

Conference Meeting – October 10, 2023

The Conference meeting began at 6:34 p.m., Karen Carnevale, Municipal Clerk read the following statement:

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.

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

- Dr. Kordai DeCoteau, DPM FACFAS
- Breast Cancer Awareness Month-Courtney Reinisch-Montclair State University School of Nursing
- Fire Prevention Week - "Cooking Safety Starts with You - Pay Attention to Fire Prevention"
Fire Chief Tony Vecchio

Public Meeting – October 10, 2023

The West Orange Township Council meeting began at 7:09 p.m., Karen Carnevale, Municipal Clerk read the following statement:

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.

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

At this time, the Mayor presented the Capital Budget along with Joe Pelose-Director-DPW, Fire Chief Anthony Vecchio and Bill Kehoe-Director of Recreation.

At approximately 8:05 p.m., the Council President amended the order of the agenda to hear the public comment on Ordinance **2817-23 An Ordinance Amending Chapter 17, Section 14 Of The Revised General Ordinances Of The Township Of West Orange – Gas Leaf Blowers.**

Councilman Rutherford made a motion to hear items 2 through 8 before going to second reading of Ordinance 2817-23, which was seconded by Councilwoman Scarpa. After further conversation, Councilman Rutherford rescinded his motion and the Council proceeded with hearing Ordinance 2817-23 on second and final reading.

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, **An Ordinance Amending Chapter 17, Section 14 Of The Revised General Ordinances Of The Township Of West Orange – Gas Leaf Blowers** was introduced on second and final reading.

Councilwoman Ghebremicael, Councilman Rutherford, Councilwoman Scarpa and Council President Williams voting "Aye." Councilwoman Casalino voting "Nay."

The Council President stated that this is the scheduled time for the public hearing and asked the Clerk to read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

In Person:

Dr. Hal Strelnick, Montclair, NJ
Michael Giovine -- Manger Road
Joe Pelose-Director, WO DPW
Vincent Militella -- E. McClellan Avenue, Livingston, NJ
Barbara White-Howell Drive
Richard Leonardis -- Pleasant Valley Way
Mr. DeLeon-Hamilton, NJ
Jarret Gaffney-EcoQuip
Daria Paxton-Greenwood Avenue
Joyce Rudin-Woodland Avenue
Sally Malanga-Ridge Road
Brent Scott-Nestro Road
Gustavo Pereira -- Terrace Avenue

Zoom:

Edward Reichman-Moore Terrace
Phil Litwinoff-Linden Avenue
Seth Weisleder-Howell Drive
Zasah Khademi -- Dawes Avenue
John Blanton-Forest Hill Road
Nigel Richards -- Pleasant Valley Way
Mel Valdez -- Elm Street
Phaedra Singelis -- Essex Terrace
Paul Segner -- Essex Terrace
Rachel Mecca -- Maplewood, NJ
Todd Dubovy -- Burnet Terrace
Claire Silvestri -- Grandview Avenue
Kevin Malanga -- Ridge Road

There was no one else who wished to be heard, and public comment on Ordinance 2817-23 was closed.

At 10:21 p.m., a motion to **defeat** the Ordinance was made by Council President Williams and seconded by Councilwoman Casalino.

All members present voting "Aye."

At 10:22 p.m., the meeting continued and public comment was heard.

Public Comment

In Person:

Bill Sullivan, Esq.
Jen Hardell
Micaela Bennett-Old Indian Road
Anna Barbone-Kirk Street
Sheila Lefkowitz-Pleasant Valley Way
James Jackson-Ashley Road
Brent Scott-Nestro Road

Zoom:

Mark Liebman, Esq.- Crest Ridge Apartments
Nigel Richards-Pleasant Valley Way
Zasah Khademi -- Dawes Avenue
Claire Silvestri -- Grandview Avenue
John Blanton -- Forest Hill Road

Todd Dubovy – Burnet Terrace
Amy Gallatin – Smith Manor Road
Joe Fagan - PIO

There was no one else who wished to be heard and the public comment portion of the agenda was closed.

