

Conference Meeting – August 22, 2023

The Conference meeting began at 6:32 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

- Grass Roots Community Foundation – Green Ribbon Week – Dr. Janice Johnson Dias, and Olivia Raymond-WOHS

The Council gave their liaison announcements.

Public Meeting – August 22, 2023

The West Orange Township Council meeting began at 7:03 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

Pledge of Allegiance

Invocation

Public Comment

Joe Fagan – PIO
Mike Brick – Chair – Environmental Commission
Walter Kipp – Tree Forester-West Orange
Pierre George – Meade Street
Brent Carroll – Clonover Road
Claire Silvesri – Grandview Avenue
Sheila Lefkowitz – Pleasant Valley Way
Terry Trigg Scales – Clarken Drive
Todd Dubovy – Burnet Terrace
Brent Scott – Nestro Road
Anthony Puglisi – PIO – Essex County
Jarret Seltzer – Mt. Pleasant Avenue
Lisa Steadwell – Chestnut Road
Justin Moriconi, Esq. - Representative – The Library of NJ

Zasah Khademi – Dawes Avenue
Joyce Rudin – Woodland Avenue
John Blanton – Forest Hill Road
Deborah Cheney – Meade Street
Sally Malanga – Ridge Road
Phil Litwinoff – Linden Avenue
Claudia Sanders – Old Salem Road
Emrah Altunkaya – Fundus Road
Kevin Malanga – Ridge Road

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 6.27.23, 7.11.23, 7.26.23 and 8.1.23 and Executive Session 7.26.23

The Executive Session minutes dated 7.26.23 were pulled by Councilwoman Ghebremicael.

***Report of Township Officers**

Update on the W.O. Public Library Project – Peter Smeraldo – Assistant Business Administrator

***Reading of Petitions and Communications and Bids - None**

***Bills** – August 1, 2023 and August 22, 2023

Resolution(s) Adopted on the Consent Agenda

- a. **266-23** Resolution Prescribing Fees As Set Forth In Chapter 7, Section 4.1 Of The Revised General Ordinances And Implemented Through Ordinance 2779-23, Amending The Penalties Set Forth For Violations Of Chapter 7 Of The Municipal Code In A School Zone (Gengaro)
- b. **267-23** Resolution Prescribing Fees As Set Forth In Chapter 7, Section 8.9 Of The Revised General Ordinances And Implemented Through Ordinance 2780-23, Amending The Penalties Set Forth For Violations Of Chapter 7 Of The Municipal Code In A Construction Zone (Gengaro)
- c. **268-23** An Ordinance Amending Chapter 7, Section 14.10(E) Of The Revised General Ordinances Of The Township Of West Orange (Parking Of Commercial Vehicle On Streets-Penalties) (Gengaro)
- d. **269-23** Resolution Prescribing Fees As Set Forth In Chapter 10 Section 2.5 Of The Revised General Ordinances And Implemented Through Ordinance 2783-23, Amending Fees Set Forth For Dog Licenses Pursuant To Chapter 10 Of The Revised General Ordinances (Gengaro)
- e. **270-23** Resolution Prescribing Fees As Set Forth In Chapter 10 Section 8.7 Of The Revised General Ordinances And Implemented Through Ordinance 2784-23, Amending Fees Set Forth For Dog Impoundment Pursuant To Chapter 10 Of The Revised General Ordinances (Gengaro)
- f. **271-23** Resolution Prescribing Fees As Set Forth In Chapter 10 Section 10 Of The Revised General Ordinances And Implemented Through Ordinance 2785-23, Amending The Penalty Set Forth By Chapter 10 Of The Revised General Ordinances For The Commissions Of Nuisances (Gengaro)

