

# **REVISED**

## **PUBLIC MEETING AGENDA**

**Township of West Orange**

**66 Main Street – 7:00 p.m.**

**March 21, 2023**

**Meeting No. 8**

**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.**

### **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)**

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

- 1. Public Comment**
- 2. \*Consent Agenda**
- 3. \*Approval of Minutes of Previous Meeting – Public Meeting and Executive Session March 7, 2023**
- 4. \*Report of Township Officers - None**
- 6. \*Reading of Petitions and Communications and Bids - None**
- 7. \*Bills-None**
- 8. \*Resolutions**
  - a. 74-23 Resolution Authorizing a Contract with Johnston G.P d/b/a Johnston Communication's, for the Purchase of 911 Software, Equipment, Warranties and Service Plan of the Emergency 911 System Utilized by the West Orange Police Department (the "WOPD") for a Total Cost of \$462,912.56 (Reynolds)**
  - b. 75-23 Resolution Authorizing the Execution of a Professional Services Agreement with Blau and Blau, 223 Mountain Avenue, Springfield, NJ to Serve as the Special Tax Counsel for Commercial Properties for the Township for 2023 at a Flat Fee Rate of \$6,000. Per Month (Legal-Trenk)**
  - c. 76-23 Resolution Authorizing a Professional Services Agreement with Diana McGovern, Esq. to serve as the Planning Board Attorney for the Township of West Orange for the Period of January 1, 2023 through December 31, 2023 at the rates specified in the agreement (Legal-Trenk)**
  - d. 77-23 Resolution Authorizing a Professional Service 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, 2023 through December 31, 2023 at an Hourly Rate of \$150. (Legal-Trenk)**
  - e. 78-23 Resolution Authorizing Phillips, Preiss. Grygiel. Leheny. Hughes, LLC, 70 Hudson Street, Suite 5B, Hoboken, NJ to Provide Planning Director Services for Calendar Year 2023 at the Rates specified in the Agreement (Legal-Trenk)**

- f. 79-23** Resolution authorizing the Execution of a Professional Services Agreement with Community Action Services, P.O. Box 6025, East Brunswick, NJ for Housing Rehabilitation Services for the Township for 2023 at the Rates Specified in the Agreement (Legal-Trenk)
- g. 80-23** Resolution Authorizing the Execution of a Professional Services Agreement with Richard Trenk, Esq., Trenk Isabel Siddiqi & Shahdanian, PC, 290 W. Mt. Pleasant Avenue, Suite 2350, Livingston, New Jersey 07039 to Serve as Township Attorney, and other Members of Trenk Isabel Siddiqi & Shahdanian, PC, to Assist Him at his Direction and at No Additional Cost for Non-Litigated Matters and for which the Firm is not hired as Special Counsel for 2023 at the Rates specified in the Agreement (Legal-Kayser)
- h. 81-23** Resolution Authorizing Retention of Antonelli Kantor, P.C., 354 Eisenhower Pkwy., Suite 1000, Livingston, NJ, as Special ABC Prosecutor for the Period January 1, 2023 through December 31, 2023 at an Hourly Rate of \$165.00 (Legal-Trenk)
- i. 82-23** Resolution Authorizing Retention of Antonelli Kantor, P.C., 354 Eisenhower Pkwy., Suite 1000, Livingston, NJ, as Labor Counsel for the Period January 1, 2023 through December 31, 2023 at an Hourly Rate of \$200. for Attorneys and \$85. for Paralegals (Legal-Trenk)
- j. 83-23** Resolution Authorizing the Execution of a Professional Services Agreement with Wayne DeFeo, 15 Washington Valley Rd., Warren Township, NJ to Serve as the Environmental Compliance Officer for the Township for 2023 at the Rates Specified in the Agreement (Legal-Trenk)
- k. 84-23** Resolution Authorizing the Execution of a Professional Services Agreement with Battaglia Associates, 25 Sandalwood Drive, Warren, New Jersey 07059 to Serve as Consultant to Provide Miscellaneous Services for the Township for 2023 at the Rates Specified in the Agreement (Legal-Trenk)
- l. 85-23** Resolution Authorizing Execution of Professional Services Agreement with Associated Appraisal Group, 6 Commerce Drive, 3<sup>rd</sup> Floor, Cranford, NJ for Appraisal Services – 2023 for an Amount NTE \$60,000. (Legal-Trenk)
- m. 86-23** Resolution Authorizing the Execution of a Professional Services Agreement with CME Associates, 1460 Rte. 9 South, Howell, NJ for Engineering Services for the Township for 2023 at the Rates Specified in the Agreement (Legal-Trenk)
- n. 87-23** Resolution Of The Township Of West Orange, In The County Of Essex, New Jersey, Determining The Form And Other Details Of Its Phase Ii, Phase Iii, And Phase Iv Notes, Each Entitled “Note Relating To The Water Bank Construction Financing Program Of The New Jersey Infrastructure Bank”, To Be Issued In The Principal Amount Of Up To \$1,575,000, \$6,405,000 And \$1,065,000, Respectively, And Providing For The Issuance And Sale Of Such Notes To The New Jersey Infrastructure Bank, And Authorizing The Execution And Delivery Of Such Notes By The Township Of West Orange In Favor Of The New Jersey Infrastructure Bank, All Pursuant To The New Jersey Infrastructure Bank Water Bank Construction Financing Program (Gross)
- o. 88-23** Resolution Authorizing an Award of 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 Remediation of Contaminated Soil and Groundwater at the old DPW Garage, 6-8 Lindsley Avenue, Associated with a Former Leaking Underground Storage Tank, for a Fee NTE \$113,750.00. (Carballo)
- p. 89-23** Resolution Rescinding Resolution No. 11-23 dated January 10, 2023 which Awarded a Contract to CFM Construction, Inc. for the Project Restoration of the Ginny Duenkel Pool Improvements, West Orange, N.J. (Carballo)
- q. 90-23** Resolution Requesting that the County of Essex Install High Visibility Crosswalks with Pedestrian Crossing and Advance Pedestrian Crossing Signs along Gregory Avenue, South of the Gregory School Located at the Intersection of Gregory Avenue and Walker Road (Carballo)
- r. 91-23** Resolution-Appropriation Transfer Pursuant To N.J.S.A 40a:4-58 (Gross)
- s. 92-23 REMOVED**

