

Conference Meeting – September 24, 2024

The Conference meeting began at 6:40 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

- Proclamation: WOSAC Foundation Zero Suicide Campaign-Suicide Prevention Month
- Chelsea Senior Living - Mariola Koldys, Executive Director & Linda Caminiti, Marketing Director – New Assisted Living - 609 Eagle Rock Ave.
- Council Liaison Announcements

Public Meeting September 24, 2024

Pledge of Allegiance

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

Public Comment

Joe Fagan – PIO
Jessica Pearson – Verona resident
Anthony Sharperson – Owner of Llewellyn Parq
Al Rosu – Economic Development Commissioner
Mike Brick – Chairman, Environmental Commission
Lucille Wilson – Gaston Street
Barbara Monk – Gaston Street
Cecilia Minton – former W.O. resident
Canell Williams Larrabee – Edgehill Road
Joyce P. – Short Hills resident
Lori Montequé – Llewellyn Parq employee
Craig Sawyer – Nishuane Group
Joe Krakoviak – Grand View Avenue
Megan Brill – Executive Director-DWOA
Doug Adams – Westover Terrace
Todd Dubovy – Burnet Terrace
Anonymous – West Orange resident
Joseph Panullo – We Care – Essex Fells resident
Maya Munoz – W.O. resident

Mten Halsey – Forest Hill Road
Amy McCampbell – Gregory Avenue
Mayor McCartney – W.O. Mayor

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

At approximately 9:30 p.m. on motion made by Council President Rutherford and seconded by Councilwoman Ghebremicael, the Council entered into an Executive Session.

All members present voting “Aye.”

At approximately 10:38 p.m., on motion made by Council President Rutherford and seconded by Councilwoman Ghebremicael, the executive session was adjourned, and the Council returned to the public meeting.

All members present voting “Aye.”

Report of Township Officers-None

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

Bill List

Minutes – Public Meeting September 10, 2024

Resolution(s) Approved on Consent Agenda

- a. **274-24 Public Hearing** on Budget Amendment No. 1
Budget Amendment No. 1 was adopted at the 9.13.24 Township Council Special Workshop
- b. **275-24** Resolution Terminating Shared Services Agreement with Borough of Essex Fells for Public Health Officer (Fonzino)
- c. **276-24** Resolution Authorizing Temporary Easement Agreement with Owner of 9 Nelson Court (Legal-Gengaro)
- d. **284-24** Resolution Authorizing Environmental Escrow Agreement between the Township of West Orange and Prism Green Associates IV, LLC (Legal-Beckelman)
- e. **285-24** REMOVED
- f. **286-24** Resolution Authorizing an Executive Session for the Purpose of Discussing Matter(s) of Pending Litigation and Contract Negotiations, specifically:
 - Resolution of the Township of West Orange Authorizing the Execution of a Purchase Agreement and Amendment to Redevelopment Agreement With MDGA– West Orange Downtown Redevelopment, LLC (Legal-Beckelman)
 - Resolution Authorizing Environmental Escrow Agreement between the Township of West Orange and Prism Green Associates IV, LLC (Legal-Beckelman)
 - Resolution Authorizing Settlement of the Township of West Orange's Claims - Township of West Orange v. Ron Jolyn Realty et. al. (Legal-Moon)

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

All members present voting "Aye."

Resolution(s) Removed from the Consent Agenda

Resolution 277-24

Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a (P. Reynolds)

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

All members present voting "Aye."

Resolution 278-24

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)

The purpose of Ordinance 2846-24 was to repeal and replace Chapter 25, Sections 27 of the Revised General Ordinances of the Township of West Orange and to create a new Chapter of the Township Code for the purpose of protecting trees which are among the Township's most valuable natural resource assets, which greatly enhance the appearance of the Township and contribute to its suburban and residential character, which must be kept and maintained in good order to enhance the Township's physical and aesthetic appearance, and generally protect the public health and safety as well as the general welfare. Importantly, trees contribute positively to climate change, protection of the environment, and maintenance of storm waters.

On motion made by Councilwoman Casalino and seconded by Councilwoman Ghebremicael, the above referenced resolution was amended to reduce the replacement cost of a 2.5-inch tree from \$500.00 to \$250.00 and for a 4-inch tree from \$1,100.00 to \$500.00.

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

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

All members present voting "Aye."

