

2911-25

**CAPITAL ORDINANCE APPROPRIATING \$1,000,000 TO
PAY FOR VARIOUS IMPROVEMENTS AND UPGRADES
TO THE OSKAR SCHINDLER PERFORMING ARTS
CENTER, IN AND FOR THE TOWNSHIP OF WEST
ORANGE, IN THE COUNTY OF ESSEX, STATE OF NEW
JERSEY**

WHEREAS, the Township of West Orange, in the County of Essex, State of New Jersey (the "Township"), wishes to undertake capital improvements consisting of various improvements and upgrades to (i) the Oskar Schindler Performing Arts Center, including, but not limited to, the installation of a sound system for the amphitheater, a shed, the installation of ADA accessible seating, and the installation of safety lighting on the building, stage flooring and security cameras, and (ii) Crystal Lake, including, but not limited to, the construction of two floating docks, (the "Capital Improvements"); and

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WHEREAS, the cost of said Capital Improvements is estimated to be \$1,000,000; and

WHEREAS, the Township has received or expects to receive a New Jersey Department of Community Affairs Grant – Coronavirus State Fiscal Recovery Fund in the amount of \$1,000,000 (the "NJDC Grant") to undertake the Capital Improvements; and

WHEREAS, the Township Council desires to authorize the appropriation and expenditure of the NJDC Grant in order to undertake the aforesaid Capital Improvements.

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF
THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, STATE OF NEW
JERSEY** (a majority of the full membership thereof affirmatively concurring), **AS
FOLLOWS:**

#14581359.1 168182.010

SECTION 1. The Capital Improvements or purposes described in Section 2 of this capital ordinance are hereby authorized as general capital improvements to be undertaken by the Township. There is hereby appropriated the amount of \$1,000,000, which amount is the NJDCA Grant received or expected to be received by the Township and deposited into the General Capital Fund for the said improvements or purposes stated in Section 2 hereof.

SECTION 2. The Capital Improvements or purposes hereby authorized are for various improvements and upgrades to (i) the Oskar Schindler Performing Arts Center including, but not limited to, the installation of a sound system for the amphitheater, a shed, the installation of ADA accessible seating, and the installation of safety lighting on the building, stage flooring and security cameras, and (ii) Crystal Lake, including, but not limited to, the construction of two floating docks. Said improvements or purposes shall also include, as applicable, all work, materials, equipment, engineering, design, consulting work, preparation of plans and specifications, permits, bid documents, conducting and preparation of reports and studies, environmental investigations and remediation, equipment rental, labor and appurtenances necessary therefore or incidental thereto.

SECTION 3. The expenditure of the NJDCA Grant for the improvements or purposes set forth in Section 2 hereof is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement with the State of New Jersey Department of Community Affairs or any other agreement necessary

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to undertake the improvements or purposes set forth herein and to effectuate the transaction contemplated hereby and thereby.

SECTION 4. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 5. Capitalized terms used herein and not otherwise defined, shall have the meanings ascribed to such terms in the preambles to this capital ordinance.

SECTION 6. This ordinance shall take effect in accordance with applicable law.

ADOPTED ON FIRST READING
DATED: April 8, 2025

<u>KAREN J. CARNEVALE, Clerk</u>	<u>JOE KRAKOVIAK</u>
<u>Township of West Orange</u>	<u>Council President</u>
	<u>Township of West Orange</u>

ADOPTED ON SECOND READING
DATED: May 6, 2025

<u>KAREN J. CARNEVALE, Clerk</u>	<u>JOE KRAKOVIAK</u>
<u>Township of West Orange</u>	<u>Council President</u>
	<u>Township of West Orange</u>

APPROVAL BY THE MAYOR ON THIS DAY OF , 2025.

SUSAN MCCARTNEY, Mayor
Township of West Orange

**TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE
PUBLIC NOTICE**

NOTICE OF INTRODUCTION OF CAPITAL ORDINANCE

The capital ordinance, published herewith in its entirety, has been introduced by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey (the "Township") on March 25, 2025.

The purpose of this capital ordinance is to appropriate \$1,000,000 received or expected to be received from a grant provided by the New Jersey Department of Community Affairs – Coronavirus State Fiscal Recovery Fund to pay for various improvements and upgrades to (i) the Oskar Schindler Performing Arts Center including, but not limited to, the installation of a sound system for the amphitheater, a shed, the installation of ADA accessible seating, and the installation of safety lighting on the building, stage flooring, and security cameras (ii) Crystal Lake, including, but not limited to, the construction of two floating docks. Said improvements or purposes shall also include, as applicable, all work, materials, equipment, engineering, design, consulting work, preparation of plans and specifications, permits, bid documents, conducting and preparation of reports and studies, environmental investigations and remediation, equipment rental, labor and appurtenances necessary therefore or incidental thereto.

