

Conference Meeting – December 19, 2023

The Conference meeting began at 6:10 p.m., the 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 Scarpa, Council President Williams

Councilwoman Ghebremicael and Councilman Rutherford were delayed and arrived at 6:20 p.m.

- Promotion Ceremony-West Orange Fire Department
 - Deputy Fire Chief
 - Steven Ameli
 - George Hesse
 - Nicholas Gillo
 - Fire Captain
 - Giuseppe Chirico
 - Nicholas Manzella
 - Daniel R. Shelley
 - Kevin Skokandich
 - Joseph Urso
- Proclamation Honoring Hayden Moore, Superintendent, W.O. Public Schools
- Presentation: Coping with the Holiday Blues-Lynette Sheard
- Appointment(s) of 2024 Council Liaison to Boards/Commissions

Planning Board

On motion made by Councilwoman Ghebremicael and seconded by Councilwoman Scarpa, Councilman Rutherford was nominated as the liaison to the Planning Board.

There was a second nomination of Council President Williams, seconded by Councilwoman Casalino.

The first nomination was put to a vote and Councilman Rutherford was appointed the liaison to the Planning Board.

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

ERSCHA (Degnan House)

On motion made by Councilman Rutherford and seconded by Councilwoman Ghebremicael, Councilwoman Casalino was nominated as the liaison to the ERSCHA (Degnan House).

All members present voting "Aye."

WOSCHA (John P. Renna House)

On motion made by Councilman Rutherford and seconded by Councilwoman Casalino, Councilwoman Ghebremicael was nominated as the liaison to the WOSCHA (John P. Renna House).

All members present voting "Aye."

Downtown West Orange Alliance

On motion made by Councilman Rutherford and seconded by Councilwoman Ghebremicael, Councilwoman Casalino was nominated as the liaison to the Downtown West Orange Alliance.

All members present voting "Aye."

West Orange Municipal Alliance Committee

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, Council President Williams was nominated as the liaison to the West Orange Municipal Alliance Committee.

All members present voting "Aye."

West Orange Arts Council

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, Council President Williams was nominated as the liaison to the West Orange Arts Council.

All members present voting "Aye."

Open Space & Recreation Committee

On motion made by Councilwoman Ghebremicael and seconded by Councilwoman Casalino, Councilwoman Ghebremicael was nominated as the liaison to the Open Space & Recreation Committee.

All members present voting "Aye."

Public Relations Commission

On motion made by Councilwoman Casalino and seconded by Councilman Rutherford, Councilwoman Casalino was nominated as the liaison to the Public Relations Commission.

All members present voting "Aye."

Oscar Schindler Performing Arts Center

On motion made by Councilman Rutherford and seconded by Councilwoman Casalino, Councilwoman Scarpa was nominated as the liaison to the Oscar Schindler Performing Arts Center

All members present voting "Aye."

West Orange Board of Education

On motion made by Councilman Rutherford and seconded by Councilwoman Ghebremicael, Councilwoman Casalino was nominated as the liaison to the West Orange Board of Education.

All members present voting "Aye."

West Orange Historic Preservation Commission

On motion made by Councilwoman Ghebremicael and seconded by Councilwoman Casalino, Council President Williams was nominated as the liaison to the West Orange Historic Preservation Commission.

All members present voting "Aye."

Pedestrian Safety Committee

On motion made by Councilman Rutherford and seconded by Councilwoman Casalino, Councilwoman Ghebremicael was nominated as the liaison to the Pedestrian Safety Committee.

All members present voting “Aye.”

Economic Development Commission

On motion made by Council President Williams and seconded by Councilwoman Casalino, Council President Williams was nominated as the liaison to the Economic Development.

Councilwoman Ghebremicael, Councilman Rutherford and Councilwoman Scarpa voting “Nay.” Council President Williams voting “Aye.” Councilwoman Casalino abstained. The motion failed.

There was a second nomination made by Councilman Rutherford and seconded by Councilwoman Ghebremicael, nominating Councilwoman Scarpa as liaison to the Economic Development Commission.

Councilwoman Ghebremicael, Councilman Rutherford and Councilwoman Scarpa voting “Aye.” Council President Williams voting “Nay.” Councilwoman Casalino abstained. The motion was approved.

Environmental Commission

On motion made by Councilwoman Casalino and seconded by Councilwoman Ghebremicael, Councilwoman Scarpa was nominated as the liaison to the Environmental Commission.

