

Public Meeting – June 10, 2024

The Public meeting began at 7:02 p.m., the 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 21, 2023, and published in the West Orange Chronicle on November 30, 2023.

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

Pledge of Allegiance

Public Comment

Joe Fagan – PIO
Barbara Monk – Gaston Street
Doug Adams – Westover Terrace
Alicia Craddock – Larkin Circle
Todd Dubovy-Burnet Terrace
Courtney Birchler – Forest Hill Rd.
Rachel Klein – Howell Drive

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

Report of Township Officers-None

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

Minutes - Public Meeting May 21, 2024 and Executive Session May 7, 2024

Bill List

Resolution(s)

- a. **171-24** Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- b. **172-24** Resolution Authorizing a Discharge of Mortgage for the Property at 37 Stanford Avenue (Legal-Moon)
- c. **173-24** Resolution Permitting Display of Fireworks at the Essex County Country Club (Legal-Moon)
This resolution permits the Essex County Country Club to display fireworks on July 3, 2024 with a rain date of July 5, 2024.
- d. **174-24** Resolution Prescribing Fees as Set Forth In Chapter 18, Section 1.9 of the Revised General Ordinances and in Ordinance 2854-24 (W.O. F.D Permit Fees) (Legal-Gengaro)
- e. **175-24** Resolution Prescribing Fees as Set Forth In Chapter 18, Section 2.1 of the Revised General Ordinances and in Ordinance 2855-24 (Fire Lanes) (Legal-Gengaro)

- f. **177-24** Resolution Authorizing an Extension of the Professional Services Agreement with Essex Regional Health Commission for Registered Environmental Health Specialist Services for the Period of July 1, 2024 through June 30, 2025 for a Cost NTE \$57,200. (Legal-Moon)
- g. **178-24** Resolution Awarding a Contract to Johnson Controls Fire Protection LP through Use of the Sourcewell (Formerly NJPA) National Cooperative Pursuant to N.J.S.A. 52:34-6.2 for Fire Sprinkler System Repair-WOPD Building (P. Reynolds)
- h. **179-24** Resolution Awarding a Contract to ADT Commercial, LLC through Use of the OMNIA Partners Cooperative Formally National IPA & U.S. Communities Pursuant to **N.J.S.A. 52:34-6.2** for Electronic Door Release and Building Intercom Systems – WOPD Building (P. Reynolds)
- i. **180-24** 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)
- j. **181-24** Resolution Authorizing Electronic Tax Sale and Cost of Mailing (K. Longo)
- k. **182-24** Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey (K. Longo)
- l. **183-24** Resolution Permitting Display of Fireworks at the Montclair Golf Club (Legal-Moon)
This resolution permits the Montclair Golf Club to display fireworks on June 29, 2024 with a rain date of July 1, 2024.
- m. **184-24** Resolution Appointing Assistant Business Administrator Peter J. Smeraldo, Jr. to Commissioner of Municipal Insurance Fund Commission (Gross)
- n. **185-24** Resolution Authorizing the Final Accounting of As-Built Quantities for the Project NJDOT MA 2022 Nance Road, Warren Road, and King Road Improvements Project with A & J Contractors Group, 105 Federal Road, Monroe, NJ, 08831 in the Amount not to exceed \$4,902.56 (Carballo)
- o. **186-24** Resolution Authorizing a Contract with Shore Top Construction Corp., 23 Yellowbrook Road, Freehold, New Jersey 07728, for the Degnan Park Tennis Courts Improvements, in the amount not to exceed \$849,800.00 (Carballo)
- p. **187-24** Resolution Authorizing a Shared Services Agreement with the County of Essex, the Purpose of which to Support Certain Intervention Efforts Designed to Combat Substance Abuse and Disorder, Accomplished by Providing Municipal Residents Charged with Non-Violent Crimes with an Opportunity for Referral to the Recovery, Integration, Support and Education (RISE) Advocate (Abbott)
- q. **188-24 REMOVED**
- r. **189-24** Resolution Authorizing Execution of Temporary Easement Agreement for 55-117 Longview Street, Hutton Lafayette, West Orange, NJ (Legal-Gengaro)
- s. **190-24** Resolution Authorizing the Tax Collector to Prepare and Mail the Estimated Tax Bills in Accordance with P.L. 1994, c.72 (K. Longo)

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

All members present voting “Aye.”

Resolution(s) Removed from the Consent Agenda

Resolution 176-24

Resolution Prescribing Fees as Set Forth in the Revised General Ordinances and Implemented Through Ordinance 2847-24, Amending the Fees Related to Lead-Based Paint Inspections (Legal-Gengaro)

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

Councilwoman Casalino, Councilwoman Scarpa, Councilwoman Williams and Council President Rutherford voting “Aye.” Councilwoman Ghebremicael recused herself.

