

AGENDA
September 14, 2010
Township of West Orange
66 Main Street – 7:00 p.m.

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. A notice of this meeting was mailed to the Star Ledger and the West Orange Chronicle on December 3, 2009. A notice of this meeting was also posted on the Bulletin Board in the Municipal Building, West Orange and filed in the office of the Municipal Clerk of the Township of West Orange on December 3, 2009.

Statement of Decorum

In all matters not provided for in subsection 3-15.1 and except upon consent of the Council President, each person addressing the Council pursuant to this subsection shall be required to limit his or her remarks to five (5) minutes, and shall at no time engage in any personally offensive or abusive remarks. The chair shall call any speaker to order who violates any provision of this rule.
(1972 Code § 3-15.2)

1. Roll Call – Councilman Cirilo, Councilwoman McCartney, Councilwoman Spango, Councilman Webster, Council President Anderton, (Mayor Parisi)
2. The Pledge of Allegiance
3. Public Comment
- *4. Minutes – Public Meeting Minutes – July 1, 2010, July 20, 2010 and August 17, 2010
- *5. Communication – None
- *6. Reports – Municipal Judge’s Report-August, 2010
- *7. Bills
8. Ordinances on Second and Final Reading
 - a. 2274-10 An Ordinance Amending & Supplementing Chapter 25 Section 28 of the General Ordinances of the Township of West Orange, Entitled “Steep Slope and Natural Features Ordinance”
The steep slope amended ordinance adds additional restrictions of State open waters, wetlands, wetland transition areas, flood hazard areas, floodways and riparian zone. This is warranted to prevent flooding, protect water quality, preserve wildlife and aquatic habitat.
 - b. 2275-10 An Ordinance Amending & Supplementing Chapter 25 Section 3.2 of the General Ordinances of the Township of West Orange Entitled “Zone Map and Table of District Regulations”
The purpose of this ordinance is to change the current zoning for the lands known as Block 179, Lot 32 in accordance with the 2010 Master Plan Reexamination Plan. Specifically, this ordinance removes the zoning parameters added following the 2004 Master Plan Reexamination Report and limits the zoning to standard development within a R-2 and R-3 zone.
 - c. 2278-10 Bond Ordinance Authorizing Various Capital Improvements In and For the Township of West Orange, in the County of Essex, New Jersey, Appropriating \$117,300 Therefore and Authorizing the Issuance of \$111,435 Bonds or Notes to Finance Part of the Cost Thereof
For the purpose of upgrading Colgate Futsal Court and installation of Skate Park-including ramps and accessories.
 - d. 2279-10 An Ordinance Amending and Supplementing Chapter 25 Section 3.2 of the General Ordinances of the Township of West Orange, Entitled “Zone Map and Table of District Regulations”-Block 105, Lots 2 and 64.01 from PURD (Planned Unit Residential Development) to B-1
The purpose of this ordinance is to change the current zoning for the lands known as Block 105, Lots 2 and 64.01 in accordance with the 2010 Master Plan Reexamination Plan. The PURD zoning for the condos was inadvertently placed on these two properties on Prospect Avenue; 456 Prospect Avenue owned by Weichert Realty and 460 Prospect Avenue owned by RKS Properties.
 - e. 2280-10 An Ordinance Amending and Supplementing Chapter 25 Section 3.2 of the General Ordinances of the Township of West Orange, Entitled, Zone Map and Table District Regulations”-Block 152.07, Lots 1 and 2 form O-R to

B-1

The purpose of this ordinance is to change the current zoning for the lands known as Block 152.07, Lots 1 and 2 in accordance with the 2010 Master Plan Reexamination Plan. It includes the fire house located at 280 Pleasant Valley Way and the mixed use building located at 270 Pleasant Valley Way.

- f. 2281-10 An Ordinance Amending and Supplementing Chapter 25 Section 3.2 of the General Ordinances of the Township of West Orange, Entitled, Zone Map and Table District Regulations"-Block 169, Lot 1 from an R-4 to R-1
The purpose of this ordinance is to change the current zoning for the lands known as Block 169, Lot 1 in accordance with the 2010 Master Plan Reexamination Plan. This is Mayapple Hill Extension at Cedar Avenue a 52 acre property that was originally owned by the Township and was sold to the State of New Jersey. In the Master Plan it was recommended that all public land be rezoned to R-1.
- g. 2282-10 An Ordinance Amending and Supplementing Chapter 25 Section 3.2 of the General Ordinances of the Township of West Orange, Entitled, Zone Map and Table District Regulations"-Block 171, Lots 1, 3 and 4
The purpose of this ordinance is to change the current zoning for the lands known as Block 171, Lot 1, 3 and 4 in accordance with the 2010 Master Plan Reexamination Plan. This is the Armory and its garages located on Pleasant Valley Way owned by the State of New Jersey. In the Master Plan it was recommended that all public land be rezoned to R-1.
- h. 2283-10 An Ordinance Amending and Supplementing Chapter 25 Section 3.2 of the General Ordinances of the Township of West Orange, Entitled, Zone Map and Table District Regulations"-Block 170.3, Lot 1.01, Zone change from R-2 to R-1
The purpose of this ordinance is to change the current zoning for the lands known as Block 170.03, lot 1.01 in accordance with the 2010 Master Plan Reexamination Plan. This property located on Mt. Pleasant Avenue was bought for open space with Green Acre money and is owned by the County of Essex. In the Master Plan it was recommended that all public land be rezoned to R-1.