- t. 93-23** Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- u. 94-23** Resolution Authorizing The Collector Of Taxes To Refund Payment To The Listed Taxpayer Due To A Duplicate Payment Of 2022 Annual Sewer Charge (Longo)
- v. 95-23** Resolution Authorizing a Contract Between The Township Of West Orange And CGP&H, LLC for Administrative Agent Services For Affordable Housing (Legal-Trenk)
- w. 96-23** Resolution Authorizing the Execution of a Professional Services Agreement with Alice Beirne, Esq., 111 Northfield Avenue, Suite 202, West Orange, NJ, to Serve as Zoning Board Attorney for the Township for 2023 at the Rates Specified in the Agreement (Legal-Trenk)
- x. 97-23** Resolution Authorizing the Execution of a Professional Agreement with Fernando Marlin, Esq., 111 Northfield Avenue, West Orange, to serve as the Public Defender for the Municipal Court for the Township for 2023 at a Rate of \$350. Per Court Session (Legal-Trenk)
- y. 98-23** Resolution Authorizing the Execution of a Professional Services Agreement with Bourne Noll & Kenyon, 382 Springfield Avenue, Summit, NJ to Serve as Special Tax Counsel (Residential Properties) for the Township for 2023 at a Flat Rate of \$3,250. Monthly (Legal-Trenk)
- z. 99-23** Resolution Authorizing the Execution of a Professional Services Agreement with Steinhart, Cappelli, Tipton and Taylor, LLC, 430 Mountain Avenue, Suite 103, New Providence, NJ to Serve as Labor Attorney for the Township for 2023 at the Rates Specified in the Agreement (Legal-Trenk)
- aa. 100-23** Resolution Authorizing a Professional Services Agreement with NW Financial Group, LLC to Provide Financial Consulting Services for the Calendar Year 2023 at the Rates specified in the Agreement (Legal-Trenk)
- bb. 101-23** Resolution Authorizing a Professional Services Agreement with PKF O'Connor Davies, 20 Cranford Drive, Suite 301, Cranford, NJ 07016, for appointment as the Township Auditor for the Period January 1, 2023 through December 31, 2023 at the Rate of \$56,000 per Audit. (Legal-Trenk)
- cc. 102-23** Resolution Authorizing a Professional Services Agreement with Allied Risk Management Services as Risk Management Consultant for the West Orange Insurance Fund Commission for the Period January 1, 2023 through December 31, 2023 at a Total Cost of \$24,000. (Legal-Trenk)
- dd. 103-23** Resolution Authorizing the Execution of a Professional Services Agreement with Joseph Wenzel, Esq. to Serve as the Township's Municipal Prosecutor the for the Period January 1, 2023 through December 31, 2023 at the Rate of \$1,000. Per Week. (Legal-Trenk)
- ee. 104-23** Resolution Authorizing the Execution of a Professional Services Agreement with Ellen O'Connell, Esq., Price, Meese, Shulman & D'Arminio, PC, 50 Tice Blvd., #380, Woodcliff Lake, NJ to Serve as the Hearing Officer for the Township for 2023 at an Hourly Rate of \$185. (Legal-Trenk)
- ff. 105-23** Resolution Authorizing the Execution of a Professional Agreement with Wilentz, Goldman, & Spitzer, P.A., 90 Woodbridge Center Drive, Woodbridge, NJ to serve as Redevelopment Counsel for the Township for 2023 at the Rates Specified in the Agreement (Legal-Trenk)
- gg. 106-23** Resolution Authorizing the Execution of a Professional Agreement with Wilentz, Goldman, & Spitzer, P.A., 90 Woodbridge Center Drive, Woodbridge, NJ to serve as Bond Counsel for the Township for 2023 at the Rates Specified in the Agreement (Legal-Trenk)
- hh. 107-23** Resolution Authorizing the Execution of a Professional Agreement with Sarabraj S. Thapar, 642 Broad Street, Clifton, NJ 07013 to Serve as Public Advocate for the Township for 2023 at the Rates Specified in the Agreement (Legal-Trenk)
- ii. 108-23** Resolution authorizing Submission of Grant Application for West Orange Municipal Alliance Committee for DHMAS Grant Funding (L. VanDyke)

