

# **REVISED**

## **PUBLIC MEETING AGENDA**

**Township of West Orange**

**66 Main Street – 7:00 p.m.**

**Tuesday, January 28, 2025-Meeting No. 2**

**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 notice for this meeting was emailed to the Star Ledger and the West Orange Chronicle on **January 7, 2025** and published in the West Orange Chronicle on **January 16, 2025**.**

### **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, Councilwoman Rudin, Councilwoman Scarpa, Council President Krakoviak Mayor McCartney**

**1. Public Comment**

**2. \*Consent Agenda**

**3. \*Approval of Minutes of Previous Meeting – Special Meeting - December 20, 2024 and Public Meeting January 6, 2025**

**4. \*Report of Township Officers - None**

**6. \*Reading of Petitions and Communications and Bids - None**

**7. \*Bill List - None**

**8. \*Resolutions**

- a. 7-25 Resolution Appointing Geniece Gary-Adams, Zoning Official as Municipal Housing Liaison (Legal-Gengaro)**
- b. 9-25 Resolution Authorizing Memorandum of Understanding between the Township of West Orange and Family Connections/Adapt Youth Leadership Coalition (Legal-Gengaro)**
- c. 16-25 Resolution Awarding an Extension of Contract in 2025 for an Additional One Year Period to Rich Tree Service, Inc., 325 Bergen Street, South Plainfield, N.J. 07080 and Downes Tree Service Co., Inc., 65 Royal Avenue, Hawthorne, N.J. 07970 for Emergency and Non-Emergency Tree Services 2025 (P. Reynolds)**
- d. 17-25 Resolution Awarding an Extension of Contract in 2025 for an Additional One Year Period for Tree Removal Services to Rich Tree Service, Inc., 325 Bergen Street, South Plainfield, N.J. 07080, as the Lowest Responsible Bidder for Trees Under 16” Diameter, Beucler Tree Experts, 48 Harold Street, Tenafly, N.J. 07670, as the Lowest Responsible Bidder for Trees Between 16” and 36” in Diameter and Downes Tree Service Co., Inc., 65 Royal Avenue, Hawthorne, N.J. 07970, as the Lowest Responsible Bidder for Trees Above 37” in Diameter (P. Reynolds)**

- e. **26-25** Resolution Authorizing Professional Land Surveying and Engineering Services for the LTPF FY 2024 NJDOT Local Transportation Project Funds Valley Road, Union Street, Nassau Street and Wheatland Road Improvements to Greenman Pedersen, Inc., 301 Gibraltar Drive, Suite 2A, Morris Plains, NJ 07950 in an Amount NTE 27,495.00 (Carballo)
- f. **27-25** Resolution Authorizing the Township of West Orange to Apply For and Obtain a Grant from the NJ Department of Community Affairs for Approximately \$100,000.00 to Carry Out a Project to Lafayette Park Futsal Court Improvements in West Orange (Kehoe)
- g. **28-25 PUBLIC HEARING** and Adoption of Downtown West Orange Alliance Special Improvement District 2025 Budget (Brill)
- h. **29-25** Resolution Authorizing the 2024 Reimbursement for Services to Private Communities – Street Lighting (Carballo)
- i. **30-25** Resolution Authorizing the Rejection of the Five Bids Received for Lake Vincent Walkway Improvements (Carballo)
- j. **31-25** Resolution Authorizing Disposal of Surplus Property (P. Reynolds)
- k. **32-25** Resolution Authorizing a Discharge of Mortgage for Property Located at 8 High Street (Legal-Moon)
- l. **33-25** Resolution Approving Proposal from Hendricks regarding Appraisals Services for Rock Spring Golf Club (Legal-Trenk)
- m. **34-25** Resolution Authorizing Disposal of Equipment – Obsolete Mail Machine (P. Reynolds)
- n. **35-25** Resolution Authorizing the 2024 Leaf Collection costs to Llewellyn Park (Carballo)
- o. **36-25** Resolution Approving Proposal from McNerney Associates regarding Appraisals Services for Rock Spring Golf Club (Legal-Trenk)
- p. **37-25** Resolution Authorizing an Emergency Appropriation in an Amount Not to Exceed \$53,870.54 to American Asphalt and Trucking for Emergency Purchase and Delivery of 456.53 Tons of Road Salt (P. Reynolds)
- q. **38-25** Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- r. **39-25** Resolution Authorizing Service Agreement for Goose Control Technology – 2025
- s. **40-25** Resolution Appointing the Township of West Orange Purchasing Agent, Panayiota Reynolds as the Public Agency Compliance Officer (Ditinyak)
- t. **41-25** Resolution to Authorize the Purchase of 9-1-1 Recording Equipment, as Part of the Continued Upgrades to the Communications Center (P. Reynolds)
- u. **42-25** Resolution Authorizing an Executive Session for the Purpose of Discussing a Matter of Pending or anticipated litigation or contract negotiation specifically **Evaluation of Fourth Round Housing Obligation** (Legal-Trenk)
- v. **43-25** Resolution Authorizing a Professional Services Contract for Provide Professional Land Surveying Services for the West Orange Rock Spring Golf Course Green Acres Survey to E2 Project Management, LLC, 87 Hibernia Avenue, Rockaway, NJ 07866, in an Amount NTE \$62,990.00. (Carballo)

