

Conference Meeting – July 23, 2024

The Conference meeting began at 6:43 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

On motion made by Council President Rutherford and seconded by Councilwoman Ghebremicael, the Council entered into an ABC Hearing.

All members present voting “Aye.”

749-24

Robert Williams, Esq. appeared on behalf of the new owners of the liquor license.

Resolution Authorizing a Person-to-Person Transfer of ABC License 0722-33-004-002 from Bow & Arrow Manor, Inc. to The Legacy Manor, LLC, 109-111 Prospect Avenue, West Orange, NJ (Clerk)

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

All members present voting “Aye.”

750-24

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

All members present voting “Aye.”

On motion made by Councilwoman Ghebremicael and seconded by Councilwoman Casalino, the ABC Hearing was adjourned and the Council re-entered the Conference portion of the meeting.

All members present voting “Aye.”

The Council gave their liaison announcements.

Public Meeting

Pledge of Allegiance

The Public meeting began at 7:04 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

Public Comment

Joe Fagan – PIO
Anthony Puglisi – PIO Essex County
Paul Trachtenberg – Sullivan Drive
Joseph Pannullo – Essex Fells, NJ
Micaela Bennett - Old Indian Road
Doug Adams – Westover Road

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

At 8:15 p.m., on motion made by Council President Rutherford and seconded by Councilwoman Williams, the Council voted to enter into an Executive Session.

All members present voting “Aye.”

Councilwoman Ghebremicael left the meeting when the Executive Session was completed.

At 12:37 a.m., on motion made by Council President Rutherford and seconded by Councilwoman Williams, the Executive Session was adjourned and the Council re-entered the Public meeting.

All members present voting “Aye.”

Report of Township Officers-None

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

Bill List

Minutes - None

Resolution(s)

- a. **212-24** Resolution Amending Fees Set Forth in Ordinance 2861-24 An Ordinance Amending Chapter 20-1 et seq of the Township Code (Legal-Gengaro)
Ord. 2861-24- This Ordinance amends and supplements Chapter 20 Streets and Sidewalks to include new permit procedures and general specifications for contractors to excavate streets and sidewalks in the Township. It also outlines new emergency procedures, requirements for street openings in Protected Streets and introduces new penalties for violations of the ordinance. This ordinance is consistent with procedures and requirements in other North Jersey Towns.
- b. **213-24 (7.9.24)**
- c. **214-24** Resolution Applying to the State of New Jersey Department of Environmental Protection “NJDEP” Office of Brownfield and Community Revitalization to Designate the Lakeside Avenue

Area as a Brownfield Development Area "BDA" and if successful, Granting Authorization for the Township of West Orange to Enter into a Memorandum of Understanding "MOU" with the New Jersey Department of Environmental Protection (Carballo)