All members present voting “Aye.”

Older Adults Advisory Board

On motion made by Councilwoman Ghebremicael and seconded by Councilwoman Scarpa, Councilwoman Scarpa was nominated as the liaison to the Older Adults Advisory Board.

All members present voting “Aye.”

Nomination and Election of 2024 Council President

On motion made by Councilwoman Ghebremicael and seconded by Councilwoman Scarpa, Councilman Rutherford was nominated as the 2024 Council President.

Councilwoman Casalino, Councilwoman Ghebremicael, Councilman Rutherford and Councilwoman Scarpa voting “Aye.” Council President Williams abstained. The motion was approved.

Public Meeting – December 19, 2023

The West Orange Township Council meeting began at 7:18 p.m., the 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-Rev. Crystal Newby Reynolds

Public Comment

In Person:

Joe Fagan – Public Information Officer
Richard Leonardis – Pleasant Valley Way
Sheila Lefkowitz – Pleasant Valley Way
Brent Scott-Nestro Road
Rachel Kim – Howell Drive
Brian Mirenda - Valley Road
Dan Reali – S. Valley Road
Claire Silvestri – Grandview Avenue

Zoom:

Anthony Puglisi – PIO – Essex County
Sally Malanga-Ridge Road
Jared Gafney – Owner – EcoQuip, W. Nyack, NY
Kevin Malanga-Ridge Road
Sarah O’Leary – Moore Terrace
Joyce Rudin – Woodland Avenue
Jennifer Sharret – Howell Drive
Barbara White – Howell Drive
John Blanton-Forest Hill Road
Tez Roro – W.O. Resident
Keith Davidson – Forest Hill Road
Victor Misarti – Mayfair Drive
Phaedra Singelis – Essex Terrace
Jonathan Poor – Roosevelt Road, Maplewood
Paula Weinberg – Mt. Pleasant Avenue

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 – None**

***Report of Township Officers-None**

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

***Bills – 12.19.23**

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

- a. **407-23** Resolution Awarding a Contract to Greenman Pedersen, Inc., 520 US Highway 22, Suite 200, Bridgewater, NJ 08807 for the Washington Street Corridor Improvement Project for the Performance of Preliminary Engineering (PE) Services in an Amount NTE \$199,070.68 (Carballo)
- b. **408-23** Resolution Authorizing the Purchase of Holmatro Core Rescue System and Accessories from ESI Equipment Inc., an Authorized Dealer under NJ State Contract #17-FLEET-00820 for the West Orange Fire Department in an amount NTE \$49,953.97 (Reynolds)
- c. **409-23** Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- d. **410-23** Resolution Authorizing Retention of Matrix New World, 26 Columbia Turnpike, Florham Park, NJ to Implement Remedial Action Activities and Investigation Work Plan at 8-10 Central Avenue and 18 Central Avenue in an Amount NTE \$4,440.480 (Legal-Trenk)

- e. **412-23** Resolution of Support from the Local Governing Body Authorizing the 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program Application (Legal-Trenk)
- f. **413-23** Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to an Overpayment of Taxes Due to a Veteran Tax Deduction – 22 Larkin Circle (Longo)
- g. **414-23** Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to an Overpayment of Taxes Due to a Duplicate Payment – 10 Watson Avenue (Longo)
- h. **415-23** Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to a Veteran Exemption – 45 Watson Ave. (Longo)
- i. **417-23** Resolution Requesting Approval Of Items Of Revenue And Appropriation NJSA 40A:4-87 (Gross)
- j. **418-23** Resolution Authorizing an Amendment to the West Orange Superior Officers Association Local 25 Collective Negotiations Agreement Expiring on 12/31/23 (Gross)
- k. **419-23** Resolution Authorizing an Executive Session for the Purpose of Discussing Contract Negotiations Specifically Related to Resolution 418-23

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

All members present voting “Aye.”

Resolution(s) Removed from the Consent Agenda

Resolution 411-23

Resolution Authorizing the Competitive Contracting Process for a Professional and Experienced Economic Development Consultant Firm to Function as the Township’s Economic Development Consultant (Gross)

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, the resolution was approved.

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

Resolution 416-23

Resolution Authorizing Award of Contract for Janitorial Services to PJ Building Cleaning, LLC, 389 Main Street, #311, Hackensack, NJ 07601, at the Rates Set Forth in the Bid (Reynolds)

There was no motion offered to approve the above referenced resolution.