- w. **44-25** A Resolution Approving Proposal from Matrix New World for Environmental Services at the Property Located at 25 Lakeside Avenue, West Orange, for Long Term Monitoring for Vapor Intrusion Investigation and NJDEP Submission in an Amount NTE \$21,960.00 (Carballo)
- x. **45-25** Resolution Authorizing an Emergency Appropriation in an Amount NTE \$64,574.42.00 to Grabowski Construction, Inc., 760 Northfield Ave., West Orange, NJ, 07052 for Emergency Sanitary Sewer Construction to the Township's Sanitary Sewer Main Located in Front of 546 Valley Road (Carballo)
- y. **46-25** Resolution Authorizing the Execution of a Professional Service Agreement with Wilentz, Goldman, & Spitzer, P.A., 90 Woodbridge Center Drive, Woodbridge, NJ to serve as Bond Counsel for the Township for 2025 at the Rates Specified in the Agreement (Legal-Trenk)
- z. **47-25** Resolution Authorizing the Execution of a Professional Services Agreement with Fox Rothschild, LLP, 49 Market Street, Morristown, NJ to Serve as Labor Counsel for the Township for 2025 at the Rates Specified in the Agreement (Legal-Trenk)
- aa. **48-25** Resolution Authorizing Retention of Antonelli Kantor, P.C., 354 Eisenhower Pkwy., Suite 1000, Livingston, NJ, as Labor Counsel for the Period January 1, 2025 through December 31, 2025 at an Hourly Rate of \$200.00 for Attorneys and \$85.00 for Paralegals NTE \$90,000 (Legal-Trenk)
- bb. **49-25** Resolution Authorizing Retention of King Moench & Collins, LLP, 51 Gibraltar Drive, Suite 2F, Morris Plains, New Jersey 07950, as Labor Counsel for the Period January 1, 2025 through December 31, 2025 at an hourly rate of \$175.00 for partners and counsel; \$150.00 for associates; and \$85 for paralegals NTE \$90,000.00 (Legal-Trenk)
- cc. **50-25** Resolution Authorizing Retention of Antonelli Kantor, P.C., 354 Eisenhower Pkwy., Suite 1000, Livingston, NJ, as Special ABC Prosecutor for the Period January 1, 2025 through December 31, 2025 at an Hourly Rate of \$165.00 (Legal-Trenk)
- dd. **51-25** Resolution Authorizing Execution of Professional Services Agreement with Fernando Marin Esq. as Public Defender – 2025 at a Rate of \$350.00 per Session (Legal-Trenk)
- ee. **52-25** Resolution Authorizing Execution of Professional Services Agreement with Joseph M. Wenzel Esq. as Municipal Prosecutor at a Rate of \$1,000.00 per Week (Legal-Trenk)
- ff. **53-25** Resolution Authorizing Execution of Professional Services Agreement with Belizaire Law P.C., located at 2 Broad Street, Suite 505, Bloomfield, New Jersey, as Municipal Prosecutor at a Rate of \$500.00 per Session (Legal-Trenk)
- gg. **54-25** Resolution Authorizing Execution of Professional Services Agreement with Souder Law Group, LLP, located at 570 Broad Street, 15<sup>th</sup> Floor, Newark NJ 07102, as Rent Leveling Board Counsel - 2025 at an Hourly Rate of \$225.00 for Attorneys (Legal-Trenk)
- hh. **55-25** Resolution Authorizing Execution of Professional Services Agreement with Florio Kenny Raval, LLP, located at 125 Chub Avenue, Suite 310-N, Lyndhurst, NJ 07071, to Provide Services as Special Counsel at an Hourly Rate of \$175 for Attorneys and a Retainer of \$25,000; (Legal-Trenk)
- ii. **56-25** Resolution Authorizing Retention of Antonelli Kantor, P.C., 354 Eisenhower Pkwy., Suite 1000, Livingston, NJ, as Special Counsel for the Period January 1, 2025 through December 31, 2025 at an Hourly Rate of \$165.00 for Attorneys (Legal-Trenk)
- jj. **57-25** 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 2025 at an Hourly Rate of \$185.00 (Legal-Trenk)

