

PUBLIC MEETING AGENDA-Amended

**Township of West Orange
66 Main Street – 7:00 p.m.**

Tuesday, February 9, 2016

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 emailed to the Star Ledger and the West Orange Chronicle on October 14, 2015. 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 October 14, 2015.

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)**

**** Please note that Councilman Cirilo was sworn in on January 1 as Council President at 12 noon.
There was no formal meeting. ****

**Roll Call – Councilwoman Casalino, Councilman Guarino, Councilman Krakoviak,
Councilwoman McCartney, Council President Cirilo (Mayor Parisi)**

- 1. Pledge of Allegiance**
- 2. Public Comment**
- 3. *Consent Agenda**
- 4. *Approval of Minutes of Previous Meeting – Public Meeting and Executive Session 1.19.16**
- 5. *Report of Township Officers-None**
- 6. *Reading of Petitions and Communications and Bids- None**
- 7. *Bills**
- 8. *Resolutions**
 - a. 23-16 Resolution Authorizing an Agreement with Fox Rothschild, LLP, 75 Eisenhower Parkway, Suite 200, Roseland, NJ to Serve as Labor Counsel for the Period of January 1, 2016 through December 31, 2016 at an Hourly Rate of \$175.00 (Legal-Moon)
This resolution would authorize execution of a contract with Fox Rothschild, LLP (“FR”), whereby FR would serve in the capacity of Labor Counsel at an hourly rate of \$175 for the calendar year 2016.
 - b. 24-16 Resolution Authorizing an Agreement to Retain Blau & Blau for the Provision of Commercial Real Estate Tax Appeal Services on a Flat Fee Basis of \$6,000 Per Month for the Balance of Calendar Year 2016 (Legal-Moon)
This resolution would authorize the execution of an agreement with Blau & Blau, Attorneys at Law of the State of New Jersey, to serve as special counsel to the Township in connection with commercial real estate tax appeals.

- c. 25-16 Resolution Authorizing Execution of Interlocal Agreement between the Township and Board of Education which provides for expansion of faculty and administrative parking and construction of a bus lane at the Gregory Elementary School (Legal-Buffman)
This resolution would authorize the execution of an Interlocal Agreement between the Township and Board of Education whereby the Township would fund, through Bond Ordinance No. 2474-16, expansion of the existing faculty and administrative parking and construction of a bus lane in front of the Gregory School.
- d. 26-16 Resolution Authorizing the Appointment of Joseph M. Wenzel, Esq. to the Position of Municipal Prosecutor for a One Year Term at the rate of \$1000 per week for the period of February 1, 2016 to December 31, 2016 (Legal-Moon)
- e. 27-16 Resolution Authorizing an Agreement with H2M Associates, Inc., 119 Cherry Hill Rd., Parsippany, NJ to Provide Municipal Planning Services for the Period of January 1, 2016 through December 31, 2016 (Legal-Moon)
This resolution would authorize the execution of a contract with H2M Associates, Inc. ("H2M"), whereby H2M would provide municipal planning services for the calendar year 2016 at rates specified in the contract.
- f. 28-16 Resolution Authorizing an Agreement with Hendricks Appraisal Company, Inc., 7 Hutton Avenue, West Orange, NJ to Provide Appraisal Services to the Township for the Period of January 1, 2016 through December 31, 2016 at an Hourly Rate of \$150. (Legal-Moon)
This resolution would authorize the execution of a contract with Hendricks Appraisal Company, LLC ("Hendricks"), whereby Hendricks would provide appraisal services for the calendar year 2016 at the hourly rate of \$150.
- g. 29-16 Resolution Authorizing an Agreement with McEnerney, Brady & Company, LLC, 293 Eisenhower Parkway, Livingston, NJ to Audit the Regulatory Basis Financial Statements of the Various Funds of the Township for the Period of January 1, 2016 through December 31, 2016 at the Rate of \$52,500. Per Audit (Legal-Moon)
This resolution would authorize the execution of a contract with McEnerney, Brady & Company, LLC ("MBC"), whereby MBC would provide auditing services for the calendar year 2016 at rates specified in the contract.
- h. 30-16 Resolution Authorizing an Agreement with Ellen O'Connell of Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Rd., Suite 204, Parsippany, NJ to Provide Services as Hearing Officer for the Period of January 1, 2016 through December 31, 2016 at an Hourly Rate of \$175.00 (Legal-Moon)
This Resolution would authorize execution of a contract with Ellen O'Connell, Esq. of Inglesino Webster ("Ms. O'Connell"), whereby Ms. O'Connell would serve in the capacity of Hearing Officer at an hourly rate of \$175 for the calendar year 2016.
- i. 31-16 Resolution Authorizing Execution of Agreement with NW Financial Group, LLC to Provide Financial Consulting Services (Legal-Moon)
This resolution would authorize the execution of a contract with NW Financial Group, LLC ("NW"), whereby NW would provide financial consulting services for the calendar year 2016 at the rates specified in the contract.
- j. 32-16 Resolution Authorizing West Orange Township Office of Emergency Management to Accept Funds from a Sub-grant Award of the Federal Year 2015 of Emergency Management Agency Assistance Program Funding and for the CFO to Amend the Budget and Certify the Availability of Funds (Fire-Wagner)