- jj. 109-23** Resolution Authorizing the Execution of a Professional Services Agreement with Fox Rothschild, LLP, 49 Market Street, Morristown, NJ to Serve as Labor Attorney for the Township for 2023 at the Rates Specified in the Agreement (Legal-Trenk)
- kk. 110-23** Resolution Authorizing a Professional Services Agreement with Ken Kayser, Esq. to Serve as Assistant Township Attorney for the Term Beginning January 1, 2023 through December 31, 2023 at an Annual Rate of \$31,500. (Legal-Trenk)
- ll. 111-23** Resolution Authorizing a Professional Services Agreement with NW Financial Group, LLC to Provide Financial Consulting Services for the Calendar Year 2023 at the Rates specified in the Agreement (Legal-Trenk) **(Agreement to follow)**
- mm. 112-23** Resolution Authorizing the Execution of a Professional Services Agreement with Richard Trenk, Esq., Trenk Isabel Siddiqi & Shahdanian, PC, 290 W. Mt. Pleasant Avenue, Suite 2350, Livingston, New Jersey 07039 to Serve as Labor Counsel for 2023 at the Rates specified in the Agreement (Legal-Kayser)
- nn. 113-23** Resolution Authorizing the Execution of a Professional Services Agreement with Richard Trenk, Esq., Trenk Isabel Siddiqi & Shahdanian, PC, 290 W. Mt. Pleasant Avenue, Suite 2350, Livingston, New Jersey 07039 to Serve as Litigation Counsel for 2023 at the Rates specified in the Agreement (Legal-Kayser)
- oo. 114-23** Resolution to Authorize the Purchase and Installation Low Voltage Wiring through the Union County Cooperative Pricing System Contracts # UCCP 8-2022 IT Infrastructure, Fiber Optic Network Advanced Applications and Services (P. Reynolds)

## **9. Ordinances on Second and Final Reading**

- a. 2713-23** An Ordinance Amending Chapter 25, Section 47.5 of the Revised General Ordinances of the Township Of West Orange (Legal-Trenk)
- b. 2715-23** 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) (Legal-Moon)