- g. 272-23** Resolution Prescribing Fees As Set Forth In Chapter 10 Section 11.4 Of The Revised General Ordinances And Implemented Through Ordinance 2787-23, Amending The Penalty For Failure To Obtain A License Fee For Cats Set Forth By Chapter 10 Of The Revised General Ordinances (Gengaro)
- h. 273-23** Resolution Prescribing Fees As Set Forth In Chapter 11 Section 7.6 Of The Revised General Ordinances And Implemented Through Ordinance 2789-23, Amending The Penalty For Unlawful Alcohol Purchasing (Gengaro)
- i. 274-23** Resolution Prescribing Fees As Set Forth In Chapter 12 Section 3.4 Of The Revised General Ordinances And Implemented Through Ordinance 2788-23, Amending The Fees For The Application Of A Food Handler's Permit (Gengaro)
- j. 275-23** Resolution Prescribing Fees As Set Forth In Chapter 12 Section 6.2 Of The Revised General Ordinances And Implemented Through Ordinance 2790-23, Amending The Fees For The Application Of The Delivery Of Ice (Gengaro)
- k. 276-23** Resolution Prescribing Fees As Set Forth In Chapter 12 Section 7.5 Of The Revised General Ordinances And Implemented Through Ordinance 2791-23, Amending The Fees For Permits For Privy Vaults, Cesspools And Septic Tanks (Gengaro)
- l. 277-23** Resolution Prescribing Fees As Set Forth In Chapter 12 Section 7.7 Of The Revised General Ordinances And Implemented Through Ordinance 2794-23, Amending The Fee For A Permit To Operate An Individual Sub-sewage Disposal System (Gengaro)
- m. 278-23** Resolution Prescribing Fees As Set Forth In Chapter 12 Section 7.11 Of The Revised General Ordinances And Implemented Through Ordinance 2792-23, Amending The Penalty For Failing To Comply With Chapter 12 Section 7 Of The Revised General Ordinances (Gengaro)
- n. 279-23** Resolution Prescribing Fees As Set Forth In Chapter 12 Section 8.14 Of The Revised General Ordinances And Implemented Through Ordinance 2793-23, Amending The Penalty For The Illegal Sale Of Tobacco And Nicotine Delivery (Gengaro)
- o. 282-23** Resolution Prescribing Fees As Set Forth In Chapter 12 Section 11.3 Of The Revised General Ordinances And Implemented Through Ordinance 2797-23, Amending The Fees For Electronic Cigarette Licensing (Gengaro)
- p. 283-23** Resolution Prescribing Fees As Set Forth In Chapter 13 Section 4.1 Of The Revised General Ordinances And Implemented Through Ordinance 2798-23, Amending The Fees Certain Construction Permits (Gengaro)
- q. 284-23** Resolution Prescribing Fees As Set Forth In Chapter 13 Section 4.2 Of The Revised General Ordinances And Implemented Through Ordinance 2799-23, Amending The Fees For Plan Review (Gengaro)
- r. 285-23** Resolution Prescribing Fees As Set Forth In Chapter 13 Section 4.3 Of The Revised General Ordinances And Implemented Through Ordinance 2800-23, Amending The Fees For A Permit For Demolition (Gengaro)