- k. 33-16 Resolution Authorizing an Agreement with Wayne DeFeo, 15 Washington Valley Rd., Warren Township, NJ to Serve as Environmental Compliance Officer for the Period of January 1, 2016 through December 31, 2016 (Legal-Moon)
This resolution would authorize the execution of a contract with Wayne DeFeo (“DeFeo”), whereby DeFeo would serve as environmental compliance officer during the calendar year 2016 at rates specified in the contract.
- l. 34-16 Resolution Authorizing an Agreement with Bowman Consulting Company, 54, Horsehill Road, Cedar Knolls, NJ to Provide Municipal Planning Services to the Township for the Period of January 1, 2016 through December 31, 2016 (Legal-Moon)
This resolution would authorize the execution of a contract with Bowman Consulting Company whereby Bowman would provide municipal planning services for the calendar year 2016 at rates specified in the contract.
- m. 35-16 Resolution Authorizing an Agreement with The Shade Tree Department, LLC, P.O. Box 6089, West Orange, NJ to Provide Forestry Services for the Period of January 1, 2016 through December 31, 2016 at an Hourly Rate of \$80.(Legal-Moon)
This resolution would authorize the execution of a contract with Shade Tree Department, LLC (“Shade Tree”), whereby Shade Tree would provide forestry services for the calendar year 2016 at the hourly rate of \$80.
- n. 36-16 Resolution Authorizing an Agreement with McManimon, Scotland & Bauman, LLC, 75 Livingston Avenue, Roseland, NJ as Redevelopment Counsel for the Period of January 1, 2016 through December 31, 2016 (Legal-Moon)
This resolution would authorize execution of a contract with McManimon, Scotland & Baumann, LLC (“MSB”), whereby MSB would serve in the capacity of Redevelopment Counsel at hourly rates specified in the contract.
- o. 37-16 Resolution Authorizing an Agreement to Retain Bourne, Noll & Kenyon, 382 Springfield Ave., Summit, NJ as Special Counsel for the Provision of Non Commercial Real Estate Tax Appeal Services on a Flat Fee Basis of \$3,250. Per Month Period of January 1, 2016 through December 31, 2016 (Legal-Moon)
This resolution would authorize execution of a contract with Bourne, Noll & Kenyon, whereby (Bourne, Noll & Kenyon) would serve in the capacity of Special Counsel at the rate specified in the contract.
- p. 38-16 Resolution Authorizing the Township’s Application for the Municipal Alliance Grant for the Fiscal year 2017 (Legal-Moon)
This resolution authorizes the Township to proceed with an application for Municipal Alliance Grant for the fiscal year 2017. The Municipal Alliance Grant is provided through the Governor’s Council on Alcoholism and Drug Abuse that funds local prevention and treatment programs.
- q. 39-16 Resolution Authorizing the Execution of the Professional Services Agreement with Fairview Insurance as Insurance Broker for 2016 (Legal-Moon)
This resolution authorizes the execution of a professional services agreement with Fairview Insurance for service as insurance broker. Pursuant to the terms of the agreement, Fairview insurance is compensated from the Third Party Administrator and/or insurance carrier depending on the category of coverage.
- r. 40-16 Resolution Authorizing the Execution of the Professional Services Agreement with Harvey Grossman, Esq. to Serve as Public Advocate for 2016 (Legal-Moon)
This resolution authorizes the execution of a professional services agreement with Harvey Grossman, Esq. to continue his retention as Public Advocate for 2016. As the Public Advocate, Mr. Grossman shall continue to represent the public interest before various local, state and

federal bodies, including the Township's Planning Board and Zoning Board of Adjustment. Pursuant to the terms of the professional services agreement, Mr. Grossman shall receive an annual rate of \$3,500 per year.