- d. **215-24** Resolution Authorizing a Professional Services Contract to Dynamic Traffic, LLC, 1904 Main Street, Lake Como, NJ 07719, to Provide Professional Engineering Services for a Comprehensive Parking Study at the Valley, Heights, and Rolling Green Hills/Municipal Plaza Areas in the Amount not to exceed \$98,000.00. (Carballo)
- e. **216-24** Resolution Authorizing a Memorandum of Understanding Between the Township of West Orange and the County of Essex with Regards to the Installation and Maintenance of Rectangular Rapid Flashing Beacons (RRFB) at Certain Crosswalks and Rights of Way Belonging to the County of Essex (Carballo)
- f. **217-24** Resolution Authorizing Agreement with the PAL (Police Athletic League) for Recreational Programs and Youth Sports Programs – 2024 (Legal-Moon)
- g. **218-24** Resolution Authorizing Agreement with the Mountain Top League for Recreational Programs and Youth Sports Programs – 2024 (Legal-Moon)
- h. **219-24** (7.16.24)
- a. **220-24** Resolution Authorizing Vincent Buono, CMFO, of VB Logic, LLC, to Perform the Responsibilities of the Chief Financial Officer on an Interim Basis at the Rate of \$200/hour, NTE \$50,000. (Legal-Trenk)
- b. **221-24** Resolution Appointing **John Ditinyak** as Chief Financial Officer of the Township of West Orange
- i. **222-24** Resolution Appointing Peter J. Smeraldo, Jr. as Fund Commissioner and James P. Abbott as Alternate Fund Commissioner to the Garden State Municipal Joint Insurance Fund (Smeraldo)
- j. **224-24** Resolution Authorizing a Professional Services Contract to The Musial Group Architects, 191 Mill Lane, Mountainside, NJ 07092, for Professional Architectural Services Associated with a Feasibility Study for the Township's Department Offices at a Cost NTE \$29,450. (Carballo)
- k. **225-24** Resolution Authorizing the Temporary Budget Appropriation Pursuant to NJSA 40A:4-19 (Gross)
- l. **227-24** Resolution Authorizing an Emergency Contract with Reggio Construction, Inc., 416 E. Central Blvd., Palisades Park, NJ 07650 for the Emergency Repair of Various Inlets and Manholes and its Associated Improvements in the Amount of \$93,660.00 (Carballo)
- m. **229-24** Resolution Awarding Contract Pursuant to Request for Bids for Solid Waste and Recycling Collection Service dated February 15, 2024-Option 1 to Suburban Disposal, Inc., 54 Montesano Rd., Fairfield, NJ 07004, in the Overall Contract Amount of \$18,503,000.00 Commencing on June 1, 2024 and Ending on May 31, 2027 with an Option to Renew for 2 Additional 1 Year Periods (Legal-Barbosa)

- n. **233-24** Resolution Authorizing Discharge of Mortgage for Property Located at 11 Park Drive North, West Orange, NJ 07052 (Legal-Moon)
- o. **234-24** Resolution Authorizing Award of Agreement with Fire Safety Services for Repair of Fire Apparatus for the West Orange Fire Department – 2024
- p. **235-24** Resolution Authorizing Award of Agreement with FF1 Apparatus LLC for Maintenance of Fire Apparatus for the West Orange Fire Department – 2024
- q. **236-24** Resolution Authorizing Execution of a Professional Services Agreement with Battaglia Associates, 25 Battaglia Drive, Warren, NJ 07059 for Miscellaneous Professional Services at an Amount NTE \$45,000. (Legal-Moon)
- r. **237-24** Resolution Authorizing Execution of Professional Services Agreement with PKF O'Connor Davies for Consulting Services for Regular Accounting and other Work Related for the Period of July 1, 2024 through December 31, 2024
- s. **238-24** Resolution Authorizing Discharge of Mortgage for Property Located at 21 Lenox Terrace, West Orange, NJ 07052 (Legal-Moon)
- t. **239-24** Resolution Authorizing an Executive Session for the Purpose of Discussing Contract Negotiations Specifically Downtown Redevelopment Project, Contract with Samuel Klein, Contract with Battaglia Associates, Contract with PKF O'Connor, and the Garbage Contract and Personnel Specifically the Position(s) of CMFO and Interim CFO

On motion made by Councilwoman Williams and seconded by Councilwoman Casalino, the consent agenda was approved.

All members present voting “Aye.”

Resolution(s) Removed from the Consent Agenda

Resolution 223-24

Resolution Requesting the Township Publish an RFQ for Forensic Auditing Services Related to the Six (6) Year Timeframe Beginning January 1, 2018 through December 31, 2023 (Legal-Gengaro)

On motion made by Councilwoman Williams and seconded by Council President Rutherford, the above referenced resolution was approved as TABLED and will be heard on August 6, 2024.

All members present voting “Aye.”

Resolution 226-24

Resolution Prescribing Fees as Set Forth in Ordinance 2846-24, An Ordinance Repealing and Replacing Chapter 25, Section 27 of the Revised General Ordinances of the Township and Establishing a New Chapter for Environmental Protection (Legal-Gengaro)

On motion made by Councilwoman Williams and seconded by Councilwoman Casalino, the above referenced resolution was TABLED and will be heard on August 6, 2024.