- kk. 58-25** 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 2025 at the Rates Specified in the Agreement (Legal-Trenk)
- ll. 59-25** 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 2025 **at the Rates Specified in the Agreement** (Legal-Trenk)
- mm. 60-25** Resolution Approving Proposal from CME Associates for Environmental Services at the Property Located at 25 Lakeside Avenue, West Orange, NJ, for Groundwater Monitoring, Sampling and NJDEP Reporting NTE \$83,800.00 (Carballo)
- nn. 61-25** Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to a Duplicate Payment of Tax and/or Sewer Charge (K. Longo)
- oo. 62-25** Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Essex County Board of Taxation (K. Longo)
- pp. 63-25** Resolution Authorizing the Execution of a Professional Services Agreement with Edward J. Florio, Esq. of Florio Kenny Raval LLP, 25 Chubb Ave., Suite 310, North Lyndhurst, NJ 07071, to Serve as Township Attorney (Legal-Gengaro)
- qq. 64-25** Resolution Authorizing the Execution of a Professional Services Agreement with Gregg F. Pastor, Esq. of Gregg F. Pastor & Associates, 60 Main St, Hackensack, New Jersey, 07601-7049, to Serve as Township Attorney (Legal-Gengaro)
- rr. 65-25** Resolution Authorizing the Execution of a Professional Services Agreement with Joseph M. Wenzel, Esq. of Friend & Wenzel, 975 Clifton Ave, #201, Clifton, NJ 07013, to Serve as Township Attorney (Legal-Gengaro)
- ss. 66-25** 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 2025 **at the Rates Specified in the Agreement** (Legal-Trenk)
- tt. 67-25** A Resolution Approving the Department of Community Affairs Calculation of Regional Need for Affordable Housing for Fourth Round Obligation (Legal-Gengaro)

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

- a. 2888-25** An Ordinance Amending Certain Terms in Chapter 5 Section 35 of the Revised General Ordinances of the Township of West Orange (Legal-Gengaro)  
**The Township of West Orange has amended certain outdated terms such as “sexual preference” and has replaced the same with sexual orientation, gender identity, and gender expression.**

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

- a. 2889-25** An Ordinance Amending And Supplementing Chapter 7, Traffic, Subsection 7-29.1, Speed Limits, General, Of The Revised General Ordinances Of The Township Of West Orange (Carballo)  
**The Ordinance amends the Traffic Regulations of the Township, and establishes a Speed Limit of 25 miles per hour (MPH) on Kelly Drive. Based on local residents’ requests and Stat Track data provided by the Traffic Division of the West Orange Police Department, the Municipal Engineer determined the need for reduced traffic speeds in the area.**
- b. 2890-25** An Ordinance Amending And Supplementing Chapter 25 Of The Revised General Ordinances Of The Township Of West Orange Banning “Pop-Up” Parties (Legal-Gengaro)