- s. **286-23** Resolution Prescribing Fees As Set Forth In Chapter 13 Section 4.4 Of The Revised General Ordinances And Implemented Through Ordinance 2801-23, Amending The Fees For A Permit For Building Removal (Gengaro)
- t. **287-23** Resolution Prescribing Fees As Set Forth In Chapter 13 Section 7.4 Of The Revised General Ordinances And Implemented Through Ordinance 2803-23, Amending The Fees Under The Electrical Subcode (Gengaro)
- u. **288-23** Resolution Prescribing Fees As Set Forth In Chapter 13 Section 7.5 Of The Revised General Ordinances And Implemented Through Ordinance 2804-23, Amending The Fees For Certain Fire Systems (Gengaro)
- v. **289-23** Resolution Prescribing Fees As Set Forth In Chapter 13 Section 8.11 Of The Revised General Ordinances And Implemented Through Ordinance 2805-23, Amending The Fees Under The Fire Prevention Subcode (Gengaro)
- w. **290-23** Resolution Prescribing Fees As Set Forth In Chapter 10 Section 3.4 Of The Revised General Ordinances And Implemented Through Ordinance 2782-23, Amending The License Fees Set Forth Pursuant To Chapter 10 Of The Municipal Code Regarding Annual Fees For Kennel Or Pet Shops (Gengaro)
- x. **291-23** Resolution Prescribing Fees As Set Forth In Chapter 10 Section 11.3 Of The Revised General Ordinances And Implemented Through Ordinance 2786-23, Amending The License Fee For Cats Set Forth By Chapter 10 Of The Revised General Ordinances (Gengaro)
- y. **292-23** Resolution Extending the Professional Services Agreement with Montclair State University's School of Nursing Faculty and Students to Provide Vaccine Administration and Other Support Services Agreement for an Additional One (1) Year Period for an Amount NTE \$26,000 of the Funding from the Vaccination Grant (Fonzino)
- z. **294-23** Resolution Authorizing Change Order No. 17 to H&S Construction and Mechanical, Inc., 721 Bayway Avenue, Elizabeth, NJ 07202, for Restoration of Pavement Damaged by PSE&G, Concrete Curb at Hotbox and Rock Excavation for a Total Amount of \$39,542.66 (Smeraldo)
- aa. **295-23** Resolution Authorizing Change Order No. 1 And Final With VMF Construction, In The Amount Of \$7,992.50 For Additional Work Including Painting, Main Valve Replacements, Removal And Installation Of Ceiling Grid, Installation Of New Light Fixtures, Removal Of Carpet, Laminate Floor Installation And Self-Leveling Concrete (Carballo)
- bb. **296-23 REMOVED**
- cc. **297-23** Resolution Authorizing the Collector of Taxes to Cancel Sewer Charges to the Listed Taxpayers Pursuant to Easement and Right of Way Agreement Between the County of Essex and the Township of West Orange (Longo)
- dd. **299-23** Resolution Prescribing Fees As Set Forth In Chapter 7, Section 4.1 Of The Revised General Ordinances And Implemented Through Ordinance 2779-23, Amending The Penalties Set Forth For Violations Of Chapter 7 Of The Municipal Code In A School Zone (Gengaro)

- jj. 301-23** Resolution Authorizing Professional Services Agreement with Essex Regional Health Commission for Registered Environmental Health Specialist Services (Legal-Moon)
- kk. 302-23** REMOVED
- ll. 303-23** Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- mm. 304-23** Resolution Authorizing Addendum to the Agreement with Professional Property Appraisers Inc. for Revaluation Services – 2023 (Legal-Moon)
- nn. 305-23** Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to a Duplicate Payment of 2023 Annual Sewer Charge (Longo)
- oo. 306-23** Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey – 414 Metzger Drive (Longo)
- pp. 307-23** Resolution Authorizing The Collector Of Taxes To Refund Payment To The Listed Taxpayer Due To Veteran Exemption – 161 Gregory Avenue (Longo)
- qq. 308-23** Resolution Authorizing The Collector Of Taxes To Refund Payment To The Listed Taxpayer Due To An Overpayment Of Taxes Due To A Duplicate Payment (Longo)
- rr. 309-23** Resolution Authorizing a Professional Services Agreement to CME Associates, 1460 Route 9 South, Howell, NJ, 07731, to Provide Professional Engineering Services for the Tennis Courts Improvements at Degnan Park for an Amount not to exceed \$10,500.00. (Carballo)
- ss. 310-23** Resolution Authorizing a Professional Services Contract to CME Associates, 3759 Highway 1 South, Suite 100, Monmouth Junction, New Jersey 08852, Manal Baba, LSRP, to Provide Professional Services associated with the Site Remediation at the Old DPW Garage, 6-8 Lindsley Avenue associated with a Former Leaking Underground Storage Tank for a Total Fee not to exceed \$186,700.00. (Carballo)
- tt. 311-23** Resolution to Award a Contract to Computer Square d/b/a CSI Technology Group for the West Orange Police and Fire Emergency Infoshare/CAD/RMS Software Maintenance Renewal (Reynolds)
- uu. 312-23** Resolution To Read Budget By Title (Gross)
- vv. 313-23**-REMOVED
- ww. 317-23** Resolution Authorizing an Emergency Appropriation to Grabowski Construction, 770 Northfield Avenue, West Orange, NJ 07052, in the amount of \$286,690.00 for Emergency Sanitary Sewer Construction to the Township's Sanitary Sewer Main on Mitchell Street between Valley Road and Tompkins Street (Carballo)
- aaa. 318-23** Resolution to Authorize the Purchase and Installation Cameras/Video Surveillance through the Union County Cooperative Pricing System Contracts # UCCP 8-2022 IT Infrastructure, Fiber Optic Network Advanced Applications and Services (Reynolds)