***Review of Consent Agenda**

***Approval of Minutes of Previous Meeting – Public Meeting September 19, 2023**

***Report of Township Officers**

Update-W.O. Public Library-Peter F. Smeraldo, Jr.-Assistant Business Administrator

***Reading of Petitions and Communications and Bids-None**

***Bills – 10.10.23**

***Resolution(s) adopted on Consent Agenda**

- a. **342-23** Resolution Authorizing the Purchase of Firefighter FXR Turnout Gear Under NJ State Contract #T0790 Blanket # 17-Fleet-00811 (Reynolds)
- b. **343-23** Resolution Authorizing the Subordination of Mortgage for the Property at 85 Mitchell Avenue, West Orange, NJ (Legal-Moon)
- c. **344-23** Resolution Of The Township Of West Orange, In The County Of Essex, New Jersey, Determining The Form And Other Details Of Its Phase V And Phase Vi 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 \$2,280,000 And \$870,000, 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)
- d. **345-23** Resolution Authorizing a Contract to A&J Contractors Group, Inc., 105 Federal Road, Monroe Township, NJ 08831, for Road Improvements to Nance Road, Warren Road and King Road in the Amount of \$1,340,759.07 (Carballo) **The Township received a NJDOT Grant in the amount of \$425,000.00 for this project and the funds were appropriated in the 2023 Capital Budget.**
- e. **347-23** Resolution To Award A Contract Extension to American Asphalt & Trucking, LLC, 818 Summer Avenue, Newark, NJ 07014, For Snow Removal Services From Sidewalks, Paths, Crosswalks, Bus Shelters and Stops Within the Township for 2023-2024 (Carballo)
- f. **348-23** Resolution To Award A Contract Extension to Grabowski Construction, 770 Northfield Avenue, West Orange, NJ 07052, American Asphalt & Trucking, LLC, 818 Summer Avenue, Newark, NJ 07014 and Downes Tree Service, Inc., 65 Royal Avenue, Hawthorne, NJ 07506, For Snow Plowing, Salting, Removal And Snow Hauling Within the Township for 2023-2024 (Carballo)
- g. **349-23** Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- h. **350-23** Resolution Authorizing A Professional Services Contract To CME Associates, 3759 Highway 1 South, Suite 100, Monmouth Junction, New Jersey 08852, Manal Baba, LSRP, To Conduct Remedial Investigation Of Impacted Areas Of Concern At The Public Works Building, 25 Lakeside Avenue For A Fee Not To Exceed \$198,940.00 (Carballo)

- i. **351-23** Resolution Authorizing Change Order No. 1 and Final for the Rock Spring Golf Club Cart Path Improvements with Grabowski Construction, Inc., 770 Northfield Avenue, West Orange, NJ in the amount of \$15,035.02. (Carballo)
- j. **352-23** Resolution Authorizing an Emergency Appropriation in the Amount of \$36,127.75 to Shauger Property Services, Inc., 429 Dodd Street, East Orange, NJ for Emergency Storm Sewer Repair to the Township's Storm Sewer Main on Harrison Avenue between Chestnut Street and Cherry Street (Carballo)
- k. **353-23** Resolution Authorizing a Contract with PSE&G Company, to Perform Work Associated with the 2022 CDBG Valley Road Rehabilitation Project, in the Amount of \$43,259.74 (Carballo)
- l. **354-23** Resolution Authorizing a Contract with T Slack Environmental Services, 180 Market Street, Kenilworth, NJ 07033, for the removal of the UST and Replacement of the 550 Gallon Diesel Tank with an AST, at the Township's Dogwood Pump Station, in the Amount of \$88,254.70 (Carballo)
- m. **355-23** Resolution Authorizing a Contract with All State Technology, Inc., 10 Lark Lane, Oak Ridge, New Jersey 07438, for the Ginny Duenkel Pool Improvements In the amount of \$478,375.00 (Carballo)
- n. **356-23** Resolution Authorizing the Submission of an Application to the NJ Department of Transportation's Safe Routes to School Program 2024 (Carballo)
- o. **357-23** Resolution Authorizing Change Order No. 3, in the Amount of \$25,000.00 for the Additional Contract Administration Services through the End of the Project with Arcari Iovino, One Katherine Street, Little Ferry, NJ 07643 for the New West Orange Public Library at 10 Rooney Circle (Carballo) *as amended*
A motion was made by Council President Williams and seconded by Councilwoman Ghebremicael to amend the language of the resolution to add a not to exceed clause of \$15,000., payable at \$5,000. per month.

Councilwoman Casalino, Councilwoman Ghebremicael, Councilwoman Scarpa and Council President Williams voting "Aye." Councilman Rutherford voting "Nay."