ABC Hearing

On motion made by Council President Williams and seconded by Councilwoman Casalino, the Council recessed their meeting and entered into an ABC Hearing.

All members present voting “Aye.”

ABC 727-23

Person to Person (Expansion of Premises) for License No. 0722-44-018-T&T Liquors, Inc., 110 Harrison Avenue t/a Liquor Lobby, 110 Harrison Avenue, West Orange, NJ 07052

On motion made by Council President Williams and seconded by Councilwoman Casalino, the Council approved the above referenced resolution for the extension of premises.

All members present voting "Aye."

ABC 728-23

Person to Person Transfer for License 0722-33-013-002 from 440 Main Street, LLC to Castle Rock Bar & Grill, LLC t/a Castle Rock Bar & Grill, 440 Main Street, West Orange, NJ

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, the Council approved the above referenced resolution.

All members present voting "Aye."

ABC 729-23

Person to Person and Place to Place Transfer for License No. 0722-33-053-002 from DPG Edison, LL, LLC to Fandango Mexican Grill, LLC, 490 Pleasant Valley Way, West Orange, NJ 07052

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, the Council approved the above referenced resolution.

All members present voting "Aye."

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, the Council adjourned the ABC Hearing and reentered the Council meeting.

All members present voting "Aye."

Ordinances on First Reading

Ord. 2832-23

On motion made by Councilman Rutherford and seconded by Councilwoman Ghebremicael, **An Ordinance Repealing and Replacing Chapter 25, Sections 27 of the Revised General Ordinances of the Township of West Orange and Establishing Chapter ____ For Environmental Protection(Tree Protection, Removal and Replacement)**, was tabled.

All members present voting "Aye."

Ord. 2833-23

On motion made by Councilman Rutherford and seconded by Councilwoman Ghebremicael, the language in Paragraph III, number(s) 1 and 2 was changed from October 15, 2024 to "October 1, 2024"

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

On motion made by Council President Williams and seconded by Councilman Rutherford, the language in Paragraph III, number(s) 5 was revised to be consistent with the Noise Ordinance. The new paragraph reads, "Hours of usage for Leaf Blowers shall be subject to the same limitations as set forth in the Township of West Orange Municipal Code § 4-4.2(f)"

All members present voting "Aye."

On motion made by Councilwoman Ghebremicael and seconded by Councilman Rutherford, the following language in Paragraph IV was removed, "No provision herein shall apply to any County, State or Federal Government property."

All members present voting "Aye."

At this time, Councilwoman Ghebremicael made a motion to revise the language in Paragraph VII "Violations and Penalties" to read, First Offense: Written Warning, Second Offense: \$200.00, Third Offense: \$500.00. After a brief discussion, the motion was rescinded by Councilwoman Ghebremicael.

A motion was made by Council President Williams and seconded by Councilwoman Casalino to table the above referenced ordinance.

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

On motion made by Councilwoman Ghebremicael and seconded by Councilwoman Scarpa, the language in Paragraph VII "Violations and Penalties" was changed to the following: "As of the effective date of this Chapter through and including December 31, 2025, any person or entity violating the provisions of this Chapter shall be fined as follows, and the violator may be subject to a loss of license to perform work within the Township of West Orange: A. First Offense: Written warning, B. Second Offense: \$100, C. Third Offense: \$200" and the date was amended to "Beginning January 1, 2026"

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

On motion made by Councilwoman Ghebremicael and seconded by Councilman Rutherford, the language in Paragraph II-Turbine Blower was revised removing the following sentence: "It shall be used only on golf courses."

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

On motion made by Councilman Rutherford and seconded by Councilwoman Ghebremicael, **An Ordinance Amending Chapter 21, Section ____ of the Revised General Ordinances of the Township of West Orange – Gas Leaf Blowers**, was approved as amended on first reading, ordered advertised according to law, to come up for second and final reading on January 9, 2024.

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

Pending Matters/New Matters/ Council Discussion

- CCRB Appointee
- Cannabis Cultivation
- Public Advocate
- Noise Ordinance

- Update on Assistant Township Attorney
- Update on Rock Spring Golf Club

Public Comment: (non-agenda items)

Zoom:

Spencer Palmer – Livingston, NJ

Nordia Gibbs – Tremont Avenue, Orange, NJ

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

At 12:12 a.m., on motion made by Council President Williams and seconded by Councilman Rutherford, 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
Bill Rutherford, Council President

Adopted: January 23, 2024