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

All members present voting "Aye."

Resolution(s) Removed from the Consent Agenda

Resolution 280-23

Resolution Prescribing Fees As Set Forth In Chapter 12 Section 9.9 Of The Revised General Ordinances And Implemented Through Ordinance 2795-23, Amending The Fee For A Tattoo And Body Piercing Establishment Permit (Gengaro)

The above referenced resolution was pulled from the agenda prior to the approval of the consent agenda. The Council did not take action on this resolution.

Resolution 281-23

Resolution Prescribing Fees As Set Forth In Chapter 12 Section 9.20 Of The Revised General Ordinances And Implemented Through Ordinance 2796-23, Amending The Penalty For Violations Of Chapter 12, Section 9 Of The Revised General Ordinances For Tattoo And Body Piercing Establishments (Gengaro)

The above referenced resolution was pulled from the agenda prior to the approval of the consent agenda. The Council did not take action on this resolution.

Resolution 293-23

Resolution Authorizing a Contract to Millenium Strategies, LLC, 60 Columbia Road, Building B, Suite 230, Morristown, NJ 07960 at the Rate Set Forth in the Agreement (Reynolds)

On motion made by Councilman Rutherford and seconded by Councilwoman Ghebremicael, an amendment was made to the resolution to reflect a one-year term, instead of a 3-year term, with an option of 2 additional one-year terms.

The resolution was adopted as amended, and only if the RFP allows for the reflected changes.

All members present voting "Aye."

Resolution 298-23

Resolution Prescribing Fees As Set Forth In Certain Of The Revised General Ordinances Of The Township Of West Orange (Gengaro)

A motion was made by Council President Williams and seconded by Councilwoman Ghebremicael, the above-referenced resolution was adopted.

All members present voting "Aye."

Resolution 300-23

Public Hearing and Adoption of Budget Amendment No. 1 – (Gross)

At 11:29 p.m., on motion made by Council President Williams and seconded by Councilwoman Ghebremicael, the public hearing for Budget Amendment No. 1 was called to order. All members present and voting "Aye."

The Municipal Clerk stated that this is the scheduled time for the public hearing and the Council President outlined the procedure.

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

There was no one that wished to be heard, and on motion made by Council President Williams and seconded by Councilwoman Casalino, the public hearing on the Budget Amendment was closed.

All members voting "Aye."

On motion made by Council President Williams and seconded by Councilwoman Casalino, the resolution was adopted.

All members present voting "Aye."

Resolution 315-23

Resolution Authorizing Agreement with the Mountain Top League for Recreational Programs and Youth Sports Programs – 2023 (Legal-Moon)

A motion was made by Councilwoman Casalino and seconded by Council President Williams, the above-referenced resolution was adopted.