- s. 41-16 Resolution Authorizing an Agreement with Associated Appraisal Group, Inc., 6 Commerce Drive, Third Floor, Cranford, NJ for Residential Appraisal Services for Calendar Year 2016 Pursuant to Terms Set Forth in Contract (Legal-Moon)
- t. 42-16 Resolution Authorizing an Agreement with Scarinci Hollenbeck, LLC, 1100 Valley Brook Avenue, Lyndhurst, NJ to Serve as Labor Counsel for the Period of January 1, 2016 through December 31, 2016 at an Hourly Rate of \$150.00 (Legal-Moon)
This resolution would authorize execution of a contract with Scarinci Hollenbeck, LLC ("SL"), whereby SL would service in the capacity of Labor Counsel at an hourly rate of \$150 for the calendar year 2016.
- u. 43-16 Resolution Authorizing an Agreement with Community Action Services, P.O. Box 6025, East Brunswick, NJ to Provide Housing Rehabilitation Services to the Township for the Period of January 1, 2016 through December 31, 2016 (Legal-Moon)
This resolution would authorize the execution of a contract with Community Action Services ("CAS"), whereby CAS would provide housing rehabilitation consulting services for the calendar year 2016 at rates specified in the contract.
- v. 44-16 Resolution Authorizing an Agreement with Shirley Bishop, P.P., LLC, 100 Overlook Center, Floor 2, Princeton, NJ for Housing Consulting Services for the Period of January 1, 2016 through December 31, 2016 at an Hourly Rate of \$165.00 (Legal-Moon)
This resolution would authorize the execution of a contract with Shirley M. Bishop, P.P., LLC ("Bishop"), whereby Bishop would provide housing consulting services for the calendar year 2016 at the hourly rate of \$165.00
- w. 45-16 Resolution Authorizing an Agreement with Alice Beirne, Esq. as Zoning Board Attorney for the Period of January 1, 2016 through December 31, 2016 (Legal-Moon)
This resolution authorizes the execution of a professional services agreement with Alice Berne, Esq. retaining Ms. Beirne as the Zoning Board Attorney for 2016. Pursuant to the terms of the professional services agreement, Ms. Beirne will be paid an annual rate of \$3,500 per year.
- x. 46-16 Resolution Authorizing an Agreement with Gibbons, PC, One Gateway Center, Newark, NJ as Bond Counsel for the Period of January 1, 2016 through December 31, 2016 at an Hourly Rate of \$ 195.00 (Legal-Moon)
- y. 47-16 Resolution Authorizing the Submission of the Sustainable Grant Application (Legal-Moon)
This resolution authorizes the Township to apply for a grant from the Sustainable Jersey program which provides resources to municipalities to make progress on sustainability issues. Passage of an authorizing resolution is a prerequisite for the grant application.
- z. 48-16 Resolution Authorizing an Agreement with Kenneth W. Kayser, Esq., 120 Eagle Rock Avenue, East Hanover, NJ for the Period of January 1, 2016 through December 31, 2016 (Legal-Moon)
This Resolution would authorize the execution of agreements with the Assistant Township Attorney for a term of one year. The Assistant Township Attorney is paid at an annual rate of \$31,500.
- aa. 49-16 Resolution Authorizing an Increase in the Hourly Billing Rate for Adversarial Matters Under the Attorney Billing Guidelines (Legal-Moon)