Ordinance(s) on Second and Final Reading

Ord. 2846-24

On motion made by Councilwoman Ghebremicael and Seconded by Councilwoman Williams, **An Ordinance Repealing And Replacing Chapter 25, Sections 27 of the Revised General Ordinances of the Township of West Orange and Establishing Chapter ____ for Environmental Protection (Tree Protection, Removal And Replacement)** was taken up on second and final reading. The Township Council amended Ordinance No. 2846-24 (the “Ordinance”) at the meeting held on May 21, 2024. The Township Council voted 5-0 to pass the Ordinance as amended. Thus, the Ordinance was re-publicized as amended and is being considered for second and final reading pursuant to N.J.S.A. 40:49-2 *et seq.* on June 10, 2024.

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

All members present voting “Aye.”

Ord. 2853-24

On motion made by Councilwoman Williams and Seconded by Councilwoman Ghebremicael, **An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-20, Stop Intersections of the Revised General Ordinances of the Township of West Orange-Variou Streets** 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 Ghebremicael and seconded by Councilwoman Casalino, the above referenced ordinance was adopted.

All members present voting “Aye.”

Ord. 2854-24

On motion made by Councilwoman Ghebremicael and Seconded by Councilwoman Williams, **An Ordinance Amending Chapter 18, Section 1.9 of the Revised General Ordinances of the Township of West Orange (Local Enforcement of the Uniform Fire Code--Permit Fees)** 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 Williams and Seconded by Councilwoman Ghebremicael, the above referenced ordinance was adopted.

All members present voting "Aye."

Ord. 2855-24

On motion made by Councilwoman Williams and Seconded by Councilwoman Ghebremicael, **An Ordinance Amending Chapter 18, Section 2.1 Of The Revised General Ordinances Of The Township Of West Orange (Establishing A Fire Lane At Bernard M. Degnan Park--Penalty)** 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 Ghebremicael and Seconded by Councilwoman Casalino, the above referenced ordinance was adopted.

All members present voting "Aye."

Ordinance(s) on First Reading

Ord. 2857-24

On motion made by Councilwoman Ghebremicael and seconded by Councilwoman Williams, **An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-10.1 Stopping or Standing Prohibited During Certain Hours on Certain Streets of the Revised General Ordinances of the Township Of West Orange** was approved on first reading, ordered advertised according to law, to come up for second and final reading on June 25, 2024.

All members present voting "Aye."

Ord. 2858-24

On motion made by Councilwoman Williams and Seconded by Councilwoman Ghebremicael, **An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-26.1, Bus Stops, of the Revised General Ordinances of the Township Of West Orange – Roosevelt Middle School** was approved on first reading, ordered advertised according to law, to come up for second and final reading on June 10, 2024.

All members present voting “Aye.”

Pending Matters/New Matters/Council Discussion

- Rock Spring – Open Space
- Township Covid Vaccination Policy
- Carpenter’s Union
- Auditor
- Forensic Audit
- Capital Budget Workshop
- Public Safety Updates
- July 4 Celebration
- Ordinance re: Cannabis Revenue

On motion made by Councilwoman Williams and seconded by Councilwoman Ghebremicael, the Public meeting was adjourned and the Council entered into an ABC Hearing.

All members present voting “Aye.”

ABC Hearing

736-24 Hearing on Renewal for Plenary Retail Consumption, Distribution and Club Licenses for the **2024-2025** License Term (Clerk) **Resolution Subject to Change as Additional Licensees Pay their Fees Prior to the Meeting**

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

All members present voting “Aye.”

737-24 Hearing on Renewal for **2024-2025** License Term – **1920’s Road House, Inc.** 0722-33-071-003 (Special Conditions)

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

All members present voting “Aye.”

738-24 Hearing on Renewal for **2024-2025** License Term-**Club 466** 0722-33-035-011 (Special Conditions)

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

All members present voting “Aye.”

739-24 Hearing on Renewal for **2024-2025** License Term – **LUX 123, LLC t/a LUX 0722-33-009-012** (Special Conditions)

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

All members present voting “Aye.”

740-24 Hearing on Renewal for **2024-2025** License Term – **AMC Theatres Essex Green 9 – 0722-33-066-009** (Special Conditions)

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

All members present voting “Aye.”

741-24 Hearing on Renewal for **2024-2025** License Term-**Huguitos Restaurant and Bar, LLC 0722-33-024-005** (Special Conditions)

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

All members present voting “Aye.”

At 10:53 p.m., on motion made by Councilwoman Casalino and seconded by Council President Rutherford the ABC Hearing 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


Bill Rutherford
Council President

Adopted: June 25, 2024