9. Ordinances on First Reading

- a. 2284-10 An Ordinance Amending and Supplementing Chapter 2 Section 60 of the General Ordinances of the Township of West Orange Entitled "Commission on Military and Veterans Affairs"
The purpose of this ordinance is change the composition of the members of the West Orange Commission on Military and Veterans Affairs.
- b. 2285-10 An Ordinance Amending and Supplementing Chapter 7, Traffic Subsection 7-20, Stop Intersections, of the Revised General Ordinances of the Township of West Orange
This ordinance designates the intersection of Greenwood Avenue and Sherwood Place, a "T" intersection, as a Stop Intersection with a Stop sign placed on Sherwood Avenue. The Stop sign will be placed on the minor street in accordance with the provisions of the Manual on Uniform Traffic Control Devices.
- c. 2286-10 An Ordinance Amending and Supplementing Chapter 7, Traffic Subsection 7-32.2, Restricted Parking Zones of the Revised General Ordinances of the Township of West Orange
This ordinance will designate an on-street handicapped parking stall, or Restricted Parking Zone, in front of 47 Mississippi Avenue for the exclusive use of a resident of that household who has a Disabled Persons ID issued by the Motor Vehicle Commission.
- d. 2287-10 An Ordinance Amending and Supplementing Chapter 2, Title 3 of the Revised General Ordinances of the Township of West Orange (Members of Council; Terms; Powers) Establishing The Suspension of Pay of the Members of the Township Council for Excessive Unexcused Absences
This ordinance is drafted to establish an "Absence from Meetings Policy" for members of the Township Council consistent with the Local Government Best Practices established by the Department of Community Affairs.
- e. 2288-10 An Ordinance Amending and Supplementing Chapter 2, Title 3 of the Revised General Ordinances of the Township of West Orange (Members of Council; Terms; Powers) Establishing a Requirement for Members of the Township Council to Attend Basic Courses on Their Responsibilities and Obligations in Local Government
This ordinance establishes that each member of the Township Council must complete courses in the subject areas of Budgeting, Policy Setting, Local Government Contracting, Risk Management, and the Open Public Records Act.

*10. Resolutions

- a. 228-10 Resolution Authorizing Raffle Licenses
- b. 229-10 Resolution Proclaiming September as National Ovarian Cancer Awareness Month

- c. 230-10 Resolution Recognizing September 17, 2010 as Citizenship Day
- d. 231-10 Resolution Authorizing the Submission of the Application for the Municipal Alliance Grant
- e. 232-10 Resolution Authorizing the Refund of Forfeit Fees Paid for the 2010 Adult Softball Program Upon the Start of the Season
- f. 233-10 Resolution Recommending an Award of Contract to the NJ DOT for the Improvement of Undercliff Terrace be Awarded to A&J Contractors Group, Inc., 105 Federal Road, Monroe Township, NJ Whose Bid Amounted to \$314,499.40
A & J Contractors was the lowest responsible bidder for the roadway project known at the Improvement of Undercliff Terrace. This resolution recommends an award of a contract to A & J Contractors for that project in the amount of \$314,499.40. An NJDOT grant in the amount of \$250,000 was received for this project.
- g. 234-10 Resolution Authorizing an Emergency Appropriation in the Amount of \$136,811.10 to Grabowski Construction, Inc. for Emergency Sewer Construction to the Township's Sanitary Sewer Main on Valley Road at Kingsley Street
Grabowski Construction, Inc. performed the construction to the sanitary sewer on August 9 thru August 14, 2010, and they repaired the pavement on August 16 thru August 19, 2010
- h. 235-10 Resolution Authorizing Deeds of Easement and Easement Agreements With Three (3) Property Owners on 10 Midro Way, 285 Pleasant Valley Way and 291 Pleasant Valley Way.
Easement Agreements with 19 other property owners in the Mayfair District were previously authorized.
- i. 236-10 Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Essex County Board of Taxation
- j. 237-10 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. 238-10 Resolution Authorizing Change Order No. 2 for DLS Contracting, Inc., 633 Franklin Avenue, Suite 170, Nutley, NJ in the Amount of \$275,000. from the 2009 Capital Budget for Additional Work for the 2009 Phase IV Street Improvements-Various Streets-Street Resurfacing
This is an additional appropriation from the 2009 Capital Budget to expand the contract of the lowest responsible bidder, DLS Contracting, Inc. to perform additional work at the unit prices bid.
- l. 239-10 Resolution Authorizing A Window Contract for Various Goods and Services
Pursuant to N.J.S.A. 19:44A-20.4 et seq. (New Jersey Local Unit Pay-To-Play laws), the Township must award by resolution all goods and services contracts with a dollar amount between \$17,500.00 and 35,999.00. These contracts are not bid, but vendors are still responsible to provide political contribution and company disclosure information in order to do business with the Township.
- m. *240-10 Resolution Recognizing September 19 - 25, 2010 to be, Mitochondrial Disease Awareness Week*
- n. *241-10 Resolution Authorizing Subordination of Mortgage on Behalf of 47 Ridgeview Avenue, West Orange, NJ*
- o. *242-10 Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Essex County Board of Taxation*
- p. *243-10 Resolution Authorizing An Executive Session - Litigation*

11. ABC Hearing

- a. **ABC** - Hearing and Resolution on Application for Renewal of Plenary Retail Consumption and Distribution Licenses for El Rancho 2010-2011 License with Special Conditions

12. Adjournment