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

Resolution 316-23

Resolution Authorizing Agreement with the PAL (Police Athletic League) for Recreational Programs and Youth Sports Programs – 2023

A motion was made by Council President Williams and seconded by Councilwoman Casalino, the above-referenced resolution was adopted.

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

Resolution 319-23

319-23 Budget Amendment No. 2 (Gross)

A motion was made by Council President Williams and seconded by Councilwoman Casalino, the above-referenced resolution was adopted.

All members present voting "Aye."

Resolution 314-23

Municipal Budget Adoption (Gross)

A motion was made by Councilwoman Casalino and seconded by Council President Williams, the 2023 Municipal Budget resolution was adopted.

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

Ordinance(s) on Second and Final Reading

Ordinance 2808-23

On motion made by Councilwoman Ghebremicael and seconded by Councilwoman Casalino, **An Ordinance Amending Chapter 5, Section 34.2, Section 34.3, Section 34.4, Section 34.5, Section 34.6, Section 34.8 And Chapter 25, Section 24.2 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.

Nordia Gibbs – Tremont Avenue, Orange, NJ
Justin Moriconi, Esq. – The Library of NJ

There was no one else 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 language in Section 5-34.6 of the above referenced ordinance was amended as follows: **"if any transfer of the license occurs without Township Council approval"**, the licensed Cannabis entity shall cease all operations.

All members present voting "Aye."

On motion made by Councilwoman Casalino and seconded by Council President Williams, the language in Section 5-34.5 of the above referenced ordinance was amended adding the following **"and (vi) all property owners within 200' of the proposed site"**.

All members present voting "Aye."

On motion made by Councilwoman Scarpa and seconded by Councilwoman Casalino, the above referenced ordinance was adopted as amended.

All members present voting "Aye."

Ordinances on First Reading

Ordinance 2809-23

On motion made by Councilwoman Ghebremicael and seconded by Councilman Rutherford, **An Ordinance Amending And Supplementing Chapter 7, Traffic, Subsection 7-32.2 Restricted Parking Zones and 7-32.1 Handicapped Parking On Streets 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 September 5, 2023.

All members present voting "Aye."

Ordinance 2810-23

On motion made by Council President Williams and seconded by Councilwoman Casalino, **An Ordinance Repealing Chapter 2, Section 68 Of The Revised General Ordinances Of The Township Of West Orange (Disclosure Of Political Contributions By Certain Individuals Or Business Entities Doing Business With The Township)** was approved on first reading, ordered advertised according to law, to come up for second and final reading on September 5, 2023.

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

Ordinance 2811-23

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, **An Ordinance Amending Chapter 2, Section 14.5 And Section 14.9 Of The Revised General Ordinances Of The Township Of West Orange (Appointment Of Police Department, Officers And Personnel)** was approved on first reading, ordered advertised according to law, to come up for second and final reading on September 5, 2023.

All members present voting "Aye."

Pending Matters-New Matters-Council Discussion

- Tree Ordinance
- Gas Powered Leaf Blowers
- Ordinance that Governs Drive Thru Windows
- Procedures for the Submission and Approval of Legislation
- Ordinance that Governs the Older Adults Advisory Board

ABC Hearing

At 12:58 a.m., on motion made by Councilwoman Casalino and seconded by Council President Williams the Township Council adjourned the public meeting and entered into their ABC Hearing.

All members voting "Aye."

Resolution 725-23

Hearing on Renewal for Plenary Retail Consumption, Distribution and Club Licenses for the **2023-2024** License Term

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

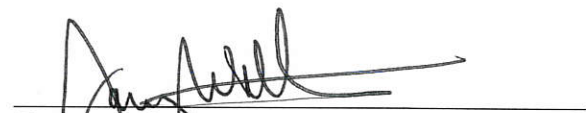
All members present voting "Aye."

At 1:01 a.m., on motion made by Councilwoman Ghebremicael 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: September 5, 2023