- p. **358-23** Resolution Authorizing a Professional Services to Greenman-Pederson, Inc., 301 Gibraltar Drive, Suite 2A, Morris Plains, NJ 07950 for Professional Land Engineering Services Associated with 2023 NJDOT Municipal Aid (MA) Grant Project for Colonial Woods, Carlson Road, and Cullen Drive Road Improvements Project (Carballo)
- q. **359-23** Resolution Authorizing a Contract with T Slack Environmental Services, 180 Market Street, Kenilworth, NJ 07033, for the Removal of the 4,000-gallon diesel UST and \$247,064.56 for the Installation of one (1) 4,000-gallon split AST and one (1) 550-gallon AST, at Fire Station #1, in the Amount of \$260,218.56 (Carballo)
- r. **360-23** Resolution Authorizing a Contract with T Slack Environmental Services, 180 Market Street, Kenilworth, NJ 07033, for the Removal of the UST and Replacement of the 1,000-gallon Diesel Tank with an AST in the amount of \$100,046.70 for Services at the Township's Police Station (Carballo)
- s. **361-23** Resolution Authorizing the Competitive Contracting Process for a Professional and Experienced Cannabis Consultant (Reynolds)
- t. **364-23** Resolution Authorizing the Submission of an Application to the NJ DCA Local Government Services Grant for Improvements to Degnan Field in West Orange, NJ (Gross)

- u. **365-23** Resolution Authorizing an Agreement with Extra Duty Solutions, 1 Waterview Drive, Suite 101, Shelton, CT, 06484 for Extra Duty Management Services (Reynolds)
- v. **367-23** Resolution Authorizing a Contract with Reggio Construction Inc., 416 E. Central Boulevard, Palisades Park, New Jersey 07650, for the Ashwood Terrace and William Street Rehabilitation from Franklin Avenue to Main Street Project in the Amount of \$380,750.00 (Carballo)
- w. **368-23** Resolution Authorizing a Contract with Reggio Construction Inc., 416 E. Central Boulevard, Palisades Park, New Jersey 07650, for the Valley Road Rehabilitation from Freeman Street to Kingsley Street Project, in the amount of \$455,200.00 (Carballo)
- x. **Pulled from the Agenda by the Administration**
- y. **370-23** Resolution Authorizing Change Order No. 18 to H&S Construction and Mechanical, Inc., 721 Bayway, Elizabeth, NJ 07202, for the Installation of a 4' High Aluminum Fence along the Edge of the Retaining Wall, Adjacent to the Newly Installed Exterior Patio at the Public Library in the Amount of \$15,280.05 (Carballo)

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, the consent agenda was approved.

All members present voting "Aye."

Resolution(s) Removed from the Consent Agenda

Resolution 346-23

TABLED Resolution to Award a Contract Extension to Grabowski Construction, Inc. of 770 Northfield Avenue, West Orange for Snow Plowing, Salting, Removal and Snow Hauling for 2023-2024 (Carballo)

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, the above referenced resolution was tabled.

All members present voting "Aye."

Resolution 362-23

Resolution (A) Providing For The Combination Of Certain Bond Ordinances And Determining The Form And Other Details Of The Offering Of Not To Exceed \$21,390,000 Aggregate Principal Amount Of General Improvement Bonds, Series 2023b, Of The Township Of West Orange, In The County Of Essex, State Of New Jersey (The "Township") And Providing For Their Sale And Determining Certain Other Matters With Respect Thereto, (B) Authorizing The Sale And Issuance Of \$38,730,191 General Obligation Notes, Series 2023a (Tax-Exempt), Consisting Of \$32,906,191 Bond Anticipation Notes, \$4,476,000 Open Space Trust Fund Notes, And \$1,348,000 Special Emergency Notes Of The Township, And (C) Authorizing The Sale And Issuance Of \$1,369,806 Special Emergency Notes, Series 2023b (Federally Taxable) Of The Township (Gross)

On motion made by Councilwoman Casalino and seconded by Councilman Ghebremicael, the resolution was approved.

Councilwoman Casalino, Councilwoman Ghebremicael, Council President Williams voting "Aye."
Councilman Rutherford and Councilwoman Scarpa voting "Nay."

Resolution 363-23

Resolution Authorizing Emergency Award Of Refuse And Recycling Collection Service Contract To Suburban Disposal, Inc. Pending Bidding And Award Of New Refuse And Recycling Collection Contract (Gross)

On motion made by Council President Williams and seconded by Councilwoman Casalino, the resolution was approved.