This capital ordinance will be considered for final adoption by the Township Council of the Township after public hearing thereon, at a meeting of the governing body taking place at the Township Municipal Building, 66 Main Street, West Orange, New Jersey, to be held on April 8, 2025 at 7:00 p.m. A copy of this ordinance may be obtained without cost from the Office of the Township Clerk, 66 Main Street, West Orange, New Jersey, during regular business hours.

KAREN J. CARNEVALE,
Clerk of the Township of West Orange

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ADOPTED ON FIRST READING¶
DATED: March 25, 2025¶
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KAREN J. CARNEVALE, CLERK¶
Township of West Orange¶
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ADOPTED ON SECOND READING¶
DATED: April 8, 2025¶
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KAREN J. CARNEVALE, CLERK¶
Township of West Orange¶

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**TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE
PUBLIC NOTICE**

NOTICE OF ADOPTION OF CAPITAL ORDINANCE

The capital ordinance, published in its entirety herewith, has been finally adopted by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey (the "Township") on April 8, 2025.

The purpose of this capital ordinance is to appropriate \$1,000,000 received or expected to be received from a grant provided by the New Jersey Department of Community Affairs – Coronavirus State Fiscal Recovery Fund to pay for various improvements and upgrades to (i) the Oskar Schindler Performing Arts Center including, but not limited to, the installation of a sound system for the amphitheater, a shed, the installation of ADA accessible seating, and the installation of safety lighting on the building, stage flooring and security cameras, and (ii) Crystal Lake, including, but not limited to, the construction of two floating docks. Said improvements or purposes shall also include, as applicable, all work, materials, equipment, engineering, design, consulting work, preparation of plans and specifications, permits, bid documents, conducting and preparation of reports and studies, environmental investigations and remediation, equipment rental, labor and appurtenances necessary therefore or incidental thereto.

KAREN J. CARNEVALE,
Clerk of the Township of West Orange

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CERTIFICATE OF INTRODUCTION

I, the undersigned Clerk of the Township of West Orange, in the County of Essex, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Township duly called and held on March 25, 2025 at 7:00 p.m. at a meeting of the governing body, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Township this ____ day of _____, 2025.

(SEAL)

KAREN J. CARNEVALE,
Clerk of the Township of West Orange

CERTIFICATE OF FINAL ADOPTION

I, the undersigned Clerk of the Township of West Orange, in the County of Essex, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Township duly called and held on April 8, 2025, at 7:00 p.m. at a meeting of the governing body, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Township this ____ day of _____, 2025.

(SEAL)

KAREN J. CARNEVALE,
Clerk of the Township of West Orange

CLERK'S CERTIFICATE

I, Karen J. Carnevale, do hereby certify that I am the Clerk of the Township of West Orange, in the County of Essex (the "Township"), a municipal corporation organized and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Township. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all resolutions and ordinances of the Township. The representations made herein are based upon the records of the Township.

I DO HEREBY FURTHER CERTIFY THAT:

(1) Attached hereto is the capital ordinance introduced on March 25, 2025 and finally adopted on April 8, 2025.

(2) After introduction, the capital ordinance was published as required by applicable law on _____, 2025 in the (name of newspaper).

(3) Following the passage of the capital ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Township at the place where public notices are customarily posted, a copy of said capital ordinance or a summary thereof and a notice that copies of the capital ordinance would be made available to the members of the general public of the Township who requested copies, up to and including the time of further consideration of the capital ordinance by the governing body. Copies of the capital ordinance were made available to all who requested same, at no cost to such requesting individual.

(4) After final adoption, the ordinance was duly published as required by law on _____, 2025 in the (name of newspaper).

(5) The capital ordinance has not been amended, added to, altered or repealed and said capital ordinance is now in full force and effect.

(6) A certified copy of the capital ordinance and a copy of the amended capital budget form or temporary capital budget form, as applicable, have been filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs.

(7) The official seal of the Township is the seal, an impression of which is affixed, imprinted or reproduced opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed, imprinted or reproduced the official seal of the Township this ____ day of _____, 2025.

(SEAL)

KAREN J. CARNEVALE,
Clerk of the Township of West Orange