Flowers – representing West Orange Wellness

Resident – Clonovar Road

Brandon Wyatt – Civil Rights Attorney, W. Street, Washington, DC

Thomas Kelly – Gregory Avenue

Nordia Gibbs – Tremont Ave., Orange, NJ

Armondo Aviles – Newark, NJ

Scheril Murray Powell – New York, NY

Precious Osagie Erese – Water Street, East Orange, NJ

Talia Young – Ridgeway Avenue – Kemistry, LLC

Brent Scott – Nestro Road

Sheila Lefkowitz – Pleasant Valley Way

Cory Dishman – Llewellyn Road

Rachel Hersey – Mellon Avenue

Whitney Oldham

Paula Weinberg – Mt. Pleasant Avenue

James Jackson – Ashley Road

Shana Melius on behalf of Congressman Donald Payne, Jr.

Anthony Puglisi – PIO Essex County

Sally Malanga – Ridge Road

Susan Dolinko – Pleasant Valley Way

Edward Brinkman – Moore Terrace

Samara Ortiz – Edgewood Avenue

Todd Hughes – EntreVation – Maplewood

Cheryl Merklinger – Sheridan Avenue

Kevin Malanga – Ridge Road

D.J. Howard – Tampa, Florida

Mick Erickson – Maple Avenue

Philip Litwinoff - Linden Avenue

Mel Valdez – Elm Street

Richard Friedman – Kovach Court

Todd Dubovy – Burnett 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** – Public Meeting January 24, 2023 and Special Meeting January 31, 2023

***Report of Township Officers – None**

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

- a. Correspondence of the West Orange Township Council Appointing Roz Moskowitz Bielski as a Commissioner to the Economic Development Commission for a One-Year Appointment Beginning on January 1, 2023 through December 31, 2023.

***Bills - None**

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

38-23 Resolution Authorizing the Issuance of Raffle Licenses (Clerk)

39-23 Resolution Authorizing Execution of Professional Services Agreement to Retain BBG as Redevelopment Appraiser – 2023 effective January 1, 2023 (Legal-Moon)

40-23 Resolution Rejecting the Bids for Repair and Maintenance of Buses for the W.O. Public Works Department and Authorizing the Purchasing Agent to Re-Bid and Advertise (P. Reynolds)

41-23 Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey (K. Longo)

42-23 Resolution Authorizing the 2022 Reimbursement for Services to Private Communities – Street Lighting (Lepore)

43-23 Resolution Appointing John O. Gross as Fund Commissioner, and Peter Smeraldo as Alternate Fund Commissioner, to the Garden State Municipal JIF and the Bergen Municipal Employee Benefits Fund

44-23 Resolution Authorizing the 2022 Reimbursement for Services to Private Communities – Snow Removal (Lepore)

45-23 Resolution Authorizing an Emergency Appropriation of Funds for the Emergency Repairs at the Rock Spring Golf Club, 90 Rock Spring Road (Lepore)

46-23 Resolution Authorizing the 2022 Reimbursement for Services to Private Communities – Leaf Collection (Lepore)

47-23 Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to a Veteran Exemption (K. Longo)

48-23 Resolution Authorizing an Executive Session to Discuss Matters of Contract Negotiations and Potential Litigation, Specifically, (1) Library Transition including (i) sale of 46 Mt. Pleasant Avenue for 64 deed restricted affordable senior units; (ii) opening of new Library at 10 Rooney Circle; and (iii) interim services for library patrons, (2) Rock Spring Food and Beverage Issues, (3) Rock Spring Community Meeting – Open Public Meetings Act, (4) Downtown Redevelopment Issues, (5) The legal ramifications of changing the number of letters of support already issued for the cannabis businesses (Legal-Trenk)

49-23 Resolution Authorizing Interlocal Agreement with Borough of North Caldwell for Animal Shelter Services 2023 (DeNova)

50-23 Resolution Authorizing a Contract with PSE&G Company, in the amount of \$77,321.87 to Perform Work Associated with the 2020 CDBG Mitchell Street Improvements Project for Decorative Street Lighting (Carballo)

51-23 Resolution Authorizing Execution of Agreement with Wayne DeFeo to Act as Consultant to Assist in 2023 with the Solid Waste & Recycling Services Bidding Process at a Rate of \$185. Per Hour, NTE \$30,000. (Legal-Trenk)

On motion made by Councilwoman Casalino and seconded by Council President Williams, the consent agenda was approved.