All members present voting "Aye."

Resolution 366-23

TABLED Resolution Authorizing the Certification of the 2022 Annual Audit by the Governing Body (Gross)

On motion made by Councilman Rutherford and seconded by Council President Williams, the resolution was tabled.

All members present voting "Aye."

Ordinance(s) on Second and Final Reading

Ord. 2815-23

On motion made by Councilwoman Casalino and seconded by Council President Williams, **An Ordinance Amending Chapter 15, Section 15-7 To Update The Township's Rent Control Ordinance**, was taken up on second and final reading.

All members present voting "Aye."

The Council President stated that this is the scheduled time for the public hearing and asked the Clerk to read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

There was no one that wished to be heard and the public hearing on this Ordinance was closed.

On motion made by Councilwoman Casalino and seconded by Councilwoman Ghebremicael, the above referenced ordinance was adopted.

All members present voting "Aye."

Ord. 2816-23

On motion made by Councilwoman Casalino and seconded by Councilwoman Ghebremicael, **An Ordinance Amending Chapter 7, Section 37.1 And Chapter 7, Section 50.3(H) Of The Revised General Ordinances Of The Township Of West Orange (Regulation For The Movement And Parking Of Traffic On Municipal And Board Of Education Property) (Parking Meters In Parking Yards—Prohibited Parking)**, was taken up on second and final reading.

All members present voting "Aye."

The Council President stated that this is the scheduled time for the public hearing and asked the Clerk to read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

There was no one that wished to be heard and the public hearing on this Ordinance was closed.

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, the above referenced ordinance was adopted.

All members present voting "Aye."

Ord. 2818-23

On motion made by Council President Williams and seconded by Councilwoman Scarpa, **Ordinance Amending Chapter 2, Section 62 Of The Revised General Ordinances Of The Township Of West Orange – Older Adults Advisory Board**, was taken up on second and final reading.

All members present voting "Aye."

The Council President stated that this is the scheduled time for the public hearing and asked the Clerk to read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

There was no one else that wished to be heard and the public hearing on this Ordinance was closed.

On motion made by Council President Williams and seconded by Councilwoman Scarpa, the above referenced ordinance was adopted.

All members present voting "Aye."

Ord. 2819-23

On motion made by Councilwoman Casalino and seconded by Council President Williams, **An Ordinance Amending Chapter 25, Section 11.14 Of The Revised General Ordinances Of The Township Of West Orange-Drive Thru Windows**, was taken up on second and final reading.

All members present voting "Aye."

The Council President stated that this is the scheduled time for the public hearing and asked the Clerk to read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

There was no one else that wished to be heard and the public hearing on this Ordinance was closed.

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, the above referenced ordinance was defeated.

Councilwoman Casalino voting "Aye." Councilwoman Ghebremicael, Councilman Rutherford, Councilwoman Scarpa and Council President Williams voting "Nay."

Ord. 2821-23

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, **An Ordinance Amending And Supplementing Chapter 7, Traffic, Subsection 7-31, No Passing Zones, Of The Revised General Ordinances Of The Township Of West Orange**, was taken up on second and final reading.

All members present voting "Aye."

The Council President stated that this is the scheduled time for the public hearing and asked the Clerk to read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

There was no one else that wished to be heard and the public hearing on this Ordinance was closed.

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, the above referenced ordinance was adopted.

All members present voting "Aye."

Ordinances on First Reading

Ord. 2822-23

On motion made by Council President Williams and seconded by Councilwoman Ghebremicael, **An Ordinance Amending And Supplementing Chapter 7, Traffic, Subsection 7-32.2 Restricted Parking Zones And 7-32.1 Handicapped Parking On Street Of The Revised General Ordinances Of The Township Of West Orange-85 Mitchell St., 65 High St., 5 Glennon Pl., 100 Maple St., 131 Franklin Ave., 6 Marmon Terr.,** was approved on first reading, ordered advertised according to law, to come up for second and final reading on October 24, 2023.

All members present voting "Aye."

Pending Matters-New Matters-Council Discussion

- Mercantile License

ABC Hearing-None

At 2:21 a.m., on motion made by Councilman Rutherford and seconded by Councilwoman Casalino, the meeting was adjourned.

All members present voting "Aye."

The Minutes of this meeting are on file in the Office of the Municipal Clerk.


Karen J. Carnevale, R.M.C.
Municipal Clerk


Tammy Williams, Council President

Adopted: October 24, 2023