Resolution 279-24

Resolution Authorizing an Award of Contract to Reggio Construction, Inc., 416 E. Central Blvd., Palisades Park, NJ 07650, in an Amount NTE \$580,870.00 for the NJ DOT Municipal Aid Carlson Road, Cullen Drive and Colonial Woods Drive Improvement Project (Carballo)

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

All members present voting "Aye."

Resolution 280-24

Resolution Authorizing an Award of Contract to D.L.S Contracting, Inc., 3 Montesano Road, Fairfield, NJ 07004, for the 2023 CDBG Road Rehabilitation of Valley Road from Kingsley Street to Northfield Avenue in the Base Bid in an Amount NTE without authorization, \$810,446.90 (Carballo)

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

All members present voting "Aye."

Resolution 281-24

Resolution Authorizing Contracts with Certain Approved Cooperative Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-5(2) for 2024 (P. Reynolds)

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

All members present voting "Aye."

Resolution 282-24

Resolution of the Township of West Orange Authorizing the Execution of a Purchase Agreement and Amendment to Redevelopment Agreement With MDGA– West Orange Downtown Redevelopment, LLC (Legal-Beckelman)

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

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

Resolution 283-24

Resolution Authorizing the Award of a Non-Fair and Open Contract to Reggio Construction, Inc., 1575 West Street, Fort Lee, NJ 07024, for Safety Improvements at 60-62 Valley Way, in an Amount NTE \$42,240. (Carballo)

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

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

Public Hearing on Budget Amendment No. 1

At 11:37 p.m., on motion made by Councilwoman Ghebremicael and seconded by Councilwoman Casalino, the hearing on Budget Amendment No. 1 was opened.

All members present voting "Aye."

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

There was no one that wished to be heard.

On motion made by Council President Rutherford and seconded by Councilwoman Casalino, the hearing on Budget Amendment No. 1 was closed.

All members present voting "Aye."

Resolution 287-24

Adoption of the 2024 Municipal Budget (Ditinyak)

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

All members present voting "Aye."

Ordinance(s) on Second and Final Reading

Ord. 2871-24

On motion made by Councilwoman Casalino and seconded by Councilwoman Ghebremicael, **An Ordinance Amending Chapter 4 Sections 33.1 and 33.2 of the Revised General Ordinances of the Township of West Orange and Establishing a Section Governing the Consumption of Cannabis in Public and Supplementing Chapter 4 to Add a New Section 41 Prohibiting Alcohol Consumption in Public** 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."

Ordinance(s) on First Reading

Ord. 2872-24

On motion made by Councilwoman Casalino and seconded by Councilwoman Williams, **Bond Ordinance Providing For Road, Sidewalk And Sewer Improvements, By And In The Township Of West Orange, In The County Of Essex, State Of New Jersey; Appropriating \$2,000,000 Therefor And Authorizing The Issuance Of \$1,904,000 Bonds Or Notes Of The Township To Finance Part Of The Costs Thereof** was approved on first reading, ordered advertised according to law, to come up for second and final reading on **October 8, 2024**.

All members present voting "Aye."

Ord. 2873-24

On motion made by Councilwoman Williams and seconded by Councilwoman Casalino, **An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-14.2a Parking Prohibited on Certain Streets During Certain Hours of Certain Days 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 **October 8, 2024**.

All members present voting "Aye."

Ord. 2874-24

On motion made by Councilwoman Williams and seconded by Councilwoman Casalino, **An Ordinance Amending And Supplementing Chapter 7, Traffic, Subsections 7-26.1, Bus Stops, 7-10.2 Stopping Or Standing Prohibited During Certain Hours On Certain Streets On Certain Days, And 7-14.2A Parking Prohibited On Certain Streets During Certain Hours Of Certain Days 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 **October 8, 2024**.

All members present voting "Aye."

Ord. 2875-24

On motion made by Councilwoman Williams and seconded by Councilwoman Casalino, **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** was approved on first reading, ordered advertised according to law, to come up for second and final reading on **October 8, 2024**.

All members present voting "Aye."

Pending Matters/New Matters/Council Discussion

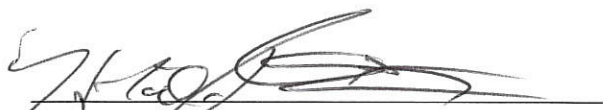
- RFQ for Forensic Audit
- Assessment on Handicapped Parking Spaces in West Orange

At 12:10 a.m., on motion made by Councilwoman Williams and seconded by Councilwoman Ghebremicael, 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: October 8, 2024