All members present voting "Aye."

Ordinance(s) on Second and Final Reading

Ord. 2709-23

On motion made by Councilman Rutherford and seconded by Council President Williams, **Bond Ordinance Providing for Phases Ii(B), Iii(B), Iv, V And Vi of the Local Unit's Allocable Share of the Flood Mitigation Facilities Project of the Joint Meeting of Essex and Union Counties, By and In the Township of West Orange, in the County of Essex, State of New Jersey (The "Local Unit"); Appropriating \$6,565,000 Therefor and Authorizing the Issuance of \$6,565,000 Bonds or Notes to Finance the Cost Thereof**, was taken up on second and final reading.

All members present 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 Council President Williams and seconded by Councilwoman Ghebremicael, the above referenced ordinance was adopted.

All members present voting "Aye."

Ord. 2710-23

On motion made by Councilwoman Casalino and seconded by Councilman Rutherford, **An Ordinance Amending Chapter 5, Section 34.3 And Section 34.6, And Chapter 25, Section 11.7, Section 24.2 And Part A: Permitted Uses Table of District Regulations of The Revised General Ordinances of The Township of West Orange (Licensed Cannabis Entities)**, was taken up on second and final reading.

All members present 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 Casalino and seconded by Council President Williams, the above referenced ordinance was adopted.

All members present voting "Aye."

Ordinances on First Reading

Ord. 2713-23

On motion made by Council President Williams and seconded by Councilwoman Casalino, **An Ordinance Amending Chapter 25, Section 47.5 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 March 21, 2023.

Councilwoman Casalino, Councilman Rutherford, Council President Williams voting "Aye." Councilwoman Ghebremicael and Councilwoman Scarpa voting "Nay."

Ord. 2714-23

On motion made by Councilwoman Ghebremicael and seconded by Council President Williams, **An Ordinance Releasing, Extinguishing and Vacating the Rights of the Public at a Variable Width-60' Right of Way Known as Municipal Plaza Township of West Orange, County Of Essex and State of New Jersey**, was approved on first reading, ordered advertised according to law, to come up for second and final reading on February 21, 2023.

All members present voting "Aye."

Ord. 2715-23

Prior to introducing on first reading, and after discussion by the Township Council, on motion made by Council President Williams and seconded by Councilwoman Scarpa, the language of the ordinance was amended to read "the number of local licenses shall be limited to a combined total of four (4) active local licenses", while grandfathering in the applicants that have received a resolution of local support from the Township.

Councilwoman Casalino, Councilman Rutherford, Council President Williams voting "Aye." Councilwoman Ghebremicael and Councilwoman Scarpa voting "Nay."

A motion was made by Councilwoman Casalino to amend the language to extend the existing distance from the property line of any property with a school for which a Cannabis Entity is prohibited from 200 feet to 450 feet. There was no second and the motion failed.

On motion made by Councilman Bill Rutherford and seconded by Council President Williams, **An Ordinance Amending Chapter 5, Section 34.3, Section 34.4, Section 34.5, and Section 34.6 And Chapter 25, Section 24.2 of the Revised General Ordinances of the Township of West Orange (Licensed Cannabis Entities)**, was approved on first reading, as amended, ordered advertised according to law, to come up for second and final reading on March 21, 2023.

Councilwoman Casalino, Councilman Rutherford, Councilwoman Scarpa and Council President Williams voting "Aye." Councilwoman Ghebremicael voting "Nay."

The Council provided some of their liaison announcements.

Pending Matters-New Matters-Council Discussion

- National Read Across America
- Rock Spring Golf Club
- Community Talk Back
- Municipal Budget 2023

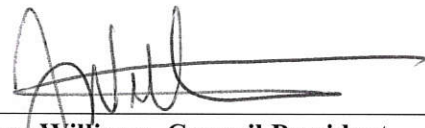
ABC Hearing-None

At 12:31 a.m., on motion made by Councilman Rutherford 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

Tammy Williams, Council President

Adopted: February 21, 2023