## **10. Ordinances on First Reading**

- a. 2718-23** An Ordinance Amending Chapter 25, Sections 24.7(F) And 24.7(G) Of The Revised General Ordinances Of The Township Of West Orange (Filming-Fees) (Legal-Trenk)
- b. 2719-23** An Ordinance Amending Chapter 25, Section 27.6 Of The Revised General Ordinances Of The Township Of West Orange (Fees) (Legal-Trenk)
- c. 2720-23** An Ordinance Amending Chapter 25, Section 56 Of The Revised General Ordinances Of The Township Of West Orange (Escrow Schedule) (Legal-Trenk)
- d. 2721-23** An Ordinance Amending Chapter 25, Section 55.1 Of The Revised General Ordinances Of The Township Of West Orange (Escrow Schedule)(Legal-Trenk)
- e. 2722-23** An Ordinance Amending Chapter 25, Section 27.11 Of The Revised General Ordinances Of The Township Of West Orange (Violations And Penalties) (Legal-Trenk)
- f. 2723-23** An Ordinance Amending Chapter 25, Section 40.2(D) Of The Revised General Ordinances Of The Township Of West Orange (Certificate Of Occupancy Permit) (Legal-Trenk)
- g. 2724-23** An Ordinance Amending Chapter 25, Section 12.4 Of The Revised General Ordinances Of The Township Of West Orange (Supplemental Parking And Loading Space Regulations) (Legal-Trenk)

- h. 2725-23** An Ordinance Amending Chapter 25, Section 11.12 Of The Revised General Ordinances Of The Township Of West Orange (Outdoor Seasonal Sales) (Legal-Trenk)
- i. 2726-23** An Ordinance Amending Chapter 25, 24.2(b)(2)(j)(6) Of The Revised General Ordinances Of The Township Of West Orange (Conditional Uses) (Legal-Trenk)
- j. 2727-23** An Ordinance Amending Chapter 25, Section 16.18 Of The Revised General Ordinances Of The Township Of West Orange (Security Enclosures) (Legal-Trenk)
- k. 2728-23** An Ordinance Amending Chapter 25, Section 15.5 Of The Revised General Ordinances Of The Township Of West Orange (Permits) (Legal-Trenk)
- l. 2729-23** An Ordinance Amending Chapter 25, Section 15.3(c)(1)(c)(7) Of The Revised General Ordinances Of The Township Of West Orange (Allowed Signage-Sidewalk Signs) (Legal-Trenk)
- m. 2730-23** An Ordinance Amending Chapter 14, Sections 20.4 And 20.7 Of The Revised General Ordinances Of The Township Of West Orange (Penalties For Failure To Report And Penalties For Failure To Maintain Property) (Legal-Trenk)
- n. 2731-23** An Ordinance Amending Chapter 14, Section 19.7 Of The Revised General Ordinances Of The Township Of West Orange (Bonds) (Legal-Trenk)
- o. 2732-23** An Ordinance Amending Chapter 1, Section 5.1 Of The Revised General Ordinances Of The Township Of West Orange (Maximum Penalty) (Legal-Trenk)
- p. 2733-23** An Ordinance Amending Chapter 14, Section 17.4 Of The Revised General Ordinances Of The Township Of West Orange (Compliance with Order and Reinspection) (Legal-Trenk)
- q. 2734-23** An Ordinance Amending Chapter 25, Section 11.11 Of The Revised General Ordinances Of The Township Of West Orange (Outdoor Sales) (Legal-Trenk)
- r. 2735-23** An Ordinance Amending Chapter 25, Section 11.10 Of The Revised General Ordinances Of The Township Of West Orange (Outdoor Cafes in the B-1, B-2 and PC Districts) (Legal-Trenk)
- s. 2736-23** An Ordinance Amending Chapter 25, Section 9.11 Of The Revised General Ordinances Of The Township Of West Orange (Portable Storage Containers) (Legal-Trenk)
- t. 2737-23** An Ordinance Amending Chapter 25, Section 8.4 Of The Revised General Ordinances Of The Township Of West Orange (Walls and Fences) (Legal-Trenk)
- u. 2738-23** Ordinance Of The Township Of West Orange, In The County Of Essex, State Of New Jersey (The “Township”) Providing For A Special Emergency Appropriation In An Amount Not To Exceed \$2,500,000 To Fund The Preparation And Execution Of A Complete Program Of Revaluation Of Real Property In The Township (Gross)
- v. 2739-23** An Ordinance Adding Chapter 5, Article Viii Section 35.1 Through 35.24, To The Revised General Ordinances Of The Township Of West Orange (Public Event Permits) (Legal-Trenk)

**11. Pending Matters/New Matters/Council Discussion**

**12. ABC Hearing-None**

**13. 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.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/81399005594?pwd=ZjgzTWZ2ckkzWEVqYWluTjZyUGJHZz09>

Webinar ID: 813 9900 5594

Passcode: 722576

**Next Meeting Date(s): April 4, 2023**