**The Township of West Orange (the “Township”) has received numerous complaints from residents in various neighborhoods throughout the Township regarding parties, events, and/or gatherings wherein the attendees of the events have purchased tickets or wristbands for entry into residential homes within the Township. The purpose of this Section is to provide recourse for the Township if such “pop-up” parties occur in the future and to put the public on notice that the same are prohibited as a health and safety concern for the general welfare of the public.**

- c. **2891-25 An Ordinance Amending And Supplementing Chapter 2, Subsection 61, Pedestrian Safety Advisory Board Of The Revised General Ordinances Of The Township Of West Orange Establishing A Complete And Green Streets Advisory Committee And Creating A Complete And Green Streets Policy (Carballo)**

**This Ordinance amends and supplements Chapter 2-61: “Pedestrian Safety Advisory Board” of the Township’s Revised General Ordinances to include to create a complete and green streets advisory committee and amending a complete and green streets policy. This policy provides the Township with a strong and effective strategy for achieving Complete and Green Streets. The complete green streets policy provides the Township the opportunity to meet the criteria needed to gain recognition and apply for grant funds.**

- d. **2892-25 An Ordinance Amending Chapter 2, Sections 57.1, 57.2, And 57.6 General Ordinances of the Township of West Orange (Open Space and Recreation Committee and Trust Fund) (Legal-Moon)**

**The purpose of this ordinance is to modify the composition and terms for the membership on the Township of West Orange’s Open Space and Recreation Committee including the removal of two members currently appointed by the Mayor and the addition of one additional appointment by the Township Council to be made as a consensus selection by the vote of the majority of the Township Council. In addition, this ordinance modifies all terms on the Committee to one-year terms, but allows for re-appointments.**

- e. **2893-25 An Ordinance Repealing Chapter 2, Section 5.3 General Ordinances Of The Township Of West Orange (Director Of Staff Operations) (Legal-Moon)**

**The purpose of this ordinance is to eliminate the position of Director of Staff Operations by way of the repeal of the provisions of the Township of West Orange Municipal Code establishing the position of the Director of Staff Operations.**

- f. **2894-25 An Ordinance Amending Chapter 2, Section 9.4 General Ordinances Of The Township Of West Orange (Special Counsel) (Legal-Moon)**

**The purpose of this ordinance is to modify the provisions of the Township of West Orange Municipal Code governing the Township’s retention of Special Counsel. This ordinance: (i) requires appointment of Special Counsel by advice and consent of the Township Council; and (ii) require that the bills for Special Counsel shall be subject to approval from the Township Council.**

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

- a. Rent Leveling Board-Appointments and Council Liaison
- b. Older Adult Advisory Board – 2 Council Consensus Appointment(s)
  - (1) Rachel Hersey
- c. Zoning Board – Mayor - 2 Consensus Appointment(s) with Advice and Consent of Township Council
- d. Citizen Budget Advisory Committee – Appointments -2025
- e. Ordinance for Phased Transition to Electric-Only Leaf Blowers:

**This ordinance seeks to implement a phased approach to transitioning the township’s landscaping practices to electric blowers, in recognition of the urgent need to reduce environmental and public health risks. This ordinance limits the use of gas-powered blowers to the peak leaf-collection period. Mounting scientific evidence underscores the dangers posed by the noise, particulate matter, and toxic fumes released by traditional gas-powered equipment, particularly to those with respiratory conditions and landscape workers who face prolonged exposure. The transition to electric blowers is not just a matter of local concern—it is a critical step in addressing the larger climate emergency. The phased-in approach will allow for a sustainable, equitable transition, ensuring that our township leads by example in the fight for a cleaner, healthier future.**

## **12. ABC Hearing**

- a. 755-25 Person to Person Transfer of Plenary Distribution License No. 0722-44-027-005 from Mountain Society, LLC to Wine Valley Outlet, LLC (Pocket License) (Clerk)
- b. 756-24 Hearing on Renewal for Plenary Retail Consumption, Distribution and Club Licenses for the 2024-2025 License Term (Clerk)

### 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)

Please click the link below to join the webinar:

**Public Comment – In Person Only**

<https://us06web.zoom.us/j/88663023271?pwd=3M8yl4E2WjGy8QYLBRgGXbP7rpyY0l.1>

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**Next Meeting Date(s): February 11, 2025**

**Agenda is subject to change.**