- bb. 50-16 Resolution Authorizing the Execution of the Professional Services Agreement with Comprehensive Psychological Services, P.A., 623 Raritan Road, Clark, NJ as Psychological Consultant for the Period of January 1, 2016 through December 31, 2016 (Legal-Moon)
- cc. 51-16 Resolution Authorizing the Retention of Judge Gallipoli as a Confidential Personnel Investigator (Legal-Moon)
A personnel complaint was filed related to the West Orange Municipal Court. This resolution authorized the Township to retain the Honorable Maurice J. Gallipoli, A.J.S.C. (retired) as a confidential personnel investigator to investigate the personnel complaint as a neutral third party investigator. Pursuant to the terms of the Agreement with Judge Gallipoli will bill at a rate of \$350 per hour but his billing will be capped at \$5,000 for the entirety of his investigation.
- dd. 52-16 Resolution to Auction Abandoned Vehicles Through Designated Towing Companies (DeSantis)
- ee. 53-16 Resolution Authorizing the Execution of a Professional Services Agreement with Fairview Insurance as Risk Management Consultant (Legal-Moon)
This resolution authorizes the retention of Fairview Insurance as the Township's Risk Management Consultant. Pursuant to the terms of the Agreement, Fairview Insurance will be compensated by 7% of the Township's annual assessment paid to the Joint Insurance Fund
- ff. 54-16 Resolution Authorizing the Execution of a Professional Services Agreement with Allied Risk Management Services as Risk Management Consultant for 2016 (Legal-Moon)
This resolution authorizes Allied Risk Management Services to continue as a Risk Management Consultant on behalf of the Township for 2016. Pursuant to the terms of the agreement, Allied Risk Management Services shall be paid an annual rate of \$24,000 to be made in quarterly payments of \$6,000.
- gg. 55-16 Resolution Authorizing the execution of the Professional Services Agreement with Phillips Preiss Grygiel as to Paul Grygiel's Reappointment as the Township's Planning Director for 2016 (Legal-Moon)
This resolution authorizes the execution of a professional services agreement with Phillips Preiss Grygiel to continue the retention of Paul Grygiel as the Township's Municipal Planning Director for 2016. Pursuant to the terms of the agreement, Phillips Preiss Grygiel shall be paid a monthly rate of \$2,400. for services that are non-escrow reimbursable. For all services that are reimbursable from escrow Phillips Preiss Grygiel shall be reimbursed pursuant to the rates set forth in the professional services agreement paragraph 2.
- hh. 56-16 Resolution Authorizing Reimbursement Costs for Private Garbage Collection for the Period of January 1, 2015 through December 31, 2015 to Private Home Owner Associations/Individuals (Gross)
- ii. 57-16 Duplicate
- jj. 58-16 Resolution Authorizing the execution of the Professional Services Agreement with Patrick Dwyer, Esq. as Planning Board Attorney for 2016 (Legal-Moon)
This resolution authorizes the execution of a professional services agreement with Patrick Dwyer, Esq. to continue his retention as Planning Board Attorney for 2016. Pursuant to the professional services agreement, Mr. Dwyer will be paid an annual rate of \$3,500 per year.
- kk. 59-16 Resolution Authorizing the Appointment of Alicia Skinner t/a Skinner Consulting Services as the Township's Grant Writer (Legal-Moon)

This resolution authorizes the Township to continue retention of Alicia Skinner as the Township's Grant Writer on a month to month basis until such time as the Township can retain a new Grant Writer. Mr. Skinner shall be paid at a monthly rate of \$2,333.33 per month, consistent with her prior contract with the Township.

ll. 60-16 Resolution Authorizing the Issuance of Raffle Licenses (Clerk)

9. Ordinances on Second and Final Reading

- a. 2472-16 An Ordinance Amending and Supplementing Chapter X of the Revised General Ordinances of the Township of West Orange, Entitled "Animals", Adding Section 10-15, Et Seq. to Permit the Managed Care of Feral Cats (Legal-Kayser)
- b. 2473-16 An Ordinances Amending Chapter 12, Sections 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.14, and 8.16 of the Revised General Ordinances of the Township of West Orange - (Tobacco Product Vending Machines) (Legal-Moon)
- c. 2474-16 Bond Ordinance Authorizing Parking Improvements at Gregory School in and for the Township of West Orange, in the County of Essex, New Jersey, Appropriating \$375,000 Therefore and Authorizing the Issuance of \$357,140 Bonds or Notes to Finance Part of the Cost Thereof (Draikewicz)
- d. 2475-16 Bond Ordinance Authorizing Various Capital Improvements in and for the Township of West Orange, in the County of Essex, New Jersey Appropriating \$7,378,635 Therefore and Authorizing the Issuance of \$7,027,266 Bonds or Notes to Finance Part of Cost Thereof (Draikewicz)

10. Ordinances on First Reading

- a. 2476-16 An Ordinance Amending the Revised General Ordinances of the Township of West Orange, Chapter 23, Section 1.1, Establishing Fees and Rates at Ginny Duenkel Pool for the 2016 Season (Legal-Moon)
- b. 2477-16 An Ordinance Amending Chapter 25, Sections 4(b), 7.1 and 9.12 of the Revised General Ordinances of the Township of West Orange (Standby Power Generators) (Legal-Moon)

11. ABC Hearing-None

12. Adjournment

**The Council President may at his/her discretion modify with consent the order of business at any meeting of the Council if he/she deems it necessary and appropriate.
(1972 Code § 3-8; Ord. No. 726-84; Ord. No. 1157-93; Ord. No. 2128-07 § II)**

Agenda is subject to change.