All members present voting “Aye.”

Resolution 228-24

Resolution Rejecting All Bids Submitted in Response to Request for Bids for Solid Waste and Recycling Collection Service dated February 15, 2024 (Legal-Barbosa)

The above referenced resolution was approved on the Consent Agenda. Realizing the error, on motion made by Council President Rutherford and seconded by Councilwoman Williams, the vote on the above referenced resolution was rescinded.

All members present voting "Aye."

The Clerk called for a motion to approve the above referenced resolution, seeing none, the motion FAILED.

Resolution 230-24

Resolution Awarding Contract Pursuant to Request for Bids for Solid Waste and Recycling Collection Service dated February 15, 2024-Option 2 to Suburban Disposal, Inc., 54 Montesano Rd., Fairfield, NJ 07004, in the Overall Contract Amount of \$17,905,000.00 Commencing on June 1, 2024 and Ending on May 31, 2027 with an Option to Renew for 2 Additional 1 Year Periods (Legal- Barbosa)

The Clerk called for a motion to approve the above referenced resolution, seeing none, the motion FAILED.

Resolution 231-24

Resolution Awarding Contract Pursuant to Request for Bids for Solid Waste and Recycling Collection Service dated February 15, 2024-Option 3 to Suburban Disposal, Inc., 54 Montesano Rd., Fairfield, NJ 07004, in the Overall Contract Amount of \$15,751,000.00 Commencing on June 1, 2024 and Ending on May 31, 2027 with an Option to Renew for 2 Additional 1 Year Periods (Legal- Barbosa)

The Clerk called for a motion to approve the above referenced resolution, seeing none, the motion FAILED.

Resolution 232-24

Resolution Awarding Contract Pursuant to Request for Bids for Solid Waste and Recycling Collection Service dated February 15, 2024-Option 4 to Suburban Disposal, Inc., 54 Montesano Rd., Fairfield, NJ 07004, in the Overall Contract Amount of \$15,610,000.00 Commencing on June 1, 2024 and Ending on May 31, 2027 with an Option to Renew for 2 Additional 1 Year Periods (Legal- Barbosa)

The Clerk called for a motion to approve the above referenced resolution, seeing none, the motion FAILED.

Ordinance(s) on Second and Final Reading

Ord. 2859-24

On motion made by Councilwoman Casalino and Seconded by Councilwoman Williams, **An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-32.2 Restricted Parking Zones of the Revised General Ordinances of the Township of West Orange – 52 Hazel Ave. and 122 Whittlesey Ave.** 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 Rutherford and seconded by Councilwoman Casalino, the above referenced ordinance was adopted.

All members present voting “Aye.”

Ord. 2861-24

On motion made by Councilwoman Williams and Seconded by Councilwoman Casalino, **An Ordinance Amending and Supplementing Chapter 20, Streets and Sidewalks, and Subsections 20-1 Et. Seq. 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 that wished to be heard and the public hearing on this Ordinance was closed.

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

All members present voting “Aye.”

Ord. 2863-24

On motion made by Councilwoman Williams and Seconded by Councilwoman Casalino, **Calendar Year 2024 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40a: 4-45.14)** 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.

Todd Dubovy – Burnet Terrace

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

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

All members present voting "Aye."

Ordinance(s) on First Reading

Ord. 2864-24

On motion made by Councilwoman Williams and seconded by Councilwoman Casalino, An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-21, Multi-Way Stops 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 **August 6, 2024.**

All members present voting "Aye."

Pending Matters/New Matters/Council Discussion

- Cannabis Application Process
- Budget Items-Garbage Contract Option 1
- Tree Removal – 80 Main Street
- CCRB Representative

At 1:15 a.m., on motion made by Council President Rutherford and seconded by Councilwoman Scarpa, the Public 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


Bill Rutherford
Council President

Adopted: August 6, 2024